

Reinstate Jason Moriarty

Sacked for being disabled!



London Underground management let down RMT Branch Secretary Jason Moriarty at his time of need.

Neurodivergence is not a sacking offence!
Missing a phone call is not a sacking offence!

Jason Moriarty is an RMT branch secretary and a rep.
He has put in years of dedicated service for RMT members.

It is shocking that LU management could treat any disabled worker in this way.



THE FACTS. (we have documents/emails to back them all up)

Jason has been on the job for 25 years , 24 of these driving trains with an excellent safety and staff errors record.

Jason has Combined type ADHD , but its hard to get a diagnosis as an adult. NHS waiting times can be over two years. He tried to get a diagnosis through the medical assistance program but was refused.

Train operators with ADHD do exist. Both on LUL and on other railways around the country. LUOH should have simply had him properly assessed by one of the psychiatrists they have on their books but they wouldn't , probably to save a few quid.

Jason tried to get help at every stage but was shunned, He asked to company to help by using the governments access to work programme to provide ADHD coaching to assist with finding a new role in the company if required. (The government reimburse the cost to the company) He was initially wrongly advised by HR and management that this was the duty of counselling and trauma to arrange but they stated (correctly) that it was for management to deal with, HR and management then refused stating it was a complicated process and would take too long.

Jason was not off sick , He was in fact forbidden from attending the workplace by both his employing manager and the manager dealing with the case conference process.

Jason was not on any attendance warning whatsoever. However the terminating manager shockingly used Furlough, time off for Essential Heart Surgery, Covid isolation, Special leave unpaid (allowed without detriment according to their own rules after the covid isolation period) and even quite perversely the period he was forbidden by the same manager who terminated him from attending work to further justify the termination.

Management and HR promised Jason access to the redeployment programme, but he was never given an induction date or contacted by the redeployment team and then management falsely claimed he refused to engage with redeployment,

The Terminating manager had previously been removed from the case after concerns from a senior RMT representative about her conduct,. The Manager she was replaced by unfortunately became unavailable and within 48 hours the original manager had reappeared and terminated Jason , By email !!

The Terminating Manger had previously shockingly in an email to Management/Admin relating to Jason instructed the recipient's to **" Ignore the shi* about procedures"** The fact that someone with that level of contempt for the correct processes is allowed by LUL to terminate a member of staff even after their senior managers had been advised and provided with that email is quite disturbing to say the least. (PS. they used t not an * in the email)

Management and HR refused point blank to look at or attempt to obtain a copy a report sent by LUL counselling and trauma after two assessment sessions to LUOH medical that for some reason was never provided and has simply disappeared that could have confirmed Jason was in fact suitable to drive a Train. To This date this report still remains a secret.

Management claim Jason wasn't fit for train work BUT then they overruled that decision and signed him as fit for work and sent him to Hainault depot for CDP and track training, and then the next day stated he wasn't fit, again LUOH stated both that Jason should not do any work until assessed and then overruled themselves saying he was fit for non safety critical work, confused ? He was too. To clear it up he was fit for no work, fit for non safety critical and fit for train work all at the same time. Maybe Management and LUOH and HR should have sat down and decided by tossing coins !!

What is ADHD?

Attention Deficit Hyperactivity Disorder is an atypical brain wiring. People with ADHD have unusual attention spans, and may also have great strengths, including enhanced focus and creative thinking.

ADHD does not stop a person being a train driver. There are many people with ADHD who work on London Underground, as drivers and in other safety-critical roles.

ADHD is a lifelong condition. Jason has always had ADHD, even before he knew it. For years, he was a train driver with no problems at all.

Because he could not get access to the support services he needed, Jason's mental health suffered.

At an early stage strangely the manager dealing with the case admitted to Jason's rep that a more senior manager had instructed him simply to terminate Jason and that the company would "take the hit" at an Employment Tribunal .

For a while, a manager from outside the area dealt with Jason's situation, and a way forward was found after Mick Lynch contacted Andy Lord, Jason was more comfortable and felt part of the decision-making process. Sadly, that manager became ill and the local manager resumed control of the situation.

The manager who had been dealing cancelled a case conference following discussion and apparent agreement on a way forward between RMT GS Mick Lynch and Andy Lord Chief operating officer .Then the Terminating manager accused Jason of not attending the (cancelled) case conference , and gave this as a reason for sacking him!

Jason had a phone appointment with Occupational Health, but Jason's phone only rang three times and he did not get to it in time.

He and his rep immediately contacted LU and OH to report this, but no-one responded.

Interestingly we are aware of other employees missing up to 4 appointments with an Occupational Health before any issue was formally raised

WHATS HAPPENING NOW

- 1. An appeal has been made and the appeal manager is considering the situation and going through the related documents etc.**
- 2. ACAS early conciliation has been lodged and is being handled by Jared Wood our newly elected Regional organiser and former NEC Member.**
- 3. RMT's legal department have been provided with all the details of the case and relevant paperwork so as the case can be pursued at ET if that becomes unfortunately necessary**

RMT will not stand by while any member is treated like scum because of a condition they were born with — especially when they have worked with that condition for 25 years without issue.