

## LUL IS NOT ABOVE THE LAW: VOTE YES

### RMT Ballots Train Operators for strike action over unfair sacking/demotion of members



By now I am sure you will be aware of the cases of Brothers James Masango and Jayesh Patel both of whom have been treated appallingly by LUL management. James Masango has been dismissed and Jayesh Patel was downgraded to CSA. We believe both these cases are clear injustices.

James Masango (pictured left) was returned to driving duties after a period of sickness caused by an incident at work. His local manager ignored an Occupational Health memo recommending that he should “undertake no train operating, track work and no making of safety critical decisions” and forced him back on driving duties. Unfortunately soon after being returned on duty, there was a wrong side opening incident following which James was disciplined and sacked. James should not have been driving trains in the first place.

James’ case is an indisputable example of management victimisation. In fact the case against them is so clear cut that the Employment Tribunal has taken the incredibly rare decision that LUL are 100% to blame for his dismissal. Reinstatement in light of such an overwhelming verdict on his innocence should be automatic but management continue to refuse to reinstate him. We demand his immediate reinstatement.



Jayesh (pictured right) has been unjustly downgraded by LUL after an incident on the line. Jayesh had been suffering from fatigue and stress which resulted in him misunderstanding the framework agreements on driving parameters and taking a Personal Needs Break. This was compounded by Jayesh being interviewed whilst operating his train by a Duty Manager. It took LUL three weeks to cook up charges against Jayesh and decided that he had “wilfully and maliciously disrupting the service on the Bakerloo Line”. We have sought a Director’s level review of Jayesh’s case but to date they have refused all requests. We demand that Jayesh is immediately returned to driving duties.

**Ballot papers will be sent out by the scrutineer from Tuesday 1<sup>st</sup> November 2011 with a closing date of Monday 14<sup>th</sup> November 2011.**

**I urge all Train Operator and Instructor Operator members to vote ‘YES’ in favour of strike action.**

Bob Crow, General Secretary



**NEASDEN BRANCH MEETING : 16:00**

**WEDNESDAY 9th NOVEMBER 2011 The Torch Public house , Wembley**

**JUBILEE LINE NORTH AND METROPOLITAN LINE (NEASDEN BRANCH)**

**FIGHTING FOR OUR MEMBERS—WORKERS OF THE WORLD UNITE**

