

tssaupdate

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tssa

Transport Salaried Staffs' Association

TSSA Update: issue 2

General Secretary:

Manuel Cortes

Joining TSSA

T: 020 7387 2101

W: www.tssa.org.uk/join

Your membership details

T: 020 7529 8023

E: membership@tssa.org.uk

Helpdesk (workplace rights advice for members)


T: 0800 328 2673 (UK)

1800 805 272 (RoI)

Website

www.tssa.org.uk (UK)

www.tssa.ie (Ireland)

 @tssaunion

 fb.com/TSSAunion

TSSA Journal

Editor: Kerry Abel

E: journal@tssa.org.uk

T: 020 7529 8036

Design and production:

TU ink www.tuink.co.uk

General queries

London office

T: 020 7387 2101

E: enquiries@tssa.org.uk

Irish office

from Northern Ireland

T: +3531 8743 467

T: from the Republic

T: 01 8743 467

E: enquiries@tssa.ie

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TSSA's Annual Conference



General Secretary Manuel Cortes runs through conference

Our Annual Conference passed a number of transport motions, this included opposition to the privatisation of CalMac ferries in Scotland, continuing to fight booking office closures and any threatened break-up and/or privatisation of Network Rail and also fighting the intimidation of our workplace reps within CIE companies in the Republic of Ireland. Unlike the squabbling Tories who are taking lumps out of each other, we managed to have a civilised and good natured debate about the looming EU referendum, voting to campaign to remain.

Our Conference was themed around our support for a People's Railway.

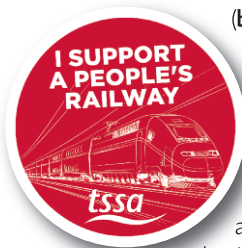
I was therefore delighted that the Labour Party leader, Jeremy Corbyn and his Shadow Rail Minister, Andy MacDonald both addressed our Delegates. They left us in no doubt that an incoming Labour administration

will bring our railways back to where they belong, into public ownership, as franchises expire or where possible, fast tracked through the use of break clauses. Jeremy Corbyn demonstrated an incredible depth and wealth of knowledge of our industry clearly marking him as a rail enthusiast!

It was also good to welcome Mick Cash, the General Secretary of our sister union RMT. Mick emphasised the need for the rail unions to work closer together to achieve a better deal for you, our members. In this spirit, we recently launched a campaign with Aslef and RMT on travel benefits

(bit.ly/fairstafftravelbens)

for railway staff. In addition, the General Secretary of the National Bus and Rail Union (NBRU), Dermot O'Leary, was also in attendance. We are having talks with NBRU to create a specialised transport and travel union federation across Ireland. ■





TSSA's Political Officer Sam Tarry welcomes the new Mayor of London

Son of a bus driver wins hearts and minds in London

His campaign sought to unite Londoners, to bring people together and despite the most racist and smear driven campaign by the Tories in decades, he prevailed. Londoners clearly rejected a message of fear and division, and chose one of hope and optimism.

Sadiq has been a good friend of TSSA, his involvement of our senior reps, and executive members and officers as a sounding board for his ideas for transport in London and indeed on issues like the huge challenges of the housing crisis – where nearly 50% of TSSA members working in London now cannot afford to live in the city – meant that we have built the basis for a firm, and critical when needed, relationship.

One that we hope will bode well for our members in London as Sadiq grapples with the myriad challenges of making London once again a city that is cleaner, greener, less polluted, with houses people can actually afford, and without transport costs spiralling upwards hurting those who can least afford to pay most. TfL's reputation as one of the most innovative public sector bodies in the world reaches new heights – as the network grows as TOCs come under the Mayor's control, and new opportunities to run other networks across the globe using our members expertise to generate additional income, becomes

a reality. We will be ready to work with our new Mayor and we will be unabashed in pushing an agenda that puts our members' interests first – because we believe, that people voted for a world class transport system – staffed stations, a safe and more secure network, and that these can only be delivered through protecting jobs, removing expensive contractors – bringing more staff in house, and working constructively with trade unions to find collective and innovative solutions for London's transport network. ■



**YOU keep passengers safe...
TSSA keeps YOU safe!**

Join TSSA today. Visit tssa.org.uk/join



A new Mayor, a new start on London Transport

**TSSA's Organising Director
Lorraine Ward outlines our expectations
for Sadiq Khan's mayoralty.**

London's Mayoral elections saw a stunning victory for the Labour Party's candidate Sadiq Khan.

TSSA has fostered a positive and constructive relationship with Sadiq over the past few years – ensuring he met on a regular basis TSSA officials, and our lay Reps and Executive Members who work on London Underground and TfL, as he developed his vision for the future of Transport in London. It is after all, TSSA members that will deliver any of the projects he plans through TfL and London Underground. We should be proud of the role our Union, our members and our officers played in this victory.

So, what can TSSA now expect from the city's new Mayor and what will Sadiq's Mayoralty mean to members living and working in London.

Sadiq has vowed to review

and implement a new transport plan for London, stating that he will prioritise 'the things that matter,' while seeking to protect transport services and necessary investment. TSSA expects to meet with the Mayor and his Assembly team imminently to discuss how an efficient integrated transport network can best be achieved and how the fare freeze is likely to be

Fair and equal pay

TSSA WANTS an Equal Pay Audit in TfL and for TfL to act upon the results, addressing pay inequalities and lack of transparency. We have asked for a review of the pay system, similar to that which took place in Network Rail – but so far they have refused. TfL is currently implementing many of the more negative aspects of the new Network Rail pay system, without the benefit of the positive aspects.

TSSA WOULD LIKE a clear timescale for the Equal Pay Review and for the establishment of a joint TfL and trade union working group to review the current pay system, including underrepresented groups.



Pay differentials

TSSA RECOGNISES the financial challenges faced by TfL in the face of funding cuts by central government, but note a growing gap between the highest and the lowest paid staff in TfL. In recent years TfL has cut the starting salaries of the lowest paid staff, whilst the numbers and salaries (and bonuses) of the highest paid staff at TfL continue to grow.

for industrial relations

funded given the competing cost demands of night tube and other high profile projects as London's transport funding is hit by Conservative-government imposed cuts.

Sadiq's predecessor spent eight years avoiding any meeting with the trade unions involved in London Underground and TfL. Our union is optimistic from initial discussions with the new Mayor that he will better recognise the contribution of those who work to deliver safe and efficient public transport services across London and will agree to meet their representatives directly to discuss his plans ideas and concerns. We will be looking at issues of career progression for our members, in particular women and those from BAME background. At present, in most grades BAME applicants for TfL jobs are half as likely as their white counterparts to be offered a job by TfL. We would like a clear commitment and timescale for the Equal Pay Review and for the establishment of a joint TfL and

trade union working group to review the current pay system in TfL (including with respect to gender and ethnicity).

It will come as a huge relief to those involved in keeping London's transport system running safely that Sadiq Khan is declaring himself to be ready to step up to the challenge of keeping London safe and on the move recognising the value of trade unions.

Of course to build a positive and successful relationship with our new Mayor, TSSA must be active across all workplaces in London whether TfL, or LU, and indeed the many TOCs in which we organise. As part of our time to grow strategy we expect rep and members to be active in recruiting and building our strength in the workplace. We can only build success, and strength through recruitment and a strategic organising strategy implemented by our members and reps. It's your union – help us make it the best it can be. ■

Strategic resourcing

TSSA WILL be campaigning for reducing Non-Permanent Labour and improving the training and development of existing staff; 'developing' skills rather than 'buying them in'. **TSSA WANTS** an ongoing commitment to the development of staff and skills. This is also key to improving the representativeness of TfL's workforce, as both women and BAME communities are under-represented at TfL, particularly at Senior Manager and Director level. At present, in most grades BAME applicants for TfL jobs are half as likely as their white counterparts to be offered a job.

TSSA HAS funds to help support specific training and development for women and BAME staff in TfL to assist their professional development. We would like to deliver this in a jointly funded venture with TfL.

A lot of building to do in Scotland

TSSA's Assistant General Secretary Frank Ward analyses the recent elections in Scotland

Jeremy Corbyn defied his critics when Labour effectively held its ground in the English council elections, despite the predictions of doom and gloom from the media and regrettably from some within. However, as Labour's leader put it, "there is a lot of building to do in Scotland" after a night of pain which ultimately saw Labour finish third behind the SNP and Tories having lost 13 seats.

The SNP won 63 of the 129 seats, two short of a majority, with the Conservatives securing second place and Labour in third. Those of us who thought it couldn't get any worse for the Scottish Labour Party after the 2015 general election, when they lost 40 seats and kept just one, were simply wrong, it just did and on a scale once unimaginable.

We thought in the 90s, when

the Tories were almost wiped out as a serious political force in Scotland, that it was impossible for Labour to finish behind the Tories in a national election but here we are two years after the independence referendum having to come to terms with that reality. It was a painful experience and Labour in Scotland now finds itself in a horrendous position lacking public support and looking like it could be out of power for many years to come.

So what next? Six leaders in less than ten years is not sustainable. Kezia Dugdale, when elected leader last year, made it clear that the Party's problems dated back over a considerable time and wouldn't be resolved overnight. She was right in this analysis and should be given time to prove whether or not

she can reverse Labour's fortunes in Scotland.

Given the very difficult circumstances which Scottish Labour finds itself in, Kezia did well to run an imaginative campaign which in part saw Labour return to its roots, however, voters need to be confident that the representatives they elect will focus their attention on delivering for their communities. The challenge for Scottish Labour is to re-engage and begin to build some credibility as a party of the people. Our union, together with many of our members in Scotland, will be working directly with Kezia and her team to do this and to help them develop policies that voters can believe in and can be confident will be delivered for them and their communities. ■

CalMac kept public!

TSSA welcomes the news that vital CalMac ferry services have been kept in public hands.

This is a victory for common sense and the communities and staff who have fought to keep this vital service in public hands. While we welcome the fact that the new contract is for eight years, we would now urge the Scottish Government to scrap

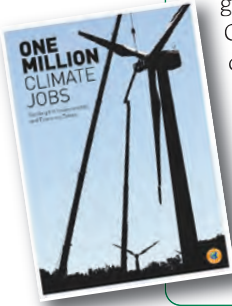


TSSA reps Lorna Deveaney and Karan Park show their support with Manuel Cortes for the vital ferry services provided by CalMac in Scotland

the whole tendering process and give a cast iron guarantee that the service is now permanently in public hands. ■

TSSA campaigns for a People's Railway

We want a public transport system that is safer and greener than other travel options – we want investment in fast rail infrastructure to encourage passengers away from short plane journeys and for freight to run back on rail. General Secretary Manuel Cortes is part of the One Million Climate Jobs project and believes that we can train a stronger workforce using this model.



What next after Paris, let's break free

TSSA Rep, Fliss Premru writes

During the Paris Climate talks, creative protests led to the formation of a global justice movement – Break Free from Fossil Fuels – a grassroots movement of activists and indigenous communities. One Million Climate Jobs is working with BFFF; a recent action closed down the locally opposed opencast mine at Fos-y-fran for a day and actions against fracking and aviation expansion will take place this summer. We are planning events with Save our Steel—a much needed commodity for rail, wind turbines and infrastructure with ex miners in South Wales. ■



If you would like to join the TSSA climate jobs group email flisspremru@hotmail.com

Put freight back on rail

Rail is 20 times safer than road and road congestion costs around £24 billion per annum. Rail has strong climate change credentials as it produces 78% less carbon dioxide than trucks for the equivalent journey – the socio-economic case for rail freight has never been stronger.

Rail freight, which produces up to fifteen times less NOx emissions, offers a clean, congestion busting alternative mode to HGVs. But you don't get the benefits of a cleaner, safer method of transport without investment because trucks only pay 30% of the external costs they impose on

society in terms of congestion, road collisions, road damage and pollution. In fact, HGVs get a massive £6.5 billion annum subsidy far in excess of the support rail freight gets.

The government needs to commit to further capacity on the Strategic Rail Freight network between ports and conurbations in the next Network Rail control period.

A quarter of consumer goods imported in the UK are transported by rail. The industry predicts that



rail freight will have doubled by 2030 with consumer traffic growing fourfold, as long as the network is upgraded. Construction traffic grew by 10% last year and is forecast to grow 2.5% per year. London alone receives 40% of its raw materials by rail. ■



Freight on Rail members are Campaign for Better Transport, ASLEF, RMT, TSSA, DB Cargo UK, Freightliner, Direct Rail Services, GB Railfreight, and Rail Freight Group

Europe: A vote for workers and people before profits

Manuel Cortes writes, It's abundantly clear, that irrespective of the referendum result, the Tory civil war will be far from over as those jostling for Cameron's job will continue their antics well after the 23rd June. Yet, voting on our future within the European Union (EU) is something we should all take seriously.

Our recent Conference saw a very good natured and constructive debate on the EU with different views being passionately expressed. Our Conference went on to reaffirm, by a comfortable margin, our critical support for the UK to remain within the EU family. We will be campaigning to stay in and I will be joining the Labour Party's leadership on the campaign trail to make this a reality.

I have a different vision of what the EU should be about. I want it to put people before profits. The social and economic needs of the 99% must come well ahead of those of the filthy rich. I want to see a Europe build on the foundation stone of our movement – solidarity. However, you can't change something unless you are part of it. That's why we also want greater democracy but won't be fooled

by the arguments being made by large sways of Tories and UKIP who want us to leave.

The Tories are opposed to giving the European Parliament a full democratic franchise. If this happened, our democratically elected Members of the European Parliament (MEPs) would be in control. However, Cameron may prefer back room deals with the very same European Commission they so often criticise. In fact, MEPs now have greater powers than ever before – not enough in our view – largely despite the UK's continued opposition to this.

When the steel crisis broke the EU wanted to impose a 60% tax

on imports. The UK government organised opposition to this and instead a paltry 9% levy was imposed. The French reacted to this outrage by increasing subsidies to their industry whilst the Italians simply nationalised it. This was well over a year ago whilst we did nothing to save jobs until we were at breaking point. Yet, some now have the nerve to suggest that problems with our steel industry would be better solved if we weren't in the EU. When you hear Tories say the UK can negotiate better trade deals outside the EU ask yourselves for whom? I don't think they mean for working people!

The stark reality is that come the 24th of June, if we leave the EU, we will sadly not be a step closer to a Socialist Nirvana. We will have a Tory government committed to a race to the bottom. We are likely to see a bonfire of worker rights. Let's not forget that people in our country had no right, yes no right, to paid holidays until Labour introduced the EU's Social Chapter after

"The stark reality is that come the 24th of June, if we leave the EU, we will sadly not be a step closer to a Socialist Nirvana. We will have a Tory government committed to a race to the bottom. We are likely to see a bonfire of worker rights"

Keep racism **out** of the EU debate

By Sabby Dhalu, *Stand Up To Racism Co-Convenor*

As the EU referendum debate reaches its final stage, it is refugees and migrants that have been at the sharp end of scapegoating from sections of both sides.

Comments from Nigel Farage that increased migration could lead to violence is a chilling echo of Enoch Powell's 'Rivers of Blood' speech, while David Cameron's warning that withdrawing from the EU would move camps in Calais to Britain made clear his intention to scapegoat refugees in order to advance his argument.

In reality, migration benefits Britain on every level. Recent studies have added to evidence showing that migrants contribute far more to the economy than they take out, while having no negative effect on wage levels. And while cuts are made to public services, it is migrants that are at the forefront of keeping the NHS, education and transport system going.

It is also vital that Britain plays its role in providing a safe haven for those fleeing war and persecution. The huge Refugees Welcome demonstrations in London along with the overwhelming response to provide aid to Calais show the enormous solidarity for



refugees, but the response of Government has been pitiful. We call on the Government to accept its fair share of refugees, and the EU to review its deal with Turkey, while reinstating search and rescue operations.

Whatever your view on the referendum, let's make it clear that refugees are welcome, and there is no room for racism in the debate.

Forthcoming events:

18th June: Convoy to Calais Organised by *Stand up to Racism, People's Assembly Against Austerity, Stop the War Coalition, Unite the Union, Communications Workers Union, TSSA, War on Want, Momentum & Muslim Association of Britain*. Details at bit.ly/CalaisConvoy

Kelvin Williams

the Tories had opted-out and still continue to oppose it. Our membership of the EU has seen workers gain many other improvements including greater maternity and parental rights, better health and safety legislation, protections against redundancy, anti-discrimination laws including equal rights for part-time workers and crucially for most of you, the safeguards

offered by TUPE. If TUPE goes, every time a rail franchise is awarded, the new employer will be free to hire who they want rather than those who did those jobs, issuing new contracts with worse terms and conditions. Things like your hard fought and won pension rights would go up in a puff of smoke. If you think I am being alarmist, just look at what happens in the US – this

is what the Tories leading the leave campaign want us to copy!

Ask yourselves, how long will these last in Tory hands? As I told our Conference, I couldn't ask you to vote to leave unless I could look you in the eye and say this was more important than gambling with your rights. You elected me to defend them. That's why in all honesty, I'll vote to stay – now its over to you! ■

Getting to grips with the new Trade

Despite the efforts of the House of Lords, which resisted many of the most outrageous sections of the Bill as originally drafted, the Trade Union Bill received Royal Assent this month, and is accordingly now the Trade Union Act 2016.

This article looks at some of the ways the new Act (TUA) has changed the law.

The first thing to say is that TUA is *not yet in force*. It is likely that different parts of the Act will come into operation over the coming year or so, on a piecemeal basis. As at the date of writing (17.5.16) the old law still applies.

Industrial Action

The UK has for many years had some of the most restrictive laws governing Trade Unions and their ability to organise strikes and similar action for members. TUA has added significantly to the hurdles Unions face.

A Union can extend the ballot's effectiveness, or shorten the notice period – but only if the employer agrees; and what employer is likely, in practice, to agree?!

Political Funds

Unions already have to have periodic votes if they want to spend money on political campaigning; and members can always opt out of paying towards a Union's political fund.

Under TUA all *new* members



Electronic Balloting

One helpful development relates to the use of e.g. online voting for Unions organising strike action. There will be a study about the feasibility of electronic balloting – but there is no guarantee it will become law. It's a step in the right direction.

of a Union will no longer automatically pay towards the fund; they will need specifically to opt in.

Of course the aim of the game here is simple – the government is hoping to reduce the money spent by Unions to support the Labour Party and its aims and campaigns. Tellingly, there are no similar provisions planned in relation to the contributions made by Hedge Funds and other types of big business, towards Tory Party coffers. When the Lords were debating TUA, a former advisor to Margaret Thatcher stated that she had considered a similar change in the law back in the 80s – but had decided it was a step too far. On the positive side, the Lords

at least managed to ensure that TUA applies only to new members; the original draft would have opted-out ALL Union members, from day one.

Facility Time & Check off

Again, the Lords managed to avert some of the most anti-Union elements of the Bill. Unions will still be able to work with employers who deduct Union subs from wages at source; and the immediate plans to cut back on facility time for Union reps have at least been postponed. There will be additional unnecessary administrative costs for Unions (ironically – given the government's commitment to reduce Red Tape!)

Union Act



Certification Officer

The CO is the statutory “regulator” for Unions. Under TUA he gets new

powers to investigate (and if necessary impose fines on) Unions.

Summary

TUA has been variously described as “vindictive,” “dogmatic” and “unnecessary” – and it’s all those things. However, the challenge now for Unions, in particular in relation to industrial action, will be to pro-actively involve members to ensure greater turnouts on votes when important issues are in dispute. If the unintended consequence was bigger turnouts for ballots and a large enough mandate, employers might find it harder than ever to conclude negotiations with Unions who know that they have the backing of a larger section of their membership.

It was interesting to see that some on the side of the business lobby had campaigned against the Bill for just this reason – it’s much easier to settle a pay claim if turnout is limited, than if, say, 70% of members are prepared to vote for action. Our Trade Union laws have already been described as draconian and overly restrictive by international labour bodies; they just took a serious turn for the worse. ■

In summary:

- strike ballots will now need a turnout of 50% of members eligible to vote. If fewer than 50% of members vote, any strike action that follows will be unlawful;
- in most cases, ballots will still need a simple majority in support i.e. 50%+1, of people voting (and remember: 50% or more of eligible members have to vote);
- but in “important public services” there will be a “minimum yes vote” – 40% of members who can vote, must vote yes;
- there will be new rules about supervising of picket lines;
- notice to the employer will need to be 14 days instead of 7 (so the employer has more time to organise to defeat the strike);
- the ballot will only be effective for 6 months; after that, if the dispute continues, a new ballot will need to be organised.

TSSA wins Network Rail pension scheme members option to preserve their benefits

When Network Rail proposed to cap pension benefits for members of the Railways Pension Scheme (RPS) last year, thousands of our members made it clear that they were prepared to take industrial action unless Network Rail gave members an option to pay higher contributions to preserve benefits.

Our union also won a campaign for a second chance for members who have missed their window of opportunity to join the RPS after five years’ service.

The clock is ticking! – the first deadline is 30 June 2016. Download TSSA’s full newsletter, for full terms and conditions information and find out how to get individual advice: bit.ly/RPSclockticking



Is our health and safety at if we leave the EU?

The simple answer to this question is **YES**

**TSSA's Policy Advisor Rob Jenks asks:
What are the facts about EU membership
when it comes to health & safety.**

The Conservative Party, through the Red Tape Challenge that it launched whilst the senior member of the Coalition Government, has sought to peel back layers of employment and safety legislation but often finds its intentions foiled by the underpinning Directives that set goals that member states are obliged to implement in national legislation.

One of these directives was the EU's Health and Safety Framework Directive from 1989 which obligates member states to ensure that employers evaluate, avoid and reduce workplace risks in consultation with their workforce.

At the time that the directive was implemented, the UK already had legislation that complied with many of its terms in the form of the Health & Safety at Work etc Act 1974 and the Safety Repts and Safety Committee Regulations 1977. What the EU Directive did, however, was to introduce a higher level of prescription and detail enhancing UK law by the so called 'Six Pack' of regulations in 1992.

The most important of these regulations was the Management of Health and Safety at Work Regulations, later updated in 1999, which place a legal duty on

employers to carry out a risk assessment as a first step to ensuring work is carried out in a safe manner.

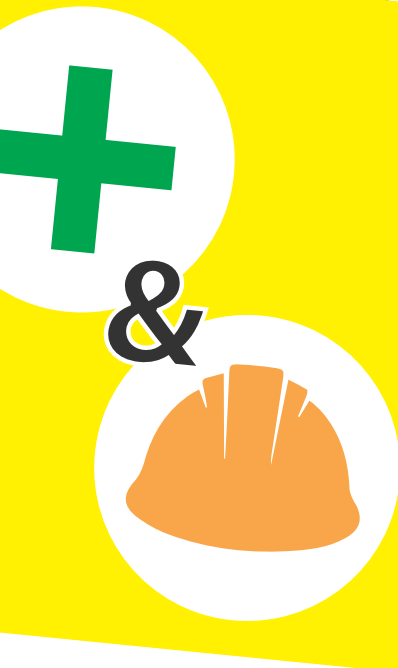
Since the introduction of the Framework Directive, a whole range of other EU directives and regulations have been implemented into UK law through national regulations.

Those laws have been designed to cover the management of specific workplace risks, including in relation to noise, asbestos and pregnant women.

In fact, the TUC says 41 of the 65 new health and safety regulations introduced between 1997 and 2009 originated in the EU.

[TUC says 41 of the 65 new health and safety regulations introduced between 1997 and 2009 originated in the EU](#)

risk



The EU also takes action against the governments of member states that attempt to water down provisions. One example of this is Health and Safety (Consultation with Employees) Regulations 1996 which the Conservative government of the day had to change to extend worker representation to unionised workplaces.

An exit from the EU,

would give the government free reign to withdraw health and safety provision.

Advice obtained by the TUC points to the Conservative led coalition government's withdrawal in 2013 of the ability of workers to be able to pursue personal injury claims based on health and safety law and goes on to describe just how vulnerable many of the regulations which implement duties in EU health and safety directives are to repeal in the event of BREXIT.

Your health and safety at work is already under attack by the Conservative government. When you vote in the EU Referendum on **Thursday 23rd June**, are you going to allow them to have the freedom to finish the job? ■

i For more information on this article see bit.ly/EUhands and bit.ly/TUCBrexite

TSSA launches its Strategic Vision

By Manuel Cortes

I am extremely pleased to tell you that our audited accounts for 2015 were scrutinised and showed that our finances are now under control. This means that our independence is not threatened by financial concerns. In 2012, when I became General Secretary, we were running a £2.7 million operating deficit. We have made some very difficult and painful decisions. However, thanks to this, our deficit has all but gone. In recognition of this, your subscription rate will remain frozen during 2016!

Lastly, as I told Conference, the biggest challenge facing our union is declining membership albeit at a lower rate than in the recent past. We have a range of initiatives to combat the treat this possess. However, to successfully beat it, we need a collective effort. Please recruit a colleague who is not yet within our ranks. It's so easy, it can be done online! I am sure that you can give them many good reasons to join but just in case, go to this link www.tssa.org.uk/join and you will find ten excellent ones. If all of you recruit a new member, we will be twice as strong!



Top **12** Tips for Redundancy

Sadly, redundancies are a fact of life in the modern workplace. We aim to give you the 12 best tips on how to survive redundancy – either by convincing your employer to keep you on or, if your job is to be made redundant, to help get you the best severance terms:

1 If redundancies are on the cards, your employer must warn and consult you as an individual beforehand. Typically, this means they need to speak to you individually, explain what is happening and outline the reasons for redundancy (such as a fall in sales) and discuss it with you ‘meaningfully’. Use this chance to explain how savings can be made elsewhere without job cuts, how important you are and how your job is crucial to them. They are under a duty to consider this and respond to you.

2 Where large-scale redundancies are proposed (20 or more at one establishment), the employer has a duty to inform and consult the TSSA, where recognised for affected employees, or employee representatives, where not. A failure to do so can entitle each employee to up to 90 day’s pay, known as a Protective Award. Be alive to this as many employers fail to consult properly.

3 As a TSSA member, get your union’s help and representation at meetings. A TSSA representative can support you in arguing for your job to be saved.

4 Your employer cannot lawfully just choose who should stay and who should go without careful thought and a fair process. Traditionally, employers looked at “pooling” employees doing the same type of work, setting objective non-discriminatory selection criteria (such as disciplinary record, performance, time keeping and so on) and a fair assessment of these criteria by managers. If your employer adopts this type of process, ask to see the criteria and raise any criticisms you may have; once you’ve been assessed ask for your own scores, check they are fair and, if not, challenge them. It has become more common for employers to use an interview process and require employees to ‘apply’ for the remaining jobs.



Even so, an employer should apply this fairly and without discriminating.

5 Always check whether your employer has a contractual redundancy policy and, if so, insist they follow it. If in doubt consult your TSSA rep. Such a policy may entitle you to enhanced redundancy payments or require your employer to follow a more detailed redundancy process.

6 If the worst happens and you are selected for redundancy but you wish to stay, ask to see all current internal vacancies and also any future vacancies that are expected. Your employer should make it possible for you to apply for them. If there are any, ask for copies of the job descriptions and written details about pay and work location as only this way will you be able to decide whether you want to apply for the vacancy.



7 You have a right to attend an appeal hearing, normally before a different and more senior manager. This is a chance to persuade your employer to change its decision to dismiss you.

8 Remember that if your employer offers an alternative job to you, you can lose your right to statutory redundancy pay if an Employment Tribunal thinks that the alternative job was suitable and that you unreasonably refused it. Therefore, you need to have as much information as possible about what the new job involves and assess its suitability very carefully.

9 If redundancy is inevitable, attempt to negotiate a 'severance' package. Your employer may only intend to pay the minimum statutory redundancy pay and notice. Argue for them to improve this or, if they require you to work out your notice, try to get them to pay you your notice in lieu or to place you on garden leave, giving you more time to look for alternative work. Seek TSSA's help if you need it.

10 Always check your Contract of Employment as it may contain limits on what you can do post-termination, such as preventing you from competing with your employer for a period. If so, ask your employer to drop these restrictions and if they agree, ask them to confirm it in writing.

11 If your employer is insolvent or becomes insolvent during the redundancy process, remember that some payments are guaranteed by the Government, such as statutory redundancy pay, notice pay, holiday pay and so forth (subject to a cap).

12 Many employers will require a redundant employee to sign a settlement agreement,

particularly if enhanced redundancy payments are being made. Seek TSSA's support or contact us direct on settlementagreement@morrishsolicitors.com or call **03333 44 9600** for advice. We regularly advise TSSA members on proposed settlement agreements having specific knowledge and experience of redundancies as well as terms and conditions in the travel and railway sector. ■



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