

Refusal to work on the grounds of health & safety

A lot has been written about this topic.

This is an essential right that all drivers must be well versed in and applies to everyday aspects to your duties - not just failed air-con.

You must remember, the company has a responsibility and a duty of care to ensure that controls for all the above problems are in place and ensure we have a safe working environment.

We also have a responsibility. If you feel that a working practice is unsafe or your environment is such that your concentration is impaired (particularly in the hot weather), you are protected by law and by LUL's own procedures to refuse to work on the grounds of safety. There are numerous laws to protect you: Management of Health and Safety at Work (1999); Employment Rights Act (1996) and Schedule 5 of T.U.R.E.R (European legislation). **And remember the RMT will fully support you when you deem it necessary to exercise this right.**

Whenever you apply your right to refuse to work on the grounds of health & safety remember to state so categorically.

Basic rights

As employees, we have rights: if you are hot or thirsty due to the heat, you can ask for a PNR. These are not just for toilet breaks.

If there is no drinking water available, tell the manager. Demand it.

None of the above is meant to scare the driver. It is meant as a guide to inform you of your rights and responsibilities. Any driver wanting clarification or representation should contact their local Health and Safety Rep.

ANY HEALTH AND SAFETY PROBLEMS CONTACT YOUR REPS

ELEPHANT & CASTLE

Brian Munro - 07937 316259

QUEENS PARK

Jim McDaid - 07905 100008

AND COME TO THE BRANCH MEETINGS

Upstairs at The Clachan, Kingly Street near Oxford Circus tube station.
16:00 hrs, first Thursday of each month.

Bakerloo Branch



National Union of Rail, Maritime & Transport Workers'

BAKERLOO DRIVERS

HEALTH AND SAFETY NOTICE

Summertime Special *stay cool this summer*



with RMT

RMT: for a safe working environment.

SUMMERTIME SPECIAL

Summertime and the living is easy? We don't think so! As you are all aware, summertime and the Bakerloo Line are just not compatible. Problems with air-con, defective mirrors and monitors, non-availability of drinking water, track glare and non-implementation of the control measures in place to counteract the problems that we face.

Outlined in this flyer are the relevant line and company agreements that have been secured by your union to ensure that our working environment is as safe and as comfortable as it should be.

The following is a summary of the problems you may face and measures in place to deal with them. If further information of any of the procedures and agreements outlined in this communiqué are required, the contact numbers of your Health and Safety Reps and details of the RMT Bakerloo Line Branch meetings can be found at the end of this leaflet.

Bakerloo Line: Air-Con Agreement

Drivers are reminded that we have a local agreement with Bakerloo Line management concerning trains with defective air-con units.

The full procedure will be posted in time for the summer but basically, drivers have the right to a train changeover, where available, if they have a unit with defective air - con. If no changeover is available, the train is to run Queen's Park to Harrow shuttles only. This is the agreement as it stands at present.

A new agreed procedure is also in place. This is outlined in the DISI (Defective in Service Instructions) which will soon be issued to drivers. The significant difference between this procedure and the local agreement is that trains with defective air-con units will be "changed over as soon as possible". This is defined as the train to be run in service to the nearest siding or depot.

All drivers are reminded of the shambolic situation last summer when drivers were reporting trains with defective air-con with the result that this defective train was then handed over to another driver under "stock and crew change". This is unacceptable. You are reminded that it is within your rights to refuse to work under the grounds of health & safety or take a PNR.

Please also be aware that Jim McDaid, RMT Health & safety Rep Queens Park, is compiling a survey on defective air-con units. Please contact Jim with details of problems you face on this issue.

Also remember, that there is no problem opening doors in the Queens Park North sheds when you have changed ends. But please ensure that there is no one on the train, including cleaners.

Defective mirrors or monitors

Nobody needs reminding about the sub-standard quality of the mirrors and monitors North of Queens Park when the sun shines. Remarkably poor for a company who claims that safety is at the vanguard of its policymaking.

Despite attempts by the company to rush a new procedure through (via the back door) we are still governed by TC123 and TC512 in the Working Reference Manual when dealing with defective or inadequate mirrors and monitors.

TC 123, which states 'this document applies to all platforms on all lines, including Railtrack stations served by LUL trains' and it instructs us that when there is defective or deficient monitors, 'at Category A platforms, the train Operator must get assistance from station staff with platform duties', ie you must receive "the right" in order to proceed.

This standard is particularly relevant at Willesden Junction down platform, Harlesden down platform and South Kenton up platform where it is sometimes impossible to get a full view of the platform. These are all category 'A' platforms and we are entitled to assistance with our platform duties. Under no circumstances should the driver close the doors if they do not have a full view of the platform. If an accident were to occur, this would leave them liable in the eyes of the company.

Track glare / sunglasses / prescription clip-ons

Track glare can be a real problem, especially in the early hours of the day when the sun is low.

An agreement has been reached for all drivers to be issued with sunglasses to counteract the effect of track glare. If you do not have them, contact your local manager. If he doesn't have them, put in a memo, with a dated copy to your local rep, requesting to be issued a pair.

Drivers who wear glasses can arrange for a visit to Moorefield's Eye Hospital to be fitted for a pair of clip-on glasses. This will be done in the company's time. Again, contact your local manager to arrange an appointment.

Drivers are also encouraged to log all sun blind defects.