



# **Transport Salaried Staffs' Association**

**Claim for Improvements to Pay &  
Conditions of Service for  
Maintenance, Bands 5-8 and  
Equivalent Grades**

**January 2012**

**Network Rail**

**November 2011**

**1) Claim for a substantial increase in the basic rates of pay and other allowances that will lead to a material improvement in the standard of living of our members**

We are looking for an increase that takes account of the annual increase in the Retail Prices Index (RPI), and the increases in average earnings, company performance and other settlements in the industry and within Network Rail. Fundamental to our pay claim is a commitment from Network Rail that all staff within the bargaining group will receive the full negotiated pay rise as an increase in salary.

RPI has been at a relatively high level since the beginning of 2010. It peaked at 5.6% in September 2011 and has been at or above 5.0% throughout 2011. Going forward, forecasts indicate that RPI inflation will remain at these relatively high levels. IDS Pay Report (No. 1076, July 2011) reported that its round-up of the inflation forecasts, conducted in early June 2011, shows that City economists have once again revised their forecasts upwards. The latest forecasts reflect the continued upward pressure from commodity and energy prices which continue to feed through to food and imports.

In addition to the usual inflationary pressures on the purchasing power of our members' salaries, there is real concern regarding the additional financial pressure brought to bear as a result of government economic policy. Tax and benefit changes and cuts in public services will reduce the living standards of a typical middle Britain family by more than £4,600 by 2013, according to TUC analysis published in September 2011. In 'Unhappy Families', the first analysis of this living standards gap, the TUC constructed a number of typical families. Their living standards are set to be hit by between 6% and 10%. Amongst other things, the analysis finds that:

- an average income two earner family, living in the East Midlands with two children, will face a living standards gap of £2,000 this year - and a gap of £4,600 by the end of 2013
- an average income single parent, living in London with two children, will lose the most (10% of their salary)
- a high income two earner family, living in the South East with three children, will lose the least (6% of their pay).

Another such report indicated that families' spending power has fallen by £730 over the past year due to the higher cost of living, according to supermarket chain Asda (reported in The Daily Telegraph, 28<sup>th</sup> September 2011). It is the highest decline since January 2007 when Asda started tracking levels of disposable income. Higher petrol, food and utility prices are behind the fall in spending power.

**2) Claim to increase the basic annual leave entitlement to 30 days**

TSSA policy is to strengthen the convention that bank and public holidays are in addition to the basic holiday entitlement and to seek to increase the basic entitlement to 30 days for all staff.

**3) Claim for a reduction in the working week to a maximum of 35 hours in a 5-day week for those within Network Rail still contractually working greater than this**

We seek a resolution to the commitment given by the company in 2009 and are willing to participate in joint working party talks to achieve this.

**4) Claim for comprehensive analysis of pay systems and grading structures and joint working towards a fair pay structure**

TSSA is disappointed and concerned about the lack of progress on working towards achieving one of our major goals - fair and equal pay. In order to develop an equal pay structure TSSA is asking the company to work in partnership with TSSA in examining the existing pay practices and structures. Network Rail's role clarity pay structure, characterised by wide pay bands and a lack of clarity on the "rate for the job" hinders the operation of fair and equal pay. Our members are frustrated at the lack of transparency around their rate of pay and are seeking joint working with their union and employer to tackle this complex problem and avoid the need for individual challenges.

According to the Office for National Statistics (ONS) 2010 Annual Survey of Hours and Earnings (ASHE), the mean gender pay difference was still at 15.5% for all full-time employees. On 14<sup>th</sup> September 2011 the Voluntary Gender Equality Analysis and Reporting initiative was launched by Home Secretary, Theresa May. This sets out the principles that business, unions, voluntary sector and other partners have agreed to encourage a new voluntary approach to gender equality reporting available to all private and voluntary sector organisations. TSSA strongly supports mandatory reporting and proper, full pay audits. However, as a starting point we are urging the company to commit to sign up to this new government initiative as part of working towards a fair pay structure

**5) Claim to review and substantially improve allowances, including London and South East allowances**

With regard to employees working in London and the South-East of England, TSSA considers that the current allowance/weighting does not reflect the additional cost of living and working in the region and needs to be increased substantially.

We also understand that Network Rail are seeking to amend the boundaries of the South East allowance so that working at the new Milton Keynes National Centre does not attract this payment. This is not acceptable to our members.

A variety of other allowances are also in dire need of review and standardisation, including lodging allowance and PDTA. We seek discussions on this matter with Network Rail.

#### **6) Claim for an end to employees being required to work long hours and carrying out unpaid overtime**

Long working hours are bad for work-life balance, health and well being and productivity as well as safety in the workplace. TSSA are increasingly concerned about the extent of unmonitored and unregulated excessive working hours within maintenance, both for our members and the safe and effective operation of the company. Anecdotal evidence tells us that productivity and safety is suffering while our members' health and personal lives are hit.

The experience of Network Rail staff matches evidence from the wider economy. In February 2011 the TUC reported that its analysis of official statistics revealed more people working unpaid overtime than ever before - a record 5.26 million people - the highest since records began in 1992. The TUC analysis found that over one in five workers (21%) regularly worked unpaid overtime in 2010, an increase of 0.7% since 2009 and the highest proportion since 1997. In 2010 5.26 million people across the UK clocked up an average seven hours 12 minutes unpaid overtime a week, worth £5,485 per person and a record £28.9 billion to the economy. The increasing amount of unpaid overtime worked generally is likely to be a symptom of tough economic conditions, low recruitment activity and rising unemployment, with staff having to pick up new work as well as the work left over by colleagues who have been made redundant or not replaced.

We are also concerned at the impact of long hours working on the physical health of the workforce. In April 2011 research, that received widespread coverage in the media, indicated that working long hours has serious consequences for workers' health. The UK study highlights the risk of coronary heart disease from working shifts of more than 11 hours a day. Researchers at University College London (UCL) tracked the health of 7,095 British civil servants for 11 years. All participants were aged 39 - 62 and had no signs of coronary heart disease at the start of the study. The results, published in the Annals of Internal Medicine, showed that 192 participants suffered a heart attack over the course of the research. It was found that participants who worked 10 hours a day had a 45% higher risk of heart disease and those who worked 11 hours a 67% higher risk, compared to those who worked a standard 7 to 8 hours a day

We are asking the company to increase efforts to monitor excessive hours, workloads and the resulting impact on health and welfare and work with TSSA to eradicate these problems. We also call for the company to bring forward proposals to adequately reward staff for overtime undertaken.

**7) Claim for review of equal opportunities and diversities policies and equality audit requirements with a view to raising standards in line with best practice**

Equal opportunities and diversity issues remain high on TSSA's bargaining agenda. TSSA strongly favours a joint union/employer approach. Evidence shows that adopting a positive attitude and promoting diversity is good for workers and good for business. Companies that look beyond the 'usual suspects' for staff and employ people on the basis of their abilities and potential, regardless of their sex, race, age, disability, sexual orientation or religion can benefit in many ways, including:

- Higher morale and productivity, improved retention rates and lower recruitment costs;
- Better understanding of customers' needs and greater insight to reach untapped markets;
- Help in addressing skills shortages.

TSSA is pleased that Network Rail have recently made positive noises around increasing diversity within the company although there is still a great deal to do. TSSA wants to see more engagement with the Trades Unions on this matter.

We are also particularly concerned about the lack of understanding of the obligations towards disabled employees and the need to make reasonable adjustments. We would call for Network Rail to establish a consistent process to deal with Access to Work and to ensure all managers are made aware of the existence of the Scheme and their responsibility for using Access to Work to assess the needs of any disabled member of staff for any specialist equipment. We would also ask that Network Rail begins to properly record statistics on this matter and on disability in general.

The Default Retirement Age (DRA) was abolished with effect from 1<sup>st</sup> October 2011. TSSA welcomes the demise of the DRA. We hope that the company shares our view that this was an unfair and anachronistic practice that has no place in the modern workplace. It is not known to what extent staff will exercise their right to work beyond age 65. However, it is felt that it would be unwise to respond to instances on an *ad hoc* basis. We are, therefore, asking the company to work with us to establish best practice of meeting the needs of older workers in areas like flexible working opportunities, recruitment, selection, promotion etc. In the meantime, we are asking the company to take immediate action to remove any

restrictions there may be to access to occupational pension scheme benefits beyond age 65 to enable staff to continue to accrue benefits.

**8) Claim for a review of flexible working and family friendly policies, with a view to improving maternity, paternity, adoption and family leave arrangements in line with best practice and making access to flexible working open to all**

Over recent years there have been a number of welcome improvements in the area of family friendly working rights emanating from government legislation. These need to be built on and used to full effect. TSSA considers modern, flexible, family friendly working practices have advantages for both employees and employers. These advantages are numerous including:

- keeping skills and experience (return on investment)
- boosting morale by giving people more choice and control over their hours
- keeping a successful team intact
- having staff you know and can trust to delegate to
- saving time and money recruiting and developing a replacement
- aligning work time with individual peak-productivity time
- keeping people onboard once they start a family or take on other caring responsibilities
- increasing diversity to reflect customer/client base
- strengthening the business by having a mixture of talent and leadership styles
- flexibility to cover a wider span of hours to meet 24/7 demand
- lowering stress and/or the impact of personal issues on productivity
- reductions in travel expenses, office space costs and impact on the environment
- improving employee wellbeing as a result of a good balance between work and home life. This can positively impact on absenteeism rates, discretionary effort, loyalty, motivation and morale.

In particular we are calling for:

- (a) Best practice in respect of maternity leave for all employees. We are seeking agreement that all maternity, paternity (including Additional Paternity Leave) and adoption payments will be based on average earnings
- (b) For all fathers, including same sex partners, to be entitled to a minimum of three weeks paid paternity leave, based upon an average earnings formula.
- (c) A parental leave agreement which:

- applies to all parents, including adoptive and same sex partners, regardless of length of service or type of employment;
- applies to all parents who have children under school age;
- will be paid, at least in part;
- will be flexible enough to allow agreement between staff and managers over the way that leave can be taken to meet the needs of the employee.

(c) We are seeking improvements in childcare provision, for example:

- running a workplace nursery
- buying or reserving places in an external nursery
- providing out-of-school care (holiday play schemes and after school clubs)
- offering childcare allowances and vouchers
- offering a childcare advisory and referral service

The above options need not be mutually exclusive. Used together they can offer employees the flexibility to find a solution that best suits their own particular childcare needs.

(d) TSSA is calling for Network Rail to extend the right to request flexible working arrangements to all employees, regardless of caring commitments.

## **9) Claim for improvements to travel facilities**

TSSA members continue to feel very strongly with regard to the erosion of the value of their travel facilities and the persistence of a two-tier entitlement structure that is unfair and divisive. We ask Network Rail to investigate the cost of providing privilege travel facilities to all staff and to engage with TSSA on the outcome to move towards a fairer system which acknowledges Network Rail's position as a leading public transport employer.

As an interim measure TSSA calls for the removal of the cap on travel subsidies for those without protected travel and an increase in the percentage season ticket subsidies.