

2.8 Deputy J.H. Young of St. Brelade of the Minister for Transport and Technical Services regarding threatened strike action by bus drivers:

Will the Minister inform Members of the circumstances which led to the threatened one-day strike by bus drivers and state whether the States contract with the operator provides for the public to be compensated in the event of the unavailability of the publicly subsidised bus service without adequate notice? Would he give details of the action he proposes to take, particularly his contingency plans to prevent a repetition?

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

I am delighted to inform Members that Connex announced yesterday that all of the planned industrial action has been cancelled following a successful conclusion of negotiations with union representatives. However, in answer to the Deputy's question, in a press release issued on the morning of Thursday, 7th June 2012, Connex set out the circumstances which prompted Unite to announce industrial action. In essence, the union was unable to reach agreement with the company on the workforce's 2012 pay claim of 1 per cent above inflation despite the involvement of J.A.C.S. (Jersey Advisory and Conciliation Services) in negotiations following the notification of strike action to the company. In the event of a strike, the States of Jersey would have been compensated for the non-operation of public bus services in accordance with its contract with Connex. The relatively small proportion of passengers who prepay for travel tickets would be provided compensation by Connex. Connex is a private company and I wish to make clear that these are employees of Connex and the management of employee relations is a matter solely for them and therefore I am not party to internal negotiations. However, T.T.S. (Transport and Technical Services) liaises closely with the company to ensure that the effects of any potential industrial action on the public is minimised and mitigated. Additionally, T.T.S. officers have remained in communication with coach and taxi operators to ensure as far as possible alternative public transport services would be available in the event of a strike, particularly to important locations such as the airport. In addition to this, contingency plans have been developed to manage the additional commuter parking demand which would have been generated.

The Deputy Bailiff:

Minister, 2 minutes is the Bailiff's general rule for answering questions and you have now been going for nearly 3.

Deputy K.C. Lewis:

Just finishing off now, Sir. T.T.S. has also kept key stakeholders closely informed such as Education Department, Jersey Tourism and Ports of Jersey so they could also make arrangements to mitigate the effects of a strike.

2.8.1 Deputy J.H. Young:

Thank you for the very detailed answer. Just a couple of points if I may check. Is the Minister satisfied that the formula for public subsidy would not mean that the public had to pay out more subsidies if the service did not run?

Deputy K.C. Lewis:

No, the State is compensated.

2.8.2 Deputy J.H. Young:

Is the Minister satisfied that this eleventh hour deal which was announced, I think, calling off the strike at 17.14 of the evening when it was due to start, is he satisfied that that eleventh hour deal will not affect the negotiations in a new contract and will not reduce any opportunity there is to change the service in future to an improved service, particularly on Sundays?

Deputy K.C. Lewis:

No, my information is this will not be binding on any new company.

2.8.3 Deputy G.P. Southern:

I think I just may have heard a part answer to my question there in the last few words. Can the Minister confirm that there is no agreement with the new company taking over these jobs as to terms and conditions being protected by T.U.P.E. (Transfer of Undertakings (Protection of Employment)) type conditions as promised? I go even further, that is the situation.

Deputy K.C. Lewis:

No, T.T.S. will use its best endeavours to transfer all staff to the new company.

2.8.4 Deputy R.G. Le Hérissier:

Would the Minister not concede that while he portrays Connex as independent in its labour relations, essentially the ultimate stop is the public who pay the bills and pay a massive subsidy for the public transport service on the Island? So therefore we have, indirectly or otherwise, a vital interest in what occurs. Would he not also agree that a lot of this has been fermented by a major culture of overtime where overtime has become the factor in the wage structure of the company and has made it very difficult to get it organised on another basis?

[10:30]

Deputy K.C. Lewis:

Yes, the preferred tenderer, CT Plus, has made it clear that if they were to get the contract, they would expand the service and employ many more drivers which would alleviate that problem.

2.8.5 Deputy R.G. Le Hérissier:

Would the Minister not concede that his department is intimately involved in the process because we, the public, ultimately pay all the bills?

Deputy K.C. Lewis:

Yes.

2.8.6 Deputy S.G. Luce of St. Martin:

I do not want to repeat Deputy Southern's question but maybe I could be a little bit more specific. Would the Minister tell the Assembly whether it is his intention to transfer terms and conditions from Connex to the new bus company?

Deputy K.C. Lewis:

Yes, as I say, it is all under negotiation at the moment with the preferred tenderer, CT Plus, that all the basic conditions would be carried forward. With regard to pay, I think they would be linked to the 2011 pay scale.

2.8.7 Deputy T.A. Vallois:

Could the Minister confirm that a bus strike would be classed as a service failure by his department under the contract and therefore the penalty regime invoked upon the company?

Deputy K.C. Lewis:

Yes.

2.8.8 Senator L.J. Farnham:

Could the Minister remind Members how much public money is paid under the contract to Connex each year please? 2011 will be fine.

Deputy K.C. Lewis:

I am not sure of the exact figure off the top of my head but I believe it is about ...

Senator L.J. Farnham:

To the nearest million would also be fine.

Deputy K.C. Lewis:

If I can speak, I think it is about £7 million out and about £3.5 million back.

2.8.9 Deputy G.P. Southern:

Does the Minister accept that sadly only the threat of strike action has brought a resolution to this problem and does he see that being the case for public sector workers in general?

Deputy K.C. Lewis:

No, this was resolved by the union Unite, their drivers, and Connex sitting around the table and talking.

2.8.10 Deputy G.P. Southern:

Does he accept that there are several parallels in this particular case with the public sector case especially that the 2012 pay offer is not consolidated, which is the same offer coming from the current Employment Board.

The Deputy Bailiff:

I am not sure the Minister has responsibility for the pay offer, Deputy. Deputy Tadier.

2.8.11 Deputy M. Tadier:

It is interesting to note the Minister says he is not privy to the negotiations but knows exactly what factors have led to the success of it. Will the Minister inform Members whether or not Connex received an index related increase in their budget for 2011? Thank you.

Deputy K.C. Lewis:

Yes, I will have to get back to Members regarding the amount.

2.8.12 Deputy J.H. Young:

Would the Minister accept that the public do expect continuity of service, that these kind of situations cause anxiety and that there is a responsibility on the Minister in handing out public money to ensure that not only is the service as good as possible but at least there is some stability of it?

Deputy K.C. Lewis:

Absolutely. We were all distressed to hear of a possibility of a bus strike and, yes, that will all be in the new contract.

The Deputy Bailiff:

I congratulate the Deputy on having 4 questions there which have got passed the Chair.