



TWU LOCAL 100 NEWS

January 2011

Station Division

TWU Contract Untouched **Union negotiates** **return of laid-off** **Station Agents**

On May 11, 2010 (262) and August 13, 2010 (194) management laid off 450 Station Agents. During much of 2010 Station Division officers have spent a large majority of their time and energy to fight the lay-offs and booth closings, and then negotiating terms with the MTA for the return of these people to work. It has been a hard battle, but one well worth the effort.

As a result, starting in January 2011 laid-off Station Agents are returning to work as both Station Agents and Cleaners. This is a major victory for these members and the entire membership of Local 100.

The facts are these: from January to July 2011 at least 125 Station Agents, according to the Station Agent preferred list order, will return to work. And starting in January 57 laid-off members will return as CTAs. But that is only the beginning.

After these initial numbers every opening for S/A or CTA will be filled by the next S/A on the preferred list. No one from the outside will get these jobs -- only our people.

In the next few months, 20-25 members per month on the S/A preferred list will return as Station Agents with full pay and full benefits. This is the 125 positions the MTA budgeted for the first half on 2011. Numbers 1-125 on the preferred list will return within 6 months or less.

Simultaneously, starting with number 126 on the S/A preferred list laid-off members will be given the opportunity to come back as Cleaners. This was agreed to because of our concerns of the schedule of S/A recalls. We had over 450 people laid-off; at a rate of 20-25 a month it would take those on the back end of the list up to two years to return to work.

The beauty of this is the member has the option to say 'yes' or 'no' without having any effect on their status of coming back as a S/A. The members retain their full rights to come back as Station Agents regardless if they accept or reject a CTA job. The CTA positions are considered starting entry level positions. The salary is that of a starting CTA.

This deal was made for two reasons:

#1. to prevent the MTA from going to the "street" to fill CTA jobs, when our people were out of work, and

#2 to get our people back into the system, making money, with their benefits and passes while they wait to be called for their S/A job.

This is a multi-level deal that tries to protect all the members who were laid-off. The vast majority of laid-off members are ecstatic about it.

At the present time 20 laid-off members have been sent letters to return to work as S/A in January. And 57 laid-off members are scheduled for CTA training to come back to work as CTAs in 3 classes in Jan. and Feb. The list is moving as you read this and our people are coming back to work. The negotiated deal is working. On January 10, the first class of Laid-off Station Agents became CTAs and are out on the road. Good luck to them.

Special congratulations should go out to the negotiating team of Vice President **Maurice Jenkins**, Division Chair **Derick Echevarria** and reps **Paul Piazza** and **Marvin Holland**.

Your officers in Station pledged to all the members that we would do whatever it takes to bring our people back and help them and their families get back on their feet. We did exactly that. Now we want to assure the laid-off members **we will not stop fighting for them** until they are all back; and we assure every member of Station Division that we will do everything in our power to protect every member of Stations Division.

The know nothings and professional critics in our department said we could never bring them back to work. It looks like they were wrong again.

It should also be noted that this whole lay-off episode was an attempt by the MTA, led by Jay Walder, to get TWU Local 100 to open up

Going out sick **during a snow storm?**

Some members who booked sick when it snowed were told that, because of the snowstorm, they would have to bring in doctor's lines to verify that they were sick.

This is NOT true. Unless you would otherwise have had to bring in lines (i.e. you're on the Sick Leave Control List or you're in the 30% sick category and are out for more than two days, or more than three days if you're in the 70% category). **The TA cannot require you to get doctor's lines just because of the storm.** The contract defines the circumstances when you are required to bring doctor's lines. The contract does not require you to bring lines because of a snowstorm or other emergencies.

If you have to book sick and it happens to be on the day of a snowstorm, and the person who takes your sick call tells you that you need to provide doctor's lines, don't get into an argument with them. **Simply acknowledge the information and feel free to ignore it.** You must still submit a sick form any time you're out sick. But you don't have to bring doctor's lines just because of the storm.

Submit your sick form as you usually would. **If you are not paid for the sick day, contact a union rep and file a grievance.** The arbitrator has already ruled that the TA cannot require doctor's lines for any reason other than the ones specified in the contract. **Remember**, if you're on the Sick Leave Control List and you were hired after April 1988, you will not be paid for the first day of sick leave any time you book sick.

our contract and give back the 3% we were awarded by PERB arbitration. TWU Local 100 stood tall and gave no ground. We gave nothing back and made Mr. Walder move his place of residence because of our daily protests.

The fight with Walder and the MTA is by no means over, it may be just beginning with a new contract on the horizon, but TWU Local 100 does not back down or back up, we stand fast and fight.

MTA Files Legal Appeal to Delay Third Year Raises

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 Samuelson 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. 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.

Solidarity Fund Contributions Reduced to \$5 Per Pay Period

Starting the week of January 6th, Solidarity Fund deductions are cut from \$10 per check to \$5 per check. This is fulfilling the promise made by President Samuelson and the Solidarity Fund Committee. They promised every month the fund would be analyzed and if the contributions to it exceeded the monies needed then the amount of deductions would be reduced. **Promise made, promise kept.**

Despite what the lunatic fringe in TWU has said, this fund is totally on the up and up. The allegations of misconduct and other nefarious deeds are laughable. We urge you as TWU members to remember who stood up for the

TWU Local 100 at Our New Location: 1700 Broadway (54th St.)

TWU Local 100 headquarters has re-located to 1700 Broadway between 53rd and 54th Streets. As you know the old union hall was sold 5 years ago and we became renters not owners. And our lease was up. The new owners of 80 West End wanted to hike our rent significantly. It was time to go. This move is a temporary one until TWU Local 100 can secure a permanent location of our own.

Unfortunately, 1700 Broadway is a much smaller space than 80 West End and each division has much less room.

Division meetings will be at off-site locations to be announced on a monthly basis via handouts, newsletters, e-mails, texts and facebook. The Station Division meetings will still be on the 4th Thursday on each month 10 am and 5pm. In the month of January the Division meeting will be at 520 8th Ave. (22nd floor). It is important to note that 1700 Broadway is a high security building meaning that all visitors & members must call the Union Office @ (212) 873-6000 x2036, x2037, x2038, x2056, x2117, before they can come up.

laid-off members and who did not. And then consider if those people will stand up for you in your times of trouble. Our thanks go out to the Solidarity Fund Committee **Tony Aiken** (MAB-STOA), **Derick Echevarria** (Stations), and **Lloyd Archer** (TA Surface) for their hard work and dedicated show of true unionism to make this fund work.

A special note of thanks should go out to Sabrina Greenwood who as the co-coordinator of the help desk and a laid-off member herself, fielded literally thousands of phone calls and provided real help on a daily basis to all the members who were laid-off, not just those in stations. Finally, a very big Thank You to our retirees who raised \$93,174.50 for the laid-off Local 100 members. Our retirees led the way and showed their junior brethren what unionism is all about.

Stations Negotiating Satellite Union Offices

We are trying to bring the Union closer to the membership. Station Division is currently trying to negotiate satellite offices. If accomplished, these offices will mean better service for our members and more of a Union presence out in the field.

Telephone Numbers 1700 Broadway
(212) 873-6000

VP Maurice Jenkins x 2037
Div Chair Derick Echevarria x 2117
(Discipline Arbitration, E Board)
CTA Vice Chr. Joe Bermudez x 2056
(CTA & overall safety issues)
Paul Piazza x 2036
(E-Board, Contract Arbitration)

CTA Sect Chr. Marvin Holland x2063
(CTA & PAC issues)

CTA Rec Sec Brian Brooks x 2056
(Night Safety Job)

S/A Vice Chr. Anthony Atria
212-712-5891 (p.m. City Hall Hearings)
Rec Secty Christine Williams
212-712-5891 (E. Bd., a.m. City Hall hearings)
SA Rec Secy Felicia Fields
Members Services (347) 643-8067
SA Sect Chr. Harold Haywood
2 Bway hearings (646) 252-6787
James Fullard
2 Bway hearings (646) 252-6787

Medical coverage change-over underway:

The MTAs' decision to change medical carriers on January 1, 2011 is in full swing. If you have changed your coverage from GHI to United Healthcare or HIP to Empire Blue Cross Blue Shield, check your mail box for your new cards. If you did not request a change, then all HIP users will be automatically transferred to UHC and all GHI users to Empire BC. If you did transfer from say GHI to UHC and have received a Empire BC card, do not panic: go on www.myuhc.com and print out your UHC card using your SSN. Any further problems please call TA Employee Benefits @ (347) 643-8550, Member Services @ (347) 643-8067 or your Union Hall.

"Now this is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning."



Sir Winston Churchill
November 1942