

## RMT - UNITY IS STRENGTH

# CARMARTHEN BRANCH NEWSLETTER

ISSUE5

30TH APRIL 2009

### APRIL'S BRANCH MEETING

This was another well attended meeting, 14 members were present. A turnout of 10 would have been good for Carmarthen but we were boosted by the attendance of K Chivers, C Parlour, H Morse and N Parlour all from Network Rail. It is very encouraging to see a strong presence at Carmarthen from Network Rail as this Branch represents the interests of all the 151 (or so) members and not just train crew which unfortunately is what has tended to happen in the past.

It has been 4 months since the majority of members at the AGM in December decided it was time for a change and a whole new set of Branch officials replaced what had gone before. In this time we have sent more delegates to conference than the 10 years preceding this. Communication has vastly

improved through email and postal newsletters and we are beginning to make ground in filling vacant reps positions and identifying potential for increasing our official presence within the companies we are employed by.

The union is not some separate entity that will suddenly descend to wipe away all worries in times of troubles, the union is us, me you and all the other 80,000 plus member across the UK. Unless we work and stand together we will struggle to defend our basic terms and conditions in the face of privateers who will use the excuse of the current economic crisis to cut costs and make redundancies, not because they are feeling the pinch, but because their shareholders are demanding greater returns.

How do we resist this? The best way is to talk about it. This encourages debate and stirs up emotions which encourages members and non members to become more evolved

I have had email and phone contact with a signaller from Port Talbot Panel, he is not happy at the lack of consultation and the implementation of practices that have lost them conditions. Unhappy with the response he has received he has decided to stand for the Area Council Representatives Position. Keiron Curtis should be commended for his stance and receive the 100% backing of our Branch and all other Branches that contain not just Port Talbot Panel Signallers but all signallers in the Wales and Marches region.

Mark Snook

### TAX REFUND FOR LAUNDERING UNIFORM

If you are supplied with a uniform by your employer and you are required to launder it yourself, you may be eligible for a tax refund of up to £100 per year back dated for a maximum of six years. All it takes to find out is for you to write a letter to the Inland Revenue.

Include in the letter your name, address, national insurance number, tax code (find this on your P60), employer, nature of employment/grade, date you started your employment with employer and the fact that you have to launder your own uniform supplied by your employer.

Send the letter to:

*HM Revenue & Customs  
Sefton Area Office  
The Triad  
Stanley Road  
Bootle  
Merseyside  
L75 1HW*

Your tax code should also be altered for future tax years to reflect this.

### FORTHCOMING MEETINGS

- *The next Branch Meeting will be held on: Thursday 21st May 2009 at the GWRSA Club, Carmarthen at 19.15hrs.*
- *June 11th has been provisionally set-aside for the next Branch meeting in Whitland. This date and the venue will be confirmed as soon as possible.*

### BRANCH MEMBER BREAKDOWN

NETWORK RAIL	76
ARRIVA TRAINS WALES	57
AT SEAT CATERING	9
DB SCHENKER	2
FASTLINE (JARVIS RAIL)	1
ICG	1
CARILLION (GTRM)	1
FIRST GREAT WESTERN	1
SERCO RAIL	1

## TAXATION ON COMPANY VEHICLES – NETWORK RAIL



Do you take a Network Rail vehicle home? If yes there may be a tax liability.



Branch members Keith & Sonia Jones travel to London on May 5th to defend rail jobs and attend the United Campaign AGM at Westminster.



Further to previous correspondence on the above, Network Rail has written to me outlining its position with regards to this matter. I have copied this response below:

*“In the National Maintenance Council (NMC) meeting on 15th October you requested further clarification on the circumstances in which the company is prepared to meet an individual tax liability arising from the use of a company van. I am pleased to confirm the basic principles here, but individual’s cases would need to be considered in relation to their personal circumstances.*

*Employees required to use a company vehicle for business reasons which includes the use of the vehicle from work to home and home to work (described as ordinary commuting), will be required to obtain prior authorisation from an approved signatory, on an annual basis. Failure to obtain this authorisation may leave the employee liable to personal taxation costs at a rate determined by the current HMRC regulations.*

*Employees who obtain the*

*appropriate authorisation to use the vehicle for commuting purposes will be covered for tax liability by the company.*

*Where an employee has been asked by the business to use a vehicle, expressly for business use and ordinary commuting, there is no private use beyond ordinary commuting, but a tax liability may arise due to the nature and extent of the ordinary commuting and any such liability will be met by the business.*

*Where the use of a van or pool vehicle is historically provided as a contractual term as it was to some employees on former Serco terms and conditions I ‘on call’, there is an existing tax liability which the individual is expected to meet. Such employees will be given the option to give up the contractual entitlement to a vehicle and have access to a van or pool vehicle on the same basis as other employees described here.*

*It remains a requirement that all journeys, including ordinary commuting, must be individually recorded in the vehicles mileage log book under the appropriate*

*column, failure to do so will result in the individual being liable for any benefit in kind taxation. As has been indicated at several NMC meetings the company is actively investigating alternative means of recording mileage to improve the completion of records.*

*Finally it must be remembered that any employee found to be using a company pool vehicle for non authorised purposes will have the appropriate taxable benefits in kind reported to HMRC on a form P11D annual return, and may be liable to be disciplined under the company’s disciplinary procedures.*

*I trust this clarifies the situation for you and look forward to receiving your continued support to reduce the tax burden from the use of company vans and pool vehicles.”*

I would be grateful if you could bring this information to the attention of your members and ask that, if any members wish to raise any questions or concerns with regards to this matter, then

## RMT Legal Benefits - Expertly Delivered By Thompsons

As an RMT member you are entitled to a range of benefits:  
**Personal Injury**-Free cover for any accident or disease at or away from work which was not your fault. Also cover for any accident or disease away from work for family members which were not their fault.

**Employment**-Any work related employment issue for members.

**Criminal Law**-Free initial advice and representation for any member with a work related criminal case.

**Criminal Compensation**-Free advice and representation for members who have been the victim of a criminal assault at work

**Pensions**-Free advice for members on pension entitlement and specialist legal representation where

necessary.

**Free Legal Advice**-Free 30 minute advice on any non employment related legal issue for members.

**Conveyancing**-Fixed price and highly competitive conveyancing services for members and their family.

**Wills**-Free Will service for RMT members.

**Call Thompsons on:  
08000 224 224**

## RMT Catering Conference Report By David Starr

### Executive Member

#### Report

Working time regulations – File remains open and union still pursuing for proper working time directives. This will be reviewed again in June or July.

Legal claims – There is a loop hole in the law protecting TOC's from personal injury claims. The main issue is that if a mobile worker gains an injury on board the train and was caused by the motion of the train, blame will not be passed onto the TOC or catering company.

Catering Charter – The Union deems this to be a huge success and has received lots of feedback from around the whole country.

### Conference Secretary

#### Report

Secretary confirmed no changes on the books and also read out a letter from Bob Crow congratulating everyone who contributed to the Catering Charter.

### Welfare Report

Welfare fund started at £1411. After contributions to charities, the fund now stands at £1011.

### Resolutions

1 Mobile phones supplied to all mobile workers to ask police for assistance when

onboard phones become unavailable.

2 Working time regulations, again asking for improved rest periods during diagrams and between shifts.

3 Preventing trolley services replacing buffet/restaurant cars.

4 When requesting personal information written about an employee be made available as soon as possible and also free of charge. Currently the law states employers must make personal data available within 40 days, but also states employers have the right to charge an admin fee, estimated around £10.

5 Instructing "outsourcing" of members' jobs to outside contractors is resisted.

6 Limiting the amount of weight a caterer has to carry in their equipment bags, preventing a recurrence of injury to members' arms and backs.

7 As mentioned before, the legal loop hole supporting TOC's from personal injury claims.

8 Preventing On Board Train Managers/Conductors from performing catering duties.

All the above resolutions were passed on to the next stage, which would then be voted on to allow 2 resolutions to be passed on to this years A.G.M.

### Guest Speakers

3 Guest speakers attended the conference. A representative from Thompson Solicitors was present to explain their role with the Union and also answered questions. The Union and Credit Union were also represented by 2 senior members.

### Resolutions to be taken to A.G.M

On the basis that all delegates present had 2 votes each had to make their decision on which 2 resolutions would be passed on to the A.G.M., resolutions was carried forward.

-Resolution 3 with 19 votes.

-Resolution 8 with 17 votes.

At the end of the conference a new President, Vice President, Assistant Secretary and a set of Executive Members were elected.

The 2010 Catering Conference will be held in Bournemouth.

### The Charity Auction

The hamper the Carmarthen Branch donated for the charity auction was bought by Steven Skelly (Bridgend & Llantrisant Branch Secretary) for £14 and I bought a limited edition "I've survived another RMT National Catering Conference" On Tour Tenby 2009 t-shirt for £8.

All donations were raised for Widows and Orphans fund.



This years RMT Catering Conference was held in Tenby. David Starr, a At Seat Catering Company Council and Health & Safety Rep attended as the delegate nominated by Carmarthen Branch.

### RMT Arriva Website

RMT members who work for Arriva Trains Wales & At Seat Catering can now access a dedicated website that will keep you up to date with all the latest developments and information for your depot/grade. This will prove to be a very useful resource for members and representatives alike.

[www.rmtarrivatrainswales.org.uk](http://www.rmtarrivatrainswales.org.uk)



RMT backs new electoral campaign. Go to [www.rmt.org.uk](http://www.rmt.org.uk) for more info.

**BRANCH SECRETARY  
CONTACT DETAILS**

Mark Snook  
4 Dandorlan Road  
Burry Port  
Carmarthenshire  
SA16 0RA

Phone: 07920493203

Email:  
carmarthen@rmt.org.uk

**RMT ON THE  
WEB:  
WWW.RMT.ORG.UK**

**BRANCH  
CORRESPONDENCE**

If there is any item of the Branch correspondence you would like to read or obtain a copy of, please either come to the next Branch meeting or contact the Branch Secretary who will arrange for you to receive it by email or post. (RMT members only)

**BRANCH MEETING  
MINUTES**

You can now obtain the April 23rd Branch Meeting minutes by email. If you would like to receive a copy of these please email a request to the Branch Secretary and they will be sent out to you. (Carmarthen Branch members only)

**UNION RULE BOOK**

You can obtain a copy of the Union Rule book which governs how the Union operates and how the Branch is managed by going online to: [www.rmt.org.uk](http://www.rmt.org.uk)

Date	Branch Correspondence Summary
2/3/09	Confirmation of receipt of Branch ballot to AGM
8/3/09	Women's Conference Report by Cynthia Davies
19/3/09	RMT Traincrew Charter
19/3/09	Alteration to RMT Directory
26/3/09	Election of Delegates to AGM
26/3/09	March Quarterly Allocation
26/3/09	The Peoples Charter
26/3/09	Network Rail Area Council Elections
27/3/09	Thompsons Re Cataldo Esposito Accident at work
28/3/09	Receipt for affiliation to Nat. Council of Branch & Regional Secretaries
30/3/09	Network Rail Area Council Elections
31/3/09	Regional Council Affiliation
31/3/09	Delegates Allowances for attending conferences refund
1/4/09	Invitation to United Campaign AGM (5 <sup>th</sup> May 2009)
2/4/09	Head Office Circular on Equality Committee meetings
2/4/09	AGM Social Fund Appeal 2009
9/4/09	National Rally to Defend Rail and Tube Jobs
16/4/09	Funding Appeal: No2EU – Yes to Democracy
16/4/09	Leavers and Joiners report
	Reports
19/3/09	2008 Annual Report of The Merchant Seamen's War Memorial Society
1/4/09	Preliminary Agenda – Annual General Meeting

**RATES OF PAY & CONDITIONS OF SERVICE 2009 –  
NETWORK RAIL MAINTENANCE**

Further to previous correspondence on the above matter, I can inform you that the company's offer was subject to discussions by our Area Council Reps and the General Grades Committee, which has taken the following decision:

*“That we note the correspondence on file and the views of our representatives at the meeting with the GGC and General Secretary held on Wednesday 25<sup>th</sup> March 2009. Accordingly, we instruct the G.S. to write to Network Rail to inform the company that we reject their offer detailed in their letter (5<sup>th</sup> March 2009) and that we require a one-year pay offer in view of the economic uncertainty. In addition, we reject the proposal to link ‘Additional Money’ for changes to working practices to pay negotiations. These should properly be dealt with as part of the ongoing harmonisation discussions. We remain available for talks to resolve this matter. All branches and regional councils to be informed.”*

I would be grateful if you could distribute this information to your members and I will write with any further developments as and when they arise.

Yours sincerely

Bob Crow