



# Passenger News

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## A STRATEGY FOR A SAFER WAY

THE PASSENGER NATIONAL SECTOR COMMITTEE MOTION TO THE PASSENGER NATIONAL INDUSTRIAL SECTOR CONFERENCE HELD IN NOVEMBER 2011 WAS CARRIED UNANIMOUSLY – THE TEXT FOLLOWS....

*“This Sector National Conference commends the strategic direction, adopted out of the last Sector National Conference, which is the settled wish of the Passenger Transport group of UNITE - THE UNION to the whole union and in particular to the Executive Council.*

We urge all necessary assistance and support for ‘The Safer Way’ campaign, in which we propose a claim for industry bargaining on broad brush issues, relating to health and safety and some recommended employment minimum standards, mainly focusing on:

- 4 ½ hours maximum driving at any one time
- A maximum 8 hours driving time in one shift
- A maximum 10 hours maximum shift
- All with no loss of earnings

In the event of a continuing refusal by the Confederation of Passenger Transport (CPT), the employers’ association, to discuss such an approach with us, the previous NIS Conference determined that this should be followed by a national strike ballot of all members in the Sector, a little short of 90,000 members. This conference vigorously reaffirms that intention.

Upon receiving authority to conduct such a ballot, Conference instructs the National Industrial Sector Committee to work with all departments of UNITE THE UNION to prepare the most effective form of stoppage possible, consistent with maintaining the widest support amongst the members.

In preparation for this step, Conference seeks additional authority to call on all Passenger branches to support the Stop for a Minute campaign, as a means of acclimatising members and activists to national action. That is to say, to hold an Armistice Day type halt in services across the country for sixty seconds on a designated day, in memory of the lost time over the years during the course of our careers that could have been devoted to our families and to personal pursuits had our employers provided us with civilised shifts. (cont’d)



**What do we want?  
LESS FORCED  
HOURS WITH  
NO LOSS OF PAY**

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*Further*, it is the contention of this conference that such a tactic is on a par with a range of approaches being successfully adopted in the public transport sector across globe, not always in the friendliest of legal environments.

Such new tactics - tested successfully in Canada, France, Germany and New Zealand in recent years – can aid mobilisation for conventional strike action. Luxembourgian bus drivers held a two-week protest in June 2011, whereby they grew beards, or alternatively wore green wristbands to signal their discontent with working conditions of long working hours and lack of toilet facilities. *Conference instructs* the NIS Committee to investigate all such possibilities for future action in pursuit of our aims but also to

press Unite by all means necessary to accept that the concept of Stop for a Minute is a feasible tactic due to the following:

- It would be a 'de minimis' tort, or infringement, that is to say it is so minor as to not require the attention of the law, and therefore effectively un-actionable and virtually legally unsustainable as a motion in court
- even such an action was heard, loss could be never be easily calculated, since so it would require a company to assume all or most of its drivers had participated in the action and this would be, in propaganda terms, extreme self-harm; in any case, actual damage costs could not be more than in the order of perhaps one hundred pounds in each company
- If Unite's EC endorsed SfaM, it would be classed as official not unofficial action and would therefore not be subject to the restrictions on unofficial action in the strike ballot legislation, which normally requires repudiation – the union could hardly repudiate itself.
- But the action would certainly be non-immune, in that the union would not enjoy protection against suits for damages as it would not be following the usual balloting rules.

*Summing up this aspect*, Conference notes that there is no legal right to strike but only a legal right to immunity in pursuit of a bona fide trade dispute. We urge Unite to provide us with a basis to engage in such an initial step towards such action by the adoption of a series of successful stunts, symbolic acts, and innovative engagements, providing the maximum resources feasible to such an end.

*Additionally*, Conference notes the disastrous consequences for our members of the form of tendering applying within London and the relatively recent use by TfL's main contractors of TUPE. We instruct the NIS Committee, involving the L&E region members most closely, to co-ordinate work with the London Advisory Committee and all Passenger Transport servicing officers within the capital, so as to identify one or more issues that can be combined with a demand for sub-sectoral bargaining across TfL contractors.

It is self evident that all London contractors are "associated employers" (also an issue of importance regarding CPT), since they all rely on highly detailed contracts with TfL for their income. In the same way that public sector unions negotiated with contractors' associations over best value in the local authority sector, conference urges Unite to identify means for our London members to pursue a similar course. (Note for example the Agenda for Change agreement between Unison and others, the Department of Health, the NHS, and the Business Services Association (BSA), the outsourcing employers' body.) We urge the NIS Committee to co-ordinate any subsequent action within and without London. Some issues that could be sought of the contractors are:

- The establishment of consultative machinery across all TfL contractors to ensure adherence to the highest employment standards are applicable to all, posing such a demand in a manner consistent with competition law in the same way that Agenda for Change or Best Value were negotiated.
- Agreement on a newly defined level for London Weighting, analysing its value when consolidated many years ago relative to average London earnings then and now was supposedly consolidated years ago.
- Agreement on some measure to ease the effects of stress-related illnesses arising from the intense nature of job within London, for example, a Medical Severance and Ill-Health Early Retirement provision for all London bus drivers, applicable to all London bus contractors as part of the contract.

*Further*, and noting the propensity of some employers in county districts to employ 'creative' measures to use the provisions of the 50 kilometre rule, by parcelling work into smaller segments to suit their own needs, we support and applaud the steps being taken by the South East Region of the Passenger Group to ensure that the UK adheres strictly to the purposes of the 50 kilometre rule and urges the NIS Committee to carefully monitor the increasing pressure on the provision and urge UNITE to support by all necessary means any steps to prevent further abuse.

*Finally*, the NIS Conference also endorses a series of proposal regarding support for the Campaign for Better Transport, which mainly focused on funding to aid the defence of rural bus services, presented by the NIS Committee some months ago to UNITE. We urge the union to eliminate whatever obstacles have existed to delaying this matter and to provide all necessary funding and administrative support to the broad campaign to Save Our Buses, which has already received considerable support from other unions with insignificant membership in the sector."

*Conference also considered motions on DriverCare. London tendering, CRB checks, 50 km routes, and public holidays.*



# GRAHAM STEVENSON RETIRES

The Passenger Group's long-serving senior officer announced his retirement from full-time work for the union in late November. His last main role was to be at the Passenger national conference in Brighton, where a presentation was made by delegates. A decision on his replacement has yet to be made, although Bobby Morton of the North West Region is to act as national officer in the meantime. Here is his announcement.

## Ian MacDonald

*Many readers will know of the recent untimely death of Leeds bus workers' leader, Ian MacDonald, here is an obituary by one of our EC members.*

Ian had been struggling so bravely with terminal stomach cancer for several months yet until recently managed to keep up with his many trade union commitments, never complaining and in ever good humour. How many people could do that? But that was Ian. He was positive, cheerful, ever committed and full of comradeship, never one to complain about himself. Not one to make enemies of others and few if any people I know would ever have said a bad word about him. There are a lot of good trade unionists but Ian showed an example of what it was like to be one of the best.

Ian was Branch Secretary at Leeds 8/9-12 Branch representing bus workers at First Leeds Buses for many years and before that West Yorkshire PTE. He led his members well through the many struggles we all faced in this industry from public ownership through to private, and the difficulties in dealing with a tough multinational like FirstGroup. His success as a negotiator is proved by his achievements in winning for his members some of the best terms and conditions in the area. I know many of his members owe a personal debt of gratitude to Ian for the individual case work he handled, dealing with disciplines and

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Date: 23 November 2011  
Contact: Transport  
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To: Passenger NISC delegates (copy Passenger regional officers)

Dear Colleagues, Brothers and Sisters, and Comrades,

I have today received final confirmation that my application for voluntary redundancy, arising from the restructuring to form Unite, has been legally processed, signed and sealed, and is about to be delivered! I depart office on November 30th - a good day to go!! I am aware that rumours were being circulated about this but no formal confirmation could have been properly made before now. I thought I ought to advise you, the NISC and the RISC officers of this matter in the first instance.

Since I recently passed my 61st birthday, this places me in a position to also take an early pension. For your information, since it has been asked of me already, I do not expect to be taking up any other employment position.

Having been an active trades unionist for 44 years, a full time officer for almost 32 years (during which time serving Passenger membership was my dominant role), almost 24 years as the national secretary to the Group, and over 12 years as National Organiser for Transport, I feel I can truly say that this juncture is a most significant moment in my life.

I have also resigned my position as President of the ETF and am in the process of regularising my role within the ITF.

I did not ever expect - or hope - that it would end like this - especially after I have recently watched a virtual revolving door of well-paid exits; but part of the art and science of leadership is recognising when a moment and an act becomes right. I stayed this moment to help forge the future for as long as I could reasonably have an influence on the process and now need to consider my personal position in a family context.

I am honestly looking forward to becoming a lay member again! Long ago, I used to be thought of as a thorn in the side of the establishment. It will be an intriguing experience to return to that with the benefit of experience!

So, it's not entirely farewell, since I intend to be fully as involved in the union as may be appropriate, and I have a great deal to do as a senior voluntary official of my party, the Communist Party of Britain, which I have been committed to since the age of 14. Whilst, finally, my academic interest in the allied fields of the historical and biographical study of the labour and revolutionary movements will no doubt receive a big boost from some extra free time. [See: [grahamstevenson.me.uk](http://grahamstevenson.me.uk)] Perhaps without door-stepping from the Daily Mail!

It was a privilege to serve the finest trade group in the T&G .... the Passenger Group.

Good luck - you're going to need it!

Best wishes and regards to all,

GRAHAM STEVENSON  
National Organiser – Transport Sector

Len McCluskey  
General Secretary

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grievances tirelessly and effectively, giving wise advice and sharing his knowledge from long experience as a sound trade unionist.

His progressive left politics and socialist values ran right through Ian and guided his thoughts and actions quietly at all times. But it was his work for the anti-fascist movement which was one of the most remarkable of his long career. He stood up to the racists and fascists and became a target of Redwatch, the vile website which targets those who dare to challenge their vicious ideology of hatred. Even though his house was attacked, he never once flinched or wavered. Behind that good humour was a gritty and determined strength.

A long standing and prominent member of the TGWU and then UNITE, he served on the UNITE Executive Council representing his Region, and the UNITE Regional Committee. Before that he represented the Passenger Services trade group on the T&G Regional Committee. Ian also played a very prominent role in the Union's delegate structure for FirstGroup members, serving as Vice Chair of the National Liaison Committee (NLC) and was well-regarded for his progressive and thoughtful views and negotiating skills. He was very supportive and always active in the international struggle we waged with our sister unions in the USA to confront FirstGroup's vicious anti-trade union tactics in FirstStudent yellow buses. His comradeship and good nature made him a wonderful ambassador for our union when we met fellow trade unionists from "across the pond" during that campaign. He shares much of the credit for our collective success in winning 35,000 new trade unionists in FirstStudent.

But don't think for one minute Ian was only a T&G and then a UNITE man. Far from it. He was Secretary of Leeds Trades Council for many years and served on the TUC Regional Committee, often battling for a more proactive stance than many of his fellow members wanted for a visible campaigning TUC. He was Secretary of the TUC Joint Trades Council Committee, leading this noisy and vibrant lay member movement with good humour and positive commitment.

Ian's trademark was his amazing choice of bizarre colourful shirts, always a talking point and an excuse to exchange some witty remarks and have a bit of fun. But he wore them because he could not stand stuffiness and pomp. He wanted to show that being a committed trade unionist could be colourful and fun. And why not? But no-one but Ian would have dared wear those outrageous dresses on the Pride Marches he attended! In fact he would never miss one. He was absolutely committed to winning respect as well as rights for the LGBT community and naturally felt solidarity towards those who suffered discrimination just because they were of a different sexuality to himself. It was a bit surprising just how much he enjoyed wearing those dresses though!

It really is a shame he has missed the presentation of the UNITE Gold Medal by literally days. It was due to be presented to him at the next Regional Committee on 17<sup>th</sup> October. He would have been so proud to receive it – and was really looking forward to it. For all that he did for his Union, the wider union movement and his members, for his good humour and commitment, his wonderful shirts(!) and his ever positive and cheerful demeanour, thanks Ian. You were a man who did make a difference, who leaves behind probably hundreds if not thousands of friends who are so terribly saddened at your untimely passing. You were unfairly robbed of the long and happy retirement you so much deserved. They say the good die young. Why is that so often true? This was a truly good and decent man who did not deserve to die like this in his early sixties, and with so much to give. Goodbye Ian. Rest in Peace

*Martin Mayer*

## London busworkers demand an extra £500 for all on Olympics

Unite has written to all London bus operators demanding that they enter into genuine negotiations for an Olympic Games award for 28,000 London bus workers. The award would be in line with what other London transport workers will reportedly be getting for working during the Games.

With an extra 800,000 passengers expected to travel on buses during the Olympics, significant extra revenue will be generated through fares for Transport for London (TfL), and bus workers will be working much harder, under more pressure. It's only right that bus workers' contribution to the Games is recognised.

Unite has written to the London Mayor's office on more than one occasion requesting a meeting to discuss this. However, after waiting for three months for a response Boris Johnson replied saying he and TfL could not get involved. Unite's Regional Secretary for London, Peter Kavanagh said: *"London bus workers will be making a significant contribution to getting visitors around London during the Olympic Games, they deserve recognition. An extra 800,000 customers means bigger profits, it's only right that bus workers are rewarded for their extra contribution. The Mayor's office has washed its hands of its responsibility - its disgraceful. If this situation continues we can't rule out industrial action. For too long TfL, the Mayor and bus operators have treated London bus workers as second class citizens, while saying they are the best in the world. Our members are saying enough is enough. If you say they're the best treat them like they are."*