

RMT



London Underground Bulletin

REINSTATE UNFAIRLY SACKED WORKERS

A spate of unfair dismissals has taken place on London Underground which RMT is determined to fight against. We want justice both for our dismissed colleagues and to ensure that LUL workers can't be unfairly dismissed in same way in the future. There are three recent cases that we are campaigning for reinstatement of our members on:

Vicky Hayward

LUL has sacked Bank group CSA Vicky Hayward, despite having no evidence against her following a period of sickness after an accident at work. The company relied on managers' statements about what CCTV footage showed, after the footage was destroyed, and before before Vicky or her union rep had the chance to look at it.

By LUL's own admission there was 'no other evidence' against Vicky apart from the CCTV footage.

CCTV evidence ought to have been made available to Vicky and her rep.

Vicky's sickness was properly certificated. The CDI brief contained many inaccuracies and inconsistencies.

Alex McGuigan

A popular and long standing RMT member from Morden depot, with 29 years' service, Alex recently fell foul of a random breathalyser test and was summarily dismissed in spite of the fact that his medical condition – type two diabetes – can often result in a false positive test.

It is well documented that type two diabetes can cause a false and there is also legal precedent. Because of this his test ought to have been followed by a confirmation urine test to ascertain whether his illness had in fact influenced the test.

Although LUL did take a urine sample, they screened only for drugs and not alcohol and then discarded the remaining sample.

Alex told the testers of his condition and that ought

to have triggered a follow up test for alcohol in the urine sample. Even the advice from their own medical service states that his condition can trigger a false positive. This case is not about a rejection of drugs and alcohol testing. It is about that fact that such weighty mitigation in Alex's defence was disregarded at his disciplinary hearing and that he was dismissed. LUL's procedure for testing diabetics is fundamentally flawed.

Noel Roberts

A member with 26 years service on LUL, Noel was sacked despite being fully fit for work despite having been back at work for 10 months, with NOT ONE day off sick,

The facts are:

- Occupational health say Noel is fit for work
- His GP says Noel is fit for work
- His consultant says Noel is fit for work
- Even the GSM at East Ham says Noel is fit for work

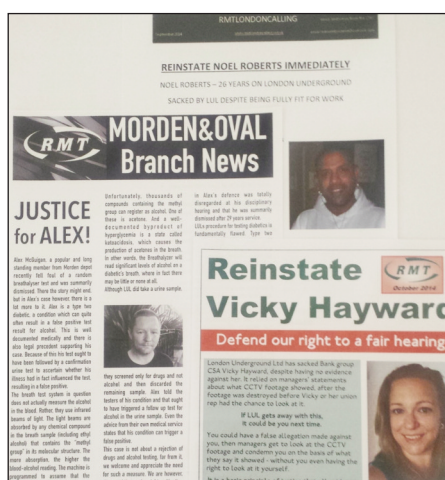
The decision to medically terminate a fully fit member of staff is as worrying as it is gets. LUOH have imposed restrictions on a fully fit member of staff to facilitate the sacking.

The GSM refused Noels request to resume to full hours and full duties; then sent him to redeployment for not working full duties; then refused him to return to work when LUOH passed him fit for ALL duties.

Any LUL worker could become a victim of LUL's unfair procedures. Fighting for reinstatement of your dismissed colleagues is also a fight for your own rights.

That is why we say:

Reinstate Vicky Hayward!
Reinstate Alex McGuigan!
Reinstate Noel Roberts!



www.rmt.org.uk

NATIONAL UNION OF RAIL, MARITIME & TRANSPORT WORKERS

Unity House, 39 Chalton Street, London NW1 1JD



APPLICATION FOR MEMBERSHIP – please complete your application along with either the attached Direct Debit or a separate paybill mandate form.

Please use **BLOCK CAPITALS** and **black ink**. * Information that must be provided.

BRANCH NUMBER

1 PERSONAL DETAILS.

Surname* Address*
 Forename(s)*
 Home phone
 Mobile phone Postcode
 Email address
 Date of Birth* / / National Insurance Number*

2 Your Employment. Employer* Location
 Job Description* Part Time YES ☐ NO ☐

3 Sex. Male ☐ Female ☐

4 Ethnic Group. (Please specify. This information is used as part of our equal opportunities policy)

A. White English/Welsh/Scottish/Northern Irish/British ☐ Irish ☐ Gypsy or Irish Traveller ☐ Any other White background
 B. Mixed/multiple ethnic groups ☐ White and Black Caribbean ☐ White and Black African ☐ White and Asian ☐ Other mixed/multiple ethnic background
 C. Asian/Asian British ☐ Indian ☐ Pakistani ☐ Bangladeshi ☐ Chinese ☐ Other Asian background
 D. Black/African/Caribbean/Black British ☐ African ☐ Caribbean ☐ Other Black/African/Caribbean background
 E. Other ethnic group ☐ Arab ☐ Other ethnic group, please specify

5 Sexual orientation (This information will be used for monitoring purposes as part of our equal opportunities policy)

Sexuality ☐ Hetrosexual ☐ Homosexual ☐ Bisexual ☐ Prefer not to say
 Do you identify as transgender? Yes ☐ No ☐ If you wish to be contacted with information about union activities for lesbian/gay/transgender members please tick here ☐

6 How do you wish to pay. Your Pay Number
 Direct Debit (you must complete form below) ☐ Paybill Deduction (complete separate form) ☐ I confirm my paybill mandate has been sent to my pay office. ☐
 Phone Freephone 0800 376 3706 to confirm your company offers paybill facility.

7 I undertake to abide by the rules now in force or those that are adopted.

Your signature Date / /



Instruction to your Bank or Building Society to pay by Direct Debit



Please fill in the whole form including official use box using a ball point pen and Send to: RMT, 39 Chalton Street, London NW1 1JD

Name and full postal address of your Bank or Building Society

To: The Manager Bank/Building Society
 Address
 Postcode

Name(s) of Account Holder(s)

Bank/Building Society account number
 Branch Sort Code

Normally your payments are made once a month to RMT.
 If you prefer to pay 4 weekly instead please tick ☐

Originator's Identification Number

9 7 1 7 4 5

Reference Number

Your National Insurance Number
 FOR RMT OFFICIAL USE ONLY
 This is not part of the instruction to your Bank or Building Society.

Instructions to your Bank or Building Society.
 Please pay RMT Direct Debits for the account detailed in this instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this instruction may remain with RMT, if so, details will be passed electronically to my Bank/Building Society.

Signature(s)
 Date

Banks and Building Societies may not accept Direct Debit Instructions from some types of account

This guarantee should be detached and retained by the Payer.

The Direct Debit Guarantee

- This Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits.
- If there are any changes to the amount, date or frequency of your Direct Debit RMT Credit Union Ltd will notify you seven working days in advance of your account being debited or as otherwise agreed.
- If you request RMT Credit Union Ltd to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit, by RMT Credit Union Ltd or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society.
- – If you receive a refund you are not entitled to, you must pay it back when RMT Credit Union Ltd asks you to.
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify us.

