



tssa

JOURNAL

August & September 2011

*Bombardier job losses:
death of an industry?*



Transport Salaried Staffs' Association

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This is the first Journal since the departure of Pauline Sturges in her role as Journal editor. I'm sure that many will agree with me when I say that TSSA owes a debt of great gratitude to Pauline. The Journal which she leaves behind bears little relation to the publication she inherited. We now have a Journal that is genuinely a key communications tool using print, electronic, online and email tools to inform, organise, motivate, empower and energise TSSA activists and members. This would not have been possible without Pauline's dedication and vision.

However, all good things come to an end and we eventually move on. This is likely to be my one and only Journal as editor and I can assure you that no phone hacking was involved in its preparation. A new editor will hopefully be stepping into the large shoes Pauline has left behind by the time of the next edition goes to print in October.

We've received many contributions to this issue and I'm pleased to be able to highlight a few of them...

Our organising section is replete with reports of successful campaigns, protests and bargaining around the country, from the Bombardier job losses in Derby, to negotiations with infrastructure contractor Amey (page 4). At Network Rail senior managers are being balloted for strike action in a dispute over pay and procedures (page 6).

Much further afield we hear from the campaign manager for Action for Southern Africa on the threat of violence in Zimbabwe as it faces up to a general election (page 8).

Paul Salveson brings us a heartening story of a local community campaign to save a railway line in Nenagh, Ireland (page 10). While Philippa Edmunds of the Freight on Rail campaign explains why allowing longer lorries on UK roads could see the end of freight trains (page 14).

Our general secretary, Gerry Doherty, recently had the opportunity to visit both Israel and Palestine in a personal capacity. He gives a considered account of both trips, and his conclusions, on page 20.

There's the usual Helpdesk, Letters, case studies from our legal team at Morrish's and much more. Enjoy the read, learn from it – and go out and organise!

Frank Ward, editor



Bombardier job losses

CANADIAN TRAIN MAKER

Bombardier is cutting more than 1,400 jobs at its plant in Derby, after losing out to German group Siemens in a competition to upgrade rolling stock on the Thameslink cross-London railway.

Bombardier said it would cut 446 permanent jobs and 983 temporary jobs from its 3,000-strong Derby workforce having missed out on the Thameslink contract and completed much of its current workload. Bombardier – the only remaining train builder in Britain – said all its contracts, except for cars for some London Underground lines, would be complete by the end of September.

Business secretary Vince Cable said he believed Bombardier had planned to cut jobs in the UK regardless of whether it won the contract.

Commenting on the announcement, TSSA General Secretary Gerry Doherty said: “Ministers must

abandon their role as Pontius Pilate and stop standing idly by while train building slowly bleeds to death in the UK.

“They owe it to British manufacturing in general, and the people of Derby in particular, to reverse their decision to award this huge contract to Siemens of Germany.

“No German or French government would be so foolish as to award such a vital contract to an overseas manufacturer, threatening thousands of domestic jobs. We should be equally hard headed when it comes to preserving our own train building industry.”

Workers, unions, local media and politicians came together in Derby for a march and rally to save Bombardier jobs on Saturday 23 July. TSSA members were out in force in what could be the biggest demonstration held in Derby for many years. ◀◀

United we bargain at Amey

LIKE MANY INFRASTRUCTURE contractors, Amey have progressively undermined TSSA’s ability to negotiate pay and conditions on behalf of our members.

New starters are given personal contracts not subject to the collective agreements, those transferred in from other employers have not had their TUPE rights respected in full, and promotions are dependent on staff signing away their union rights.

TSSA has tried to resolve these matters amicably, but Amey treated our reps with contempt and refused to budge. However, the company underestimated the fighting qualities of TSSA reps and our members. A six month campaign for fair pay and collective bargaining for all resulted in overwhelming support for industrial action.

When faced with this, Amey began to talk, and to concede ground. At the time of going to press, we are making good progress towards ensuring that our members receive a decent pay rise and that everyone gains the benefits of collective

bargaining. As one of our reps at Amey says: “If you give me a percentage rise, I can feed my family for a day....If I gain a voice, I can have a say in what percentage I get.”

Recognition for all at Tube Lines

Amey-run infraco Tube Lines is another employer that feels it appropriate to deny staff the right to collective bargaining over their pay and conditions. Is there a pattern forming?

TSSA has negotiated RPI+ 0.5% pay deals for those groups for whom we negotiate – worth more than 10% over the past two years. Members not covered by collective pay bargaining have received zero increase for the same period.

Unsurprisingly, our members have said “enough is enough!” We are now running a very well supported campaign to gain recognition via the statutory route introduced by the last Labour government. The message is clear: time is running out for employers who refuse to recognise TSSA. ◀◀



It's our pensions stupid!

THE LAST DAY of June saw the biggest wave of industrial action in a generation. Hundreds of thousands of teachers and other public sector workers went on strike, most probably for the first time in their lives. In the case of the education union ATL, it had never called industrial action nationally in its 127 year history! Striking TSSA members on London Underground will know how that felt after their historical strike late last year.

According to press reports even staff at that hotbed of industrial militancy – Dave Cameron and George Osborne's old school, Eton College – took action.

In the run-up to the strike, government ministers and their lackeys in the Tory press went into overdrive, piling on the pressure to undermine the action urging union members to report for duty as usual and ignore the democratic vote for action. Things became so desperate that beleaguered Education Secretary Michael Gove even urged parents to run the schools – provided they had CRB clearance of course.

So what's it all about and why does it matter to TSSA members?

On the back of a two-year pay freeze, the government has been pressing ahead with a toxic mix of pension proposals that basically mean teachers and others will have to pay more and work longer in return for worse benefits when they retire. Understandably, those affected felt so strongly they saw no alternative and voted to strike. The government's refusal to address unions' concerns through meaningful negotiations culminated in the first strikes being held on 30 June.

The government conveniently ignores the fact that public sector workers did not cause the financial

crisis, and use it as an excuse to slash public expenditure. This economic policy is driven by cynical political opportunism not rational economic necessity. They are trying to drive a wedge between the public and private sectors and in some respects succeeding. It is hoped that TSSA members won't fall for this con-trick. Attacking the pensions and conditions of public sector workers won't put a single penny more into the pay packets of private sector workers. Public sector workers did not force the closure of private company pension schemes that created the disparity between pension provision in the two sectors.

There are many experts from a broad spectrum of political backgrounds who believe that public sector pensions are affordable and sustainable without resorting to the swingeing changes the government wants. The government's 'strategy' is everything to do with cost-cutting and nothing to do with affordability and sustainability.

TSSA members work in both the



Stefano Cagnoni/reportdigital.co.uk

private and public sectors and we won't allow the government to play one side off against the other. We're all in this together – we all need a decent pension in retirement.

Speaking to *TSSA Journal*, TSSA assistant general secretary Manuel Cortes in urging support and solidarity with public sector workers warned members to "be careful what you wish for. Don't be hoodwinked. Winning better terms and conditions is not achieved by comparing yourself to those on worse conditions. Keeping pay, conditions and pensions in the public sector down will sooner or later make private sector workers worse off, as their bosses start making comparisons with public sector deals. TSSA will have nothing to do with such a race to the bottom." ◀◀



Stefano Cagnoni/reportdigital.co.uk

Demonstrators in London have their say in the battle for fair pensions during the national one-day strike by teaching unions and public sector workers on 30 June.

Network Rail managers demand fair pay and respect

NETWORK RAIL MANAGERS

are to be balloted for industrial action after talks with Network Rail broke down.

For the last two years Network Rail managers have had pay awards substantially less than the people they manage. No increase in 2009, just 2% in 2010, and 2.5% this year. The 2009 award was the result of a two-year deal, which was dependent on the Retail Price Index (which went negative). Last year and this year the RPI+ formula applied to operational grades was not applied to management grades, and Network Rail has refused to negotiate the awards.

Not only are these awards substantially less than the operational grades, they are distributed according to Network Rail's notoriously arbitrary performance-related pay system (which consistently fails to reward performance). Our members are furious because even those who are ranked 'outstanding' have no guarantee that their pay will keep pace with inflation.

The TSSA is now in dispute with Network Rail, and will soon be balloting our members for industrial action. But it is not just over the pay award; the heart of the dispute is whether our members are to be treated with the respect they deserve.

'OPTIONAL' PROCEDURES

For too long Network Rail has viewed the agreed disciplinary and capability procedures as 'optional extras' when it comes to management grades, with managers being dismissed without even an accusation let alone a hearing. (Network Rail know this is unlawful, and pay large sums in compensation, but compensation is not the same as having a career). TSSA general secretary Gerry Doherty has written to Network Rail seeking assurances that this practice will now cease. He has also demanded that

- the tolerance of racial abuse and sexual harassment of our members must come to an end
- there must be an end to instructions from on high to unlawfully discriminate in recruitment procedures
- the victimisation of Health and Safety whistleblowers must cease
- in future such harassment, victimisation and abuse, should be viewed as gross misconduct (however senior the perpetrator).

We are also seeking a written commitment that

Network Rail will agree a structure to comply with the public sector equality duty (which applies to any body performing a public function). At the moment Network Rail argue they do not need to comply with the Equality Act 2010.

FAIR PAY

With regard to our outstanding pay claim, we are seeking:

- the re-opening of pay negotiations (with a demand for an across the board pay increase equivalent to RPI + 0.5% (the award that operational staff have received)
- a review of the pay structure (we want our members to be paid for the job they do, not who they are, or whether their face fits).

We are also seeking a fundamental review of flexible and remote working (in the context of large-scale relocations, progressive policies will make the difference between our members keeping or losing their jobs), a review of long

hours culture, and an increase in the travel facilities.

The ballot is due to run from late July. In the meantime, as part of our campaign to expose the arbitrary nature of the pay system, we are asking managers in Network Rail to complete an on-line survey, which will allow us to identify the gap between the lowest and highest paid people doing the same job.

Our management grade members in Network Rail have shown strong backing for their union during this campaign. However, the campaign has revealed that, in many workplaces, we do not have a strong enough local network of TSSA reps. ◀◀

It seems that no matter how hard or well everyone works, NR's current PRP system will not reflect, let alone reward, that performance.

i To get involved in the campaign for fair pay and respect for managers in Network Rail, contact: organising@tssa.org.uk.

Stephanie Holdsworth joins the NHS anti-cuts march, York, 21 May

Inspired to march against the cuts in York



NOT FOR 30 YEARS (I was in my tender childhood years at the time) have I taken part in a demonstration, but I feel we are coming to a time where 'enough is enough'! I had freshly returned from the brilliant TSSA National Reps Training Seminar (t-shirt slogan: We are One: Respect Our Rights!) charged full of ideas and motivation when I found on my doorstep a leaflet calling for an anti-cuts demonstration in support of the NHS. And I surprised myself – I wanted to join the march. Together with very active fellow rep Frank Ormston and some impressive (and much-coveted) banners we represented the TSSA to support the NHS and anti-cuts lobby.

The march took us from the public park opposite the York District Hospital into the City Centre. Participants ranged from infancy to octogenarian and from all walks of life. We brought traffic to a halt and to my surprise many cars (and the odd bus) hooted in support. Shopkeepers in Gillygate blew on whistles and joined in the chanting and when we reached the city centre many a passer-by simply joined us, including an elderly gentleman walking with a stick who initially just stood and applauded, but then picked up a placard and joined in. If only we all had such spirits.

The warm welcome we received as TSSA members has encouraged us to join with the local anti-cuts campaign in setting up a Together for Transport Group in York. ◀◀

Stephanie Holdsworth, ULR,
Network Rail, York

Regional office moves

OVER THE LAST six years TSSA has improved its services to reps and members by localising our structure with the opening of more regional offices. We now have full time staff working in locations covering the whole of the UK and Ireland.

There has been a lot of activity recently with four of our regional offices and the bulk mailing and despatch department from Walkden House either moving or planning to do so in the near future.

WESTERN TEAM

Firstly, the Western regional team have moved to spacious new accommodation at Newminster House in the fashionable centre of Bristol in Baldwin Street.

The office was formally opened with a successful launch event in April where local reps and members met our Western regional team and national organiser John Page, enabling them to view the new space. Nigel Costley of the South West Regional TUC was also in attendance.

The move has enabled us to run meetings and training events from the new site which has prompted the South Wales and Western Divisional Council to start holding regular meetings there.

TSSA's Western senior regional organiser Alan Valentine said 'The new offices provide us with the opportunity to provide first-class facilities for our reps and members which will enable us to consolidate, improve and increase our presence in the region'.

HEADING NORTH

Earlier this year we completely refurbished our existing offices in Nunnery Lane close to the Railway Station in York and have converted

the downstairs area into a modern boardroom/training room for the use of TSSA and other organisations.

The new development will allow us to hold meetings and training events and our new education officer, Adele Potten-Price, has already utilised the area to good effect for courses. Adele was very impressed with the facilities and told *TSSA Journal* that 'it was a light and airy space perfect for training and learning'.

Later this month former TSSA president Dave Horton will formally open the renovated premises at a ceremony in his current capacity as Right Honourable Lord Mayor of this historic railway city.

IN THE MIDLANDS

Maintaining our links with traditional railway towns we have also acquired a new base for our Midlands team, following their move from Nottingham, in Pride Park close to the new Derby County Football stadium.

Within the next few months we will be moving our bulk mailing and despatch department to the new site.

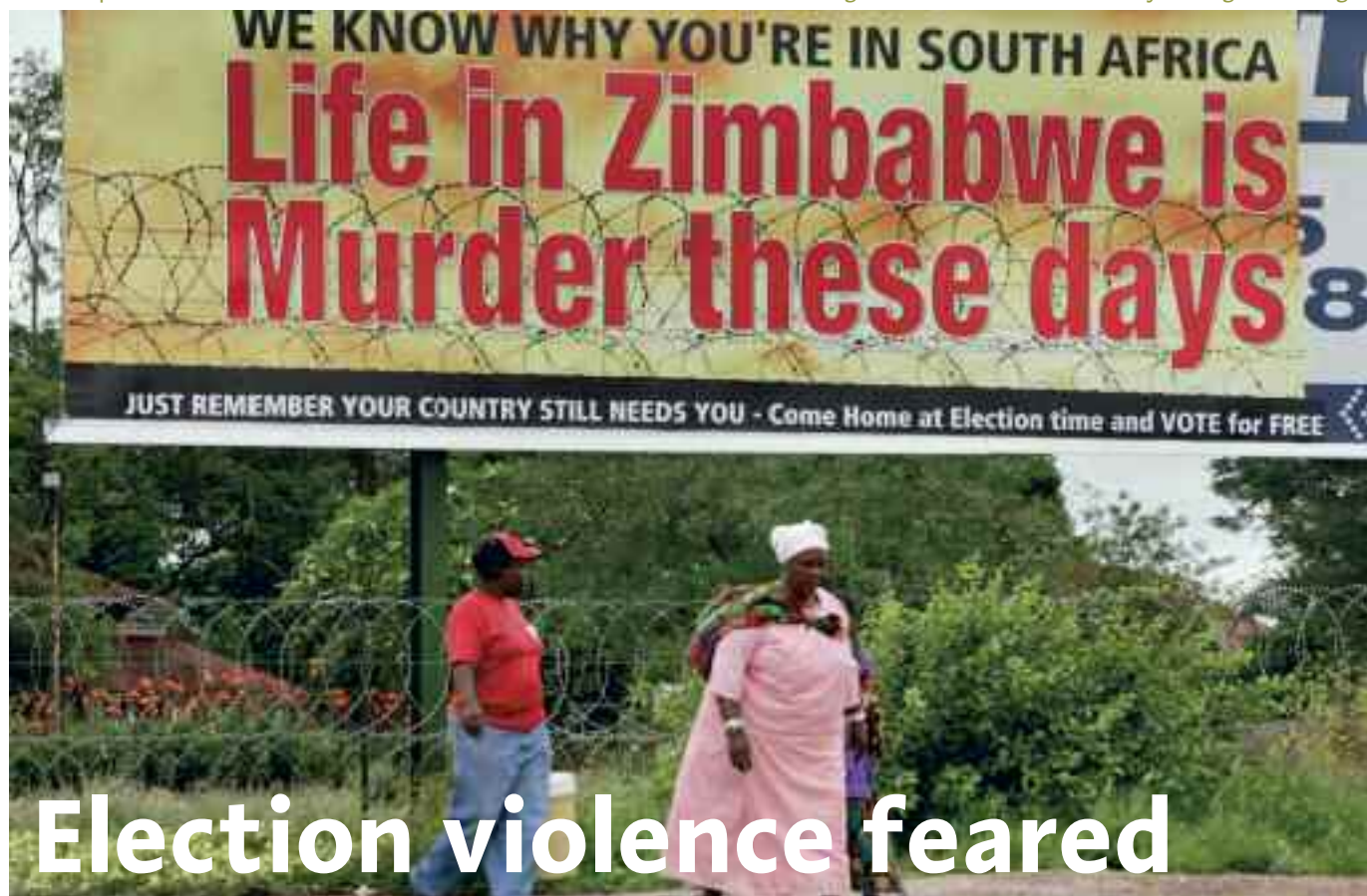
Additionally, as with Bristol and York this new location will enable us to run courses for members and reps in another important region thus increasing our capacity further.

Later in the year we will be holding a formal event involving Derby Councillor and former TSSA executive committee member Dave Roberts.

NORTH WEST ENQUIRIES

In Manchester we are currently looking at premises and hope to locate a suitable office before the end of the year. ◀◀

Election poster at the main border between Zimbabwe and South Africa in Beitbridge. Thousands flee the country through Beitbridge.



Felipe Trueba/reportdigital.co.uk

Election violence feared

ZIMBABWEANS ARE WORRIED for the future of their country. Violence has surged since January when Robert Mugabe speculated that there may be elections in the coming months, *writes Mark Beacon, campaign manager for Action for Southern Africa (ACTSA)*. Zanu PF militia have set up camps in rural areas; political activists have been arrested and beaten by the police as they seek refuge from the ZANU PF militia hunting them down. Numerous trade union and civil society leaders have been subjected to intimidation and arrest by the police.

Many fear a return to the violence experienced between March and June 2008, following the presidential and parliamentary elections and before the 'run off' between Robert Mugabe and Morgan Tsvangari. At that time Zanu PF orchestrated a brutal campaign of rape and violence throughout the country which saw hundreds raped, beaten or tortured, thousands displaced simply for being suspected of voting for the MDC. Hundreds more were arrested and intimidated by the security forces. This strategy, designed to create a climate of fear great enough to ensure Mugabe held onto power, led to Tsvangari withdrawing from the race and eventually, that September, the formation of the 'Inclusive Government' between the main political parties.

Whilst the media focus on Zimbabwe has receded since 2008, conditions for ordinary Zimbabweans have hardly improved. The country's inclusive government has introduced some economic changes; the replacement of the Zimbabwean dollar with foreign currencies has seen inflation rates fall from two billion per cent and the return of goods to the shops. However, these remain beyond the means of most Zimbabweans, particularly the 90 per

cent who are out of work. The intimidation, violence and arbitrary arrests have continued, much of which has been perpetrated by the security forces. To make matters worse, the discovery in recent years of large diamond reserves in the east of the country has created an even greater incentive for those currently with power, particularly the perpetrators of the 2008 violence, to do whatever they can to keep it.

In the last few months TSSA has been supporting ACTSA's 'Stop the Violence' campaign. On 18 April, the 31st anniversary of Zimbabwean independence, we supported a vigil outside the Zimbabwe Embassy in London to highlight the violence whilst recognising the sacrifice that so many Zimbabweans played in the struggle for independence.

Since then TSSA members from across the country have signed cards calling for an end to violence and for free and fair elections. On 27 June, the anniversary of the fateful 2008 presidential 'run-off', 1,300 of these cards were presented to the Zimbabwe Embassy as part of a protest attended by trade unionists, ACTSA supporters and members of the Zimbabwean diaspora from all over the UK.

Many now expect Zimbabwe's elections to take place in 2012 and believe the violence will only get worse. Support and solidarity are crucial to ensure that organisations on the front line in Zimbabwe can continue to push for democracy and civil rights. That is why TSSA's partnership with ZARWU, Zimbabwe's main railway workers' union is so vital. ◀◀



For more information about the 'Stop the Violence' campaign, or ACTSA's work on Zimbabwe, visit www.actsa.org



GERRY
DOHERTY

Exploring the future landscape for TSSA

For some years now our union has suffered a decline in membership going as far back as the early 1980s but in recent times this decline has accelerated to the stage whereby we now stand at a membership of just over 25,000.

There is no evidence that members are leaving in droves because of dissatisfaction over the services that the union provides either at local or national level but, pure and simply, the decline appears to be down to a decline in the numbers employed in the areas where we traditionally organise. All of our monitoring of those who leave our ranks indicates this to be the case.

Indeed, it is ironic that due to the resources that we have invested in organising over the past decade or so our profile in the workplace and in the media has never been higher. A lot of credit for that must go to everyone who has worked so hard to make our organising project work.

However, the recent McNulty Report in value for money in the rail industry, suggesting as it does that costs can be controlled by a further escalation of the destaffing of railway stations that we have witnessed, can only make matters worse, if implemented. We will, of course, resist such a course of action but we must also face the reality that it is not just a decline in the numbers employed at railway stations that is causing difficulty; the introduction of new technology is playing its part too.

The Association, because of past and current good stewardship of its finances remains in a healthy financial position, as confirmed by

our auditors earlier this year. But the simple fact remains that trade unions are about people and it would be of little use to have money in the bank but few members to protect with that resource.

At some stage, a union such as ours has to bite the bullet and decide what is the best way to proceed in order to serve the needs of future generations of transport and travel trade workers in the same manner that we have protected those of past generations. I believe that we have now reached that stage.

In my presentation of the Executive Committee's Strategic Vision to our annual conference this year, I indicated that the EC's view was that, amongst other things, we should explore the possibility of closer working relationships and/or federations or even mergers with other smaller transport unions rather than wait until the inevitable happens and the Association is swallowed up by one of the mega-sized unions now dominating the trade union scene.

The emergency motion debated and passed by conference mandated me to explore opportunities with other similar type unions and since that time I have contacted the general secretaries of the Associated Society of Locomotive Engineers and Firemen (ASLEF), the National Union of Rail Maritime and Transport Workers (RMT), Nautilus International and United Road Transport Union (URTU) outlining our position.

Responses have been received from three of those unions that are positive in that they appear willing

to at least explore the possibilities that might exist and the matter will now be pursued.

I am aware that 'noises' are being made around the industries in which we organise that the TSSA is about to be taken over by one or other of the unions with whom we are about to begin discussions. I want to make it clear that no discussions have as yet commenced and that - if and when they do - members and branches will be kept informed of progress at regular intervals.

Those who are indicating that 'a deal has already been reached' are not just wrong (as no negotiations have yet taken place), but actually make eventual agreement more difficult as the trust upon which any agreement is fabricated will be severely undermined.

I gave an undertaking to our annual conference and I repeat it here. I will not recommend any eventual deal that we might reach with possible future partners in a new enterprise unless I personally believe that it is good for our current members and good for future generations of transport and travel trade workers.

We live in a time of huge change. The institutions we have relied upon for centuries are coming under enormous scrutiny: politicians, the banking professions, the police and recently the media.

The trade union movement is not and cannot be immune to these huge changes. We owe an obligation to our children and our children's children to leave better organisations that protect workers in the very uncertain future that they will face. ◀◀

comment



Campaigners Cllr Peter Feeney and Colman O'Raghellaigh of 'West on Track' at Gort Station on the Limerick-Galway route

Railways enjoyed huge investment during the 'Celtic Tiger' boom years. But now Irish Rail is under severe pressure to cut costs. **Paul Salveson** visits Nenagh in North Tipperary and meets a community determined to fight back.

Hard times ahead for Irish Rail

DURING THE BOOM years, virtually the entire fleet was replaced and track was upgraded by Iarnród Éireann (Irish Rail – IE). New stations were opened and the 57-miles long 'Western Rail Corridor' between Ennis and Athenry opened last year, providing a direct link between the cities of Limerick and Galway. Now, with the severe economic problems facing the Republic, IE is under enormous pressure to cut costs. The Irish

government is demanding a 20 per cent reduction in spending this year, with more to come. With the shadow of closure hanging over some routes in more rural areas, communities are determined to fight back. I visited Nenagh, in North Tipperary, where a community partnership is determined not only to keep its railway but to develop it.

Patrick McCusker, TSSA's Irish organiser based in Dublin, has

serious concerns. “The massive cuts that are being demanded on public spending from the EU-IMF deal could lead to a very short-sighted strategy for rail transport in Ireland. The possible shutting down of lines and running into the ground of services will cause long-lasting damage that will hinder opportunities for local communities both socially and economically. It will be crucial that trade unions link up with strong community groups to help save the public transport in Ireland”.

Nenagh is the county town of North Tipperary, on the Limerick to Ballybrophy railway. This was once the main line from Limerick to Dublin but today sees only a handful of trains, with most of the traffic routed via Limerick Junction. Despite its size Limerick doesn't have many direct services to the capital with passengers having to change onto expresses from Cork. The route via Nenagh has languished, with services gradually reduced and line speeds progressively lowered. Much of the route now has a permanent speed restriction of 30mph. Meanwhile a new motorway has just opened which virtually parallels the line and gives journey times from Nenagh to Limerick which are half that of the train. To make things even worse, no less than two different coach companies provide services from Nenagh to Limerick and to Dublin. Both are quicker than the train.

The massive cuts that are being demanded could lead to a very short-sighted strategy for rail transport in Ireland.

It's no surprise that trains are not well-used and talk of complete closure is rife. But Councillor Virginia O'Dowd, mayor of Nenagh and a respected Labour Party activist, is determined to save the line. “We have a growing tourism industry in North Tipperary, with lovely walks and easy cycling; Lough Derg is probably Ireland's hidden gem and just a few miles from the town,” she says. “The railway is the ideal way to get here; the station is within minutes' of the town centre and could become a tourist hub, with bike hire, tourist information and shops.”

In June this year, the Rail Partnership organised a conference in Nenagh on the theme ‘Developing rural rail’. It was addressed by Alan

Kelly, a local Labour TD (MP) and junior transport minister in the Coalition Government. He stressed that the government was pro-public transport and wanted to encourage modal shift from car to rail and bus, but economic realities meant that significant new investment in the short-term was unlikely. His words were echoed by Don Cunningham, director of new works at IE who gave an upbeat speech saying that track upgrades were continuing on the Nenagh Line, and recognised that closure was an extreme option. “Once you've closed a railway it's very hard to get it back,” he acknowledged.

The conference recognised that the short-term salvation of the railway lay in a political commitment to keep the line and



TSSA delegates find out how a community campaign can make a difference at Nenagh station



Nenagh station

look for some 'quick wins', particularly in tourism. In the longer term, the route should be upgraded to its former mainline status to offer much faster services from Limerick to Dublin. Joe McGrath, the county manager for North Tipperary, had a vision of the line engineered to speeds of up to 90mph carrying freight as well as passenger trains. The route is straight and has few gradients; some delegates remembered trains running at 70mph or more back in steam days! The junction at Ballybrophy where the route joins the Dublin-Cork main line needs re-configuring; at present the Limerick trains have to terminate in a south-facing bay making through-running operationally difficult.

An opportunity for the railway is the expanding 'eco village' at Cloughjordan, the biggest experiment in sustainable community-building in the British Isles. It is served by the line and the eco village strongly promotes the rail link as part of its marketing to attract new residents. Duncan Martin is one of the instigators of the scheme and a member of the co-operative which is promoting the eco-village. "It would be supremely ironic if Cloughjordan, at the forefront of sustainable development in Ireland, loses its railways and we are back to being dependent on cars," said Duncan. "Everyone is working very hard to lobby the government to keep and develop the line."


The Nenagh line is not the only route facing a struggle to survive. Despite only being re-opened last year, the Western Rail Corridor between Limerick, Ennis, Athenry and Galway is coming under scrutiny. The re-opening project was the most ambitious in the British Isles, with 36 miles of railway reconstructed. It has made large parts of the west of Ireland accessible and has so far carried over a quarter a million passengers. Campaigners in 'West on Track' want to see the route continue northwards to

Tuam and Claremorris, ultimately reaching Sligo. Colman O'Raghellaigh, co-ordinator of the campaign, is under no illusions about the scale of the task facing them. "We are already being softened up for possible closure," says Colman. "Galway Airport is facing closure and some are saying the subsidy to the railway should be withdrawn instead. It's madness; the west of Ireland needs its railway to promote regeneration and tourism."

Despite sectional interests lobbying against the railway, it has strong support amongst politicians of all parties. I met Peter Feeney, former mayor of Galway County Council and a Fine Gael politician. "I was involved in the early days of the campaign and it was a great achievement to see the route between Ennis and Athenry re-open last year.

We've new stations serving towns such as Gort and ridership is building up. It's an investment for the long-term and to abandon the railway would be throwing money down the drain."

The next few months will be crucial for the survival of these lines. Already, the route between Rosslare and Waterford has closed, with little co-ordinated opposition. The Nenagh Line resembles the Settle-Carlisle Line in its very worst days: a handful of trains carrying precious few people. The campaigners for that line won national as well as local support and stopped the government going ahead with its plans. Today the line is flourishing. But in the UK we have legal procedures that make closures difficult, whereas in Ireland it is relatively simple. "It's political pressure that will save our railways," stresses Virginia. "But the community is willing to play its part in promoting the line, for both local people as well as visitors".

 Paul's website is www.paulsalveson.org.uk and he blogs on the TSSA Journal site (www.tssajournal.com)

If you have a question about your workplace rights, call our employment law specialists on **0800 3282673** in the UK or **1800 805272** in the Republic of Ireland or email helpdesk@tssa.org.uk
Hours: Monday to Thursday 8am–6pm Friday 8am–5pm



Kati Molin/Stockphoto.com

Paternal leave late application

Q. I applied for two weeks paternal leave but my boss said I'm too late to apply and it's been refused. They've said I can have the time off unpaid. Is there anything I can do?

A. You must apply for your paternity leave at least 15 weeks before the expected week of childbirth (EWCh). If you don't the employer can refuse it, unless there is a valid reason, such as the baby being born prematurely. Just forgetting to apply wouldn't be acceptable.

You ask what you can do. Obviously there's no problem getting cover for you, so they're just being awkward. Get your rep to speak to your boss and ask if they would have paid if you'd applied in time, so what's the problem now, apart from them being jobsworths!

Pregnant partner – employer asking for proof

Q. My partner is pregnant and I have applied for ordinary

paternity leave. My boss is asking for proof that she's pregnant. What should I provide?

A. You don't have to provide any medical evidence of pregnancy to be entitled to OPL. Just submit a form SC3, (application for ordinary statutory paternity pay) which you can download from the HMRC website (www.hmrc.gov.uk)

Paternity leave – civil partnerships

Q. My civil partner is pregnant through a donor. Am I entitled to time off to help after the birth?

A. Provided you are the mother's husband or partner (including same-sex relationships) and intend to be fully involved in the child's upbringing, then you are entitled to paternity leave the same as any man would be.

Time limits on paternity leave

Q. My mother-in-law has promised to stay to help my wife after our first child is born. I then want to take my paternity leave

after she goes home. She is able to stay for eight weeks but my employer has said that I can't wait that long to take it. I said OK, I'll take one week in the middle and one week at the end but they won't let me do that either.

A. They do make it complicated to let somebody have two weeks off at an important time in their lives and pay them all of £128.73 a week for the privilege, don't they?

Basically there are two issues here. Firstly you are entitled to up to two weeks leave, but it can only be taken in one go, so you are not allowed to split it as you suggest. In fact taking the first week in the way you suggest would mean you weren't entitled to the second. Secondly, you must have taken all of your OPL within 56 days of the baby's birth. This applies even if the baby is born early, the leave must finish within 56 days of the first day of that week. Why not have the first two weeks with just the three of you and get your mother-in-law to come after your leave is over and you've gone back to work for a well-earned rest.

0800 3282673 / 1800 805272
UK
Republic of Ireland

Plans for longer lorries would crush consumer rail freight

FREIGHT ON RAIL, backed by the Shadow Secretary of State for Transport, Maria Eagle and a coalition of the Campaign for Better Transport, CTC (the national cyclists' organisation), Friends of the Earth, Living Streets, RoadPeace and Sustrans are warning that government plans to allow longer lorries on UK roads could lead to between 4–8 per cent more collisions and an extra 6 more road deaths per year, put small hauliers out of business and decimate consumer rail freight growth.

The government's central case is built on the prediction that road operators will increase their share of goods traffic as a result of introducing longer lorries, despite its stated commitment to increase rail freight which is backed by the public and the Shadow Secretary of State for

Transport, Maria Eagle who stated that that the government needed a co-ordinated strategy for shifting more freight onto the railways. Consumer rail freight has both grown and increased market share for the eighth consecutive year and now outstrips coal traffic. The government's own research shows that the introduction of these longer lorries would reduce domestic rail freight growth by two thirds by 2025, and fails to properly address the viability of the remaining traffic on rail. This is because the relative costs of road and rail will be adversely affected by the new units, and rail will face a cost disadvantage; savings of up to 15 per cent are predicted by some in the road haulage industry. Worse, the analysis goes on to state this reduction as a benefit to the logistics sector, with some 84 per cent

of the quoted cost savings associated with longer lorries coming from reduced rail costs.

The government's justification is based on the assumption that longer lorries will result in fewer road trips, but previous increases in length and/or weight have simply resulted in the same amount of lorries on the roads but with lower loads¹. Government figures show that more than one in four lorries are driving around empty and almost half of lorries are neither constrained by weight or volume of cargo, ie partially loaded, so if they cannot fill existing sized lorries, why will they be able to fill bigger ones? The current argument for this length increase is that some loads are volume constrained but that is because weight limits were increased from 40 to 44



1. Lorry fleets of 10 or less vehicles make up almost half lorry fleet in UK. Source: Vehicle and Operator Services Agency
2. DfT, Road traffic speed congestion, June 2010

tonnes in 2001. The Freight Transport Association, which represents the big operators, is already lobbying for a weight increase to 46 tonnes which both undermines the volume constrained argument for the longer trailer and demonstrates that the industry goes on asking for bigger heavier HGVs.

HGVs are already almost four times (384 per cent) more likely to be involved in fatal crashes on local roads than cars³. The government research, however, concluded that longer lorries would lead to a zero increase in fatalities by assuming that 85 per cent of collisions involving HGVs are unaffected by length. For example, in relation to fatal crashes within 20 metres of a junction, one of the largest categories, 99 per cent were assumed to be outside the scope of the report. These conclusions are not credible as it is generally acknowledged that collisions are normally caused by a combination of factors. How can a seven foot longer lorry trailer, which occupies 17 per cent more road space, acknowledged by the government to have greater tail swings and be more susceptible to cross winds, not increase road crashes?

While the big logistics operators tied to supermarket logistics will undoubtedly be able to make use of the extra volume and therefore increase their efficiency, the bulk of freight operators and users are not big companies or big hauliers, and these will lose out by having to buy and run



Edward Shaw/Stockphoto.com

Longer lorries on already congested roads will add to drivers woes

new longer vehicles for general use, mostly not utilising the extra capacity. Small- and medium-sized hauliers who have been publically muted in their concerns about longer trailers for fear of jeopardising relationships with their customers stand to lose up to £1.8 billion over five years in depreciation costs on their trucks, a figure that the DfT has not even attempted to calculate.

Freight on Rail's legal advice is that, under current EU legislation (EU Circulation directive 96/53) the UK government can only introduce longer trailers on a trial basis. Any attempt to change the legislation so as to legalise this extra length on a permanent basis will strengthen the already heavy external lobbying for much larger 'mega trucks' of 25 metres and 60 tonnes weight, to which the government has expressly stated it is opposed.

Before even considering exposing other road users to the increased risks associated with longer trailers the government should adopt policies to improve existing road safety and enforcement of existing road regulations. It should take into account the fact that the road haulage industry overall does not have a good record in complying with existing road regulations and this puts other road users at extra risk. Over 83 per cent of HGVs exceeded the 50mph speed limit on dual carriageway non-built-up roads and 75 per cent exceeded the 40mph limit on single carriageway non-built-up roads.

Were the correct economic assumptions used with proper consideration given to congestion implications, longer trailers would be shown to cause additional carbon dioxide emissions, more road freight tonne miles, more road congestion and more collisions, the reverse of what is being claimed would happen. The longer lorry will become the default vehicle, small hauliers will find it even harder to compete with the big operators and rail freight will be undermined. Further increases in lorry dimensions will be likely, possibly including mega-trucks from continental Europe. **Philippa Edmunds, manager, Freight on Rail**



Phil Augustavoli/Stockphoto.com

Moving freight by rail makes environmental and economic sense

i For more information go to www.freightonrail.org.uk.

Members are DB Schenker, Freightliner, ASLEF, RMT, TSSA, UNITE, Rail Freight Group and Campaign for Better Transport

TSSA's new community organising team, **Rob Jenks** and **George Woods** has been very active in a number of ways in the last few months. Rob Jenks reviews the work and where it might lead.



Defending public transport services together

A look at TSSA's community organising team and its work

The community organising team came into being at the end of March coinciding with the launch of the new community organising website called 'Together for Transport' (togetherfortransport.org). The site launched just before the TUC's March for the Alternative event in London. The campaign is called Together for Transport because it aims to bring people together to defend against cuts in public transport.

Content on the website has continued to build with news articles, blogs and research. Each piece of content aims to promote campaign action so we have developed polls, petitions and a 'Write to Your MP' function too. We have attracted more than a hundred Facebook followers and are building our Twitter following too.

We are able to send electronic newsletters direct from the site and our first went out in March and the second in May. These went to all London-based politicians, whether MPs, London Assembly Members or local councillors. It was also sent to all TSSA members in the Greater London area as well as trades councils and churches. The website gives us reports of how many people open and click through to the links in the newsletter and both times these have been above average for an email newsletter. Another newsletter is due out

shortly and these will be a regular feature of the campaign.

The theme of community organising formed the basis of the TSSA's National Reps Training Seminar which has been run for the last few years to enhance the skills of reps within the union. All the reps at the seminar played a part and came away with a much deeper understanding of what they can achieve when they work with community groups and individuals who are affected by the decisions of companies and government.

One exercise used at the seminar looked at how closing ticket offices doesn't just mean job losses but also the loss of a service for the community. This was one of a range of exercises designed for each sector represented and which the community organising team input into.

The team also organised a fringe meeting at TSSA's annual conference which was addressed by John Page, TSSA's national organiser (South) and attended by many of the delegates.

At the same time as this activity was going on, the principles of community organising were being put into practice as we sought to get MPs and rail user groups involved in the fight against booking office closures in London Midland.

Supporting the work being carried out by TSSA's Midlands regional team and the



reps in the company – and at the same time as a number of other organisations mobilised – meant that Passenger Focus and London TravelWatch received over 18,000 objections to the booking office closures.

This resulted in both organisations formally objecting to London Midlands' proposals, a great example of what community organising can achieve. Our website carried several articles on the issue as well – and crucially seeks to keep the pressure up on the firm by asking readers to write to the managing director (see our story at:

www.togetherfortransport.org/content/london-midland-having-laugh). Why not write the suggested letter, especially if you use London Midland services?

Since conference in May we have been planning the next stages of our campaign which will take us through to May 2012 and beyond. Part of that strategy is to build links with groups who have the same interests as ours and with this in mind we have addressed the National Pensioners' Convention's recent parliament in Blackpool. We have also discussed our campaign with the TUC and been speaking at trades councils and anti-cuts groups as well as received approaches from other campaigning groups.

What has been very satisfying is that we have also received endorsements from several influential individuals and groups including Maria Eagle MP, Shadow Secretary of State for Transport. We count Val Shawcross, Labour's London Assembly Member for Transport as one of our supporters.

It is an exciting – and busy – time in community organising but at its heart is the need for people to be involved. The initial focus of the campaign is in London but we are also keen to support groups across the UK through publicity, research, resources, training and networking. The question that we would ask is what can you do to support our campaign? Have a look at the action list here and do something today! Now is not the time to leave it to someone else – it may be you who is affected next. <<

What can you do to support Together for Transport?

- Register on the website for monthly e-newsletters: www.togetherfortransport.org. You can receive these by post if you prefer, let us know. Once you are on the website, you will find the petitions and polls and other actions right next to the stories.
- Once you have registered, post your local transport cuts stories on the cuts watch map. These might be:
 - cuts in bus or train services
 - closures of booking offices
 - de-staffing of stations
 - redundancies amongst staff (not only in booking offices)
 - and anything else that you think represents a cut.
- Read what's on the site and take part in the actions. We are currently asking people to:
 - send a letter to Mike Hodson from London Midland
 - tell us your stories about the Jubilee Line and sign our service slashing petition
 - write to your MP about Fair Fares and the Early Day Motion #1577
 - respond to our story about public trust being threatened by overcharging for Oyster cards.
- Contact Rob Jenks (Rob@togetherfortransport.org) or George Woods (George@togetherfortransport.org) about becoming:
 - a blogger for the website or
 - a regional story contributor about local transport issues
- Add your name to the Facebook users who 'like' Together for Transport through our website. It's a sign of our support and grows the network!
- Have a look at the stories that we have posted on our Facebook wall and see what you 'like'. Find us on Facebook at: facebook.com/togetherfortransport
- Follow us on Twitter (@forTransport). We are regularly tweeting and re-tweeting items from other transport campaigners and commentators.
- Tell us of the local groups in your area who are campaigning against transport cuts, email: Rob@togetherfortransport.org
- Get involved with these local groups and tell us what you are doing so we can support you with publicity, leaflets and research.
- Get involved with the regional campaign committees that each of TSSA's regional teams outside London have set up (within London there is one committee). Contact your regional TSSA office or email: Rob@togetherfortransport.org
- Put your name forward to be a community activist, contact Rob or George, training is provided (many reps already have the necessary skills).
- Set up a local campaign group. Guidance is on the [togetherfortransport](http://togetherfortransport.org) website under 'Research' and members can always contact Rob or George.



Now is the time for action. Now is the time for all of us to take action. Now, as never before.

Whatever you do, do something and get involved with Together for Transport: www.togetherfortransport.org

TSSA's legal services partner, Morrish Solicitors, routinely helps us defend the rights of our members. Here are some recent victories that Morrish has achieved for TSSA and our members.

Legal victories bring huge benefits to TSSA members

Member's widow says union support was vital

A First Great Western railway controller and TSSA member was killed when the taxi driver taking him to work in Swindon fell asleep at the wheel. His widow has criticised government proposals to change the way trade union law claims are structured, calling them 'a disgrace'.

Jadwiga Riddett of Reading, whose undisclosed settlement, believed to be in six figures, was confirmed last month, said "I think it's a disgrace that government proposes to abolish a union's right to these modest "fighting fund" payments when they provide for an individual's right to go to Court."

"TSSA received £315 for taking Ken's case. They save that money from Ken's case and other cases to fund other claims for their union members," said Mrs Riddett, adding "I am appalled to think that support may not be available under the government's new system."

Under controversial government proposals such payments claimed by a trade union from insurance companies in a civil litigation would be abolished.

"The government's proposals to abolish the Union's right to claim fighting fund payment from insurance companies

means others in my situation in future will have yet one more thing to worry about," she said, adding "I hate to think of anyone else going through what I went through without that support."

Mrs Riddett's solicitor, Martin Bare, added, "There are ways of fixing the legal costs system, and controlling legal costs that won't adversely affect an individual's right to go to court. These alternatives have been overlooked, and the result is these devastating effects on access to the courts."

Ken Riddett, a 44-year-old railway controller, suffered fatal injuries in October 2008 after his taxi driver, who was coming off a 14-hour night-shift, fell asleep at the wheel. The taxi ploughed into traffic lights and a tree and although Mr Riddett underwent emergency surgery at Swindon's Great Western Hospital, he died of his injuries four days later. His widow, brother and stepson were at his bedside. Shortly after, Mr Riddett's colleagues put his widow in touch with Morrish Solicitors who pursued the fatal accident claim on her behalf.

Speaking earlier, Viga Riddett said "I was so scared. I had no idea what to expect or what to do. I would not have known where to begin, but the TSSA and Martin at Morrish Solicitors were great."

The driver, Shehzah Akbar, 33, who had

been paid by Network Rail to drive Mr Riddett to work for an early Sunday morning shift, failed to attend court. In his absence, Akbar, in the UK on a student visa, was jailed for 33 months and banned from driving for five years. He is believed to have fled the country.

Akbar's insurers eventually admitted full liability for Mr Riddett's death and also had to accept responsibility for severe psychiatric injuries and losses to Mr Riddett's widow, who lost her job while mourning her husband's death and continues to support her son and granddaughter.

While negotiations continued, Morrish Solicitors secured interim payments from the insurers for Mrs Riddett so that she could survive financially.

Mrs Riddett said the final settlement was a welcome development. "It has taken a lot of pressure off from life itself. At least now I can survive financially. But the sad truth is that it will never bring Ken back. He is in my thoughts each day."

"TSSA and Martin were great. They took the weight and the worry off of my shoulders at a time when I was truly scared. I'd hate to think of anyone going through what I went through without that level of support," she said.

With the support she has received from TSSA in pursuing her claim, Mrs Riddett

has a strong message to anyone not currently in a trade union. "Join one. If there isn't one in your workplace, get one going. I would recommend to any working person to join a union, especially one as good and as well organised as TSSA. I hope the government comes to its senses about these disgraceful changes."

Successful claim for early retirement benefit

A TSSA member and former British Rail employee, whose employer had refused to pay his early retirement benefit after making him redundant, has won a settlement for the amount owed following intervention by his trade union's solicitors.

John Ryan, of West Sussex, was employed as a telecom technician by British Rail under their standard 'Red Book' terms and conditions. Following privatisation in 1992 his employment was transferred to British Rail Telecoms Ltd in the 'protected transfer', meaning he retained the 'Red Book' terms and conditions which include an agreement to pay a lump sum on redundancy or early retirement, known as a special early retirement pension or SERP.

In March 2010 Mr Ryan was made redundant by the company, now known as Global Crossing (UK) Telecommunications Ltd. Mr Ryan had heard about SERP from another former British Rail colleague on his pay grade. Global Crossing had informed Mr Ryan in writing that SERP had "ceased prior to the transfer of BRT to Racal Electronics", but this was not the case.

Mr Ryan's branch rep referred the



Modelled picture/Rui Vale Sousa/istockphoto.com

"TSSA and Martin were great. They took the weight and the worry off of my shoulders at a time when I was truly scared. I'd hate to think of anyone going through what I went through without that level of support."

matter to litigator Rob Anderson at Morrish Solicitors. "The union was quite quick in passing my case on to the solicitors," said Mr Ryan, speaking earlier today. "It was a strong case."

Not only had Global Crossing's HR department denied SERP applied, they failed to correctly advise Mr Ryan on what was needed to preserve his SERP benefit. Global Crossing agreed to settle Mr Ryan's losses for £89,000 and bear his legal costs so that justice was obtained at no cost to him or TSSA.

Speaking earlier Mr Ryan said "My thanks to TSSA, who have been brilliant, and Rob at Morrish Solicitors."

Rob Anderson said "This is a classic example of a client who, had he not been a member of a trade union and had access to legal support, might not have been able to pursue what was clearly a legitimate and significant claim. Once we issued Court proceedings, we were able to settle the matter fairly quickly and Mr Ryan essentially received his full entitlement." ◀◀

Accidents do not happen - they are caused!



As a member of the TSSA, should either you or your immediate family suffer injury through someone else's negligence, you will be entitled to FREE legal advice and representation from our specialist personal injury lawyers Morrish Solicitors LLP.

No money will be deducted from any compensation recovered and no charge will be made to you or your family for the advice and representation you receive.

If you'd like to find out more, call us today and we will look after you.

TSSA Personal Injury Services
Free to Members & their families

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ACCIDENTS AT WORK ACCIDENTS OUTSIDE WORK ASSAULTS ROAD TRAFFIC ACCIDENTS SLIPS OR TRIPS OCCUPATIONAL DISEASE

TSSA general secretary **Gerry Doherty** reports on his recent visit to Israel and Palestine in what turned out to be the middle of the 'Arab Spring'

Two sides of the separatio wall

As a first time visitor to the Israeli/Palestinian region I was struck by how small it is. From Tel Aviv airport (the only international airport in Israel) to the border with the West Bank under theoretical control of the Palestinian Authority is about ten miles. This claustrophobic feeling, of two peoples living cheek by jowl, means that if a sustainable solution is to be found to the conflict in the region, trust between Israelis and Palestinians is a prerequisite.

This was to be no tourist jaunt. We had a full itinerary for the next four and a half days comprising early mornings and late evenings with a number of organisations, senior trade union representatives and international organisations including the Israeli Ministry of Foreign Affairs, senior members of the Israeli Labour Party in the Knesset, the office of the quartet (led by Tony Blair who was not there at the time of our visit) in the Colony Hotel and the British Ambassador at his residence in Tel Aviv.

We were accompanied in Israel by Avital Shapira-Shabirow, director of the international department of Histadrut, the Israeli equivalent of the TUC. Avital was straightforward, informative and knowledgeable and not afraid to give a 'warts and all' picture, even if it didn't always paint Israel in a favourable light.

At the TUC last year I was invited to address a fringe meeting organised by the Palestine Solidarity Campaign (PSC) to which the TSSA is affiliated. During my talk I admitted to not feeling competent to comment on the situation as I had not visited the Middle East in any capacity. I was subsequently approached by the Trade Union Friends of Israel (TUPI) to which the TSSA ceased its affiliation in 2008 to be part of a future delegation to visit Israel.

I accepted the invitation in a personal capacity, bearing in mind the TSSA's decision to disaffiliate from the TUFI, because I believe that differences cannot be resolved by talking to only one side in a conflict. My experience of working in Ireland in the 1990s contributed largely to that belief.

We also met with the general secretary of Histadrut, Ofer Eini and with the Jerusalem Municipality Employees Committee and the chair of the Jerusalem regional Labour Council of the Histadrut.

The delegation paid an emotional visit to Yad Vashem, the Holocaust museum on the outskirts of Jerusalem, a harrowing but sobering experience and a reminder, if one needs reminding of man's capacity for inhumanity to his fellow man when intolerance and prejudice are allowed to take their insidious hold.

The TSSA had been instrumental in calling for the TUC to instigate a boycott of goods produced in illegally occupied Palestinian territory and for divestment in companies benefiting from the illegal occupation, a campaign that has become known as BDS: 'boycott divestment and sanctions'.

We visited an Israeli-run factory in the occupied West Bank, where most of the employees were Palestinians and we were given free access to speak with the employees, in particular about their views of a boycott. There are about 40,000 Palestinians employed in Israeli owned and run businesses in the occupied West Bank, all of whom would lose their livelihoods were an international BDS campaign successful. It was not surprising to hear the factory employees say they were not in favour of boycott. None of these employees, incidentally, were in a trade union and so were not in a position to influence the policy of the Palestinian Trade Union movement on this issue.

We visited the capital city of the West Bank, Ramallah, just across the fortified border with Jerusalem where we experienced the difficulties Palestinians have moving around the West Bank.



The separation/security wall

The border consists of a wall, reminiscent of the Berlin Wall only twice as high, in Ramallah and in other towns and cities that I was to visit a few weeks later, and is mainly made up of a fence for most of its 800 kilometres. It is often claimed that this fence is electrified but I found no evidence to support this claim on either of my two visits.

The Israeli position is that the wall has been constructed as a security device in response to a campaign of suicide-bombings conducted in Israel by Palestinians from the West Bank and the wall's existence all but eliminated such events.

Palestinians claim the wall separates farmers from their land, cuts them off from their water supply (affecting irrigation of their crops) and effectively imprisons them in the West Bank. Getting into Ramallah was relatively straightforward, getting out again was an altogether different story.

We were only in Ramallah for a few hours but the difference between conditions in the West Bank and Israel was immediately striking, with gaping potholes in the roads visual evidence of past attacks.

Our trip to Ramallah was to meet with a delegation from the Palestine

General Federation of Trade Unions (PGFTU) led by the general secretary, Shafer Sa'ed, a guest speaker at TSSA's 2003 annual conference. The PGFTU supported the Palestinian Authority (PA) position on BDS.

The Qalandia checkpoint between Ramallah and East Jerusalem is one of the busiest between the two territories. On the day we crossed back into East Jerusalem there were three pedestrian crossings open. Each crossing is a turnstile admitting one person at a time but the authorities took those intending to cross in groups of three, allowing them through the turnstile into a zone where they were security checked and then processed back through another turnstile giving access to East Jerusalem.

It took a laborious five to ten minutes to process three people. It took about half an hour for the first three in our group to get through the first turnstile. But the passport checking facilities had broken down so we were eventually advised to join the second queue.

After another half hour's wait we were just about to enter the turnstile when there was an announcement that this crossing was closing. No prior notice and no advice to join the last remaining queue.

We joined the last queue, bemoaning the lack of Israeli efficiency in processing people through an international border crossing. A young Palestinian behind us chided our griping saying, "you only have to put up with this once, we have to put up with it every day".

One of our group was subjected to a strip search down to his underpants and, in all, it took us almost two hours to pass through the crossing. This sort of treatment is meted out by the Israeli state even to pregnant women or other Palestinians trying to access medical treatment. There are numerous stories of Palestinian women delivering stillbirth babies at these checkpoints.

I was to witness similar and worse treatment to Palestinians by the Israeli state a few weeks later.

I left Tel Aviv with a greater understanding of the problems of what has become known as the 'Palestinian question'. I had heard from numerous representatives of Israeli statehood that they saw the solution as being a two-state outcome, based around the 1967 borders with some agreed land-swap and compensation for exiled Palestinian refugees.



Graffiti on the wall in Nablus

Occupied East Jerusalem and the West Bank

ON MY RETURN I was part of a PSC delegation, spending our time in occupied East Jerusalem and the occupied West Bank. We travelled extensively throughout the occupied West Bank. It struck me that if the Israeli state is committed to a two-state solution it just does not stack up with the facts.

There are some 500,000 illegal Israeli settlers in the West Bank and East Jerusalem with more continually pouring in. These illegal settlers are protected by private security guards and the Israeli Defence Forces (IDF).

In Hebron, for example, an illegal Israeli settlement has been established in the heart of the ancient city, protected by the IDF, and ripping the city's heart out. The city's main thoroughfare has been closed off to the

Palestinian population and is open exclusively only to the illegal Israeli settlers, protected by the IDF.

This has caused chaos to Palestinian life. For example, access is cut off from the ancient Ibrahim mosque to the city's burial ground, meaning a long detour around the city to conduct funerals.

But the most insidious aspect of Shuhada Street is that the Arab market is overlooked by Israeli settlements who shower the market with rocks, refuse and dirty water, including urine, requiring the market traders to protect themselves and their wares by wire meshing strung across the narrow alleyways. All of this observed but not acted upon by the IDF.

In Jerusalem, a new tram system linking the old city with illegal Israeli settlements in East Jerusalem is about

to come into operation. Why would a state that had the intention of seriously negotiating its withdrawal from illegally occupied territory invest in a brand new tram system? The answer, of course, is that it wouldn't, because it has no intention of negotiating a settlement around the 1967 borders, even though such a settlement would deliver some 78 per cent of pre-1948 Palestinian territory to Israel and just 22 per cent to Palestine.

The Israeli intention was made perfectly clear recently by Prime Minister Netanyahu's negative response to President Obama's call for a two-state settlement around the 1967 borders.

We met an Australian solicitor who runs an organisation giving legal representation to Palestinian children as

young as ten years old arrested, usually in the middle of the night, by the IDF, brutalised and charged with throwing stones at armoured military vehicles. They are subsequently tried in chains and prison garb in military, not civilian, courts. Inevitably these children are advised to plead guilty, whether they are or not, in order to avoid the even longer detention period of up to 1.5 years that an almost certain conviction would bring.

We met with the Palestinian Authority (PA). The leader of the PA delegation was Dr Nabeel Shaath, a most courteous and impressive man with a long history of involvement in Palestinian politics.

He outlined the history of the attempts of the Palestinian people to reach a settlement with the Israeli state. He summarised the current PA position thus: we have tried armed conflict and found ourselves up against an enemy much better resourced in military terms, we have tried negotiation for the last 18 years but we see a state which does not wish to see a negotiated settlement.

“So what is left for the Palestinian people”, asked Dr Shaath? The PA has concluded that in order to achieve a peaceful settlement only an international campaign of BDS (boycott, divestment and sanctions), of the kind imposed on apartheid South Africa, can bring about the pressure needed on the Israeli state for a just and peaceful settlement.

I had enough meetings with a representative reflection of both sides to come to a reasonable opinion after my trip. I support BDS without any doubt whatsoever and will join the boycott of Israeli goods and encourage others to do so.

The delegation visited the small village of Nabi Saleh, home for centuries of around 200 members of the Palestinian Tamimi family. We heard tell of the brutal treatment meted out to villagers since an illegal Israeli settlement had been set up nearby.

Mrs Manal Tamimi, a forty-something mother of four and self-taught English speaker acted as our interpreter for our meeting with the village elders.

Late in 2009, the settlers began

gradually taking over Ein al-Qaws (the Bow Spring), which personally belongs to Bashir Tamimi, the head of the Nabi Saleh village council. The settlers, abetted by the army, erected a shed over the spring, renamed it Maayan Meir, after a late settler, and began driving away Palestinians who came to use the spring – at times throwing stones or even pointing guns at them, threatening to shoot with the help and support of the IDF.

While residents of Nabi Saleh have already endured decades of continuous land grab and expulsion, the takeover of the spring served as the last straw. The village began a grassroots protest campaign of weekly Friday demonstrations after prayers in demand for the return of their lands.

Protests in the tiny village enjoys the regular support of International and Israeli activists, as well as Palestinians from the surrounding areas. Demonstrations in Nabi Saleh are unique in the number of women participating in them and organising the protests. Children are also actively involved.

The Israeli military’s response to the protests has been especially brutal. It includes laying siege to the village every Friday and declaring the entire village a closed military zone. The army often

occupies the village, in effect enforcing an undeclared curfew. Military night-time raids and arrest operations, often targeting minors, are a common tactic in the army’s strategy of intimidation.

Last year the army attacked the Tamimi home, in which we were meeting with the village elders throwing tear gas in through the windows. Mrs Tamimi managed to evacuate the children through one of the windows.

Whilst waiting outside for the tear gas to clear, the army ordered her and the children back inside which she refused to do. She, her sister and her cousin were arrested. Mrs Tamimi was eventually freed after ten days detention, separated from her family. Her lawyer and the Israeli prosecutor reached a plea bargain in which she pleaded guilty to offences that she did not commit in order to be reunited with her family.

The family asked if the delegation would accompany them to the Bow Spring explaining that if we were with them, the IDF would not drive them away. We did, and to see the sheer joy on the faces of the children at something so simple as being able to play in the spring water was something that will stay with me for a long time. ◀◀



Market in Hebron covered over to protect workers from attack by Israeli illegal settlers

Please write in! Use email or the post, pen or keyboard!
Send me your views by 22 September 2011

Email: journal@tssa.org.uk
Write: The Editor, TSSA Journal, Walkden House, 10
Melton Street, London NW1 2EJ
The Editor welcomes all contributions from TSSA
members. Letters may be edited if necessary.

ORR conference

The Office of Rail Regulation (ORR) and four trade unions, TSSA, RMT, ASLEF and UNITE came together on Workers' Memorial Day at a national conference to highlight the importance of occupational health for rail workers.

Workers' Memorial Day takes place annually around the world on 28 April. It is an international day of remembrance and action for workers killed, disabled, injured or made unwell by their work. The day is used as both a reminder and an opportunity to highlight the preventable nature of workplace harm, and to promote campaigns aimed at reducing death, injury and ill health in the workplace.

Opening the event, Ian Prosser, director of Rail Safety at the ORR said, "Today we pay our respects to those who have died while working on our railways – and we are reminded of why we are all striving to improve standards of health and

safety for Great Britain's rail workers."

Guest speakers were Charles Horton, managing director, Southeastern; Mick Cash, senior assistant general secretary, RMT; Chris Next, head of occupational Health & Safety, Network Rail, and Dr Olivia Carlton, head of occupational health, Transport for London.

All the speakers wanted to see improved communications, regular information to and from safety reps, improved relations with local managers, safety forums reinvigorated, collaboration on safety policy development, an annual Health & Safety Reps conference and safety reps to be known as safety champions. What became clear from the speakers was that although their individual approach to occupational health was different, they were all trying to achieve the same final objective, that occupational health could be achieved through good industry practice in engagement

with trade union appointed safety reps.

Speaking to colleagues during the break, we were all in agreement that as safety reps we did not require more regulations, more meetings, a different title or more training. What is required is a change in local management attitude.

They need to see safety in the same context that their organisation views occupational health.

Michael Litchfield
Health & Safety Rep,
TSSA Brighton Branch

Thameslink – rolling stock order

So the new order for new Thameslink rolling stock has been placed with a foreign supplier, albeit with the prospect of 'up to' 2,000 jobs being created in the UK (where and when?). This, according to our politicians, represents 'value for money'.

Since that announcement was made, 1,400 jobs have been lost at Bombardier's Derby

plant, the only remaining train manufacturing plant in the UK.

However, taken together with the previously announced intention to order replacement stock for the HST abroad, which was also hailed as being 'value for money' these two orders to foreign companies will completely annihilate Britain's train manufacturing capability, with a total loss of some 20,000 jobs! 'Value for money'? Nonsense, more like crass ineptitude on a huge scale.

Surely the time is long overdue for our politicians and business leaders, elected and unelected, to take a wider, deeper and longer term view on these matters, as our European friends, neighbours and competitors do and have done for many years; most of the major European countries manage to supply their own railways from their own factories!

We might then begin to receive true 'value for (our) money'.

Brian Ollett
former TSSA member

Obituaries

Mel Hamill

It is with great sadness that I write on behalf of the members of the Belfast branch. Our friend and colleague, Mel Hamill passed away Wednesday 3 June 2011 aged 43. Mel was in the prime of life, an active member of the branch and a lay rep. He will be sorely missed by his friends and colleagues. The members of the Belfast Branch wish to extend their deepest sympathy to the Hamill family to his wife Geraldine and their three children.

Gerry Kennedy – Branch secretary

Bhaskaran Tharoor (Sammy) 1933-2011

It is with great sadness I report the passing on the 13 June of Sammy, a very likeable friend and colleague to many. Sammy joined the TSSA in 1957, was chairman of Medway branch from 1981 to the present day, a somewhat stalwart member, holding the gold medallion from 1994. He had also served as an organiser, financial secretary, correspondence secretary and long since past a journal agent. Sammy leaves a widow and two daughters who we pass on our condolences to. I would personally like to add, I am deeply sorry. He was a very good friend to me... God Bless. **Eddie Creighton**, Medway branch