

On-Train Catering Grades' Charter



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Introduction

Privatisation of the railways has been a disaster for catering workers. Where their position should be celebrated by train operators as an important part of the onboard team, offering passengers excellent customer service, they instead find themselves under threat; their wages desperately low. Greedy operators will cut back catering facilities to squeeze profits out the railway if they think they can get away with it and they are already calling for the renegotiation of franchise agreements in the rapidly worsening financial climate.

That's why there's never been a more critical time for a catering worker to be part of the RMT and to get involved in our campaigns. We can bring each grade together in defence of our caterers. We'll do whatever we can industrially and politically, to safeguard catering jobs and it succeeds – just read about First Great Western's embarrassing u-turn on page 5.

Being part of RMT means a whole lot more than fighting against cuts to catering services. It means belonging to a Union which is positively working to improve workplace conditions, your rates of pay and health and safety.

But we can't do any of these things without first having excellent organisation throughout the catering grades and this Charter sets out exactly why every caterer should belong to RMT. This Charter originated from the Catering Grades' Conference and has been drafted with the assistance of catering activists. You have the power to shape the policy of the union by going along to your branch meetings and playing an active part. Whilst this Charter is first and foremost aimed at on-train catering grades, our overall aim is to organise and represent all catering staff whether they work on the trains, supply trains, or in station outlets.

YOUR UNION IS DEMANDING THE FOLLOWING: -

- Retention of on-train catering facilities at the current level
- No trolley service to be introduced without prior agreement with RMT
- Extra pay protection for low paid catering grades
- Decent conditions of service including full travel facilities and pensions
- Adequate staffing levels
- An end to contract catering and for the direct employment of all agency staff
- The highest possible health and safety standards
- A Charter of Protection to properly address workplace violence
- Minimum rest breaks and improved staff facilities

If your workmates are not in the union, let them know about our campaign for caterers. Show them this Charter when you've read it – there's a membership form in the centre.

Together we are stronger.

Bob Crow



General Secretary

Retention of all on-train catering facilities

RMT Policy Statement

It should be obvious; train passengers want decent catering facilities and good customer service. Private train operators however, are not in this business to provide a public service. Their primary consideration is to maximise ticket revenue and profit for shareholders. Therefore, catering facilities can be vulnerable as the pressure to increase seating capacity and strip out costs intensifies.

Some train companies have reduced and even removed catering provision from their services. Any remaining catering staff are expected work harder, with fewer facilities. Inevitably the high standard of customer services will suffer and travelling by train will become less attractive.

Arriva Cross Country withdrew catering provision on services travelling west of Plymouth and north of Edinburgh and after 8pm on all services. The same Company has also removed shops from all trains. These cuts demonstrate that operators have no desire to provide passengers with the best possible service and those travelling long distances will be particularly adversely affected. One company surveyed passengers stating that it wished to trial a new standard trolley without mentioning that this would mean withdrawal of buffet cars.

RMT demands the retention of restaurant cars, buffet cars, shops, and cafe areas wherever they are present. We are also focused on the long term and are lobbying operators and the Department for Transport to ensure full catering provision, of at least the current level, is incorporated into the design of future rolling stock for inter-city routes (Inter-City Express Programme). Further, it is our belief that on-train catering complements should be expanded.

The experience of long distance rail passengers in this Country compares very poorly with inter-city routes in Europe where quality catering services are integral to the service. In Spain for instance, there are often two buffet cars on each high speed train.

For catering employees the buffet car provides a guarantee of job security and a place of (relative) safety because it avoids the serious problem of lone working experienced by both trolley operation and the Guard. Buffet cars are essential for refrigeration (impossible on a trolley) and provide a work hub from which a proper and effective service can be offered to the passengers, whatever the level of passenger loading.

RMT will vigorously challenge any train operator seeking to downgrade catering facilities.

RMT campaigning pays off – First Great Western u-turn to retain buffet cars

At First Great Western (FGW), RMT was able to bring its full industrial and political campaigning might against the company's threat to remove buffet cars from its high speed services. The Company made the absurd suggestion that the weight of buffet cars had a significant effect on FGW's punctuality problems and your Union was able to enlist the support of concerned local MPs to show that this was purely a cost-cutting measure at the very time when First Group revealed a profit of £120 million.

In a magnificent demonstration of unity, RMT FGW train managers and senior conductors stood shoulder-to-shoulder with catering staff in voting for strike action to defend the buffet cars. Under this pressure, FGW made a u-turn and pledged to retain buffet facilities on all high speed services.

Trolley services

A catering trolley service can provide a good quality complement to the buffet car if it is properly trialled and risk assessed. RMT Catering representatives should be consulted on its operation and it must be properly staffed by two people. Unfortunately, none of these are common practice and consequently the problems for catering staff are numerous.

Trolleys have tipped over or they are held in the least welcoming part of a train in vestibule area, where it is dark and noisy. Some companies continue to operate trolley shifts of up to 14 hours.

Your Union has a three-point blueprint for a quality trolley service: -

1. Prior agreement and investigation with RMT representatives before the introduction of a new trolley service. This should involve trade union reps on all shifts worked and should examine staffing and the different weight of trolleys in use (for instance there are three different types of trolley on the East Coast main line)
2. Risk assessment by qualified person (see page 11) for all possible shifts that could be worked. For example, different times of the day pose different potential problems, such as navigating through a packed train at peak time or night working
3. Double-staffing of trolleys to propel them through vestibules and busy carriages and eliminate the problems associated with lone working. Our members are put in an unacceptably vulnerable position every time they are left to work on their own.

Unjustly disciplining catering staff

The methods of work in the buffet car, shop and with the trolley service, means the uncontrolled removal of goods by a very small minority of the travelling public can leave members open to employer accusations.

There is also a growing trend of employers using the level of void items as a reason to dismiss employees, yet customers frequently change their minds after being told the price of refreshments on sale.

RMT is clear that members should not take the blame for either of these issues and the disciplinary procedure must never be invoked here.

Rates of pay and conditions of service

The railway on-train catering sector has been characterised by low pay and dreadful conditions of service. RMT's strategy has focused on three points and it has met with a good deal of success. Firstly, it's critical to improve RMT organisation in these grades. Secondly, all pay submissions since 2003 have emphasised the need for extra protection for the lowest paid grades (typically including catering staff). The union has told operators that the lowest paid members have been disproportionately hit by rises in living costs and we are also extremely concerned about the increase in differentials. Therefore, they should be afforded a guaranteed minimum flat rate increase, whilst the wages of other grades are improved by the agreed percentage increase (members receive whichever is the greater). Our campaigning has focused on securing a 'living wage' for low paid caterers which ensures that they are at least kept above the poverty threshold.

RMT campaigning pays off – extra protection for the lowest paid

In 2008 the RMT reached agreement with 8 train operators for extra protection to be afforded to the lowest paid staff in the form of flat rate increases, which have been as high as £1,280.

Thirdly, where catering services have been contracted out, we have persistently lobbied the train operator to bring the services back in-house. We have told them that they are complicit in the sub-contractors' exploitation of its staff who are forced to exist on minimum wage-level salaries. Here too, the RMT has had real success at ScotRail (see page 10).

Sunday working

There is a debate about whether Sundays should be outside or inside the working week. Sundays are outside the working week at East Midlands and First Great Western and inside at Virgin West Coast and National Express East Coast. If an operator ever

proposes to change this situation, as a democratic union, in RMT this would always be put to a referendum of members – you will have a vote on the decision

Where Sunday does form part of the working week at National Express East Coast, the agreement secured by RMT delivers 125 rest days and allows for the days to be grouped together.

Full travel facilities for all

All staff received full travel facilities prior to privatisation and your Union will continue to campaign until this is restored for everyone.

No transport worker should have to pay for train travel to and from work or in their leisure time anywhere on the network.

The retention of free travel facilities for rail workers on retirement is essential and proves that the cost to train operators of providing such facilities is negligible.

A decent pension

The Union continues its long-standing campaign for an affordable, sustainable and equitable final salary pension to ensure dignity in old age.

Annual leave

Leave for directly employed on-train caterers should be negotiated alongside other rail grades. RMT policy is that no catering member should receive an inferior entitlement to other grades.

The statutory minimum annual leave entitlement increases to 28 days in April 2009. Our message to catering subcontractors with leave provision of below 28 days is that they should immediately enhance entitlement to at least that level, prior to the legal introduction.

Training and development

Train operators must take the training and development of their staff seriously. This means encouraging and supporting and sponsoring staff to improve catering or other relevant qualifications.

It is also essential that work-based refresher training courses are undertaken on a regular basis. The Food Safety (General Food Hygiene) Regulations 1995 state that employers shall ensure that food handlers engaged are supervised and instructed and/or trained in food hygiene matters commensurate with their work activities.

The Regulatory Reform (Fire Safety) Order 2005 states that all staff should receive fire safety induction training and attend refresher sessions at pre-determined levels (the specific amount and frequency of training to be determined by specific fire risk assessment).

It is our belief that both food hygiene courses and fire safety courses should be provided at a minimum of once a year or shorter, as determined by risk assessment or jointly by the employer and RMT representatives.

Regular emergency evacuation courses are crucial and providing training for staff in dealing with conflict should form part of a strategy to address workplace violence (see page 11). Adequate cover must be built into the rosters to allow training to take place.

Recognition medically-restricted positions

Companies have a responsibility to provide alternative work for the medically-restricted; this to be at the established rate of pay and associated conditions of service.

Relief from shift work should be granted for older workers towards the end of their careers when requested and without loss of earnings or pension rights. Companies should also provide preparation for retirement courses.

Use of CCTV

CCTV must be used exclusively for staff protection and not to spy on employees. Your Union has a detailed policy on the use of CCTV and for further information, contact RMT Head Office on freephone 0800 376 3706.

Adequate staffing levels

Train operators employ different sized catering teams at varying times during the day and at weekends. Whilst the Union acknowledges that there are different ways of working, catering staff should always be at the fullest complement. Understaffing means caterers are overwhelmed by passengers, who in turn, must wait longer to be served.

The correct onboard catering establishments should be jointly agreed with RMT to avoid such problems and assist all staff. Any short-term exceptions should also be discussed and agreed with RMT representatives. For example, we have already identified the real threats to our members associated with lone working.

RMT members at the majority of train companies have said that cross-depot working introduced over the last two years is more problematic than beneficial, particularly when services are disrupted.

The present catering staffing levels are given below. There is no doubt that companies will attempt to reduce catering complements and the RMT must remain vigilant. We know that Virgin is examining the complement level with the launch of the Very High Frequency Timetable.

Full restaurant car

The **National Express East Coast** complement for a full restaurant car Monday–Friday, is 9 staff comprised of 6 Customer Service Assistants, a Customer Services Leader (Restaurant Manager), Chef and Customer Service Manager/Team Leader.

Buffet car

The **National Express East Coast** services operating with a buffet car rather than restaurant car employ 5 catering staff comprising 1 Customer Services Assistant each for the Trolley and Buffet, 2 in First Class and a Customer Service Manager/Team Leader.

At **East Midlands Trains**, there are 2 Customer Hosts on the 5 car Meridians and 3 Customer Hosts and a Senior Customer Host on the 5+5 Multiple Units.

Breakfast

The breakfast complement at Virgin Trains is 7 staff (excluding the Train Manager who does not have catering-related duties), which reduces to 5 staff after 11am. At **East Midland Trains** the breakfast complement is 5 (a Senior Customer Host, Chef and 3 Customer Hosts), which reduces to 3 after breakfast (a Senior Customer Host and 2 Customer Hosts).

Weekend

The operators differ again on their weekend catering employment. **The National Express East Coast** complement is the same as for Monday–Friday, Virgin employs 2 Customer Hosts whilst First Great Western and East Midlands Trains both employ 1 Customer Host (the latter employs two Customer Hosts in multiple unit working).

Figures correct at the time of printing

No casualisation and the end of contract catering

There must be no casualisation of the catering workforce as a way of train operators reducing employment costs. All part-time and short-term workers must be paid the pro-rata full-time rates of pay, and benefit from the same conditions of service.

RMT believes in direct employment of all onboard catering staff. The appallingly low wages paid to sub-contracted caterers has already been described. However, there is also a huge gulf between their conditions of service and those of directly employed rail workers. Free travel facilities have disappeared, working hours are longer, Annual Leave shorter and sick pay inferior, to directly employed colleagues at the train operators. Pension provision is largely non-existent and today there is little or no career progression.

RMT campaigning pays off – ScotRail brings catering in-house

The Union succeeded in persuading **ScotRail** to take out-sourced catering work back in-house in 2005, which led to dramatic increases in rates of pay and established basic employment conditions for the first time for those affected. There was a two hour reduction in weekly working hours, a 4 day increase in annual leave as well as improved sick pay, pensions, family friendly policies and travel facilities.

Arriva Trains Wales wholly owns its catering division, At Seat Catering, yet the 'long-arm management' allows it to offer superior conditions of service to directly employed staff than are provided to those colleagues working alongside offering passengers refreshment. Your Union will continue to work hard to persuade Arriva to bring catering provision in-house.

We are asking all RMT grades to recognise the important role catering staff play as part of the onboard team and urge everyone to recruit them to the Union.

Health and safety

Workplace violence

The extremely high level of assaults on our members indicates employers are not adequately addressing the problem. Your Union has developed a 10-point Transport Workers' Charter of Protection which it is seeking to agree with every employer: -

- Workplace violence policies that adequately protect our members
- Policies that provide aftercare and counselling for staff and payment of average earnings for those off work as a result
- Zero tolerance on violence at work and maximum penalties for offenders
- Training for staff in dealing with conflict
- Consultation on additional security measures
- Consultation on risk assessments of high risk areas
- Elimination of lone working
- Investigation of incidents by employers and the police
- Reporting of all incidents by victims
- Improvements to the travelling environment

For further information on our Charter of Protection, members should consult the RMT website www.rmt.org.uk

Risk assessment

All equipment and work processes must be risk assessed to reduce and where possible eliminate potential dangers to catering staff. Catering grades Health and Safety Reps should be involved in the risk assessment process.

Risk assessments must be carried out on the high hazard processes present in catering - using water at high temperatures, urns, microwaves, ventilation, high noise levels, lone working and work-related violence. Risk assessments should also be carried out on safe transport to and from work.

Risk assessments must be conducted in the working environment and examine the experiences of staff. They should be carried out in average working conditions not when the train is in a siding or running on an unusually straight line. Risk assessments must be performed in both day and night conditions, in all weathers and all seasons.

Health and Safety reps performing safety checks for catering work should be from catering grades.

Safe transport to and from work

RMT's Women's Charter states that employers should recognise members of staff, particularly females, are often at risk travelling during unsociable hours at the start or finish of shifts. Train operators must examine possible solutions such as safe and secure parking facilities, provision of taxis or sponsorship of a car share programme.

Employees of London Underground (LU), Eurostar and National Express East Coast, benefit from progressive policies on staff taxis. LU's staff-share, licensed taxi network for staff travelling during anti-social hours before and after shifts, is supported by management and RMT. The taxi firm claims that it is carbon-neutral.

At Eurostar, staff booking on for shifts commencing before 06.30 Monday – Saturday and before 08.00 on a Sunday, are provided with a hotel room or a taxi from their home to St Pancras station up to the value of that hotel room. If an employee's booking off time falls between 23.30 and 05.00 Monday – Saturday and 23.30 and 06.45 on a Sunday, a taxi will be provided. Taxis are also provided for staff at the end of shifts if their late-running rostered train arrives after public transport has finished.

National Express East Coast too, provides taxis for staff when their late-running service arrives after public transport has finished at certain big city locations and on bank holidays when public transport is not running.

The provision of taxis to staff before and after public transport is operational should be our benchmark for all rail workers.

To obtain a copy of the RMT Women's Charter, call RMT Freephone Helpline on 0800 376 3706.

Managing for attendance (MFA)

RMT is opposed to Managing for Attendance because it is a punitive rather than a corrective tool. Any member requiring more information on MFA and the best advice in line with our benchmark agreement with Eurostar, should call the RMT Freephone Helpline on 0800 376 3706.

The legal responsibility on catering grades under the Food Safety (General Food Hygiene) Regulations 1995, not to report for work while suffering from a condition that could cause contamination of food is being undermined by companies' use of Managing for Attendance. Catering staff should not be penalised under MFA for complying with the Food Safety Regulations.

RMT's agreement at National Express East Coast is a good example of the exemption of sickness absences under the Food Safety Regulations, from Managing for Attendance. The agreement also includes an exemption for an employee's absence from work when a member of their household is sick (with an illness that could cause contamination of food) until 48 hours has passed symptom free.

Occupational Health

Hazards to health and safety should be reduced as much as possible. Annual health checks should be afforded to all catering staff and this is particularly important because skeletal problems can develop from standing all day and from train vibration.

Under British Rail agreements, any member of staff working with a microwave oven was permitted to take time off from work, with pay, for a medical check of the oven's effect on them at six-monthly intervals, on request. This agreement remains in force at National Express East Coast and should be our benchmark for catering staff.

RMT insists that none of the occupational health checks be used as the basis of disciplinary action for members, particularly RMT representatives, who could be subject to management harassment for standing up for their colleagues' workplace health and safety.

Given that members are standing during their working hours, it is essential that suitable footwear must be provided. We want to be consulted about suitability and comfort of all elements of the uniform.

Rest breaks and staff facilities

Reasonable rest breaks

It is a very modest claim for catering staff to receive reasonable rest breaks, but train operators often apply only the legal minimum of the working time legislation, which is unsatisfactory.

It is commonplace for staff to spend 10 hours on their feet. Others might work 12-hour shifts and receive only a 20 minute break. Such treatment is unacceptable.

Often there is nowhere for catering workers to sit and if they do find a seat, they might be reprimanded by a manager.

Staff on turnaround

Suitable facilities must be provided at depots for staff on turnaround and these should be jointly determined with RMT representatives. Examples of basic amenities that members have every right to expect include separate male and female toilets and showers, mess facilities, a TV room, a quiet room and sport and recreation facilities.

Without a mess room, our members are not able to heat food because there's no power when the engines are switched off.

Staff not on turnaround

If caterers are not on turnaround, train operators must ensure they have adequate time away from working environment (on all rosters) i.e. employees must be guaranteed time away from the train for a minimum 30 minutes un-interrupted meal break.

There is a real problem that caterers not on turnaround do not get a proper break because there are no seating facilities behind buffet cars for staff to eat at.

Some companies, such as National Express East Coast and First ScotRail, provide meals for staff. At Virgin West Coast, employees are supposed to bring their own food and would be sacked if they ever consumed Virgin products.

An onboard staff toilet is only provided on First ScotRail sleepers and National Express East Anglia. On-train catering staff should not have to use passenger toilets.

Rostering and overtime

Rostering

Rosters should be designed to allow the best possible work/life balance, with quality time off. For example, they should allow the grouping of rest days (see page 7). There should be a minimum interval of 36 hours between two turns of duty where a rest day intervenes. This agreement, secured with National Express East Coast, should be extended industry-wide to aid members' rest and recuperation.

Overtime

The ethos of your Union is always to reduce working time, without loss of pay, but we recognise that business contingencies do require overtime. Any member working above their contracted hours should receive an enhanced rate of pay to properly compensate for the loss of family and social time involved.

Strengthening catering grades' industrial power

Representation levels

Strengthening on-train catering grades' industrial power rests upon effective organisation and representation by the RMT.

RMT seeks to ensure that all reps have their legal right of adequate facilities and time off to do their job properly. Facilities would include office, computer, printer, email, telephone, fax, copier, adequate lockable filing cabinets and notice boards and access to meeting rooms with privacy.

RMT should be afforded access to induction courses.

Company Councils

First Great Western, East Midlands Trains and National Express East Coast have an onboard Company Council which brings together guard and catering teams. For the catering members involved, this works well because of the support and industrial strength each is able to offer to the other.

Importance of organisation

Maximum RMT organisation is crucial for success. Every potential catering grade member in every depot must be recruited. Make sure all your workmates have joined RMT - 'Unity is Strength' is not just a slogan, it succeeds in the workplace.

There is a membership application form in the centre of this charter, which can be posted free of charge.

Colleagues can join online at www.rmt.org.uk or via the RMT Freephone Helpline on 0800 376 3706.

Get involved; join the RMT and attend branch meetings and encourage attendance by other catering grades members as well - details of times and venues can be found via the Contacts section on the RMT website.

Attend your Catering Grades Conference

Get delegated by your branch to the Catering Grades Conference where the issues in this Charter are discussed. Most branches can provide financial assistance towards attending the Conference

The Catering Grades Charter will be distributed to all RMT members in those grades. For extra copies of this Charter, ring the RMT Freephone Members' Helpline on 0800 376 3706 or the RMT National Policy Department on 020 7529 8281.

For free organising and recruitment material such as membership packs, posters, pens, key rings and lanyards, contact RMT Organising Unit order line on 020 7819 9843 (24-hour answer phone) or email org.unit@rmt.org.uk

Members Helpline, **Freephone 0800 376 3706**

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