



## Station News • February 2018

Derick Echevarria  
Vice President



Joe Bermudez  
Division Chair

### First Things First!

The grievance for operational emergencies is scheduled for Jan 22 – next week. We'll get an answer from the arbitrator if transit is violating cleaners rights. Our position: Operational emergencies violate the contractual language for cleaners in two ways: ONE, if you

report you are to be paid the same three hour report time every other title brought in on these types of reports are paid (except for cleaners).

TWU, Cleaners have planned work and picked locations for emergency work with specific details – and now NYCT is trying to eliminate all past planned work procedures. That's a violation of our contract.

Snow pay has become an issue. After last year's issues with the new pay procedure for cleaners, the problems were not supposed to continue. Now this year, I've seen and heard how management dropped the ball again. To add insult to injury, **ONLY CLEANERS DIDN'T GET PAID CORRECTLY!**

### Frequently Asked Questions

What is true, and what is false during snow emergencies?

True: the first RDO is cancelled – no exceptions. This is mandated by contractual language.

False: We must report to work, no matter what time they call an emergency. If you are on your RDO and the emergency is declared after the start of your tour you do not have to report.

True: All cleaners must stay four hours after the original 8 hour shift, RDO or straight time.

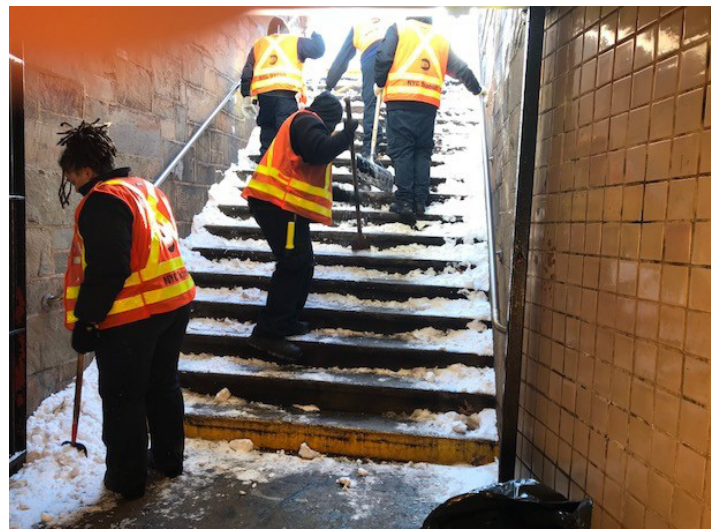
False: A G-2 will stop me from being written up

for leaving. NO: If you leave without a truly serious occurrence, and fail to provide the proper papers to confirm, you will be disciplined.

True: Once management notifies the union that the emergency is still in effect, all second RDO's are also canceled.

False: If I do not answer my phone I do not have to go to work. NO: The rules say that you are contacted if an attempt was made via your documented contact information. It is the responsibility of the member to comply.

True: If I'm working my first RDO I must report for my second RTO. YES. If you are informed that, before you leave the area, that the emergency is still on then



yes, contractually you were notified. BUT, you do not have to stay for an extra four hours. That's your choice.

Q: How is my pay affected if I report on my RDO's?

A: If you have to report on your RDO's, that doesn't affect your pay. From the moment you report until you leave, it's all time and a half. All Cleaners who report on their RDO's and stay the mandatory 12 should stay 16 if they can – because if you return on your next scheduled tour, you get paid for 24 hours. If you are on straight time, once the emergency is declared, you automatically go on time and a half.



What Cleaners need to remember is that you will only see an increase in bonus pay when you work a 40-hour week. For example: It's your Friday. You get off at 6 AM. The declare an emergency at 4 AM. The next two hours are to be paid at time and one half, which brings your final pay hours to 40 for your pay to show a complete work schedule. Added to this is a one-hour bonus. If you stay for four hours, you get paid four hours of overtime, plus two hours of bonus pay. Then add the hour from



your straight hours to your bonus.

Q: What if we don't get paid for snow duty after the emergency?

A: We cannot answer this question without ranting about incompetence. We will not go there! What we will address is that anyone who feels they are not being properly paid should have documented all stations they sanded, salted, and shoveled. Give the union pay stubs to prove your claim and we will rectify the issue as quickly as possible.

Q: What is an operational emergency?

A: This was put in place for certain natural disasters. The union and management have different interpretations. The Union will never tell members not to report to work if they want too. Management already has a policy on where to report. Until our case is heard in front of arbitration we will stick to our guns. Not one cleaner has been written up for not coming to work yet. I will say labor relations has been very dignified by waiting to allow a ruling before imposing uncertain or unwarranted discipline.

Q: Was OTO stolen?

A: No. This is just like all of the other new policies that team MTA did not do right. Yes, you woke up one day and found it gone. Our new President heard the cries of the membership and addressed it immediately, so fast that the ink hadn't dried on the paperwork before the days were restored. Check your time – hopefully you keep it well documented. If there are any discrepancies, let your reps know. Give them your info. They will make sure it is correct, or help correct the issue.

Q: Where are the new winter jackets?

A: We were recently informed by management that the whole shipment of Carhartt jackets that were

ordered for Cleaners were shipped with an order of noxious garbage bags and had to be returned. I wish this was true, because I would say thank you, but it is not. They were never ordered even though we were told it was given to procurement. Our Cleaners are going through the coldest weather in who knows how long, dealing with the blizzard conditions doing the best they can with the crappy uniforms coats and boots. Management's reponse was, "We will fix it." Yes, my brothers and sisters, you will get your winter-issued coat in July, with your allotment of turtlenecks. Stay strong, my brothers and sisters.

As of 1/18/18, an agreement was reached for the Carhartt jackets and hoods. They should be coming before next year's first snow.

We are creating a collage of all the pictures of our union's snow force across the city. What it will show is that all other agencies, companies and corporations supply their work force with all the proper updated cold weather clothing and tools. Cleaners cannot even buy our own stuff without being disciplined for attempting to stay warm. We are sending it to Oprah. She will get us the stuff management is refusing to furnish. The funniest part of the last statement is she would get us what we need to be efficient and productive and mostly safe.

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## Union Cards Sent to Wrong Address

*The following union cards were returned, due to incorrect addresses. Please visit the Union Hall to the card which identifies you as a Member in Good Standing.*

Orson Cantey, Sherly Charles, Omar Ali, Takeam Best, Roshelle Gouldbourne, Larry Gurley, Christopher Hancock, Katherine Hayes, Rodney Cuttino, Sophia Gary, Timothy Randall, Priyalal Nath, Eon Nedo, Roger McGhee, James Calero, Pamela Braswell, Alex Conce, Valentino Cobb, Kenyon Franklin, Andre Fernandez, Antoine Felton, Gil Durham, Amber DeJesus, Irene Shaw, Xiaofan Qi, Gete Moore, Tiffany Singletary, Edison Villanueva, Sean Stanback, Thelma Patterson, Guy Peaco, Jonathan Perkins, Floyd Price, Aaron Purdue, Robert West, Damian Williams, Michael Williams, Allen Wright, Atm Ahmed, Abiodun Adekanbi, Hector Rodriguez, and David Norman



# Customer Service Ambassador/Wayfinder: The History of the Railroad Clerk

**We need a small history class, so here it is:**

Once upon a time in a subway system in New York City, tokens were sold. This process continued until mid 1994. But since 1980, New York City Transit has been testing future technology. In general, unions are more aware today of the threat of this technology than we were in the eighties and nineties. Today, we know it's about saving the middle class. Back then, the technology was thought to be so far off that there was nothing to worry about. Then in 2003 the token bit



the dust. The union agreed to change the name from railroad clerk to station agent.

**Now it's 2018.** And we know that in 2023 or 2026 NYCT is going to say goodbye to the MetroCard and almost all the cash revenue passing through the system. So we are also now saying goodbye to the Station Agents as we know them. Why did the Union let this happen, you may ask. Though unions have collective bargaining rights, companies have "management rights" too. And one long-term objective of management is to cut costs by eliminating manpower – and using technology to do it. So how did we respond?

## **The Wayfinder Program**

The union and management tried to create a "Sta-

tion Agent of the Future" program. But we failed to agree on many issues involving job functions. Although the Customer Service Ambassador program is management's plan, it does meet most of the criteria the union was asking for in the "Station Agent of the Future" negotiations. We were looking for two major guarantees: 1) No broadbanding (such as shoveling snow during emergencies.) Broadbanding is where two different and distinct jobs are combined into one. 2) No minor cleaning, and no checking behind Cleaners and reporting them to supervision. We achieved both of those objectives. Our position is that the only function of the Station Agent of the Future (now the CSA) should be to enhance the customer service aspect of the job. We achieved that goal as well.

## **Our Commitment**

Our commitment to our Station Agents has been consistent. In 2010, over a thousand TWU Local 100 members were laid off, including 600 Station Agents. But reflect on who were offered Cleaner jobs. Only Station Agents were offered cleaners jobs. Other departments tried to get their members Cleaner jobs but failed. Once all the laid off members came back, our Station Agents wanted the buyback pension option, which was finally approved. Only Station Agents got it. Job security has always been the focal point of our efforts, but respect for our Station Agents and the survival of the title was also paramount.

## **Why should I become a Customer Service Ambassador?**

If you are against becoming a CSA, and you want to at least have a chance of a career with retirement benefits, you had better rethink your position. Most senior Agents were in the same predicament when they first started on the road from Rail Road Clerk to Station Agent. They saw new technology versus the old ways. Some retired rather than learn the new technology. Others made a change to ensure that this membership would continue to provide a service that would justify our existence.

If Station Agents want to finish their careers in NYCT, you should start adjusting. NYCT has Plan B, and Plan C already to roll out if this pilot fails – and Plans B and C will not include Station Agents. This is a



time for reality, not excuses. Cleaners, Track Workers, Revenue Agents, Maintainers, Electricians, Plumbers – they all work out in the system in public view. Are we getting it yet? Once Station Agents transition to CSA's, the bull's eye will be off their backs and they will be just like any other NYCT employee.

### Civil Service

Even though the Station Agent title is civil service, civil servants have only limited protection, when it comes to job protection, downsizing, layoffs and declassifications. In a nutshell, layoffs are done in reverse seniority order, with no guarantee of a member being placed elsewhere.

The MTA and the TWU have agreed to a transition from S/A to CSA to save the title and our jobs. We are still working on the details as this pilot goes forward. Don't cut off your nose to spite your face. If you were laid off back in 2010, remember that process – only this time, it will be permanent and final. If you're an agent with ten years of service in your 30's or 40's, by not becoming a CSA you are surrendering your job. If you have less than five years in the same age bracket, it's a no-brainer. Secure your job before it is offered to someone else. Don't listen to the old-timers who bash this new job, the description and the duties. By the time it's in place, they'll have left the job, or they will go once the chips fall.

## Supply Logistics

Last week, the Local 100 Executive Board appointed John Paluszek as Division Vice Chair of Supply Logistics. Congratulations! He was sworn in by Antonio Roldan.



We would like all members to know that we are working on your AVA days. The grievance will be heard on February 7th and we will keep you updated.



# Janus v. AFSCME



## From Your Division Chair

This was a major concern at the last monthly meeting. What are we preparing as far as education packages for members?

This issue is a serious concern in Stations Department and it should

be in every department. The education about this is coming from professional sources that we hope will be fruitful in carrying the message to rank and file members, encouraging them to participate and be part of the solution. The union has to reach the members who are on the fence, torn between standing for a purpose and sticking their heads in the sand and hoping it all goes away.

But for Stations we need to talk about it now from the heart. This department proved in the past that we failed when the chips were down. During the strike when dues check off was removed we were not even 30% in good standing. Most of the members knew the removal of dues checkoff was only for a limited period of time and didn't care. Their reasons weren't -- for numerous reasons -- all bad ones. But that era is over. If this case does result in a verdict against public employee unions, are you ready to make the argument that the union needs to survive?

Dues: Yes, dues are \$30.02 every two weeks. You compare this to all the positive gains that have been won through collective bargaining: priceless.

Vacation: We get two weeks for the first three years, after that four weeks, and after 15 years five weeks.

Sick days: After one year 12 per year -- and that

carries over.

Health Care: A full health care package with minimal cost and co pays. It's half the price of any other plan out there.

Pension: We get fifty percent of our best three years, no question.

These alone -- and there are many other points including child care and our union scholarships -- are why Janus needs to be defeated. If not defeated in court, then those things listed above need to be saved. The only way to save them is for you to be part of the solution.

The solution is simple: Stand tall and pay your union dues. Let the evil corporations know that we are the Rockys of unions in this city. We will never surrender. And we are not willing to be totally submissive to the plantation approach if this union folds.

If you truly look into this Janus fight, it is about one man's selfish approach to life. He didn't want to pay for services he is getting. And then major corporations like Koch Industries funneled a whole lot of money into his suit for one reason: to end a way of life for middle class citizens -- the union way into the middle class.

This is not the official union educational doctrine about Janus. This is your Division Chair putting out an opinion and facts from the past. Not to demoralize, insult, or pass blame. It is a plea to all who read this: Understand that the fight is real!!! And the role each of us plays, once all is said and done, is also real.



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**Tony Utano**  
President

## STATION

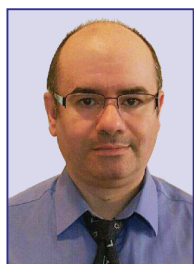


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