



# RMT Demands Action to ensure social distancing and shielding of vulnerable staff & families

A weekly meeting of the LUL Company Council (LUCC) is now taking place where RMT can escalate issues from around the network. We have been told very clearly at LUCC that social distancing, including the requirement to maintain 2m distance at all times, applies to our members on LUL.

LUL has told their operational and employing managers to stick to these guidelines. Where it is absolutely impossible to perform a task while maintaining social distancing, such as some two person lifts performed by our engineering and fleet members, then a process is in place to assess the need to carry out the task and to mitigate any risk.

### Maintain Social Distancing

That means there should be no requirement on anyone to sit in a messroom with other staff. No requirement to mingle with passengers on a gateline or POMs. No sitting in a staff taxi with another passenger and no requirement to travel on a crowded train.

### Coronavirus – Employment Law Update – The UK – Eversheds...

<https://eversheds-sutherland.com/global/en/what/articles/index.page?ArticleD=en/...>

If an employer fails to implement appropriate measures then it will potentially leave itself exposed to employees asserting that have grounds for refusing to attend work on the basis that doing so would place them in **“serious and imminent danger”**

LUL’s own solicitors have advised that an employer who does not make adequate provisions to protect staff could be subject to their staff refusing to work because of a serious and imminent risk to their health and safety. This is a right enshrined in law.

LUL’s own solicitors have advised employers they must **implement** appropriate measures to protect workers from coronavirus.

It’s no good them agreeing to implement social distancing but then allowing local managers to ignore it.

If your manager is not maintaining social distancing in your workplace then they are failing to implement appropriate measures.

### Vulnerable Staff and those with Vulnerable people at home must be protected

LUL directors have told us, at LUCC, that no vulnerable person will be forced to come into work. But on the ground TOMs and CSMs continue to phone members who are at home shielding and demand they return to work.

LUL’s document on managing Covid quotes Public Health England who say that anyone in the vulnerable group of people should be **“particularly stringent in following social distancing measures”**

RMT has told management that we consider it impossible to do this in an operational or engineering role. Management’s response is that in such cases they expect the member of staff to raise their concerns with their manager who will seek to put measures in place to protect that person. If this is not possible then, in the words of our directors, “no-one in those categories (vulnerable or very vulnerable) will be forced to come to work”.

### Employers want to pick and chose when to apply distancing

The truth is that many employers want to break the social distancing guidelines if applying them is going to cost them money. Why else do we have construction workers still creating a 6am peak on the service? The government won’t

shut down building sites because they don’t want property developers defaulting on loans.

How can it make sense to chase people out of parks or ban someone from driving to the woods to walk a dog but then tell people with underlying conditions to travel on crowded tube

trains to stand in the ticket hall at Kings Cross?

**If you are asked to carry out any work that cannot be done while following social distancing guidelines then you have a legal right to refuse to do it and remove yourself to a safe place.**

**Bosses show that we’re not all in it together**

- ★ Full pay should be guaranteed for all workers
- ★ Safety before savings
- ★ Defend the right to strike
- ★ We won’t pay for the crisis

See over for more

# Bosses show that we're not all in this together

Covid is no respecter of class or wealth but that doesn't mean those in lower-paid casualised work or those living in over-crowded housing don't suffer most in a crisis like this.

LUL needs us to keep the trains running so those employed directly by LUL or TFL are not in immediate danger of losing pay.

But our members working for TFL through subcontractors including Balfour Beatty and Thales are threatened with furloughs. Discussions are ongoing between RMT and the employers over the possible terms. Other members, such as protection staff and riverboat worker, are self-employed and face imminent lay-off without pay. Our London Taxi members are facing massive problems .

It is noticeable how when the banks needed a bail out in 2008 the money was put into their accounts within hours. Self-employed and zero-hours workers, some already on very low pay, have to wait weeks, maybe months to even hear how they should claim for loss of earnings due to Coronavirus lockdown.

Outside of the LTRC region we have many members facing pay cuts and layoffs. Both Hull Trains and Arriva Grand Central have stopped all services and furloughed their workforces. Both operators have refused to make up the 20% pay cut under the government's scheme. In the case of Hull Trains they are using the government money to demand our members sign variations to their contracts of employment that would allow unpaid layoffs to be imposed in the future.

We've got companies demanding that members sign furlough agreements with no consultation with RMT and, as on LUL,



assurances given by management on Network Rail regarding social distancing are being ignored by managers in some areas.

In the bus and maritime sectors our members are facing mounting problems. Some bus operators seem to have failed to take any effective measures to implement social distancing and many are laying our members off. An attempt to bounce members into signing a furlough agreement on Go South Coast was thwarted by reps and we have been able to improve the furlough terms there, although the 20% pay cut still applies.

Some shipping lines are being particularly aggressive. We've had

agreed pay rises withdrawn and members threatened with furloughs and layoffs. There is some doubt about how the government's salary protection scheme will work in the maritime sector, leaving our members as the people who will suffer.

RMT has demanded talks with the Department for Transport on each sector where we represent members. We are demanding that all workers are protected. This includes those still working, who must be given PPE and the ability to follow social distancing,



as well as those being laid-off or furloughed.

The private sector has made a fortune out of the rail industry since privatisation in 1992. The government has acted to protect these firms from losses now after letting them pocket fortunes for nearly three decades.

The government has now suspended franchises and immediately giving the same TOCs management contracts with guaranteed incomes while the state takes on the costs of falling passenger numbers. The government should have nationalised the TOCs once and for all. RMT continues to push this demand.

The immediate costs of Coronavirus will be felt by families in our industry, across Britain and around the World. First and foremost we must act to protect our members from the virus and from immediate pay-cuts and lay-offs.

But looking forwards, governments will be seeking to recover the economic costs of this crisis from us.

Austerity after the financial crisis of 2008 was severe but the costs of lost production during this crisis could be more dramatic. When it comes to settling the bill for this crisis there will be no co-operation with us on offer from the government or big business.

Michael Gove can go on TV and thank the Trade Union leaders for their co-operation at this time but it means nothing. It would count for a lot more if he immediately withdrew plans for more anti-union laws in the form of minimum service levels.

We must remember that the trade unions and labour movement represents the only force that has improved the living conditions of working people. We must do everything we can during this crisis to retain our organisation and readiness to fight the bosses for what is right.