

Matt Barrow  
Organiser  
TSSA  
2<sup>nd</sup> Floor, Newminster House  
27-28 Baldwin Street  
Bristol  
BS1 1LT  
email: [enquiries@tssa.org.uk](mailto:enquiries@tssa.org.uk)  
helpdesk: 0800 328 2673 (freephone)  
[www.tssa.org.uk](http://www.tssa.org.uk)



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## Amey CEFA TUPE Update

TSSA in dispute with Bridgeway over TUPE meeting no-shows! NR promise improved safety and support for Eastern visual examiners. Amey win Scotland and majority Eastern OPI, extensions ongoing.

Our reps are continuing to support members impacted by Network Rail's decision to break up responsibilities for examining buildings and structures.

The extension periods are ongoing, with Amey retaining responsibility for delivering CEFA until 27 May in Eastern Region and 30 June in the other regions. Where work is transferring from Amey to other employers, our reps are involved in collective consultation meetings facilitated by Amey to ensure that all parties comply with their statutory TUPE obligations and Amey honour the commitment to protect members jobs and conditions. However, prospective employers are taking different approaches which are causing some significant issues.

Amey are continuing to arrange staff briefings to provide updates with our reps in attendance who are available to support members.

So far, the only outcomes announced are in the Scotland and Eastern Regions. In other regions, we are awaiting the announcement of whether Amey will deliver the work or staff will be eligible for TUPE transfer to a new employer.

We understand that all "lots" awarded so far are still subject to sign off and agreement of start date and, in some cases, confirmed workbanks. This raises the potential that Network Rail may still decide to bring work in-house, following Eastern Visuals and Earthworks contracts, although no such plans have been shared yet. General Secretary Manuel Cortes' wrote to NR CEO Andrew Haines last month setting out the arguments for insourcing instead of fragmentation. Our letter is available online here: <http://bit.ly/MC-AH19Mar>

NR's Head of Industrial Relations replied:

*"As you know we are mindful of the concerns of your members and I acknowledge the points you make in your letter. Discussions are continuing at a senior level on this matter to ensure all due consideration is given to the options available and I commit to updating you as progress is made so you are fully aware of any future proposed changes."*



## CEFA Contract awards and TUPE talks update

Amey have announced their successful bid to deliver CEFA in **Scotland**. Our members in the route can now focus on resolving “business as usual” issues with Amey instead of getting involved in TUPE consultation. Amey have an opportunity to retain some central staff who may have been vulnerable due to NR’s fragmentation.

In the **Eastern Region**, Network Rail are separating **OPI** into two contracts on a 70:30 basis. We understand the majority 70% OPI contract to survey buildings is awarded to Amey, with Keltbray responsible for the remaining 30% workbank. As the new contract will cover additional elements of building surveys has allowed Amey to confirm that all associated staff are expected to be retained by Amey with nobody in scope for TUPE transfer.

The first meeting has taken place with Network Rail to consult the TUPE transfer of **Eastern Visuals and Earthworks**. We are awaiting details of proposed “measures”, or changes affecting members, which will be subject to collective consultation. Initial discussions have set out improved career progression opportunities, job security and safety improvements. Our reps welcomed the aspirations shared by NR, noting that, until now, NR have been reluctant to give any suggestion that the fragmented CEFA contractors were expected to deliver any benefits.

Despite initial concerns that staff associated with Visual Examinations may be “second class citizens” compared to their Detailed former colleagues, losing competencies and value, TUPE consultations to date suggest the opposite. Whereas NR will seek to introduce safer ways of working, moving away from lone working, red zone and no such commitments have been offered so far by companies who have been promised new contracts to deliver structures, earthworks and building exams.

After a challenging start to consultation, **NPX**, an unincorporated joint venture of Network Plus (NP) and Xeiad (X), have confirmed that they expect “lot 1b” staff to transfer into Xeiad. Many collective issues have been addressed through ongoing dialogue between company representatives and TSSA reps, facilitated by Amey. Although collective consultation is ongoing and NPX do not have a signed contract or final workbank agreed with NR, individual consultations have commenced. Please raise any concerns or issues with your reps so they can be addressed collectively before any transfers take place.

## TSSA in dispute with Bridgeway over consultation no-shows!

Bridgeway began consultation with two apparently constructive meetings where they reassured reps that members could expect a business-as-usual approach with minimal change to working practices or contracts. Relations have since broken down. After an exchange of correspondence and efforts to persuade Bridgeway to re-engage, we are now formally in dispute and are considering our next steps because the company refuse to meet reps to discuss plans in details and alternatives to their proposed changes to pay and conditions. Our bargaining agreement gives members the right to have face to face collective negotiation and consultation with reps and decision makers before any changes



can be agreed or imposed. Bridgeway need to come to the table and honour our agreements or face the consequences!

- Letter to Bridgeway giving 7 days to change position and avoid dispute: <https://bit.ly/32VWWfl>
- Bridgeway response confirming refusal to meet: <https://bit.ly/3eFya8z>
- Letter to Bridgeway giving notice of dispute: <https://bit.ly/3dZAV5p>

## Help defend the right to negotiate with Amey.

The right to collectively bargain at Amey; to elect representatives, negotiate pay and policies, and to have a collective voice on change at work, is a right that our members have fought for and won. With the loss of contracts, staff reductions in some departments and TUPE transfers, many members and reps will be leaving Amey, leaving constituents behind. To ensure that you are not left without a voice and without representation, it is crucial that members consider who will represent them in the workplace and how to help build our union. This is especially important for those outside of CEFA in head office-type roles. To find out about getting more involved contact [barrowm@tssa.org.uk](mailto:barrowm@tssa.org.uk). Look out for more information about open meetings to discuss union representation.

### **Please share this circular with your colleagues**

- Not a member yet: Join online at [www.tssa.org.uk/join](http://www.tssa.org.uk/join)
- Already a member: Visit [www.tssa.org.uk/amey](http://www.tssa.org.uk/amey) for updates
- Please check that your membership details are up to date via [www.tssa.org.uk/mytssa](http://www.tssa.org.uk/mytssa) especially if your situation has changed or is likely to.

