



Policy Briefing

06 December 2021

Night Tube strikes continue as London Underground reject RMT offer

In this briefing we update on London Underground's rejection of RMT's offer on Night Tube running and explain why our strike action has now to continue.

London Underground rejected an offer made by RMT at ACAS

On 2 December London Underground rejected an offer made by the union that would have resolved the dispute over the Night Tube.

RMT offered to suspend the action if LU management agreed to reintroduce the part-time Train Operator role that it scrapped and return to the 2016 agreement. The 2016 agreement has ensured that no driver would be required to work Night Tube night shifts or have to work more weekends as consequence of the operation of the Night Tube.

RMT made significant moves in its offer. In recognition of the fact that it would take time to recruit to the restored part-time Night Tube driving roles, RMT offered to work the rosters imposed by London Underground on condition that LU managers agreed to open recruitment and return to the 2016 agreement.

The union also offered to relax elements of the 2016 agreement so that, where necessary, Train Operators could pick up night shifts on the Night Tube on a voluntary basis. London Underground's Director of Customer Operations, Nick Dent, acknowledged that *"this does represent an improvement on the previous position"*.

London Underground managers rejected the offer.

Why did London Underground managers reject the offer?

London Underground's managers say they rejected RMT's offer as *'for mainly financial reasons it is not viable.'*

Yet they also agreed that if they were to agree to RMT's offer it would be as, as they put it themselves, *'cost neutral'*. Operating their current, disputed, model is not saving London Underground any money.

As London Underground themselves admit, RMT has offered an improved, cost-neutral model. So what's the problem with RMT's model?

London Underground managers claim that it would initially cost £3.2 million to train up the necessary Night Tube drivers, although they admit that cost would reduce over time.

It's important to put this figure in context. Based on London Underground's own estimates of the impact of RMT's action, we calculate that London Underground lost at least £750,000 in passenger revenue from last week's strike.

It would only take four days of equivalent strike action for London Underground to have thrown away as much passenger revenue as it says it would cost to recruit the Night Tube drivers. This is not counting the wider cost of one day's strike in lost sales in London, which was estimated at £10 million.

This is not sensible industrial relations from London Underground managers who say they are worried about costs.

Passenger income in FY 2021/22 to end of Q2 ¹	£584,000,000
Daily passenger income ²	£3,244,444
Estimated lost revenue from 1 strike day	£746,222

London Underground's management in confusion

London Underground and TfL appear to be in confusion. Last week, RMT wrote to the Mayor to protest at his inaccurate claim that RMT had refused to go to ACAS, pointing to email evidence that this was completely untrue.³ RMT still does not know why the Mayor made this statement as he hasn't replied to our letter, but our best guess is that London Underground managers have misrepresented the negotiations.

Now LU managers appear to be digging in and rejecting offers that would resolve the dispute by bringing in a cost-neutral operating model and preparing to lose more revenue than it would cost to train 200 Night Tube drivers.

A reminder of why RMT members are taking this action over Night Tube shifts

RMT members are taking this action after London Underground abolished 200 part-time specialist Night Tube driving roles. When the Night Tube was introduced, the unions agreed with London Underground that Night Tube night shifts would be reserved for people who volunteered for these part-time Night Tube driving roles.

¹ See TfL's October finance report

<https://board.tfl.gov.uk/ielistDocuments.aspx?CIId=138&MIId=629&Ver=4>. For estimates of passenger numbers during the strike day, see <https://www.standard.co.uk/news/london/london-tube-underground-strike-fury-rmt-union-pandemic-recovery-b968451.html>

² Half year's revenue / 180 days

³ <https://www.rmtlondoncalling.org.uk/content/london-underground-claim-rmt-refused-acas-talks-incorrect>

Earlier this year London Underground scrapped these roles and said that when it reopened, night shifts would be incorporated into rosters. Night shifts on the Night Tube would now be compulsory. This means that drivers could end up working a mixture of days, late shifts and night shifts. Workers will be rostered onto a combination of late shifts and night shifts one week before moving to a different pattern the next week. These changes were never agreed with RMT. They were simply pushed through.

Why London Underground's actions are unfair and unsafe

The health risks associated with shift work are well established. As the Health and Safety Executive says:

"Irregular hours of work and work patterns that include night and early morning shifts can lead to disruption of the internal body clock, sleeping difficulties and fatigue. If workers are fatigued, they will be less alert, their reaction time will be slower, they will find it harder to concentrate and they may make poor decisions. This can lead to accidents and injuries."⁴

The dangers of shift-based fatigue on the Underground should be apparent. Drivers will end up working late shifts and night shifts together and changing their shift patterns radically from week to week. Drivers' rest days are already being rostered so that they start at 7.30am at the end of a night shift. This is deeply unfair. It makes the lives of drivers with caring responsibilities more difficult damaging their attempts to preserve a work-life balance. But it's also adding risk into their jobs and passenger travel.

This dispute can still be settled

It is sad to see that a group of ordinary working people who did their duty during the pandemic and who are simply trying to defend their work-life balance and safe operation of the Tube are being attacked not just by the usual suspects in the right-wing press but by a Labour Mayor. This sort of intervention is not just deeply unfair but is guaranteed to inflame feeling and cause lasting resentment.

RMT has set out an improved, cost-neutral operating model to London Underground and if they implement it, it will settle the dispute. The training costs of associated are minimal and it is certain that if London Underground prolong the dispute they will lose more revenue than it would cost them to implement our proposal.

RMT is and remains available for talks at ACAS to resolve the dispute, but London Underground have to move from their intransigent and confused position.

What you can do

Write to TfL's Commissioner, Andy Byford (andybyford@tfl.gov.uk), asking him to instruct London Underground's managers to accept RMT's proposal to resolve this dispute.

⁴ <https://www.hse.gov.uk/toolbox/organisation/shiftwork.htm>