

2.5 Deputy G.P. Southern of the Minister for Transport and Technical Services regarding the transfer of current employees of Connex to the new bus service provider CT Plus:

Following CT Plus' confirmation that current employees of Connex will be required to attend an interview prior to their transfer, what steps, if any, has the Minister taken to deliver the assurances he gave to Members on 12th June 2012, that he would use his "best endeavours to transfer all staff to the new company" and will the transfer of staff and their terms and conditions follow T.U.P.E. (Transfer of Undertakings (Protection of Employment)) principles?

Deputy K.C. Lewis of St. Saviour (The Minister for Transport and Technical Services):

I can confirm that I am and continue to use my best endeavours to facilitate the transfer of all staff in accordance with the conditions of the existing contract. I can also assure Members that positions exist within the new contract for all of the eligible staff on the same substantive terms and conditions as they presently enjoy. While not required by the contract, I have, as far as I am able, endeavoured within the tender to follow the principles of the U.K.'s T.U.P.E., however, as is made clear in the existing contract, to facilitate this I am reliant on the full co-operation of Connex and the union to provide employment information. I must advise Members that the detailed information which would reasonably be required by T.U.P.E. has not been provided and therefore could not be incorporated into the tender process. At present, Connex, due to internal issues, have been unable to provide such information as names and addresses of staff so they can be used to invite them to meet their new employer, CT Plus, and discuss the move. I am delighted to inform Members that progress is being made to resolve this. In conclusion, I would reiterate that I am indeed using my best endeavours to facilitate the move of all staff and can confirm that positions exist for all the eligible staff. CT Plus is a social enterprise and a very credible and professional bus operator. One of their strengths is staff engagement, based on the fairness and equity, which they apply to run an organisation that is efficient and focused on the customer.

The Bailiff:

Deputy, do you wish a supplementary?

2.5.1 Deputy G.P. Southern:

I was very interested to hear that praise for CT Plus. Is the Minister aware that in Guernsey, CT Plus refused to recognise the representation from the unions there that have been recognised by the previous bus company?

Deputy K.C. Lewis:

My information is that they have recognised the union in Guernsey and much of the recent problems they have had are due to the bus fleets which do not belong to the company.

2.5.2 Deputy T.M. Pitman:

There seems to be a trend today; the question I want to ask gets asked. However, the Minister has referred to trying to adhere to the principles of T.U.P.E. and would it not - this is not a criticism - have been far more helpful to him if he could have helped push to get that T.U.P.E. in place, then we could have something firm and structured and he would not have to be endeavouring to apply to principles?

Deputy K.C. Lewis:

Not quite sure where the Deputy is going with that, but to get anywhere near a T.U.P.E. agreement, all relevant information must be provided to the new operator and so far, that information has not been forthcoming, such as names and addresses of staff *et cetera*, length of employment and the rest.

2.5.3 Deputy R.G. Le Hérisier:

Is the Minister saying that his agent, so to speak, for managing the bus service, Connex, is refusing to give basic information which it is in possession of?

Deputy K.C. Lewis:

In a nutshell, yes, but there has been, over the last few days, a great deal of movement on that and I am hopeful a resolution will arrive shortly.

The Bailiff:

Deputy Tadier and then a final question from Deputy Southern.

2.5.4 Deputy M. Tadier:

In the absence of T.U.P.E. legislation, how good are the Minister's best endeavours, and would he find it easier if there was T.U.P.E. legislation in place to follow?

Deputy K.C. Lewis:

There will be definitely a T.U.P.E. style agreement in place, and as I say, I am extremely hopeful and I feel very positive that an agreement will arrive shortly regarding the missing information.

2.5.5 Deputy G.P. Southern:

Is the Minister aware that myBus has placed its employees as identified as being at risk of redundancy, and this is a very stressful position to be placed in when this is a relatively straightforward transfer that he is in charge of from one bus company to another?

Deputy K.C. Lewis:

Yes, I am indeed aware of that, which is why I am still using my best endeavours to alleviate that stress. As soon as the information is forthcoming regarding employees' names, addresses, job specification *et cetera*, we will move forward on that.