

## *Contract Update:*

# MTA Files Legal Appeal to Delay Third Year Raises

## ***Samuelsen Blasts Latest Management Tactic***

An eleventh hour legal maneuver by the MTA will delay the 3-percent raises due TA and OA members on January 16, 2011. MTA lawyers filed court papers late on January 14, 2011 asking the New York State Court of Appeals for permission to appeal the lower court decision upholding our contract.

**Local 100 President John Samuelsen lashed out at the MTA, saying:** “This unwarranted action by the MTA is yet another contemptible slap at transit workers, and a further drain on taxpayer dollars for unnecessary legal bills. The MTA has lost every round of its punitive appeals on our legally arbitrated collective bargaining agreement. This latest charade is nothing more than a delaying tactic. We will fight tooth and nail to get what is rightfully coming to us, including full retroactivity. We have every expectation of winning.”

The Court's review process **is likely to take five or six weeks from the January 14 filing.** If the Court of Appeals rejects to hear the case, the MTA will have no more legal grounds for stalling. If the Court of Appeals agrees to the request, we would see additional weeks or months of delay. Local 100 attorneys will file papers opposing the MTA's request.

The lower court panel found unanimously against the MTA. Not one of the judges agreed with one of the MTA's arguments. Management's stalling is costing taxpayers by taking up the court's valuable time, not to mention the fees the MTA is paying the Wall Street lawyers who are handling the appeal.



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