

Terry Deller,
Head of Employee Relations
Transport for London
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London, SE1 8NJ

20/10/2025

Dear Terry,

I am responding to your letter of 15/7/2025 regarding TSSA's Industrial Action Short of Strike at TfL after receiving legal advice.

TSSA believes that this is a lawful dispute and will take very seriously any intimidation of or moves to take action against our members exercising their right to take industrial action.

The Industrial Dispute

The Industrial Dispute (as outlined in the notification):

1. PRP proposals and TfL's failure to meaningfully engage with TSSA over alternatives
2. Breach of 2012 pay agreement – non-payment of additional 0.5%
3. TIC reorganisation
4. Breakdown of industrial relations

The payment referenced in point 2 was paid in 2015, when PfP was imposed upon staff, and the issue referenced in 3 is now historical, even if we don't believe it was substantially 'resolved'. However, 1 & 4 have not been resolved and remain significant matters of dispute (and have done so continuously since 2014).

Pay for Performance (PfP) - elements 1 & 4

PfP was a new framework governing pay and reward. It was first proposed in 2013 and imposed in 2015, with very little change to the original proposition. It significantly changed both the collective bargaining arrangements and the pay and renumeration arrangements for TfL staff.

Previously, the annual pay award was negotiated by the trades unions and applied to all grades and to pay band maxima and minima. PfP created a new framework which restricted trades unions to only "negotiate" the percentage increase of the overall pay bill, without any input into its allocation amongst staff. The allocation of this pot was then determined by performance ratings - e.g. if the overall value of the pot was 1% of the pay bill, then those staff obtaining the highest performance rating (5) would receive 4% increase to base pay, those obtaining a mid-rating (3) would receive 1% and those obtaining a 1/2 rating would receive little to nothing.

PfP also introduced a non-consolidated performance award which directly linked to performance ratings for individual members of staff. The value of performance award for each rating was specifically excluded from pay talks and was not a matter for negotiation. This was decided solely by TfL, with no explanation, rationale or transparency.

Given the reliance upon performance ratings, a significant element of the dispute has also focussed upon the P&D process which underpinned it. This process was and continues to be opaque, flawed and an ongoing matter of dispute and contention between TSSA and TfL.

A significant element of PfP was to reduce the pay band maxima and minima for grades 1, 2 3 and to no longer apply the annual pay award to the pay band minima and maxima for these grades. As a direct consequence, many TfL staff have received few pay rises and only non-consolidated awards for many years, negatively impacting both their earnings and their pensions. PfP also removed the incremental progression for staff in pay band 1, significantly limiting the pay progression of the lowest paid staff.

TfL has consistently failed, over the last 10 years, to engage meaningfully with TSSA in respect to pay and grading and has this year imposed a new system of job families which is deeply divisive, unfair and opaque.

Breakdown in industrial relations

TSSA has continuously sought to engage positively with TfL in relation to pay, grading and progression. That offer has not been reciprocated in a meaningful way. For a brief period in 2021-22 TSSA reps did engage in discussions with TfL about 'pay and reward' and we genuinely hoped that these would be productive. However, we received no feedback from TfL, and our contributions were unacknowledged.

There has been no meaningful consultation or engagement in relation to the new Job Families system which was imposed this year.

Industrial relations between TSSA and TfL have not materially improved since 2014. On the contrary, TfL have adopted a progressively more aggressive and restrictive approach, consistently imposing pay awards and, in 2023, imposing a new collective bargaining agreement on the trades' unions. This is in contrast to negotiations that have taken place in London Underground. Significantly, TfL has taken a much more restrictive approach to release for TSSA reps, reducing the release time that is available to them and making more difficult the process to apply for release. TfL's approach has directly caused physical and mental health issues and related absences for TfL reps.

The dispute is live and ongoing

TSSA members have been actively undertaking action short of strike since February 2014. Since then, TSSA has actively, continuously and consistently raised issues relating to breakdown in industrial relations, PfP, the pay and grading/reward system and the PRP system, which are the fundamental elements of this dispute. This has been a key element of TSSA's engagement locally, at Company Council and in our communications to TfL and to members. More to the point, we have continued to raise these matters because they are fundamental to and deeply felt by our members in TfL.

In the last three years TfL has "suspended" an element of PfP relating to the application of the general pay award and have told us in the 15/7/2025 letter it's permanently removed. However, there is no commitment from TfL that they will not resume a variable, performance-related approach to base pay increases in the future. In fact, the TfL guidance (Pay for Performance Business Rules and Administration Guide - Performance Awards and Annual Pay Review, March 2025) states on the front page 'These Business Rules relate to Performance Awards only and are subject to review and change at any time (including during or after relevant performance year) at the discretion of TfL'. Other key elements, such as the use of performance ratings to determine bonus payments (performance awards), and non-application of the annual pay award to pay band maxima and minima, remain in place, meaning that many of our member have faced pay freezes for 5-10 years (which has a significant knock-on impact upon their final salary pension).

In London Underground, a part of the TfL umbrella organisation, and therefore an associated employer, there has been no comparable variation to the pay and grading system and the annual pay award is applied consistently across all grades

(with the exception of a PRP award applied to a small number of managers (which has been the case for many years), and across pay band maxima and minima.

In conclusion

To summarise, your PRP proposals introduced a cap on pay bands, the inability to negotiate pay awards with our union, have resulted in opaque P&D processes, and bonuses (pay) continue to have a performance element. TSSA members have continued to demonstrate their opposition to these actions by participating in industrial action short of a strike. TSSA reps have also continue to raise these and related issues in local and Company Council meetings. There has been a failure on TfL's part to meaningfully engage with TSSA and our members about pay, the collective bargaining machinery and other key matters. There has been no fundamental change in this situation since 2014 when this dispute arose.

We will continue to inform our members that they are participating in lawful industrial action. If members report us that they are subjected to any detriment, then we will not hesitate to recommend the pursuit of legal proceedings under Blacklisting and/or other legislation. You will also be aware that our members have protection from dismissal, which would be automatically unfair if the reason is because of their participation in lawful industrial action.

Please confirm that our members will not be subjected to any detriment as a result of their participation in ASOS, and we invite you to engage in further discussions to resolve these issues once and for all.

We will therefore continue to advise our members to observe the ASOS and instruct them not to engage in the performance related elements of MyJourney. (Link to our advice is here: <https://www.tssa.org.uk/find-your-company/transport-for-london-tfl/tfl-action-short-of-strike>)

Yours sincerely,



Maryam Eslamdoust
TSSA General Secretary