



TOPRA

TRAIN
OPERATOR
RESOURCING
AGREEMENT

Amended and ratified by Trains Functional Council
On 15th May 2013

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1. List of Commonly used Abbreviations

LUL	-	London Underground Limited
T/Op	-	Train Operator, Instructor Operator, Signal Stock Train Operator
TOM	-	Train Operations Manager
TFC	-	Trains Functional Council
MCO	-	Mutual Change Over of Home Depots
TOPRA	-	Trains Operator Resourcing Agreement

2. Introduction

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- 2.1 This publication explains the arrangements on how T/Op vacancies will be filled by both internal LUL applicants and applicants external to LUL at existing depots and for the opening or re-opening of depots.
- 2.2 It also explains the arrangements covering a mutual exchange of home depot, T/Ops returning from Maternity / Parental Leave, Career Break or Secondment, Job Shares, Reduced Hours working, Company Disciplinary Interview decisions regarding T/Op being reduced in grade, Medical illness / redeployment, SPAD Case Conference and the increase / reduction in T/Op Staff on Books at a depot / pool coverage.
- 2.3 All advertisement and appointment of external applicants will be done using LULs normal processes current at the time.
- 2.4 These arrangements outline an appeals procedure for T/Ops whose application for transfer has not been accepted.
- 2.5 These arrangements explain the process for populating the T/Op roster from the Pool.
- 2.6 TOMs have a role in these procedures as do Operations Resourcing and the TFC.
- 2.7 Administration of the TOPRA is the responsibility of Operations Resourcing.
- 2.8 Operations Resourcing has been established by LUL to oversee the resourcing of train depots and movements between them; incorporating the principle of minimum numbers as laid down by the 2009 Agreement.
- 2.9 A Movements Committee composed of Management and Trade Union Representatives of the TFC will meet monthly to apply these arrangements.
- 2.10 A list of train staff depots is located at the back of this booklet. All required forms are either available from the Intranet or from the local Administrator.

3. Transfers

- 3.1 Established T/Ops may apply to transfer to one other depot and additionally to other depots which are deemed Geographical moves. Applicants must submit a transfer application form to their TOM stating the depot they wish to work at. Staff may cancel or change their nomination by written submission to Operations Resourcing subject to the arrangements within section 3 of the TOPRA.
- 3.2 Where it is expected that a vacancy or vacancies may occur at a depot, Operations Resourcing may write to the top four (maximum) train operators on a waiting list informing them that they should expect to be called within 6 months to their nominated depot.

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- 3.3 On identifying the need to transfer a T/Op to a depot a letter from Operations Resourcing stating that a move may take place, within the following 6 months (but not during the 28-day cancellation period), will be sent to the T/Op. The T/Op has 28 days to cancel their nomination after which time they forfeit this right to cancel.
- 3.4 If Operations Resourcing does not receive notification of cancellation then the T/Op should expect to be moved to their nominated depot during the following 5 months. This move may take place immediately after the 28 day cancellation period and / or with very short notice.
- 3.5 If at the end of the 6 months the transfer has not taken place then the process can be repeated one more time. Should a second letter be sent then the T/Op will be moved within the 6 months (but not during the 28-day cancellation period) of receiving the second letter if the nomination has not been cancelled.
- 3.6 In the event that Operations Resourcing need to call more than 4 T/Ops for a given location this will be put before the Movements Committee.
- 3.7 T/Ops will also receive written confirmation from Operations Resourcing of their application or cancellation within 14 days.
- 3.8 Operations Resourcing will keep waiting lists of T/Ops wishing to transfer to T/Op depots. This waiting list will be ordered by date of application. Where two or more applications are made on the same date then train grade seniority will determine priority.
- 3.9 Where required T/Ops will be called for nominated depots from waiting lists in the order as defined by 3.8 above.
- 3.10 Applicants may apply through the use of the 'Geographical Transfer Form' to move closer to their nominated depot without losing their place on their nominated depot waiting list. All geographical transfer requests will be reviewed by the Movements Committee prior to being accepted. More than one geographical transfer nomination is permitted.
- 3.11 If a transfer application is refused by Operations Resourcing the employee will be given a full written explanation of the reason(s). The employee or their representative will have the right to appeal this decision. If an appeal is made, no action will be taken to fill the vacancy until the appeal is dealt with.
- 3.12 Reasons for refusing a transfer will include the following:
 - 3.12.1 Long Term Sickness (expected to be in excess of 28 days) - In cases of staff that are Long Term Sick the transfer will not take place whilst the member of staff is off sick.

When the T/Op becomes fit they will be transferred immediately and take up a position based on the original proposed transfer date. For the purposes of the 2009 Agreement they will be considered as part of the staff on books of the receiving depot.

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3.12.2 A Company Disciplinary Interview pending (which may potentially result in the loss of grade) in which case a decision on a transfer request will be deferred until the outcome of the hearing is known. A vacancy will be held open pending the outcome of the disciplinary hearing. For the purposes of the 2009 Agreement they will be considered as part of the staff on books of the receiving depot.

3.12.3 The reasons and/or facts quoted under an application have not been accepted by the Movements Committee (e.g. Extreme Hardship applications).

3.13 Any cancellation request should be submitted through the use of a 'Cancellation Form' attached to the transfer notification letter sent by Operations Resourcing who will remove the individuals name from the transfer waiting list. Up to date depot waiting lists are available from the local Administrator.

3.14 The timescales for transfers as outlined above can be reduced by consent of the T/Op concerned and if ratified by the mutual consent of Operations Resourcing.

3.15 Where the Movements Committee accepts that there has been an exceptional administrative error in calling staff then that transfer(s) could be revoked.

3.16 Following a transfer to their applied for depot a T/Op will be eligible to apply to transfer to another depot and to respond to advertised vacancies.

3.17 If any T/Op applies to transfer 3 times within a 3 year period, then the third application will be considered by the Movements Committee.

3.18 All applications for transfer or cancellation of transfer should be submitted on the appropriate form and kept at the depot. The TOM or their local Administrator will date the paperwork and issue a receipt of acknowledgement to the staff member and forward the paperwork to Operations Resourcing who will confirm receipt to the TOM and the applicant.

3.19 A T/Op will also receive written confirmation from Operations Resourcing of their application or cancellation within 14 days. If this has not been received it is the responsibility for the T/Op to initiate an enquiry. Failure to do so will mean that their name is not put on a waiting list and this will not be rectified at a later date.

Filling of Rostered Positions

3.20 When a position becomes available on the depot roster the Senior T/Op (depot seniority) for the depot concerned will be transferred from the pool into the roster.

3.21 Subject to satisfying establishment numbers under the 2009 Agreement, the T/Op from the top of the transfer waiting list for the depot concerned will then be transferred by Operations Resourcing to the pool.

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Annual Leave

- 3.22 T/Ops transferring to a nominated depot will have their annual leave honoured in line with existing agreements.
- 3.23 When a T/Op receives a letter informing them of the date of their move to another depot, after the 28-day cancellation period (where applicable), and prior to the move they will not be permitted to apply for vacant annual leave periods at their current depot. Mutual change-over of annual leave with other T/Ops remain unaffected.

4. Train Operator Vacancies

- 4.1 Recruitment at or above the agreed minimum T/Op figures would remain the prerogative of LUL, whilst recruitment to below this figure would require negotiation and agreement at TFC. Therefore Operations Resourcing will plan for, and maintain the agreed minimum T/Op numbers required at each individual depot.
- 4.2 If there are no applicants for transfer to fill a vacancy or potential vacancy the post will be advertised continuously to all LUL staff. If there are then insufficient LUL staff to fill the vacancies, the posts will be advertised both internally and then externally. Existing T/Ops will at all times retain their priority for T/Op vacancies.

Train Operator Recruitment

- 4.3 With effect from the date of the 2009 Agreement individuals will now be recruited to the grade of T/Op not to a specific depot. These staff will not have a title separate to that of T/Op. These staff will be recruited according to the following process:
 - 4.3.1 An advert will go out in the Traffic Circular for the position of T/Op.
 - 4.3.2 This advert will not specify particular locations for recruitment.
 - 4.3.3 Applications will be processed and assessments completed.
 - 4.3.4 As part of the induction day successful applicants will meet with management and trade union representatives to go through the nomination process.
 - 4.3.5 Each individual will make three depot nominations. Their first choice will be referred to as their Home depot and the other two Depots referred to as their second and third Nominated Depots.
 - 4.3.6 If after this initial nomination process an individual wishes to change their nominations then only one nominated depot will be accepted.
 - 4.3.7 In filling out a new depot nomination form, under 4.3.6 and this process, all the previous nominations will be cancelled.

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- 4.3.8 Until an individual has attained a position at one of their nominated depots they are not permitted to complete a MCO.
- 4.3.9 Until an individual has attained a position at one of their nominated depots they are not permitted to apply for a geographical nomination move.
- 4.4 As a result the following avenues are open to recruited individuals:
- 4.5 To be placed, if there is a vacancy, at their nominated Home Depot.
- 4.6 If there is not a vacancy at the Home Depot then in priority order:
 - 4.6.1 To be placed at a vacancy at either of their Nominated Depots.
 - 4.6.2 To be placed at a vacancy at another Depot **or** project pool at a Depot.
- 4.7 If not allocated to their Home Depot the applicants names would then be put on the respective waiting lists on Consolidation effective from the date of application. They would be placed behind Train Operators already on those waiting lists.
 - 4.7.1 When a new T/Op is called to any one of their nominated depots (this does not require a notice period) then they are not able to cancel their nomination and must move.
- 4.8 T/Ops that form part of the T/Op Staff on Books at a depot cannot apply to work as part of a 'project pool'.
- 4.9 While awaiting transfer to a vacancy at their nominated Home Depot by the Movements Committee these staff will be allocated to another train crew depot or will work as part of a 'project pool'. Whilst on a 'projects pool' they will sit outside the establishment. Upon completion of a given project staff on a 'project pool', could be transferred onto the 'project pool' of another project, or to work at another train crew Depot on any line if none of their choices of Home or Nominated Depots are available. No special travelling arrangements will be afforded to these members of staff. Placement of staff on any 'project pool' is solely a Management activity but consultation would occur on this matter at the Movements Committee where geographical moves will be considered in relation to where they live. Individuals would continue under this arrangement until such time as they reach the top of the waiting list at either of their Nominated Depots or Home Depot. Subsequently at such time as a vacancy arises this individual would be transferred to the Depot in question.
- 4.10 As part of this process any individual transferred to a Nominated Depot will still retain their position on any higher Nominated Depot (i.e. second choice if they have reached their third choice) and their Home Depot. They will be transferred to either of these Depots were a vacancy to arise, and could potentially be transferred again from their second choice Nominated Depot to their Home Depot were a vacancy to arise at the Home Depot.

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5. Mutual Change Over of Home Depots

- 5.1 Any T/Op may apply for a MCO with another T/Op. They will exchange depots, but they will take up their position at the bottom of the pool at their new depot.
- 5.2 Any T/Op who applies for an MCO with a T/Op for a depot with fixed link rosters will take up their position at the bottom of the pool in the mixed link at their new depot. They will then be eligible to apply for the link of their preference under the normal arrangements for doing this.
- 5.3 T/Ops applying for a MCO will be able to do further mutual exchanges. An application to transfer, already made at the time of the MCO application may stand, subject to agreement of the Movements Committee provided the MCO application makes sense in relation to the transfer application, i.e. the individual is moving closer to their nominated depot whilst awaiting transfer to it.
- 5.4 MCO applications must be submitted on a MCO application form available at the depot, signed by both (all) members of staff. The form will be endorsed with a date of receipt and a receipt of acknowledgement will be issued to both staff members by the TOM or their local Administrator. The form will be forwarded to Operations Resourcing who will acknowledge receipt to the TOM and the applicants.
- 5.5 Operations Resourcing will transfer the T/Op directly to the depots concerned no later than 28 days from the Sunday after ratification at the Movements Committee if they are from depots on different lines or no later than 14 days from the Sunday after ratification if the depots are on the same line. It is within the remit of the Movements Committee to not ratify the MCO.
- 5.6 MCOs can be done by more than two T/Ops from more than two depots.
- 5.7 Completed MCOs forms can only be cancelled with the agreement of both (or all of) the T/Ops that had previously agreed to the MCO.
- 5.8 Should one of the T/Ops involved in the MCO voluntarily leave LU or their grade within 6 months of the application then the other T/Op will move back to their original depot subject to a decision of the Movements Committee.
- 5.9 If a T/Op covered by the East London Line agreement undertakes a MCO then they will no longer come under that agreement.

6. Extended Cover

Maternity / Parental / Adoption Leave

- 6.1 A T/Op taking Maternity / Parental Leave will maintain their position on the roster. To avoid any possible subsequent misunderstandings, prior to commencing leave, they will be

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informed of the above in writing. Their name will be retained along side the name of the person covering their position for the duration of the leave taken.

Secondments / Extended Periods of Promotional Training

- 6.2 T/Ops who are seconded (or must be covered for extended periods of promotional training) will be covered by the senior pool T/Op and will retain their rostered position upon their return.
- 6.2.1 At a depot where Fixed Link Rosters are in place and the T/Op being covered is not in the Mixed Link, that position will be filled by the next person on the waiting list for the given Link and that T/Ops position on the Mixed Link will be covered by the senior pool T/Op.
- 6.2.2 On their return from secondment (or from an extended period of promotional training) the T/Op will take up their place on the Fixed Link and the other T/Ops will return to their original positions.
- 6.2.3 Should there be no waiting list or the T/Op on the top of the waiting list for the Fixed Link concerned declines to take up the position due to it not being a permanent position then the vacancy will be covered by the pool or cover staff on a weekly basis.

Non-Disciplinary Reduction in Grade

- 6.3 It may be necessary for T/Ops to agree a reduction in grade owing to a number of different circumstances. Where this occurs the following applies.
- 6.3.1 If a T/Op agrees to a time limited reduction in grade at the T/Op rate of pay or with protection of earnings and there is an agreed option to return to the train grades they will then take up a position in the pool at their home depot based on their previous depot seniority frozen from the time of their temporary reduction.
- 6.3.2 If a T/Op agrees to a reduction in grade at the T/Op rate of pay or with protection of earnings and there is a requirement to re-apply through the normal recruitment process to return to the train grades. Then if this application and requalification is successful they will be placed on the top of the waiting list of their former depot and be able to seek a vacancy elsewhere until they are called.

Return from Medical Redeployment

- 6.4 Employees are able to return from time limited or previously expected permanent medical redeployment.
- 6.4.1 Where an employee is declared fit for T/Op duties following a time limited medical redeployment away from the train grades they will return directly to their previous depot.

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6.4.2 Where an employee becomes fit for T/Op duties following a permanent medical redeployment away from the train grades every effort will be made to return them to their previous depot. Where this is not possible they will be placed at the top of the waiting list for their previous depot and will be able to seek a vacancy elsewhere until a vacancy arises at their home depot.

6.4.3 When an employee returns to their previous depot they will be placed in the pool based on their previous frozen depot seniority.

6.5 Employees will be assessed by LUOH to return to the train grades and T/Op salary will recommence on date the employee is passed fit for train work by LUOH.

6.6 If an employee is passed fit to return as a T/Op by LUOH and does not take up the offer to return as a T/Op then protection of earning (if these are in place) will cease.

Return after Career Break (up to 6 months)

6.7 Where the approved career break is for 6 months or less, the T/Op will be given special leave without pay, and will resume to their rostered position.

Return after Career Break (over 6 months)

6.8 A T/Op who is re-employed after a career break of over 6 months will be expected to return directly to their previous depot. Where this is not possible they will be placed at the top of the waiting list for their previous depot and will be able to seek a vacancy elsewhere until a vacancy arises at their home depot. They will also maintain their position on any other waiting list(s). Operations Resourcing will be responsible for placing the member of staff in a suitable T/Op position.

Pool Coverage

6.9 Where a T/Op(s) is unable to carry out their rostered duties for 28 – days or more, the senior pool operator(s) for the depot concerned should be used to cover their position. On return of the substantive T/Op, the pool operator will return to their position in the pool.

6.10 If, during this period of coverage a permanent vacancy were to occur on the roster the senior pool operator would be moved from coverage of the temporary vacancy and be rostered in the permanent position. The next in line senior pool operator for the depot will then take up coverage of the extended leave.

Job – Shares

6.11 T/Ops on job – shares may have to travel to another depot to find a ‘partner’. If a job – share is terminated for any reason the decision as to whether a T/Op returns to their original depot will be based on information provided to the Movements Committee who will make the final decision.

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Appendix 2b PTOA – 2.11; Mutually agreed ending of Job-share agreement

- 6.12 90 days notice of an intention to end their job share arrangement and return to full time employment should be given to the Employing Manager.
The senior Train Operator shall retain the roster position. The junior Train Operator shall take the appropriate roster or pool position according to seniority.

Appendix 2b PTOA – 3; Unplanned Ending of Job-share agreement

- 6.13 In the event of the arrangement being terminated by events outside the control of the parties (e.g. Dismissal, Death, Resignation) the following options can be pursued:
- Seek another job-share partner with the assistance of the Employing Manager and Staff Reps and utilising the TRMU* job-share register:
 - Coverage by normal coverage arrangements for up to 90 days:
 - Return to full time working:
 - Seek another suitable position within the company.

*now referred to as Operations Resourcing

Reduced Hours Working (part-time staff) (Appendix 2b PTOA – section 1.2)

- 6.14 In the event that the employee wishes to return to full time T/Op duties they will be placed as top of the waiting list for their home depot and be able to seek a full time T/Op vacancy elsewhere until a vacancy arises at their home depot.

Working Beyond 65 Years of Age

- 6.15 T/Ops are no longer required to retire at 65 years of age.

7. Disciplinary Decisions

- 7.1 If a T/Op is reduced in grade and wishes to return to the Train Grades the rate of pay for a T/Op will recommence at the end of the period of reduction or on re-qualification if this was stipulated at the Company Disciplinary Interview. They will then be placed at the top of the waiting list for their home depot and be able to seek a T/Ops vacancy elsewhere until a vacancy arises at their home depot. On return to their original home depot they will take up their position in the pool based on their previous depot seniority frozen from the date that they ceased to be a T/Op.
- 7.2 If, as part of a sanction, a CDI panel decides to move a T/Op from his home depot to another depot the decision of which depot the T/Op moves to will be decided at the Movements Committee based on the evidence provided. If required, in order to hasten a move, this can be done via telephone or email and ratified at the following Movements Committee meeting.

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8. Extreme Hardship Moves

- 8.1 Staff may apply for an Extreme Hardship transfer. Where such an application is made, the applied for Extreme Hardship transfer must be such that the quoted circumstances will be improved or completely relieved by the transfer requested.
- 8.2 The Movements Committee and not the T/Op will decide which is the most suitable line and depot to transfer the T/Op, taking into account their personal geographical circumstances and staffing situation on the lines concerned. This must be balanced against the severity of the Extreme Hardship application.
- 8.3 Applications should be submitted on the appropriate form kept at the depot with supporting evidence to the TOM. The TOM will do a fact-finding interview with the applicant and their chosen representative. The TOM will submit a full report to Operations Resourcing for joint consideration by the Movements Committee.
- 8.4 Approved applicants will be placed on the top of the relevant transfer list.
- 8.5 On transfer to the depot they will be placed at the bottom of the pool.
- 8.6 It will be within the remit of the Movements Committee to offer to an Extreme Hardship applicant a transfer to another geographically suitable depot where vacancies will be available sooner.
- 8.7 The Movements Committee may decide that a particular case merits an immediate permanent transfer or a transfer for a limited period of time (e.g. 3, 6, or 12 months etc) for issues of a temporary nature.

9. Medical Transfers

- 9.1 T/Ops who become medically unfit to work on their line but are able to do so on another line must submit appropriate supporting medical evidence via the TOM and LUOH to the Movements Committee. The Movement Committee and not the T/Op will decide which is the most suitable line and depot to transfer the T/Op taking into account their personal geographical circumstances. On transfer to the depot they will take up their position in the pool based on their previous depot seniority.

10. Opening of New Depots – Train Operator Allocation Process

- 10.1 In the event of a new depot being opened, the positions will be filled in the following order:
 - 10.1.1 If the depot had previously existed, then T/Ops displaced as a result of the depot having previously closed would take priority, if they wished to return.

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10.1.2 If the establishment (staff on books) will be reduced at other depots as a result of the new depot opening, then T/Ops at those locations will be given priority (after displaced T/Ops above).

10.2 All those above may apply and will be allocated places in train grades seniority order.

10.3 If there are insufficient applications, then vacancies will be filled by T/Ops displaced in order of Trains Grade juniority from the effected locations. (That is, those with the least amount of train grades seniority would be displaced first).

10.4 There is a commitment to avoid compulsory T/Op moves from their depot. Where this is not possible there will be full consultation with the Trade Unions. No T/Op will be compulsorily moved until this consultation has been concluded.

10.5 Combine wide T/Ops may apply in response to a Traffic Circular advertisement and will be placed on the waiting list after those above.

10.6 Specifically that is:

10.6.1 Previously Displaced T/Ops,

10.6.2 T/Ops from affected* depots who have applied,

10.6.3 T/Ops from affected* depots who have been displaced.

10.6.4 Combine wide T/Ops via Traffic Circular

10.6.5 New applicants to the position of T/Op

*affected depots are where establishment (staff on books) is being reduced as a result of the opening of the new depot.

10.7 Places on the new roster will be populated in train grades seniority order.

10.8 A T/Op who wants to apply for a new depot can only do so in response to an advertisement.

10.9 T/Ops who have applied for a new depot and wish to cancel this nomination must do so at least 35 days prior to the move taking place.

10.10 Any anomalies with respect to the opening of new depots and the transfer of T/Op will be dealt with by the Movements Committee.

11. Reduction in Establishment

11.1 In the event of a reduction in establishment at a depot, staff originating from train grades within the current line of promotion prior to 7th December 1992 will be displaced by juniority of total London Underground Service. Other existing train staff will be displaced by juniority of train staff grade service.

11.2 Staff joining the train grades on or after 7th December 1992 in order of train grade juniority.

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11.3 Where necessary, T/Ops will be re deployed to vacancies at other depots and will be given the opportunity to apply to return to their original depot. Displaced staff applications will be given priority on the transfer list and will be placed at the top of the list in total LUL service or train grade seniority order as appropriate.

11b. Reduction in Establishment (staff on books) (if not covered by the opening of new depots)

11b.1 Where a T/Op is compulsorily displaced and moved to another depot vacancy they will take their position in the pool, or on the roster, based on their train grade seniority.

12. Appeals

12.1 Any Appeal under this procedure should be submitted in writing to the depot TOM with any further supporting evidence. A copy should be kept by the appellant together with receipt of acknowledgement from the TOM or their local Administrator.

12.2 The TOM should forward the Appeal to Operations Resourcing who will in turn acknowledge receipt to the TOM and the applicant. The Appeal will be heard at the next monthly Movements Committee meeting following receipt by Operations Resourcing.

12.3 The appellant should be informed, in writing, of the outcome of the appeal. It is expected that appeals will normally be settled at the Movements Committee. However, any issue not resolved may be referred to the TFC for resolution.

13. Recognized Train Staff Depots

<u>Line</u>	<u>Depot</u>	<u>Location Code</u>
Bakerloo	Elephant & Castle	(ELET)
	Queens Park	(QPKT)
Central	Hainault	(HAIT)
	Leytonstone	(LYST)
	White City	(WCTT)
	West Ruislip	(WRPT)
	Loughton	(LTNT)
Victoria	Seven Sisters	(SVST)
	Brixton	(BRXT)
Jubilee	North Greenwich	(NGWT)
	Wembley Park	(WPKT)
	Stratford	(SFDT)
Northern	High Barnet	(HBTT)
	East Finchley	(EFYT)

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	Golders Green	(GGRT)
	Morden	(MORT)
Piccadilly	Acton Town (P)	(ACPT)
	Arnos Grove	(AGRT)
	Northfields	(NFDT)
Hammersmith & City and Circle	Barking (C&H)	(BKGT)
	Edgware Road	(ERDT)
	Hammersmith	(HMST)
District	Acton Town (D)	(ACDT)
	Barking (D)	(BKGT)
	Earls Court	(ECTT)
	Upminster	(UPMT)
Metropolitan	Neasden	(NEAT)
	Rickmansworth	(RKYT)
	Harrow on the Hill	(HOHT)

14. Definitions

14.1 Depot Seniority

Depot seniority is accrued from the date of commencement at a depot. Depot seniority cannot be accrued by Upgrade Pool T/Ops.

A T/Op transferring to another train depot will start accruing depot seniority from zero except in the circumstances covered by the TOPRA in which it can be frozen or transferred (6.3, 6.4, 6.8, 7.1 and 9.1).

14.2 Train Grade Seniority (primarily determined using pay grade / SAP)

Train Grade seniority starts from the day of consolidation as a train operator and can be aggregated and will include:

- Time as a former guard / T/Op, I/Op or SSTO
- Time on secondments where there is a return date and the employee stays on books as a T/Op
- Time training for another grade or position prior to passing out for that grade or position
- Time training for a redeployed (non-disciplinary) position prior to qualification for that position
- Career breaks less than 6 months (over 6 months and the time of resignation does not aggregate)
- Maternity, paternity and adoption leave
- Temporary alternative duties
- The time from re-grading via disciplinary to T/Op pending qualification
- Temporary domestic redeployment with an agreed return

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- Time training for another grade or position prior to passing out for that grade or position via safety related redeployment
- Full time / temporary Trade Union release whilst employed by LUL

Aggregated time will not include:

- Time from the moment of a disciplinary re-grading away from the trains
- Expected permanent medical redeployment
- Fixed term medical redeployment (e.g. seizures etc)
- Test Train Operators
- Test Train Engineers
- T/Ops from other TOCs

14.3 Establishment

For the purposes of TOPRA and section 11 the establishment is defined as all T/Ops on books at a given depot.

For the purposes of the 2009 Agreement this includes all train staff at the depot on the roster plus the minimum pool numbers.

14.4 Transfers

A transfer is defined as the movement of a T/Op from one train depot to another train depot.

For the purposes of section 3.17 the following moves are included:

- Waiting list transfers
- MCOs

For the purposes of section 3.17 the following moves are not included:

- Medical transfers
- Advertised vacancy transfers
- Geographical transfers
- Extreme hardship transfers
- Disciplinary transfers
- Temporary move transfers
- Upgrade transfers
- Displacement transfers
- Voluntary displacement transfers
- Job share transfers
- Flexible working transfers

14.5 Top of the waiting List

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Staff who have been given priority to go the top of a waiting list for varying reasons (i.e. Displacement arising from organisational changes, Medical returns, Non-disciplinary reductions, Disciplinary returns, Career breaks, Extreme hardships etc.) will take up their position on the waiting list based on their train grade seniority.

Staff returning to full time working from Job-Shares or reduced Hours working will do so in accordance with the PTOA.

15. Anomalies

- 15.1 Any anomalies which are not covered by the TOPRA will be dealt with by the Movements Committee.

16. Appendices (forms from Operations Resourcing)

- 16.1 All forms available from the Operations Resourcing website, TOM or the local Administrator.

Appendix 1

The 2009 Trains Functional Council Agreement

Train Operator recruitment and allocation to depots

We have outlined that the arrangements upon which staff are to be recruited to the grade of Train Operator are revised. With effect from the date of this agreement individuals will now be recruited to the grade of Train Operator not to a specific depot. These staff would not have a title separate to that of Train Operator. These staff will be recruited according to the following process:

- An advert would go out in the Traffic Circular for the position of Train Operator
- This advert would not specify particular locations for recruitment
- Applications would be processed and assessments completed
- As part of the induction day successful applicants would meet with management and trade union representatives to go through the nomination process
- Each individual would make three depot nominations. Their first choice would be referred to as their Home depot and the other two Depots referred to as their second and third Nominated Depots

Existing successful candidates awaiting training as of the date of this agreement will be given the opportunity to follow this agreed process.

As a result the following avenues are open to recruited individuals:

1. To be placed, if there is a vacancy, at their nominated Home Depot.
If there is not a vacancy at the Home Depot then in priority order:
2. To be placed at a vacancy at either of their Nominated Depots
3. To be placed at a vacancy at another Depot **or** project pool at a Depot

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- If not allocated to their Home Depot the applicants names would then be put on the respective waiting lists on Consolidation effective from the date of application. They would be placed behind Train Operators already on those waiting lists
- Train Operators brought in to a 'project pool' will be required to undertake the full duties of a Train Operator
- Cover Train Operators, including those on a pool, at a depot are still able to cover work relating to projects.
- Train Operators that form part of the establishment at a depot cannot apply to work as part of a 'project pool'.

While awaiting transfer to a vacancy at their nominated Home Depot by the Movements Committee these staff will be allocated to another train crew depot or will work as part of a 'project pool'. Whilst on a 'projects pool' they will sit outside the establishment (as defined at a later point in this document). Upon completion of a given project staff on a 'project pool' could be transferred onto the 'project pool' of another project, or to work at another train crew Depot on any line if none of their choices of Home or Nominated Depots are available. No special travelling arrangements will be afforded to these members of staff. Placement of staff on any 'project pool' is solely a Management activity but consultation would occur on this matter at the Movements Committee. Individuals would continue under this arrangement until such time as they reach the top of the waiting list at either of their Nominated Depots or Home Depot. Subsequently at such time as a vacancy arises this individual would be transferred to the Depot in question.

As part of this process any individual transferred to a Nominated Depot will still retain their position on any higher Nominated Depot (ie second choice if they have reached their third choice) and their Home Depot. They would be transferred to either of these Depots were a vacancy to arise, and could potentially be transferred again from their second choice Nominated Depot to their Home Depot were a vacancy to arise at the Home Depot.

Metropolitan line arrangement

Also included within this agreement is provision for recruitment on the Metropolitan line until such time as this wider overall agreement is reached. This provision states that:

A) The top 16 train operators on the Neasden Waiting list will be 'called' to enter training on the Metropolitan Line and will go into the existing depot Pool.*

B) These "16" train operators plus the existing Metropolitan Train Operators as of the 15 April 2009 will not be displaced from the Metropolitan Line as a result of the Upgrade, or the opening of a new depot(s) (at Harrow On The Hill for example). However, train operators may be displaced on the Metropolitan Line as a result of the opening of new depot.

C) Additional Train Operators recruited to the Metropolitan Line as a result of the Upgrade requirements after the 15 April 2009 will fall under the new arrangements which have yet to be agreed.

**the top 16 train operators that wish to go once called and taking into account cancelled transfer requests*

Minimum numbers arrangement

Management agree to a minimum number of rostered spares, annual leave covers and Pool Operators at each Depot. Recruitment at or above these agreed minimum figures would remain the prerogative of London Underground, whilst recruitment to below this figure would require negotiation

Train Operator Resourcing Agreement

and agreement at Trains Functional Council. Furthermore, the definition of a Depot establishment would be altered to include running duties, rostered cover duties and the proportion of Pool Operators as outlined below.

The principles for determining the minimum number of staff will be:

To determine the number of rostered spare staff each Depot will be placed within one of three bands. Each band will denote an agreed minimum number of rostered spares as a percentage of the running duties:

Band 1 – 20%

Band 2 – 22.5%

Band 3 – 25%

In order to determine the band that each Depot will be placed in, a formula will be used. This formula will take into account the number of running duties Monday – Friday, the number of crew changes Monday – Friday, the number of trains that pass through the Depot in any given hour (off peak service Monday – Friday), if the Depot is at the end or in the middle of a line, the number of remote booking locations associated with the Depot, if the Depot was called upon to do work as a result of its proximity to a rolling stock Depot, and the extent to which stepping back is associated with the Depot. This calculation produces a score for each Depot which in turn will determine the band the Depot is placed in. The exact nature of the calculations and scoring to be used are detailed in the attached appendix.

It should be noted; that this calculation and scoring system will also be used to determine the number of rostered spares at any future Depots yet to be opened, and that Depots will be able to move between bands dependent on any future change in Depot circumstances.

The number of annual leave covers will be set at a ratio of 5.5:1 of the number of running and rostered cover duties at each Depot.

The minimum number of Pool Operators will be set as a percentage of the number of running, rostered cover and annual leave covers at each Depot. This percentage will be 5% for Depots that fell within band 1 and band 2. The percentage for Depots in band 3 will be set at 6%. The Pool Operators, whilst brought onto the establishment, will still sit outside the roster and will still be required to work as per the provisions agreed in the Line Pool Agreement. Any Pool Operators employed beyond this minimum number will not form part of the establishment at that Depot and will also work to the Line Pool Agreement.

Revision to East London line Agreement for Staff based at Leytonstone Depot

There will be a revision of the current arrangements for former East London line Train Operators based at Leytonstone Depot that currently sit outside the roster and pool. This revision will be along the following lines:

- Only the former East London line Train Operators at Leytonstone Depot will come under this revision. This revision would apply to all Leytonstone Depot Train Operators transferred there under the East London line agreement
- These Train Operators will be given a nomination form on which they MUST nominate two different Depots. Failure to nominate two different Depots will result in Management holding the right to move the Train Operator in question to a Depot of Management's choice. The two nominations will consist of a first and second choice Depot
- There is possibility of a number of these staff remaining at Leytonstone Depot, dependent upon the results of the nominations process
- Of those Train Operators wishing to remain at Leytonstone Depot to take up these places, this will be done based on train grade seniority*

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- Those Train Operators that are displaced and wish to return to Leytonstone Depot will be inserted into the existing waiting lists and given the date the East London line agreement was made (23 October 2006). Where there is more than one Train Operator with this date these Train Operators will be ordered based on train grade seniority. Those Train Operators who do not get their first choice of nominated Depot will be placed on the waiting list of their first choice Depot with this same date (23 October 2006), and also ordered on train grade seniority where there is more than one Operator on the list with this date
- Displaced train operators will be required to shadow the senior Train Operators at the Depots that they move to
- Train operators remaining at Leytonstone Depot will shadow the senior Train Operators
- On occasion of the next vacancy arising at a Depot the senior (grade) Train Operator (from or at Leytonstone Depot) shadowing will move to that vacancy** The Train Operator will be moved into the vacancy ahead of the existing waiting list
- Subject to the nominations process the roster at North Greenwich Depot will be increased. All Train Operators that are moved to this Depot above the increased roster will act subject to the points noted above

Following the nominations process of the train operators in question Management reserve the right to review this arrangement and undertake renegotiation if required.

*Individual Extreme Hardship cases will be taken into account by the Movements Committee.

**Staff wishing to move to Brixton Depot will initially move to Seven Sisters Depot if Brixton Depot has not already been opened but will move to Brixton Depot at the earliest opportunity as outlined above.

- At all Depots to which former East London line Train Operators are displaced consideration should be given on the next roster change to incorporating these train operators within the roster. (This point will only apply to the former East London line Train Operators currently at Leytonstone Depot)
- All former East London line Train Operators displaced to any other Depot as per this agreement will be given a Depot seniority based on the date of the East London line agreement, 23 October 2006. (This point will only apply to the former East London line Train Operators currently at Leytonstone Depot)
- Members of staff displaced will have access to parking facilities on the same basis as the existing staff at the Depot

The following is an explanation of the Rationale for Percentage of Cover Duties (Rostered Spares) as per the proposed 2009 TFC Agreement:

Monday to Friday Running Duties.

This is the number of Monday to Friday "running duties" (with ordinary timetabled trainwork) on the permanent duty schedule of the relevant WTT.

1 to 40 duties scores 0

41 to 80 duties scores minus 1

81 - 120 duties scores minus 2

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121 duties or more scores minus 3

Monday to Friday Crew Changes

This is the number of crew changes scheduled to take place on the relevant Monday to Friday duty schedule at the traincrew depot concerned.

In the case of Neasden this includes Wembley Park crew changes, in the case of Rickmansworth this includes Chalfont and Latimer crew changes and in the case of East Finchley this includes Finchley Central crew changes.

1 to 10 crew changes scores 1
11 to 20 crew changes scores 2
21 to 30 crew changes scores 3
31 to 40 crew changes scores 4
41 to 50 crew changes scores 5
51 to 60 crew changes scores 6
61 to 70 crew changes scores 7
71 to 80 crew changes scores 8
81 to 90 crew changes scores 9
91 to 100 crew changes scores 10
101 to 110 crew changes scores 11
111 to 120 crew changes scores 12
121 to 130 crew changes scores 13
131 to 140 crew changes scores 14
141 to 150 crew changes scores 15
151 to 160 crew changes scores 16
161 to 170 crew changes scores 17
171 to 180 crew changes scores 18
181 to 190 crew changes scores 19
191 to 200 crew changes scores 20
201 to 210 crew changes scores 21

Monday to Friday trains

This is the trains per hour (tph) scheduled at the traincrew depot on the relevant WTT at the normal Monday to Friday midday off-peak service level. In the case of Neasden this refers to the Wembley Park tph. In the case of Rickmansworth this includes the Chesham shuttle tph and in the case of East Finchley this includes the Mill Hill East shuttle tph.

1 to 12 tph scores 1
13 to 24 tph scores 2
25 to 36 tph scores 3
37 to 48 tph scores 4
49 to 60 tph scores 5

Terminus or Middle of Line

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This refers to whether the traincrew depot is located at an end of line (terminus) location or whether it is at a mid-line (through) location.

Terminus (T) locations score 0

Mid Line (M) locations score 1

Remote Locations

This refers to when a depot has to cover day duties booking on at any relevant agreed remote location. NEA, EFY, GGR, AGR, ACTP and SVS all score 1 point. WPK scores 2 as it covers duties remotely booking on at both NEA and STA.

Proximity to Rolling Stock Depot

This refers to when the traincrew depot is next to (or the nearest to) a main rolling stock maintenance depot and is therefore more likely to be involved with staffing changeover trains.

No scores 0

Yes scores 1

Stepping Back (All Day / Peak only / Nil)

This refers to when a traincrew depot is located at (or is the nearest depot to) a location where scheduled stepping back takes place. This is broken down into whether the stepping back takes place for most or all of the day (A) or during peaks only (P) or not at all (N).

A scores 2

P scores 1

N scores 0

The scores are then added together (or subtracted in the case of Monday to Friday running duties) to give a total score.

A depot scoring up to 10 points will be in Band 1 and will qualify for a minimum of 20% rostered cover duties and 5% minimum Pool.

A depot scoring 11 to 17 points will be in Band 2 and will qualify for a minimum of 22.5% rostered cover duties and 5% minimum Pool.

A depot scoring 18 or more points will be in Band 3 and will qualify for a minimum of 25% rostered cover duties and 6% minimum Pool.

Note the percentage of cover duties is calculated against the total number of running duties. If, for example, there are 1000 weekly running duties at a Band 2 depot then there will be a minimum of 225 weekly cover duties.

Note the number of Leave Covers is calculated as a minimum of one for every 5.5 running duties and cover duties at a depot.

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Note the percentage of Pool Operators is calculated against the total number of staff on the rota at the depot concerned - (i.e total runners + covers + Leave Covers). If for example there are 100 staff on the rota at a depot then there will be a minimum of 5 Pool staff as the minimum establishment at a Band 1 or 2 depot or there will be a minimum of 6 Pool staff as the minimum establishment at a Band 3 depot.

Depots may move up or down between Bands as circumstances change when new timetables / duty schedules are introduced.