

# RMT up front



*The newsletter for London Underground drivers*

Issue 14, June 2011

## Strike for workplace justice!

The RMT has called all drivers out on strike action next week for the reinstatement of Northern Line driver Arwyn Thomas (see overleaf for details).

Arwyn was sacked because he has for 30 years represented RMT members and has loyally argued the union's corner in the workplace.

He was sacked because LU have been found out as an aggressive anti trade union employer and are targeting reps and activists to undermine union organisation on the tube.

Don't just take the RMT's word for it, a court of law has already stated that LU are prepared to lie, collude and cover up in order to unlawfully victimise RMT reps. That was in the case of health & safety rep Eamonn Lynch. The judgement was so damning on LU that they now have not one ounce of credibility left whatsoever. The judgement in Eamonn's case could not have been stronger. Some might argue that the victimisation of Eamonn Lynch was confined to some rogue bosses on the Bakerloo Line. Not so, the managers "found out" by the Tribunal were from across the combine: Rob Smith, Bakerloo Trains Performance Manger; Alana Stewart, Central Line Train Operations Manager, Chris Taggart, Victoria Line Trains Performance Manager. So LU's victimisation policies are a company wide agenda which include HR Director Gerry Duffy who had the opportunity at ACAS to stop LU's illegal treatment of union reps.

The RMT demands to know will the LU managers named and shamed by the court of law face disciplinary charges for "breach of trust" and "bringing the company into disrepute"?

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As a result of the union's campaign Eamonn Lynch has been reinstated. When that deal was done, LU promised to have further talks to avoid Arwyn's case going to full tribunal. But LU scuppered any chance to pull back on this dispute and save their reputation by completely refusing to discuss Arwyn's reinstatement. That is why these strikes are on.

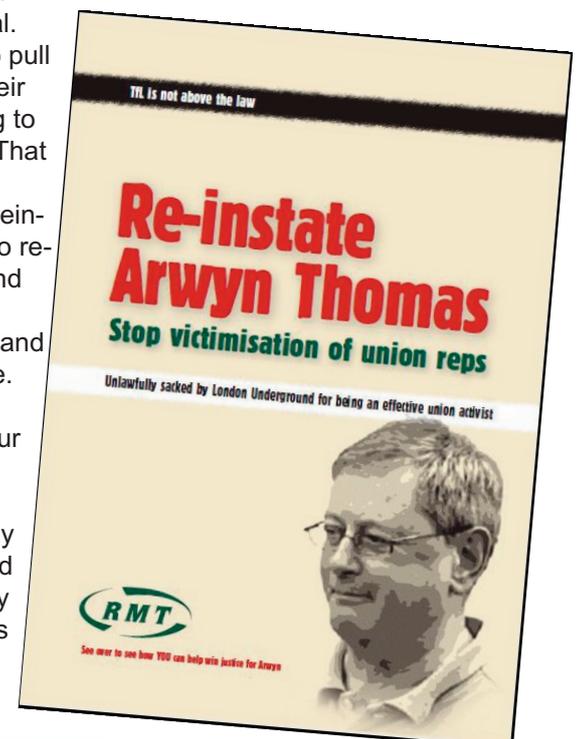
Management have refused to reinstate Arwyn because they want to retain the right to arbitrarily sack and discipline drivers with impunity. They want the right to intimidate and harass all drivers on the combine.

If we allow LUL to pick off our reps and activists, one by one, our wages and conditions in 5 years time will be unrecognisable to those we enjoy now. There is only one question train operators need to ask themselves - "Do I owe my allegiance to the Union that fights to improve my wages and conditions, or to the management that fights to worsen them?"

If we can secure Arwyn's reinstatement this will be a clear message to management that every driver deserves fair treatment and justice in the workplace.

This is about stopping LU's victimisation policies across the job and the disciplinary clampdown facing all tube drivers.

Arwyn Thomas already has a tribunal judgment saying that he was victimised. But workers on LU cannot rely on courts of law to resolve disputes on the tube. This is for the workforce to sort out. Tellingly one of the most important passages from Eamonn Lynch's tribunal judgement was the phrase "workplace justice". This is why the union has called strike action. Every single driver on LU deserves justice in the workplace. So does Arwyn Thomas. Strike for yourself. Strike for Arwyn.





# TRAIN DRIVERS COALITION OF SOLIDARITY

## Four days of action for workplace justice

To maximize the impact of our action on services whilst minimizing the cost to drivers, our plan of action is to have strikes as follows:

Between 21.01 hours on Monday 27th June 2011 and 11.59 Hours on Tuesday 28th June 2011

Between 12:00 hours on Wednesday 29th of June to 11.59 on Thursday 30th of June 2011

Between 12.00 hours on Friday 1st July 2011 and 21.00 hours on Friday 1st July 2011

Or, to put it more simply: the first strike on the 19th will be for night turns only, then from the 27th - night turns will strike on Monday and Wednesday; earlies (before noon) will be out on Tuesday and Thursday; and lates (from 1200 onwards) will strike on Wednesday and Friday.

If you are in any doubt about these instructions, please speak to one of your local reps.

## The facts behind the sacking



### Reinstate Arwyn Defend Our Reps

The RMT sets out a summary of the key facts regarding the specific case of Northern Line driver Arwyn Thomas:

1. Arwyn has been a member of the RMT for nearly 30 years and throughout this time has had an exemplary employment record with London Underground without even so much as a reference for attendance or lateness.

2. During his 30 years, Arwyn has been a staunch and loyal activist in the RMT supporting the union's campaigns, holding a number of offices - right up to executive level within London Transport - and representing members at all levels.

3. The wholly unfounded allegations against Arwyn are that he was abusive towards a strike-breaker at the Morden depot and towards a station supervisor at Kennington. Not only are these allegations totally untrue but at Arwyn's "Interim Relief" tribunal hearing the chair, on hearing evidence from both sides, took the almost unprecedented step of asking the LU managers to step outside for fifteen minutes to consider immediate reinstatement.

4. LU managers foolishly refused the Tribunal chair's invitation and as a consequence Arwyn was awarded "Interim Relief", putting him back on full wages pending the outcome of his full tribunal. This decision was hugely significant as the burden of proof to secure interim relief on the grounds of dismissal for union activities is set extremely high - as it was in the case of victimised and reinstated

driver Eamonn Lynch.

5. At the full Employment Tribunal hearing, which has now concluded and for which we await the results, the CCTV evidence showed clearly that not only had Arwyn not been abusive but that he had been pursued across the station by the strike-breaker who was openly trying to provoke a confrontation. It also showed that at no time did he enter the supervisor's office at Kennington, contrary to the management claims. The only independent witness stated that there was no aggression on Arwyn's part.

6. As a consequence of all the evidence it is absolutely clear that the charges against Arwyn that led to his dismissal are entirely bogus and it is also clear that the real reason for his dismissal is because he has shown himself to be a loyal and effective union activist for the past thirty years.

RMT General Secretary Bob Crow said: "The facts in Arwyn Thomas's case could not be clearer and I appeal again to London Underground to see sense, abide by the spirit of the agreement we reached with them weeks ago over these victimisations and get Arwyn back to work doing what he is being paid to do - drive tube trains.

This trade union would not be worth its salt if we didn't stand up and fight injustice and Arwyn Thomas's case is probably the clearest cut case of victimisation on the grounds of union activities that you will ever see. The chair of the interim tribunal found exactly that when LU were invited to adjourn for fifteen minutes and re-employ - it is a tragedy for Londoner's and for industrial relations on the tube that they blew that opportunity.

However, it's not too late to make amends and rather than plunging London into a series of tube-wide actions starting Sunday night there is still time to put right this wrong and we remain available for talks aimed at achieving a just outcome in this case."

## Union agrees dispute payments

The RMT Council of Executives has agreed to pay £100 to all members who take part in next weeks strike action.

This is in recognition of the financial loss to members over the last period. There will be a one off payment of £100 which will be administered by the branches.

The national union is taking a stand against LU's disciplinary clampdown. The full Council of Executives is completely aware of LU's victimisation policies and the importance that drivers on the tube fight for justice at work. The executive has authorised these payments from the union's dispute fund. Stand together for every driver on the combine. Stand up for yourself and your workmate Arwyn.

## LU bosses continue their clampdown

No one is safe as LU continue their victimisation policies. On the Bakerloo Line RMT activist Jayesh Patel was dipped for taking a PNR at Embankment station. The union is appealing and pursuing this to a tribunal.

On the Central Line train operator Tunde Umanah was summarily dismissed following a PTI incident were a duty manager wilfully obstructed the doors. Leytonstone drivers are furious and the decision is being appealed.