

National Bus & Rail Union



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Mr Stephen Kent
CEO
Bus Éireann
Broadstone
Dublin 7

20th August 2019

Re: NTA decision to tender a further 5% of Bus Éireann routes.

Dear Sir,

I write to you as a matter of urgency concerning the decision of the National Transport Authority to tender out a further 5% of Bus Éireann, specifically routes 101 and 133.

Without prejudice to the National Bus and Rail Union's fundamental objection to the privatisation of Public Bus Services to low wage for profit entities, and our pending campaign to attempt to halt the continued dismantling of Bus Éireann, its incumbent upon me, as General Secretary of the largest frontline transportation Union, to inform you of Bus Éireann's legal obligations with regards to the Registered Employment Agreement.

The REA, to which Bus Éireann are a signatory, approved by the Labour Court on 16th September 2016 contains, inter alia, the guarantees that:

- I. **The current Terms and Conditions of employment of staff at Dublin Bus and Bus Éireann shall not be negatively affected as a direct result of tendering of Bus services.**
- II. **No employee will have to transfer on a compulsory basis to a new operator.**
- III. **The parties are committed to provide security of employment.**
- IV. **The Department of Transport, Tourism and Sport and the NTA recognise and agree that any legacy or residual costs, as a result of tendering of bus services, will not be borne by the employees of either bus company.**

It is my understanding that the NTA and Bus Éireann are in the process of agreeing the schedules to the 2019-2024 Direct Awards contracts. I am also aware that the level of detail in the thirty plus schedules to the contract is extraordinarily precise.

Failure to agree a schedule with the Trade Unions, prior to 1st December 2019, the date the new contract is to be signed, outlining full contingency measures to ensure the guarantees above will be fully delivered upon and to inform the affected staff exactly how you shall ensure secure employment within Bus Éireann in circumstances where the 101 and 133 routes are privatised, will constitute a gross breach and abdication of the legal commitments contained in the REA.

The previous Dublin Bus, and ongoing Bus Éireann BMO discussions have informed the unions that these matters must be agreed on a contractual basis between the NTA and

employer prior to any changes occurring so that workers Terms and Conditions are protected in a transparent fashion and not left to the vagaries of Industrial Relations in a situation where the main protagonist is absent from the negotiations.

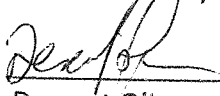
I now ask that you immediately begin intensive negotiations with the NTA on the foregoing and communicate, in detail directly with the Trade Union, the precise measures to protect our members.

The National Bus and Rail Union has already sought the assistance of the Commission in this regard.

We will now commence a ballot of our members, as a precaution against an unsatisfactory conclusion to negotiation as to how our members' security of employment and terms and conditions are to be protected, should this ideological and flawed tender process continue and a new Direct Award contract is signed giving legal authority to the loss of routes 101 and 133.

I trust that clarifies the position of the National Bus and Rail Union.

Yours Sincerely



Dermot O'Leary
General Secretary