

**Special issue on the fight against ZERO pay in First**



Aberdeen full-time official, Tommy Campbell, destroys First's case on national television

**TRANSPORT SECTOR**

**National Organiser  
GRAHAM STEVENSON**

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American Teamsters union official, Richard Middleton, visits the AGM



Aberdeen's picket line 16<sup>th</sup> July



First South Yorks picket 10<sup>th</sup> July



Grim determination at the AGM

# Passenger News First Special

## ABERDEEN A.G.M. CHALLENGED

**UNION MEMBERS  
SAY NO TO THE  
FAT CAT BOSSES  
CREAMING OFF  
ALL THE PROFITS**



< The 'fat cat' poster used by Aberdeen branch outside First's AGM

Unite members demonstrated at the First Group AGM in Aberdeen on Thursday, 16<sup>th</sup> July, where the company's international HQ is, over the 0% pay freeze imposed by the board in all of its UK bus subsidiaries.

Our 20,000 members who work for First Group are incensed with the '0% pay policy', which means no pay rise this year for those who have an anniversary date coming up, even though the company has been

making huge profits for years. First Group PLC made £200m profit before tax in March 2009.

A profitable company shouldn't use the recession to make its employees pay for further rises in dividend payments for its shareholders. But, with the company seeking to impose the freeze, it looks set to be embroiled in a series of rolling strikes across the country.

*Right: causing a stir outside the AGM*

The protest in Aberdeen came on the same day as 500 of First's bus workers in Aberdeen took strike action as shareholders make their way to the city.

First sent instructions to local bus subsidiaries across Britain that they should supply a quota from management teams to travel to Aberdeen to work on the strike day. Some 50 managers flew to Aberdeen on the Tuesday, where they were put up in local hotels. The day before the AGM they were ferried around Aberdeen in cars to learn the local routes and on Thursday, First sought to provide a free bus service to the public from 7 am until 7 pm. The managers flew back to their homes on Friday. The dispute in Aberdeen continues (see over).





## **FIRST ABERDEEN FIGHTS ON!**

*(left: front page news - how the local press treated the strike)*

With a mandate of 73% voting for strike action in Aberdeen, strenuous efforts to negotiate a solution were made by local negotiators for the Unite. First preferred instead feed a line to the media that our members are earning between £24,000 and £34,000. Who was it who said that if you tell a big enough untruth, sooner or later people will believe it? Put simply, there is no truth to the outrageous and deliberating misleading claims from First Aberdeen. The only high earners in First Group are not members of Unite. The basic hourly rate for a driver there is only £7.18. This is only £14,192 p.a. and any additional income is made up with working overtime and unsocial shifts. Even then, the actual average annual earnings of drivers at First Aberdeen range between £18,000 and £21,000. Worse still, cleaning staff hourly rates are only just above the National minimum Wage.

Astonished at First's bloody-mindedness, Unite regional official in Aberdeen, Tommy Campbell, told the company that: *"Given First Group's huge operating profits of 38%, and the incredible expense of trying to break this strike, a rise of 4% on staff pay - the sort of figure we would have in mind instead of NOTHING - is an unaffordable pay settlement. We are available to talk at anytime."* The union has offered to recommend 4% to settle, if that were tabled. It's still NOTHING!

In the event, despite all efforts by the company, the strike was 100% SOLID! Unite National Organiser for Transport, Graham Stevenson applauded the solidarity of members in Aberdeen: *"No doubt the achievement of a 'Zero Pay Policy' on bus workers' pay will add up to a tidy sum in management bonuses. We thought the era of fat-cats and boardroom bonuses was supposed to be over, clearly not,"* he said. *"Bus workers' pay has dropped massively since deregulation and privatisation. Remorselessly, for over a decade or so, this decline continued. Yet, we see the board of First is proposing to the AGM a shareholder dividend rise of 10%. This is now the fifth consecutive year that First has increased dividends by 10%. It's clearly '10% FOR THEM, NOTHING FOR US' The Board has decided that a recession means that bus workers no long need to have pay increases, especially if this interferes with their ability to ensure that shareholders get what they believe should be coming to them. Quite simply, we ask them to think again."*



The knock-on effect of the continuing work to rule and overtime ban is disruption on the road. Services are now badly affected, with buses not getting on the road first thing in the morning, and being up to 30 minutes late. On one morning recently, 20 drivers had to wait up to 2 hours to have a bus allocated to them. This will get progressively worse. All buses are late and on average there are about 30 buses off the road, when there is normally six to ten.

Unite has approached local politicians, particularly the group leaders on Aberdeen City Council, to raising concerns about this dispute, especially that First's approach to bargaining is dragging out the dispute. The company made £5 million profit last year alone out of the passengers in Aberdeen. The Union notes the growing concern of the citizens of Aberdeen about high fares. We are more than willing to get around the table to resolve this dispute but the Company has to do the fair and decent thing i.e. put some of its profits back to the workforce.

# AFTERMATH OF STRIKE

In an odd reversal of experience for us, the union supplied First Aberdeen with photographic evidence gathered on the day of the strike. We asked what action would be taken on a number of instances of complaints of breaches of rules and regulations by strike-breaking managers in charge of a bus. Just two examples show the flavour - one photo showed a bus reversing onto a major thoroughfare in front of the fire station, Another appeared to show a manager driving a bus while using a mobile phone.

Buses seemed to leave the yard with dry windscreens, so suspicion arose that wash screens may not have been checked. There were reports of strike breakers driving buses whilst reading instructions. The union requested that First make available for inspection all CCTV coverage in each vehicle to check whether these reports are true or false.

In apparent retaliation, the subsidiary MD sent the following to us:

I also advise you that with immediate effect the following will be evoked and will remain in place during the period of disruption:

- All Occupational Sick Pay will cease to all staff from July 16 and continue during the period of dispute;
- No exchange of rest days or duties will be permitted from July 16 and continue during the period of dispute;
- All leave requests and paid absence from work from 16 July will be rejected. For clarity leave already approved will be unaffected;
- All requests for unpaid leave of absence from work from 16 July will be rejected and continue during the period of dispute;
- All requests for trade union paid release from work will cease and continue during the period of dispute;
- Requests for time off work to attend medical and dental appointments will be rejected during the period of dispute;
- The Learning Centre will not be available during the period of dispute.

The Union wrote to First Aberdeen over their unilateral announcement of changes to current terms and conditions, registering a failure to agree, and seeking that the status quo principle apply.

First was told: *“Your notice of First Aberdeen’s intention to introduce punitive sanctions against Trade Unionists exercising their Human Right of Freedom of Association may be a breach of Article 11 of the European Court of Human Rights. The sanctions you*

*intend to impose are clearly instigated because our Union members are acting collectively in pursuance of notified lawful industrial action and they should be free to associate and pursue that action without fear of being victimised and discriminated against.*

*We ask that First Aberdeen abandon the punitive sanctions they plan for failure to do so will lead us to consider what action either legal or industrial or both we may decide to take if such sanctions are imposed”.*

In response, the company claimed that the sanction were “merely our normal and accepted practices ... a consequence of the action taken by the trade union. Under the circumstances, there can be no failure to agree recognised ...”



**You’ve seen the press, now see TV footage from the Aberdeen dispute for yourself:**

**<http://video.stv.tv/bc/news-090716-n2-bus/>**

**Watch out? Scabs about...well, one anyway – paid £25 an hour to break the strike in Aberdeen.**



# SOUTH YORKSHIRE LED THE WAY!!!



*Just because Passenger News led this Special Bulletin with the brave and fearless warriors of Aberdeen challenging First's AGM, we do*

*not diminish the significance of First South Yorkshire's equally solid strike and the boldness typical of our gallant lads and lasses in England's biggest county. (Pic of S Yorks pickets above.)*

*Martin Mayer (Sheffield branch secretary, who also represents bus, taxi and tram workers on Unite's national executive) reports:*

The strike was totally solid in Sheffield, Rotherham and Doncaster - not one single driver crossed the picket line. The company sent out small number of contract buses driven by supervisory and desk management staff, but no fares were taken. These junior managers - many of them members of Unite but not covered by our pay agreement - were disgracefully threatened with disciplinary action if they refused to scab.

## How the Morning Star reported S York's strike

**SOUTH YORKSHIRE BUS STRIKE**  
**Drivers take one day of action as pay talks fail**  
 by John Millington

OVER a thousand bus drivers headed for the picket line yesterday as South Yorkshire Unite members went on strike over pay.

The drivers went ahead with their one-day action after the collapse of last-ditch talks between the union and First Group, which operates buses in the area.

The dispute arose when UK Bus, which manages First Group, declared a pay freeze across the company.

The group's deputy managing director Dave Kaye claimed there was no "new money" for a pay increase, despite the fact that First Group's bus profits have risen from £122 million to around £134 million.

Revenues from fares

have also increased more than 7 per cent at a time when oil prices have declined.

Local Unite activist Martin Mayer said that in the light of these figures a pay freeze was unacceptable.

"The company is offering a 0 per cent increase which we find completely unacceptable," he said.

"First is a big multinational company which has reported record profits.

"It is paying out dividends on its shares and has just tried to launch a bid for National Express," he revealed.

He stressed that bus drivers were not immune to the recession.

It was "perfectly reasonable" to ask for a pay rise that would help bus drivers keep up with the rising cost of living, Mr Mayer said.

johnm@peoples-press.com

In the days running up to action in South Yorkshire, rather than try to resolve the dispute through talks, the company was locked in talks with its lawyers trying to get an injunction to stop the strike. A full day in Leeds Crown Court was spent on Thursday with Unite successfully defending its position.

Following a well-trodden track of bus firms trying to prevent our members from taking action legally  
**PASSENGER NEWS**

First South Yorkshire claimed that there was a discrepancy in relation to numbers cited.

The Union may have received forms for members indicating an intention to pay by check off and it was a perfectly reasonable act to include such members in the total provided to First. We refused to withdraw the strike dates and made it clear that any application to prevent the action from going ahead would be robustly defended in court.

All week, rather than try to resolve the dispute, the Company was locked in talks with its lawyers trying to get an injunction to stop our strike. As a result our Regional Secretary and Full Time Officer spent all day in Crown Court in Leeds defending our position, with the assistance of a barrister paid by the Union. At around 16.30 hrs, FSY drivers heard the news that the judge had thrown out the Company's objections, and refused their right of appeal. Unites ballot procedures were robust and correct. When this was reported at the drivers canteen in Sheffield, a huge cheer went up! "Strike's on!" roared the room.

The Company was still not satisfied and intimidated official staff, members of UNITE, to drive buses through the picket line or face dismissal. They also bragged to us that some drivers would cross the picket line.

All this simply hardened our members' resolve and South Yorkshire drivers eventually were able to come out on strike on Friday 10th July.

## How BBC news covered the FSY strike:

Brandon Jones, deputy managing director for First, said: "I would urge the Unite union to reconsider its decision to strike on Friday which will affect the transport needs of tens of thousands of people across South Yorkshire.

"We have been clear with the union from the outset.

"Due to the economic recession, which has seen unemployment in the Yorkshire region increase by 13% in the last three months, First has no available extra money to fund a pay increase.

"We have however said we are willing to review our current pay rate, subject to productivity improvements."

Steve Clark, Unite's regional industrial organiser, said: "Our members have been left with no other choice but to take strike action this Friday."

## HARSH POLICY

But we have more than one bone to pick with this company, which seems to think good management means having the harshest stance on disciplines, sickness, assaults, and bullying. In my depot, Olive Grove, far too many drivers have been disciplined unnecessarily, and awards are too severe with Final Warnings and Dismissals being a far too common occurrence. The standards expected by the Company on sickness attendance, accidents and other conduct issues are seen to be unreasonable

and unfair. We have simply lost faith in the justice meted out by managers.

We are seeking a fundamental change in the system so that drivers are treated with more respect and given more support. We are also seeking the reversal of the seven decisions:

- 1) Final Warning and 5 Days Suspension. The member reported late for work but within the Late Agreement. He declined the work offered because he understood he would not be paid for the first hour, contrary to the agreement.
- 2) Summary Dismissal. Disciplined just over three months after an incident involving lost property, on inconclusive evidence. Driver had 5 years service and no record of dishonesty.
- 3) Final Warning and no assault pay. The member was deemed to have provoked his own assault by flashing his headlights when a car driver cut in front of his bus. The car driver got out of his vehicle, came over to the cab window, grabbed our member's arm and deliberately broke two bones in his hand, leading to nearly three months off work.



*South Yorkshire united*

- 4) Final Warning and Sick Pay suspended. The member's bus was hit by a lorry carrying steel girders which ripped out windows on upper deck. He reported sick for whiplash but was sent immediately to Company Doctor who reported him fit for work. The member had only taken one day sick.
- 5) Level 2 Warning and Sick Pay suspended. Took one day sick after his mother's funeral. Although he reported sick correctly using the agreed system, the manager simply believed the sickness was

not genuine, although he had no evidence whatsoever.

- 6) Level 2 Warning. A lorry which was edging out into traffic hit the side of the member's bus as he drove past. The member was blamed for not letting the lorry out first.
- 7) Summary Dismissal and no assault pay. The member's bus was ambushed by a group of youths at Wincobank who hurled handfuls of gravel and stones in his face. He went off sick for one week on GP's advice. Company Doctor declared him fit for work five days later. He did not return to work the next day.

**STOP PRESS:  
FIRST WIRRAL ENTERS ITS PAY  
REVIEW PERIOD IN AUGUST 2009,  
WILL THEY BE OFFERED 0%?**

### **SOUTH YORKSHIRE'S 90 DAYS NOTICE**

We also have a problem arising from the decision by the Operations Manager, Earl Williams, to issue a 90 Days Notice to end the Day Board, a rota containing duties which finish after 16.30hrs but before 20.00hrs. Lines on this rota are allocated to volunteers on seniority. All drivers can benefit in time by getting off shifts onto a less harsh rota prior to retirement.

The Trade Union conducted a workplace ballot on 7<sup>th</sup> May which resulted in 342 votes in favour of keeping the Day Board and 45 against. Earl Williams has refused to accept the drivers' verdict, citing the fact that around half the drivers did not vote. This view was upheld by the Operations Director Phil Robinson at our final stage hearing.

The Company are intending to disband the Day Board. Approximately 120 senior drivers face being displaced onto other shifts. The effects of placing the Day Board duties into the shifts are unknown and unexplained. The Trade Union believes it will either result in morning shift duties going beyond the agreed 16.30 hrs finishing time, or the alternating pattern of mornings and afternoons would have to change to make mornings only one in three weeks.



## **ESSEX DELAYED BUT WILL CATCH UP**

*Unite members at First Essex set a date for strike action of July 20th to join the rolling action. But legal quibbles caused a delay...they will be in action very soon. Our next issue focuses on Essex.*

Before notice of action was given, the company immediately began to seek to find technical reasons to prevent us from acting on the mandate received from our members. A solicitor's letter told us that our notices and ballot paper did not identify the correct employer, First Essex Buses Ltd, "this is not a "First Group matter".

Supposedly, by mentioning First Group's board diktat, our ballot procedures were considered "defective". We are also supposed to have made an error in respect of identifying the number of workers covered by the action to the tune of, apparently, *ten* people.

Actually, one misdemeanour – who we are in dispute with, First Essex, or FirstGroup, or something else - arises from the company's own uncertain structures.

We have had misleading messages from several documents, which all go some way to explaining the name used in our ballot of "First Group Essex Buses", which seemingly should have been "First Essex Buses".

The senior manager handling the subsidiary sent us communications using varying designations. But his title appears to be "Managing Director - First East of England", which comprises several pay agreements, one not currently in dispute due to the long-term nature of the previous settlement. Communications have come from the MDs Norwich

Office, with the designation "First Eastern Counties Buses Limited". An entirely local document "New Structure Update" is headed "First UK Bus .... staff in Eastern Counties and Essex only". We have had communications giving four descriptions from the MD not one is First Essex Buses!

There could have been no uncertainty. The June Special edition of Passenger News identified all of the depots involved in the dispute.

The company challenged only one of the ballots – South Essex, not North Essex. Yet, in South Essex regarding the numbers, the very small discrepancy the company have identified is on the back of a 91% vote for strike action.

Our members have already made clear, as far back as last year, that they reject the selling of conditions to achieve a cash rise and they are adamant that they will not do it now.

### **MORE AND MORE TO FOLLOW?**

*It is believed that, should there still be a stubborn refusal to negotiate, a number of local subsidiaries of First will be taking further action in August, with the expectation that local failures to agree on the zero per cent policy will also result in more of First's local bus firms joining action the following month.*

## **CHESTER NOW UP ...AND RUNNING**

First Chester has been battling legal sanctions to restore its mandate to take strike action and is expected to follow soon. Unite regional official, Ritchie James, said of the Chester negotiations: "The company rejected ALL possible suggestions for a settlement put forward by our negotiators and threw down a challenge by stated "how soon can you let us know when you are going to do a strike ballot?"

At a meeting supposedly set up to look at an alternative to a strike, the company rejected ALL possible suggestions for a settlement put forward by Unite and threw the challenge down by stating: "how soon can you let us know when you are to do a ERS ballot?".

Ritchie reports that it seems as if the company continues to frustrate the situation and crank matters up. It was interesting that the company had to ring the group HR before responding to any suggestions put forward by the Union negotiators.

## FIRST BACKS OFF FROM MERGER

Following FirstGroup's approach to the Board of National Express, big investors initially responded well to the prospect of a takeover.

National Express share value rose to a total of £417m. We're not sure where the money for First to pay for this going to come from! Maybe you can tell us?

Then First was told by the "Panel on Takeovers & Mergers" that it had received a request for a "put up or shut up" deadline from National Express.

The Board of FirstGroup has decided to withdraw but reserves the right to make an offer for National Express within the next six months.

Meanwhile, other big firms have leapt in the bidding war, including Stagecoach. Watch this space!



## Groucho looks at the news...

Seen in one of the posh peoples' papers...

The graph below shows that most people earn from £150 to £350 a week. Most busworkers are on the top of the graph, in other words, more or less bunched with every other bugger (technical term).

Just a few appear to deserve over a £1000 or more a week. Wonder what they do for a living?



◀ No more than six on a picket line, now!

## MIDLANDS:

In the Midlands, officers and shop stewards from First subsidiaries in Leicester, Worcester, Hereford and Redditch met with management in early July, where the pay freeze was confirmed. Further developments are expected when the school holidays are over.

## FIRST MANCHESTER:



*Senior RIO, Bobby Morton, reports*

Management at First Manchester finally came off the fence on 14<sup>th</sup> July and re-iterated the Group's zero % pay policy. Consultative ballots at Bolton, Wigan and Bury depots later saw 97% in favour of strike action. A full ERS postal ballot will follow.

### LESSONS FOR THE DAY...

"Now then! Show your ticket, child!" the Guard went on, looking angrily at Alice...

"Don't keep him waiting, child! Why his time is worth a thousand pounds a minute!"

"I'm afraid I haven't got one," Alice said in a frightened tone: "there wasn't a ticket office where I came from."

"The land is worth a thousand pounds an inch! Why the smoke is worth a thousand pounds a puff! Language is worth a thousand pounds a word!"

"Curiouser and curiouser"  
(Alice's Adventures in  
Wonderland, chapter 2)

### IS 0% NORMAL?

- Is everyone taking a pay cut or a freeze in the recession? Far from it. Across industries, newly agreed pay deals have seen more than 60% obtain an increase of some sort.
- Pay freezes only make up much less than a quarter of all pay deals for the three month period from March to May. Settlements are down on last year's figures, but remain close to inflation levels at 2.45.
- First's ZERO% policy on pay relies a great deal on the focus of media pundits on the current state of RPI data. But real economists are now predicting a return to inflationary rises as early as the next Spring – 3% most are saying. VAT goes back to 17.5% in January and even the fixed CPI figure is expected to be 2% in less than six months.
- Overseas commodity prices are rising, the government has been printing money and has taken over massive debts in the hope that this will turn the economy around. Two things are certain from this – cuts in public spending and a rise in inflation.
- Whatever the arguments about the cost of living - and even if there are a few individual busworkers whose personal life-style expenditure has not been badly affected by current RPI (which we doubt!) - accepting a 0% figure now on a June or July pay review date, will definitely see a real pay cut before you get a chance to review pay in 2010.

DON'T BE CONNED – FIGHT FOR A PAY RISE!

## FROM OUR HISTORY:

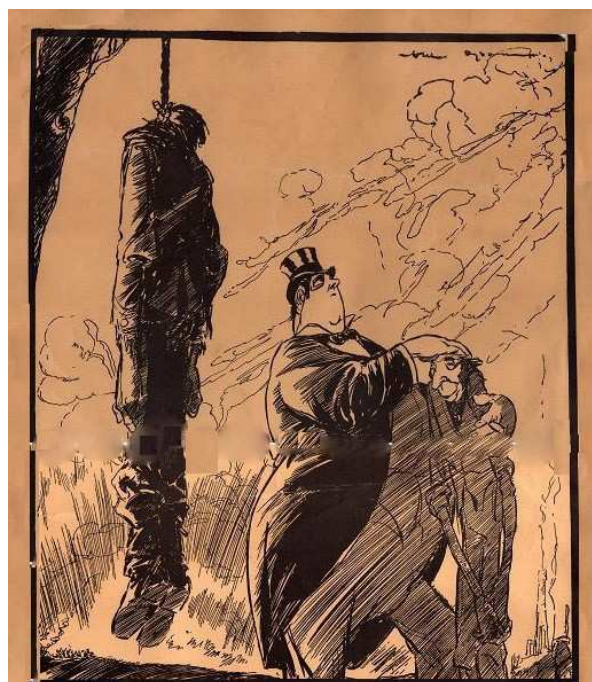
Passenger News came across this cartoon in a dusty area of Transport House – it's from around a hundred years ago.

Of course, things are all different now, in the 21<sup>st</sup> century..... no-body wears a top hat anymore.

*Right: detail from the cartoon – a boss patting the scab.*



For the benefit of students of history, we reproduce the caption text to the full cartoon: "*The Advantage of Blacklegging: If the soldier betrays his comrades in marital engagements he is hanged. If the civilian betrays his comrades in industrial engagement he is hugged.*"



THE ADVANTAGE OF BLACKLEGGING.

*If the soldier betrays his comrades in marital engagements he is hanged. If the civilian betrays his comrades in industrial engagement he is hugged.*

### ZERO PER CENT NOT A PAY CUT????

When I use a word," Humpty Dumpty said in rather a scornful tone, "it means just what I choose it to mean -- neither more nor less."

"The question is," said Alice, "whether you can make words mean so many different things."

"The question is," said Humpty Dumpty, "which is to be master - - that's all." (*Through the Looking Glass, Chapter 6*)