



TWU LOCAL 100 NEWS

May 2011

Rapid Transit Operations

Overtime Cap Lifted

Part 2 of grievance needs input from membership to maximize win!

RTO Officers won the first part of a grievance to end overtime cap abuses by the NYCT.

Because of our grievance, NYCT lifted the overtime cap until they can comply with contractual provisions concerning overtime distribution. Members who want to work their RDO's should submit an overtime request to the Crew Assignment Section for their division. Submit it now, you do not need to wait for the pick.

The second part of the grievance is an effort to recoup back pay for members who lost income due to being placed on that invalid cap list. This will take time because we need

to collect information from several hundred members before we go back in front of the arbitrator.

If you are within three years of retirement, or normally work one RDO per week, please call Joe Costales at the TWU office – 212-873-6000, x2044. You can also email him at: jcostales@twulocal100.org. Let him know your name, pass number, division, title, the line you were working while on the cap, and your best estimate of how many RDOs you were denied. Be sure to leave him a way to get back in touch with you.

If you know of anyone in RTO who retired after being placed on the cap list, please have him/her contact Joe.

Remember: Union action resulted

in the cap list being lifted and the payment of the 3% raise for the final year of the contract. Fighting the TA takes money, dues money. If you owe back dues, don't you think this would be a good time to pay up? To find out how much you owe and to make arrangements to pay, call 212-873-6000 and ask for the bursar or the dues office.

Protect Yourself When Speaking to the RCC

All T/Os and C/Rs need to be aware that the TA sometimes uses statements you make to the RCC against you in disciplinary hearings. These conversations often take place while you are still on the train, focusing on your operation or when you're not choosing your words carefully. What you say can come back to haunt you.

If the RCC asks you for information following an incident or possible incident, ask if the conversation can be used against you in a disciplinary hearing. If they say, "no," go ahead and answer their questions. If they say, "yes," tell them that you want to speak to a union rep before answering any questions.

Do not refuse to answer questions. Simply assert your right to speak to a union rep if the conversation might be introduced at a disciplinary hearing. We recommend you do this whether you're speaking with the RCC by radio or telephone.

If the RCC refuses to wait for a union rep after your request, go ahead and answer their questions. Your request for a union rep will be recorded and asking that simple question will help protect you from having a poorly worded answer or an incomplete explanation used against you in a disciplinary hearing.

Have A Voice in Our Contract

This year's contract talks with the MTA will be among the most difficult Local 100 has ever faced. A successful outcome will depend on the fullest

possible involvement of both officers and members. Local 100 is conducting a survey of the members at the MTA to help establish the Local's priorities for the upcoming talks. The survey also contains a section where

you can indicate what you are willing to do to help win a good contract. Please take 5 minutes to fill out the survey and help build the Local's contract campaign. The survey is available online at www.twulocal100.org. Hard copies of the survey will be available from your elected officers.

When you've completed the survey online, be sure to print out the receipt and then turn it in to a rep to get your contract campaign button.



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RTO IMPORTANT PHONE NUMBERS

- Union Hall 1-212-873-6000 Extensions 2044 / 2121 / 2058 / 2045.
- 130 Livingston 1-718-694-5827, 4168, 4212. (*Probationary employees, Workers Compensation, Grievances, Arrests and Problems.*)
- 2 Broadway 1-646-252-2925, 5549 (*Disciplinary Notices write-ups, differential and contract grievances, restoration to service.*)
- Safety Hotline Midnights (10PM-7AM) 646-228-0917: **PMS Weekdays (5PM-10PM) 1-646-919-1618.**
- Vice-President's email: kharrington@twulocal100.org

Stay off the damn phone !

Protect your job -- turn off your cell-phone. If the phone is off, it won't ring. If it doesn't ring, you won't be tempted to answer. Put your cell-phone in your bag or leave it in your locker and you won't risk being suspended without pay for weeks. Is a phone call or text as important as your job?



Out-of-Title Work Leads to Write-Up

Many superintendents pay C/Rs and T/Os overtime to work out-of-title cleaning crew facilities or even to do light construction and painting. But what the TA gives with one hand, it takes away with another.

A T/O who had been coming in early for years to clean the women's facilities at a terminal in Queens was written up recently for padding the payroll. She was paid a two hour (1:20 + :40) early report for each day she did the cleaning. The TA's Office of Special Investigations and Review (SIR) claimed that, on some days, she came to work less than 1:20 before her reporting time and still

claimed the 1:20. She always did the work she was being paid to do.

Although the superintendent told SIR he had offered to pay her 2 hours to clean the facilities and had not been clear about the precise hours she was to work, she was still written up. Against the advice of the union reps, she chose to settle the case and took a penalty.

Local 100 reps have always discouraged members from working out-of-title. We do it to protect the jobs of our co-workers in other departments. Now there's another reason to avoid it – the TA has no gratitude for the extra effort.

If you've got some special arrangement to work out-of-title, watch your back and watch your time.

If You Have a **12-9**

One of the worst experiences a T/O can have is a 12-9. If you've had one, you know. It takes an emotional, psychological and physical toll on you. Once a 12-9 has happened, nothing can undo that fact. But there are things you can do to make the aftermath less stressful.

✓ Once a supervisor is on the scene, file an Injury on Duty report. Frankly, you don't know if you're going to need time off or not. Adrenaline's going to carry you for a little while. If, after a day, a week, or a month, you're having a hard time sleeping or focusing, or have other symptoms that you think stem from the 12-9, that Injury on Duty report will smooth your way to going out on Workers' Comp – and being paid properly.

✓ Ask to see a union rep.

✓ The TA will test you for drug and alcohol use after a 12-9. They are not supposed to send you for a full physical. Make sure the TSS writes "12-9" on the G-46 or the MAC will try to give a full physical. Who wants their blood pressure checked an hour or so after someone jumped in front of their train?

✓ You will be taken out of service after the 12-9. After the drug and alcohol tests, report to 2 Broadway to be restored to the payroll. Check in with the union rep when you get there. Do not report on your RDOs. You will be restricted to the platform at least until the results of the tests come back.

✓ If the person dies, the T/O is entitled to an automatic 3 days off. If you need more than 3 days, take it. That Injury on Duty report protects your right to go out on comp. If you go out on comp, you must be seen by a doctor certified by Workers' Comp. If your family doctor can't refer you to one, contact Local 100 for a referral.

✓ Conductors, your T/Os are going to be shaken up when this happens. They will appreciate anything you do to make sure they are treated properly. Although C/Rs don't get the automatic 3 days for a fatality, you too are entitled to file an Injury on Duty report and to go out on comp if you suffer any negative effects from the 12-9.

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A COLLABORATION WITH
the High School of
Sports Management

Transit Workers APPRECIATION DAY

ON SATURDAY
JUNE 4TH

IN THE PARKING LOT
AT M.C.U. PARK,
CONEY ISLAND



*A Day of Fun for
Local 100 Members!*

**Free Parking & Admission!
Health Fair & Give-Aways!
Parking Lot opens at 8am!
Bring-your-own-grill
Tailgate starts at 10am!**