



2012 TWU LOCAL 100 NEGOTIATIONS

**NEW YORK CITY TRANSIT MAIN TABLE
PROPOSALS**

(Submitted to TWU Local 100 January 9, 2012)

#1: Increase health care contributions to 10% of total cost of individual and family coverage.

- Employees pay a lower percentage of health care costs than most public employees nationwide. According to The New York Times state and local employees pay 11% of the cost of individual medical plans on average, compared with 20% for private sector employees; and state and local employees pay 27% of the cost of family plans, compared with 30% for private sector employees.
- In contrast, employees currently pay 1.5% of wages based on 40 hours, which equates to an average of approximately 5.5% of total premium costs.
- Converting to a contribution based on a percentage of premium costs would result in contributions increasing in accordance with increases in health care premiums.

#2: Health, Dental, Prescription Plan Design Changes.

- Employee health benefits, particularly in the area of cost sharing, are generous as compared to current market trends. For example, employees currently pay a \$0 co-payment for an employee to use a hospital emergency room, whereas United Health Care indicates that over 50% of union plans charge at least \$100 emergency room co-payment.
- Aligns our benefits with best practices from government employers and overall market trends.

#3: Modify sick leave control provisions: Eliminate the “70/30” list established pursuant to the 12/16/02 Memorandum of Understanding and the sick leave control procedures specified in Section 2.6U in their entirety. Instead, any non-probationary employee with 50% or more of his or her potential sick leave balance remaining in the bank will be placed on an ‘Exempt List’ to be published by management shortly after the beginning of each sick leave year. Employees who are not eligible based on not having 50% of their sick leave balance can be eligible for the exempt list on an annual basis where the employee used 6 days or less of paid or unpaid sick leave in the preceding year. Employees not on the exempt list will be subject to sick calls and visits, must document every sick instance regardless of duration and will not be paid for the first day of any sick leave occurrence.

- The average employee is using over 13 paid and unpaid sick days per year.
- Current sick leave provisions, although negotiated with the admirable intent of improving availability, have not worked. Rather, the result has been an increase in sick leave usage.
- Ties incentives and penalties to individual behavior to improve employee availability.

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#4: Five (5) Deficit Reduction Leave days over the first 2 years of the contract.

- Creates short term non-recurring budget savings.
- Not an on-going burden to employees.

#5: Reduction of Vacation Accruals for new employees between 3 and 10 Years of Service.

Years of Service	Current Weeks	Proposed Weeks
0-2	2	2
3-4	4	2
4-9	4	3
10-14	4	4
15+	5	5

- Currently, vacation time for employees doubles from 2 to 4 weeks after 3 years, without a 3 week step.
- Vacation schedule between years 3 and 10 exceeds the vacation schedule for the majority of represented workers in the MTA.
- Aimed at future hires and does not affect current employees.

#6: Payment of Leave Days at 8 Hours per Day.

- Current employees are being paid additional monies for time not worked.

#7: Payment of Overtime after 40 Hours of actual work per week.

- Under the Fair Labor Standards Act, overtime premium is required after 40 hours are actually worked in a work week.
- The current Collective Bargaining Agreement exceeds the Fair Labor Standards Act by providing overtime premium for work after 8 hours in any given day.

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#8: Reduce night differential payments and hours.

- Pay night differential for hours worked between 10:00 p.m. and 5:59 a.m., 7 days a week.
- Currently, employees receive paid night differential during rush hours and on weekends. Night differential is paid for hours worked beginning at 6 p.m. on one day and ending at 5:59 a.m. the next succeeding day. Night differential is also paid on weekends, including daytime hours, for hours worked between 6 p.m. on Friday night and 5:59 a.m. Monday morning.
- In Maintenance, work must be done during off-peak hours.
- New York City Transit Authority operates 24 hours/7 days a week.
- Employees know and understand that working off hours is a requirement of the job.
- Employees have the opportunity to pick their job assignments based on their seniority.

#9: Revise Workers' Compensation Differential Pay, as follows: together with Workers' Compensation, employees shall receive the equivalent of full wages (after taxes), for a 40 hour work week, up to a career maximum of 260 work days.

- Provides employees injured on the job with full pay for a reasonable amount of time.

#10: Swing pay for Bus Operators after 2 ½ hours.

- Swing pay will start after 2 ½ hours instead of the current 1 hour.

#11: Spread penalty pay for Bus Operators after 12 hours.

- Spread penalty pay will start after 12 hours instead of the current 11 hours.

#12: Elimination of Headway Allowance in the Department of Buses.

- Headway allowance represents a penalty payment of one headway (the amount of time scheduled between runs) for time not worked.

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#13: Lengthen the pay rate progression for new hires, except Maintainers.

- Generally, employees currently receive top rate of pay after the completion of 3 years of service. The proposal is to extend wage progression so that new employees receive top rate of pay after completion of 5 years of service.
- Does not adversely impact our present employees, and future employees still receive the same top rate of pay.

#14: Reduce the rate of pay for the title of Cleaner for new hires.

- Aligns the pay scale for Cleaners more closely with wages for Cleaners in the local economy.
- Does not adversely impact current employees.

#15: Eliminate the quota requirement from the Apprenticeship Program.

- Being required to hire apprentices, without consideration for budget constraints and operational needs, is not justified.

#16: Reduce paid release time.

- The proportion of paid release time positions is high as compared to other public service agencies.

#17: Eliminate restrictions on the hiring of part time Bus Operators.

- Allow for new employees who would assimilate into full time employees.
- To the extent allowable by law, hire current and future retirees into these positions.
- Health coverage for the employee.
- Same wage scale / wage progression as full time Bus Operators.

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#18: Eliminate restrictions on the number of express bus service swing runs that can be scheduled for Bus Operators.

- Express bus service is peak oriented and limiting the number of swing runs reduces scheduling efficiency.

#19: Institute split runs for Train Operators and Conductors in Subways.

- Split runs would allow for more efficient scheduling.

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