



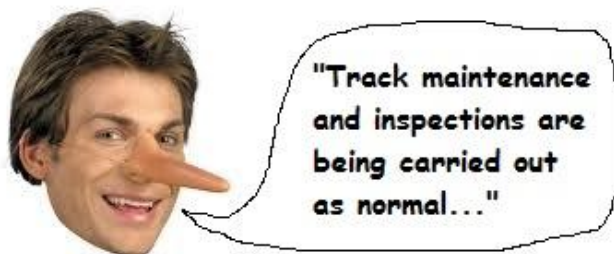
TUBELINES STRIKE – THE TRUTH

First of all, congratulations to each and every driver who put the safety of themselves and their passengers first by refusing to operate trains during the solid strike by Tubelines' signalling technicians and the ERU last week. Management pulled out all the stops to pressure drivers into working normally. There were so many senior managers swarming about Ash House, you could have been forgiven for thinking you had turned up at 55 Broadway by mistake! So desperate were they to bully drivers into working that they resorted to the following:



- Refused to respond to RMT's repeated request for details of ERU staff they alleged were working or to provide proof of their competencies and qualifications;
- *Claimed on the first day of the strike that the ERU was working normally – a blatant lie – it was more a case of "who are you?" rather than ERU;*
- Refused to allow drivers to be accompanied by a rep when being interviewed, **in breach of the company's own Refusal to Work on Grounds of Safety Standard;**
- *Escorted local industrial rep, from the premises on the Wednesday and sent home the local Health & Safety rep, the following morning;*
- Isolated drivers who refused to pick up by forcing them to sit in the training room and watch SPAD mitigation videos for 7 hours;
- *Interviewed drivers up to THREE times, whilst denying their right to have a union rep;*
- Threatened drivers with loss of pay or with disciplinary action, **in breach of health and safety and employment law.**

Pressure and Lies



Despite this enormous pressure, there were over 50 drivers at Arnos Grove who refused to be conned into working unsafely and who, instead, stood their ground and took whatever management could throw at them. The lack of drivers caused severe delays on the line but, even then, managers could not bring themselves to tell the truth; customers were told that

the delays were all down to a signal failure at Oakwood! The way in which management tried to coerce drivers onto trains was a disgrace and showed clearly that they are more concerned about keeping the service running than with the safety of staff and passengers. It also showed that they are prepared to ignore, not only their own procedures, but even the law of the land which



protects workers who refuse to work when they consider it is no longer safe to do so.

The Firefighters' Dispute and your Rights



"You're not entitled to a union rep when we interview you about your safety concerns"

The present situation has many parallels with the firefighters' dispute of 2002/3. As now, many drivers refused to work in the absence of a professional, fully equipped fire service. As now, many drivers felt compelled to return to driving under enormous pressure from management, including the sending home of drivers without pay. This law-breaking move by the

company was subsequently challenged at a tribunal; the company, which knew it was in the wrong, settled out of court and *repaid every penny of the wages it had docked from drivers' pay*.

So what are your rights? They are as follows:

- You can refuse to work if you believe there is a risk to your safety or the safety of others for whom you have responsibility – **Health & Safety at Work Act 1999, section 8**;
- You must not suffer any detriment (e.g. loss of pay, disciplinary action, etc) as a result of your decision to refuse to work on grounds of safety – **Employment Rights Act 1996**;
- LUL's own standard concerning refusal to work on grounds of safety states that you have the right to be accompanied by a Health and Safety rep at any interviews you are given – **LU standard 5-547, section 3.1.10**.

What next?

Tubelines staff will strike for another two days from **1900 on Wednesday 14th July until 1900 on Friday 16th July**, unless they receive assurances concerning job security and a pay rise equal to that received by ex-Metronet and TfL workers.

It's up to you to decide whether LUL is providing you with a safe working environment on the days when the Emergency Response Unit and JNP signalling technicians are out on strike. This leaflet is only intended to describe some of what is going on and to explain what rights you have in the circumstances. For further advice and information, or for a proforma refusing to drive on grounds of safety, please contact one of your RMT reps. **Can you trust LUL managers to tell you the truth about safety? You decide.**

Remember, safety is your responsibility.

