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Transport Workers

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BULLETIN

Can MTA Pay?

**We Say Yes, MTA Can Pay
To Restore Service and Fund a Contract**

Local 100 Preserves 25-55 Pension for Next Generation. See page 6.

Tier VI, Contract, Milestone

THE PAST FEW WEEKS I'VE BEEN FEELING A BIT LIKE 40 IS THE NEW 50. SURGERY DUE TO A JOB RELATED HIP INJURY sidelined me for a couple of weeks, at least physically. But thanks to texting, email and cell phones, I was only out of touch for a day or so. Despite my situation, the work of the union continued thanks to my strong leadership team and a knowledgeable, professional staff.

The experience, however, underscored a couple of things for me – transit workers incur a lot of IOD's and adequate health care coverage is essential to our jobs and lives. We must never waver in our quest for a safer job, and we must never flag in our determination to protect our health benefits for ourselves and our families.

Tier VI Pension

Governor Coumo was successful in his quest to implement a Tier VI pension, but TWU Local 100 worked hard to minimize the hit that new transit workers will take. While nearly every other union in the NYCERS plan had their retirement age pushed back to 63, we were successful in defending the 25/55 pension for future Local 100 members.

The fact that we were able to fend off the bulk this assault is a significant victory for Local 100 and this entire membership. Our Albany team did an outstanding job, and it underscores the fact that a strong presence in Albany is essential to protecting what we have fought so hard to secure for this membership.

Can They or Can't They, Or Do We Care?

The MTA should be on *Dancing with the Stars*, because they definitely know how to do the financial shuffle. Or maybe even *The Voice*, because they know how to sing the money blues.

The MTA's position from the start of bargaining, and even way before the start of bargaining is that they have no money for raises. They have dug their heels in on demanding the so-called state pattern set by Gov. Cuomo and the two largest state unions. That "pattern" is three years of zeroes and a host of givebacks, especially as it relates to health care.

Our founding President Mike Quill, who often faced

similar cries of poverty, would declare that finding the money "is not my problem. That's management's problem."

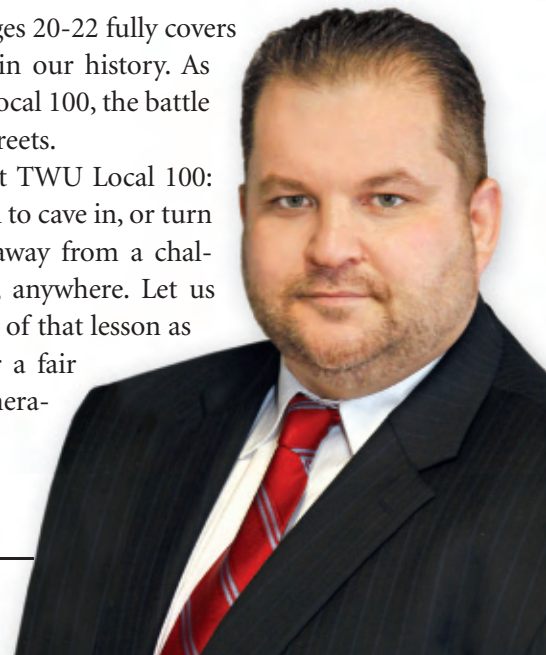
We've gone one better than Quill. We have found the money for them. They have a lot of it socked away in an obscure fund which currently is flush with nearly \$500 million. The City of New York maintains a similar fund, and is already drawing down on it for current budgetary needs.

We are also in the process of identifying areas of gross waste in the MTA's real estate and contracting policies. See our website on this issue: www.mtamoneythrowaway.com. As always with the MTA, it is not a matter of they can't. It's a matter of, they don't want to. Negotiations are continuing, albeit deliberately. It will not be an easy, or a quick road to a settlement.

MaBSTOA Turns 50

This month (March) marks the 50th Anniversary of the establishment of MaBSTOA. "Our Union Roots" series on pages 20-22 fully covers this seminal event in our history. As most victories for Local 100, the battle was fought in the streets.

One thing about TWU Local 100: it is not in our DNA to cave in, or turn the cheek, or run away from a challenge from anyone, anywhere. Let us always be reminded of that lesson as we move ahead for a fair contract for this generation of members.



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Tier VI Takes Bite Out Of Future Pensions

No current worker is affected by Gov. Cuomo's new Tier VI pension bill passed in Albany on March 14. But future public sector workers face higher retirement ages, reduced benefits and higher contributions. Some groups got hit harder than others, but thanks to hard work by Local 100, we were able to maintain the 25-55 pension for new hires.



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Black History Highlights Harlem

Local 100's Black History celebration, held in Harlem, honored former Manhattan Borough President C. Virginia Fields and featured some beautiful cultural performances.



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12-13

Bargaining Continues On New Contract

MTA negotiators remain entrenched on demanding the "state pattern" of three zeroes. Local 100 leaders insist on cost of living raises. Bargaining continues on economics, health care, grievance and discipline and a host of other issues.



12-13

20-22

50th Anniversary of Milestone Strike

Local 100's strike against the private bus lines in Manhattan and the Bronx in 1962 that led to the creation of MaBSTOA generated iconic picket line photos like this mock funeral for notorious management attorney Roy Cohn. Full details on the 50th anniversary of this moment in TWU history in "Our Union Roots" series.



20-22

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Jefrick Dean Receives City's Highest Public Service Award

The Bus Op Passengers Love to Love

WITH TEMPS HITTING THE MID 60'S ON A BRILLIANT morning in Brooklyn, our own Jefrick R. Dean basked in the sunshine of the City's most prestigious public service award – the Sloan Public Service Award. He is one of six public employees honored this year. He received his official award at Cooper Union in the evening, but on the morning of March 14, Jefrick, with his glowing warmth and heartfelt faith, owned the East New York Depot.

In front of four TV cameras and top officials including TWU Local 100 President John Samuels, an MTA delegation with NYCT President Tom Prendergast, Buses VP Darryl Irick, and the board members of the Fund for the City of New York, Dean stepped up to claim a framed photo and a large-sized check for \$10,000, the amount of the Sloan Award. He did so with the grace and humility that have earned him 132 unsolicited passenger letters of commendation.

The Fund's Board unanimously voted in Dean as an award winner after they reviewed his qualifications. As noted in



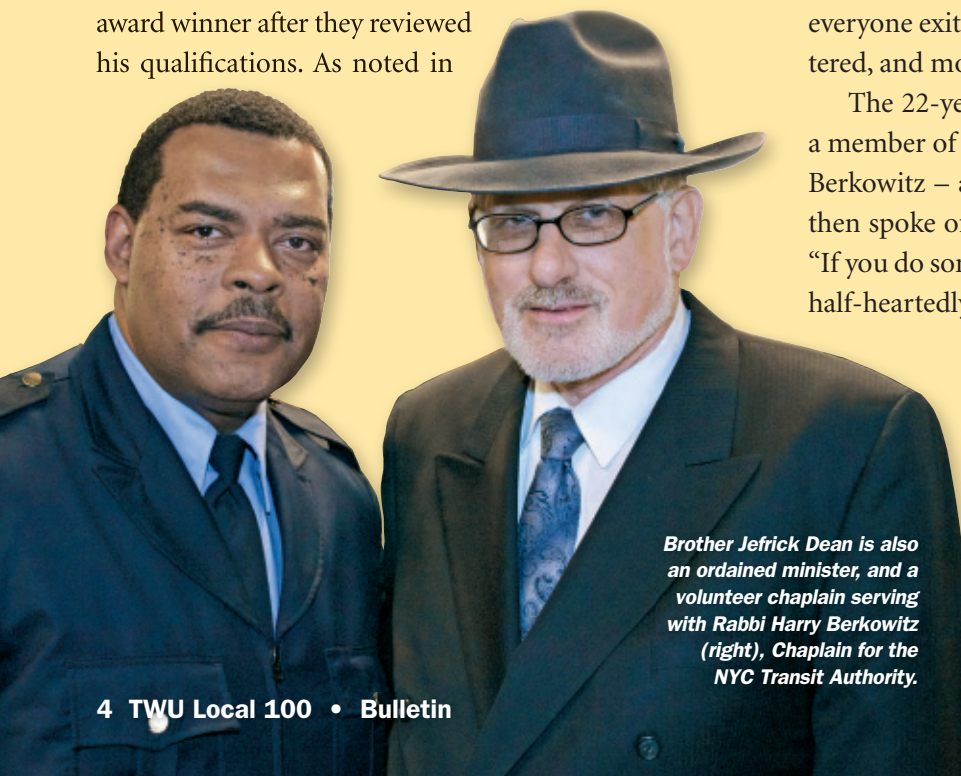
Above, Dean with President Samuels (right) and Bishop Joseph Sullivan, Chair of the selection panel, who (right) presents Dean with giant check for \$10,000.



the official award booklet, Dean “strives to make sure that everyone exits his bus in a better mood than when they entered, and most do.”

The 22-year Bus Operator, an ordained minister – and a member of the NYCT Chaplain team under Rabbi Harry Berkowitz – accepted the award by giving thanks to God, then spoke of the joy he felt and his dedication to his job. “If you do something, you have to do it wholeheartedly, not half-heartedly,” he said.

He concluded with a salute to the five other civil servants who would take the stage at Cooper Union with him later that evening. He then said he was honored to have been hired by New York City Transit. Congratulations, Jefrick, from all of your union brothers and sisters. You're a credit to all of us and to your City.



Brother Jefrick Dean is also an ordained minister, and a volunteer chaplain serving with Rabbi Harry Berkowitz (right), Chaplain for the NYC Transit Authority.

UNION SAYS 'MTA Can Pay'

By Alan Saly

THERE'S PLENTY OF MONEY IN THEM THAR HILLS — BUT THE MTA DOESN'T "think" so. The union has launched a new campaign, MTA Can Pay, to highlight where the money is, and why the MTA can restore service to pre-2010 levels and fund a new contract for transit workers.

Here's what's on the "MTA Can Pay" menu: The main course is a \$489 million fund established in 2006 to supposedly cover future health care benefits for TWU retirees. Tens of millions are deposited into the fund every year — even in 2010, when bus and subway service was cut and almost 1000 transit workers laid off.

The MTA says it can't use the fund for service restoration or raises. But it conveniently ignores the fact that it has already raided the OPEB fund for \$118 million (not for retiree health care) in 2008.

Next on the "MTA Can Pay" list of entrees are a series of internal money transfers that should take place — but mysteriously don't. These include the reimbursement of about \$50 million a year in "Pay As You Go" funds. These are funds that are taken from the Operating Budget (where workers' salaries also come from) and transferred to the Capital Budget (where they are used to cover capital construction costs).

Some politicians like Staten Island's Nicole Malliotakis say the Operating Budget should be paid back. Another pool of funds that should be taken into account are receipts coming from an extra 2,000 taxicabs which are now collecting MTA surcharges of 50 cents from each fare. And then there's the recent revelation made during a formal arbitration hearing with ATU local 726



President Samuelson discusses the contract and the Local's "MTA Can Pay" campaign at a shopgate meeting with TA Surface Maintenance members at the East New York depot.

in which the MTA's law firm of Proskauer, Rose admitted that the Authority has \$135 million in cash in reserve — but then added that "we don't count that cash" when it comes to tallying up its budget surplus.

Local 100 is also proposing the closing of tax loopholes to generate more revenue for the MTA. These loopholes include charging unincorporated businesses, like law partnerships and hedge funds that do over \$10 million worth of business a small amount, to equal the MTA surcharge on profits on incorporated businesses. That alone would generate about \$200 million for transit. Another puzzler is why buyers of condominiums have to pay a small levy to the MTA — while buyers of co-ops do not. Close that loophole and it's another \$40 million in funding for the MTA.

Putting these figures in perspective, a principal MTA demand in our ongoing negotiations is for a major concession on part-time bus operators. That's something the MTA says is worth \$4 million — chump change next to the big savings possible by closing loopholes and straightening out some of the MTA's eyebrow-raising accounting practices.

Local 100 President John Samuelson recently told MTA Labor Coalition members that former CEO Jay Walder saved \$53 million in 2010 by firing almost a thousand Local 100 members, while at the same time refusing to "flex" \$90 million in available federal funds for the operating budget which would have avoided layoffs and service cuts. Instead, Walder put that money into capital construction, something that ends up making a lot of money for private construction companies and bondholders but that doesn't provide any benefit for transit riders or workers for many years to come. As Samuelson told the union leaders, that's like putting up an addition to your house when you can't afford to pay the electric bill. Of course, what's most relevant is who's getting paid to build the addition.

Local 100 Preserves 25-55 for Next Generation

STATE LEGISLATURE PASSES TIER VI FOR NEW HIRES

THE NEW YORK STATE LEGISLATURE HAS PASSED GOVERNOR CUOMO'S latest molestation of public employees – the Tier VI pension bill for new hires. However, a full court press by Local 100 in the critical hours leading up to passage has preserved the 25-55 pension for future transit workers.

Local 100 President John Samuelsen, and the union's Albany team of Marvin Holland and Curtis Tate argued vociferously that transit is arduous work that wears down our bodies, and that raising the 25/55 requirements would be nothing less than disastrous. The final outcome reflects this. President Samuelsen said: "The fact that we were able to preserve the 25-55 pension for the next generation of transit workers is a significant victory for Local 100 and this entire membership. Our Albany team did an outstanding job, and it underscores the fact that a strong presence in Albany is essential to protecting what we have fought so hard to secure for this membership."

During the days and weeks before the legislature acted, Local 100 was a constant presence in Albany, with member-lobbyists organized by our



Local 100 President John Samuelsen (center) and Secretary Treasurer Earl Phillips meet with State Senate Minority Leader Martin Malavé Dian (right) on pension and other issues recently.

Political Action Committee hitting office after office, and phone calls from the Union Hall following the same path. We worked side-by-side with the NYS AFL-CIO, and with public sector unions from the city and state, while also carrying a transit-specific message.

The bill, overall, is a setback for future public sector workers in New York City and State. But it is not the knock-

out blow the Governor's original proposal tried to deliver. A strong push-back by public sector unions, including Local 100, stripped the bill of some of its most egregious features, such as the 401(k)-like individual retirement accounts in the original proposal.

On other terms, our future members take some hits like their fellow public employees. Among other things, their contribution rate will be higher.

"The fact that we were able to preserve the 25-55 pension for the next generation of transit workers is a significant victory for Local 100."

**—JOHN SAMUELSEN
PRESIDENT, LOCAL 100**

New York State AFL-CIO President Mario Cilento blasted the new pension system. He said: "Once again, middle class New Yorkers will pay the price for Wall Street's misdeeds. Apparently, layoffs, furloughs, wage freezes, and previous pension cuts were not enough. Make no mistake, Tier 6 is not reform; it is an assault on the long-term economic security of nurses, teachers, firefighters, and other workers. When we reduce pension benefits for hard working men and women, as New Yorkers we diminish our standard of living, we diminish our quality of life and we diminish our expectations for the future. Unfortunately, future retirees will have less economic security as a result of Tier 6."

New York State AFL-CIO President Mario Cilento addresses a meeting of union leaders from the MTA Labor Coalition in Albany. Local 100 President Samuelsen (right) and ATU Local 726's (Staten Island) Angelo Tanzi listen. Cilento said that New York's middle class is once again "paying the price for Wall Street's misdeeds."



Division Chair Bill Mooney (right) answering questions from the floor at mass membership meeting prior to settlement of contract.

Union, Liberty Lines Reach Agreement

4-Year Contract Settled

THE TWU LOCAL 100 NEGOTIATING COMMITTEE AND Liberty Lines Transit, Inc. reached a new contract agreement covering Bus Operators and Mechanics working for the Westchester County Bee-Line System on March 8, 2012.

The settlement includes wage increases in each of the next four years as well as increased “tool allowances” for mechanics. TWU Local 100 was able to preserve the 59-year retirement with 20 years of service, said Local 100 Vice President for Private Lines John Day, but agreed to increases in contributions for health care.

“Both the Union and Liberty Lines management recognized the key issues that divided us – the cost of pensions and medical care – and we were able to resolve our differences and put our pensions on a firmer footing for the future,” Vice President Day told the Bulletin. “We were able to accomplish that and secure wage increases to deal with the increasing cost of living.”

“It was a hard fight, because we had the economy against us,” said Local 100 Administrative Vice President Angel Giboyeaux.

Local 100 President John Samuelsen praised the negotiating committee and the membership for a job well done.

Talks intensified after a two-week contract extension was agreed to on February 29 to avoid a strike. Unlike TWU Local 100 members working for New York City Transit, Liberty Lines workers are not covered under New York State’s Taylor Law which prohibits strikes by public employees. Joining Giboyeaux and Day in the talks on the Union side were Division Chair Bill Mooney and attorney Dick O’Hara among others.

“Working on behalf of a relatively small group of employees, we were able to preserve the soundness of medical and pension trust funds. This a major accomplishment,” Mr. Mooney said.



Liberty Lines members greet one another at an overflow membership meeting on the contract.



Vice President John Day said that both sides worked hard to address pension and health care issues.



Administrative Vice President Angel Giboyeaux, a career Liberty Lines Operator, said the union achieved a decent contract despite the tough economy.

The Union has enjoyed good relations with Liberty Lines management over many years, with both sides recognizing the high costs of medical insurance and the needs of working families who must make ends meet from month to month. Key to the discussions was the Union’s determination not to allow co-pays for medical procedures to rise by large amounts and to keep prescription drug costs low.

The Agreement must first be submitted to the TWU Local 100 Executive Board for approval, and then to the rank and file Bus Drivers and Mechanics for ratification. If approved, the agreement would run from March 1, 2012 through February 29, 2016. It provides for wage increases of 1.5% in the first year, 2.5% in the second year, 3% in the third year, and 3% in the fourth year. Pension benefits remain the same, with members eligible to retire at age 59 with 20 years of service. Co-pays for medical visits rise from \$15 to \$20 per visit for primary care doctors and from \$20 to \$30 for specialists. The employee contribution covering the health care premium will also rise. Tool money for Mechanics increases in \$10 increments from \$490 during the first year of the agreement to \$520 in the final year.

DEMOCRACY

R.I.P.

When five conservative members of the Supreme Court handed for-profit corporations the right to secretly flood political campaigns with tidal waves of cash on the eve of an election, they moved America closer to outright plutocracy, where political power derived from wealth is devoted to the protection of wealth.

—Bill Moyers, Preeminent American Journalist

By David Katzman

THE FACT THAT MONEY TILTS THE PLAYING FIELD AT ELECTION TIME IS not new. However, the amount of money tilting the field is changing, as are the pockets the money is coming from. These changes are big enough to spell a serious challenge to democracy as most people understand it.

A growing thumb on the scale

In the 1980 presidential election, candidates spent a record total of \$92.3 million. Twenty years later, in 2000, that figure had more than tripled to \$343.1 million. Just eight years after that, in 2008, the figure had nearly quadrupled again to \$1.325 billion.

Push and pull

Over the past three decades, a growing portion of income and even more, of wealth, has been concentrated in the hands of a few. This means that they have had that much more available

to spend protecting their income and their wealth. That is the push of money.

The lion's share of that money was going, directly or indirectly, to Republican coffers. In 2008, the Obama forces found a way to balance that. Using the internet, they were able to garner hundreds of millions of dollars from people giving as little as \$20 at a time.

Where is most of this money going? The largest part goes to advertising. Election advertising saturates the available media, and the available media have grown with the explosion of cable. This is the pull – the pull of advertising.

Citizens United

A 2010 Supreme Court decision fundamentally changed the rules of the game. In the case known as Citizens United, the High Court ruled that corporations could spend as much as they like on elections, as long as the money does not go directly to candidates. The money could go to supporting some candidates or to attacking others, as long as the spending was in the hands of an independent committee and not directly in the control of the candidate's campaign committee. These new committees are known as Super PACs.

Typical of the Super PACs is that a small number of big donors account for almost all their money. For example, donations over \$25,000 account for 97% of the total for the Super PAC associated with Newt Gingrich and

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?



SUPER
PAC



E. HARPER

DEMOCRACY R.I.P.?

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98% of the total for the Super PAC associated with Mitt Romney. Rick Santorum started out on a bit of a shoestring by their standards.

Newt's Financial Angels

A major share of donations to Newt Gingrich's Winning Our Future Super PAC has come from a single family, that of Sheldon Adelson, the 8th wealthiest person in the United States. Adelson, a Las Vegas casino magnate, is well-known in Las Vegas as a union-buster. He is also a rabid opponent of U.S. mideast policy, which holds that Palestinians as well as Israelis have the right to statehood.

For the period ending December 31, 2011, Winning Our Future reported \$2 million in large donations from a total of five donors. Three of the donors were Adelson family members.

During January, Adelson and his wife donated an additional \$10 million, helping to fill the Florida airwaves with anti-Romney attack ads, while Gingrich issued statements labeling Palestinians "an invented people."

Romney's Millionaire's Club

In contrast, the list of contributors to Romney's Restore Our Future reads like the roster of an elite club: eight individual donors (and two companies) gave \$1 million, one individual and one company gave \$750,000; eight individuals and one company gave \$500,000, while 54 individuals and 14 companies gave between \$100,000 and \$275,000. Figures from finance dominate the list, while real estate and energy are also well represented.

Santorum's Wyoming Connection

Rick Santorum started out on a bit of a shoestring, but thanks to his Super PAC buy, courtesy of mutual fund mag-



All three top GOP candidates for President have Super PACs funded by billionaire donors.

nate Foster Friess, he's closing the gap.

As the group approached Super Tuesday's primaries, the Super PAC, called the Red, White and Blue Fund, pumped \$257,000 into media buys for Santorum in Ohio alone.

At a Crossroads

Perhaps the most frightening list, however, belongs to Crossroads, a Super PAC devoted to right-wing causes associated with no particular candidate. The Crossroads list is heavy with private holding companies. Giving \$2 million each were Contran Corporation, a private holding company owned by Dallas billionaire Harold Simmons, and the Living Trust of Jerry Perenchio, chief executive of the investment firm Chartwell Partners. Weighing in with \$1 million each were Whiteco Industries, Inc., a billboard company, and Crow Holdings, LLC, a real estate investment firm headed by the Trammell Crow family of Dallas. Also represented on the list were two coal companies, Alliance Management Holdings and Alpha Natural Resources LLC, one of the largest in the industry.

Organized Labor's Response

The labor movement cannot go toe-to-toe with banks and corporations on the level of money. That is not our strength. Our strength is people and the connections among them.

What we can do is turn out an army of volunteers to get out the word and get out the vote.

The labor movement is taking a dual approach to the changes coming in the wake of the Citizens United ruling. The first prong is to be receptive to measures that could restrict the damage this ruling may do, possibly even to a constitutional amendment to that effect. Polls show that 77% of the American public opposes granting corporations the rights of citizens, so the books may not be closed on this issue.

The second prong is for labor to form its own Super PACs. A case in point is Workers' Voices, a Super PAC launched by the AFL-CIO. Workers' Voices is not going to give a penny to candidates nor spend a penny on advertising. Instead, it is all about mobilizing. It is distinct from traditional unions' PACs, which operate under more rigid rules but do give money to candidates.

The Citizens United ruling is every bit as dangerous as Bill Moyers warns. It delivers power to the corporations, and through them to the wealthy. By the same token, it threatens to disenfranchise the rest of us. Combined with other attacks on the right to vote, it will pose a severe test for the labor movement and other forces who think democracy belongs to the other 99% of us.

Local 100 President John Samuelsen addresses media at 2 Broadway after a bargaining session with MTA and NYCT.

MTA Continues To Demand 'State Pattern' In Contract Talks

TALKS ON A NEW COLLECTIVE BARGAINING AGREEMENT for TA/OA/MTA Bus members are continuing into the spring season with the MTA dug in on a “we have no money” theme, while Local 100 leaders have countered that the money is there to fund cost-of-living raises with no givebacks.

TWU Local 100 negotiators have rejected from the start the MTA's and Gov. Cuomo's position that the PEF and CSEA agreements – which delivered three years of zeros, then two years of twos, but undermined those wage gains with two weeks of unpaid furlough days and health care givebacks – must be the pattern for transit and all public sector unions.

President John Samuelsen pointed out early in talks that Local 100 took substantial layoffs in 2010 – a blackmail price the PEF and CSEA were not willing to pay – opting to accept the giveback contract instead. He also not-

ed that transit workers bring in huge cash revenues to the employer. That money makes everything possible. It not only pays wages but also secures the bonds floated by the MTA for their “mega projects.”

District Council 37 has taken a similar position to Local 100 that their members deserve cost of living increases to keep pace with inflation. But while Local 100's contract lapsed in January, DC 37 members have been without an agreement for nearly two years.

Another point made repeatedly by our team is the im-

Continued on next page



From left, union supporters of TWU's contract push, from left, LCLAA's Sonia Ivany, DC 37 Exec. Dir. Lillian Roberts, and RWDSU President Stuart Appelbaum.

MTA Contract Talks

Continued from page 11

portance of mass transit as an economic driver, something that was plainly acknowledged in Albany on February 13, when both MTA labor and management partnered with politicians and transit advocates for “Transit Awareness Day.” MTA boss Joseph Lhota and Local 100 President Samuelsen shared the stage there to urge the State Legislature to stop shortchanging public transportation across the state.

Local 100 is fighting the MTA’s “cupboard is bare” argument with several of our own. First off, Local 100 negotiators have identified a \$490 million “rainy day” fund (GASB 45 fund) that the MTA could draw down, at its discretion, to fund the contract and restore service. The City of New York is already drawing down on a similar fund to pay for current budget obligations.

Union negotiators believe additional revenue can be found in equalizing taxes between condo and co-op purchasers. One pays a real estate transaction tax to the MTA, the other doesn’t. Similarly, unincorporated businesses don’t pay the MTA any tax on profits, while incorporated businesses do. The revenue raised from these two tax deals would be an extra \$240 million – again, more than enough to restore service and put money on the table for the contract.

Since contract discussions heated up on January 15, with a rally outside the Sheraton Hotel and Towers, the principals at the main table have met several times. There has been progress on issues hashed out at Departmental conferences. Local President Samuelsen broke off negotiations briefly after management leaked crucial de-

tails of the talks to the Post and the Daily News, but then talks resumed after tempers cooled.

MTA negotiators have been denying that Local 100’s last contract set a pattern for other transit unions, while at the same time saying that the State giveback contracts are something we must follow. At the same time, Local 100’s objective is not to submit to arbitration, but to reach a bargained agreement without sacrificing hard-won benefits.



Local 100 members gather for rally Jan. 15 on the coldest day of the winter to cheer on TWU negotiators.



President Samuelsen addresses the Jan. 15th rally outside the Sheraton Hotel.





Local 100 negotiators, facing camera, meet with transit management for contract talks at Local 100 headquarters at 1700 Broadway.



Local 100 President John Samuelsen, right, with International President James C. Little at Jan. 15th rally.



President Samuelsen and the Black and Latino Caucus address a press conference in Albany where caucus members pledged support for contract efforts.

Events

Local 100 Members Never on the Sidelines



Celebrating Black History



TWU Local 100's Black History celebration took place just across the street from Harlem Hospital, and was Harlem-themed. It glittered with dancing, music, and great food. Transit workers turned out on a cool and misty night to party at the Lt. Joseph P. Kennedy Center, and heard some profound reflections on the legacy of slavery by Stations Department VP Maurice Jenkins, in addition to greetings and a keynote speech from prominent politicians who came by to show their support. The night's co-host was Local 100 Political Action Co-Director Curtis Tate, like Jenkins born and bred in Harlem.

Tate introduced former Manhattan Borough President C. Virginia Fields (photo, top left), also a child of Harlem and now Director of the National Black Leadership Commission on AIDS. Fields was honored by TWU Local 100 with a plaque, and after warm comments about the TWU, exhorted the audience to get involved in AIDS prevention. The disease, she said, claims one new infected person every nine minutes, and is highest among African-American and Latinos.

Maurice Jenkins then gave a warm, reminiscence-filled introduction to Amsterdam News publisher and Editor Elinor

Tatum (photo, top right), about growing up in Harlem and reading the paper for the news about African-Americans other outlets wouldn't print. Tatum then took the microphone and talked about the contributions of transit workers to Harlem and New York City, and the long friendship and support the paper has had from TWU.

Highlights of the evening included fabulous dancing by the Uptown Dance Academy and great R&B hits performed by the five-piece band, All World. A raffle was held and the grand prize winner was Bus Operator K. Wilkes of Fresh Pond Depot, who took home a 32-inch flat screen TV.

Local 100 President John Samuels, recuperating from surgery, sent greetings which were read out by Curtis Tate. In his remarks, Samuels said, "When TWU was founded in 1934, there were few Black employees in subways, and fewer still in bus...we fought against discrimination, and when the Civil Rights movement caught fire, TWU was there."



Local 100 Delegation Tackles Washington

A delegation from Local 100 traveled to Washington, D.C. recently to join with members of other TWU Locals to register the union's opposition to HR 7, the House-Republican

House legislators. Since then, the Senate has passed its version of the bill that keeps transit funding in, a victory for the union.

bill that would strip all federal funding for transit operating assistance. The delegation met with the International Union's political team and then hit Capitol Hill to meet

OA Emerald Honors Samuelsen, O'Brien

The MaBSTOA Emerald Society honored Local 100 President John Samuelsen, OA Maintenance Recording Secretary Danny O'Brien (photo right), and TWU Local 106 member and former Emerald Society President James Sampson at its 50th Anniversary Dinner-Dance on March 2, 2012. New Society President John Mullane, Bus Operator from Gun Hill Depot, presented Samuelsen with its "Man of the Year" award (photo left), while O'Brien received the "President's Award" for work on behalf of OA Emerald. Irish step dancers and the NYC Transit Pipe and Drum band (right) provided entertainment. Nearly 500 people attended the event.



'Ugliest Rat' Photo Contest Has a Winner

Michael Spivack, a 61-year old native New Yorker and an executive at a prestigious Manhattan-based architectural firm, was named winner of Local 100's "Ugliest Rat" photo contest, part of the union's "New Yorkers Deserve a Rat Free Subway" campaign.

Stations Vice President Maurice Jenkins presented Michael with his prize, a monthly Metro-Card, at a press event on Feb. 9, 2012 at 4pm outside the 7th Avenue station on the E, D, B lines where the photo was snapped. All photos in the contest were posted on the union's website for the campaign www.ratfreesubways.com.

The union launched the campaign against rats last Sep-



tember at Jamaica Center in Queens, at the time one of the worst rat offenders in the system. Union members have been collecting signatures on petitions from passengers demanding MTA action. Similar events have been held at Brooklyn Terminal, 149th Street and 3rd Avenue in the

Bronx 181st Street on the 1 and 14th Street on the 1. The MTA has already responded with a thorough cleaning at Jamaica Center, and by adding \$1.6 million in the new budget to add two additional work trains for more frequent refuse pickups. A new contest is underway and can be viewed at ratfreesubways.com.

Register Now for Summer Softball League

The MaBSTOA and TA Transit Softball League is in the process of registering teams for its 2012 Summer Softball League. Winning teams receive cash and trophies. Please call Dwayne Ruffin 646-529-4719 or Caddy Alvarado 347-582-7814 to get your team into the league. Employees of OA, NYCT, MTA Bus, NYPD, USPS and NYPD Traffic are eligible.

Retirees Must Sign Up for COBRA for Dental

If you're about to retire, please be aware that while you maintain health care, dental coverage is not part of the package. Please call Employee Benefits (347-643-8550) to request information on COBRA if you wish to continue dental coverage for up to 18 months after retirement.

IND Signal Retiree Event Set for April 27

The IND Signal Retirement Club announced that its annual event will be held April 27, 2012 at Marbella Restaurant at 220-33 Northern Blvd. Tickets for members and past retirees are \$65 (\$70 for everyone else). Retirees this year include Michael Mondella, Harry Narine, Michael Kelcho, John McLean and Oscar Etienne. For more information, call 347-643-7072 or 718-526-4511 8am-4pm. Checks should be made out to IND Signal Retirement Club, P.O. Box 670636, Flushing, NY 11367-0636.



DOL Orders Re-run Of 2009 TWU Convention Election

PURSUANT TO THE SETTLEMENT OF A LAW SUIT BY THE U.S. DEPARTMENT OF LABOR AGAINST THE INTERNATIONAL Union, the DOL is supervising the International Union's re-running of three elections originally conducted in 2009. After a complaint was filed with DOL, DOL determined that certain candidates were elected to International office and as Local 100 delegates even though they were not technically eligible to run under the language of the International's Constitution, which requires candidates to be in continuous good standing for a certain period of time before being nominated.

As many will recall, the union's dues check off was suspended for about two years as punishment for the short-lived strike of 2005. If check-off is not in place, under the International's Constitution, a member must pay his or her month's dues by the 15th of the month in order to be considered in good standing for that month. A payment after the 15th means the member is considered to be in bad standing for the month even though he paid his dues for that month.

During the period when dues check-off was suspended, members could either voluntarily authorize automatic dues deduction from a credit card/checking account or manually submit dues payments. Members who authorized automatic payment were considered to be in the same status as if they were on check-off by the employer, where the law requires that payments be considered timely if they are late through no fault of the member. Members who manually submitted dues payments, however, were considered late, and thus not in good standing, if their payment was made after the 15th of the month.

The computer system used in 2009 to determine eligi-



**Larry Cary, TWU Local 100
General Counsel**

bility made determining member eligibility confusing. For example, two people paying their dues on the same date could be considered in good standing or not for a particular month depending on whether they had authorized the union to make periodic deductions of dues from a credit card or checking account.

The DOL reviewed the dues payment history of every delegate and alternate delegate elected in 2009 and determined that about 55 candidates in that election were not eligible to run under the International's Constitution. Because there were not enough eligible alternate delegates to fill the vacancies of the ineligible delegates, there will be an election to fill 19 positions from nine divisions. If your division does not have an election it is because there are no vacancies to be filled, or it is because the di-

vision's membership decided at an announced meeting to assign its entire voting strength to the existing delegates.

Local 100 was not a party to the lawsuit between the International and DOL. The old and the newly elected delegates will participate in a mail ballot for the three International positions. No convention will be held.

In Memoriam

Paramjeet Singh Khurana, Shop Steward, Dies



TWU Local 100 Shop Steward and Station Agent Paramjeet Singh Khurana, 60, passed away unexpectedly on Feb. 8, 2012 of cardiac arrest. He was wearing a TWU Local 100 jacket and was in route to a Shop Steward training session in Brooklyn when he died.

Paramjeet was among those laid off in 2010 by order of former MTA boss Jay Walder. He was slated to return to work shortly and had been working as part of the TWU Local 100 outreach team at the Union Hall. He leaves a wife, college-bound son, and a daughter.

Maurice Jenkins, Vice President of the Station Department, said this about our fallen Brother: "Brother Paramjeet Singh Khurana was a true union activist. He attended all union rallies and activities and gatherings. Even when he was laid off, Brother Khurana continued to be a presence in the field fighting for his brothers and sisters. Brother Khurana, we salute you. You will be missed."

Dr. Stephen Levin, 9/11 Health Crusader, Passes



Dr. Stephen Levin, an occupational medical physician at Mt. Sinai Hospital who played a key role in exposing and understanding the deadly toxins that swirled around us on 9/11 and in the days following, passed away on Feb. 8, 2012. He was 71.

Dr. Levin devoted his life to worker health and safety and to the prevention of work-related illnesses, injuries and deaths. He may have known more about the health status of transit workers than anyone else. He was our "primary care doctor" for work-related health problems for decades.

Those he cared for would say that Dr. Levin understood that a physician's work does not stop at a diagnosis and a treatment plan. He fully supported our members in their sometimes life-and-death struggle for workers' compensation, pension benefits, and for their World Trade Center benefit. Often alone, he stood with us.

W E M O U R N O U R L O S S

Local 100 mourns the passing of the following Active and Retired members.

Kenneth Pelletier
Retired Car Maintainer
and former three-term
Executive Board member,
on January 27, 2012.

Paramjeet Singh Khurana
Active Station Agent
and Local 100
Shop Steward,
on Feb. 8, 2012.

James Burke
Retired MaBSTOA
Bus Operator
on April 15, 2011.

Ezequile Lorenzo
Retired Track Worker
on January 17, 2012.

George Powell
Retired MaBSTOA
Bus Operator
on January 22, 2012.

Frank Besignano
Retired Transit
Authority member,
on February 3, 2012.

Salvatore Criscuolo
Retired Car Inspector,
on January 12, 2012.

Clarence Jones, Sr.
Retired Transit
Authority member
on January 8, 2012.

Vincent Picardi
Retired Transit
Authority member
on December 30, 2011.

Jack Geldson
Retired TA Electrician,
on December 9, 2011.

Zinovy Tsesarsky
Active Car Inspector
on January 5, 2012.

Joanne Benn
Active Station Agent
on January 9, 2012.

Emmanuel Carriere
Retired Transit
Authority member
on December 23, 2011.

Felix Perez
Retired Transit
Authority member
on November 13, 2011.

Frank Ypil
Retired Transit
Authority member
on December 16, 2011.

Israel Stein
Retired Conductor
on December 22, 2011.

Rodney Miranda
Active
Station Agent
on November 11, 2011.

Richard Edwards
Retired Transit
Authority member
on November 27, 2011.

Angel Cortes
Retired Transit
Authority member
on December 14, 2011.

Samuel Allen, Jr.
Retired Train Operator
on December 2011.

Seymore Brown
Retired MaBSTOA
Bus Operator
on January 20, 2012.

Can Banks Be Bypassed?

By Alan Saly

IF BANKS ARE THE ENEMY, WHY ARE WE ENTRUSTING OUR MONEY and our mortgages to them? Well, let's take a step back. Banks provide valuable services in making transactions convenient, issuing credit, and financing large purchases. The problem comes when banks either don't deliver value to the 99% – such as minuscule savings rates for ordinary depositors but big payoffs for wealthy bondholders – or engage in activity that is repugnant to people with a social conscience. All the big banks are being investigated, for example, over allegations that they committed fraud in underwriting mortgage debt.

So is there an alternative to conventional banking, where the 1% don't get most of profits and stick it to the rest of us? A movement called citizen banking, in which "peer to peer" transactions match investor/lenders with borrowers, is growing quickly in the U.S. and Europe. Companies like Prosper and Lending Club are doing hundreds of millions worth of business that would formerly have gone to traditional banks. You can read more

on their sites or on www.lendstats.com.

Here's how it works: If you want to borrow money using a "P2P" company, you visit their website and set up a profile. The site assesses your credit worthiness and gives you a grade and an interest rate. On the other side, there's a lender who has money to invest and wants the returns – and accepts the risk your loan offers. As an article in "New Scientist" magazine put it "[Lenders] review borrowers'

profiles much as one might review profiles on a dating site, and can finance anything from \$25 of a requested loan to the whole thing."

With banks offering pathetic rates on savings account deposits, the idea of lending through a P2P site and getting returns of between 8 and 10 percent sounds pretty good. Borrowers, too, benefit, paying interest rates of between 6 and 20 percent, much lower than many credit cards. P2P lending is growing quickly, as companies figure out sophisticated ways to use data-mining techniques to figure out credit risk. The better these P2P firms get at gauging who is likely to default, the safer investors will be.

The beneficiaries of P2P lending and borrowing are the 99% of us, who get better interest rates than banks are offering. In effect, Joe and Jill Public get the profits, which instead would go to banker bonuses and bank investments in such things as real estate holdings and MTA bonds. These sites also distribute risk, so that the "too big to fail" trap cannot threaten the economy like it did in 2008.

Bypass the banks? It just might be possible.

Bank



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50 Years Ago, A Fight And the Birth of MaB

By James Gannon

This month marks the 50th anniversary of one of the most significant strikes in the union's history. More than 7,500 workers who operated the private bus lines in Manhattan and the Bronx walked off the job on March 1, 1962. The union had struck the lines twice before – in 1941 and 1953 – over contract disputes. But this strike was different. This one was for survival.

AMERICA WAS RIDING HIGH IN EARLY 1962. ASTRONAUT and future Ohio Senator John Glenn had just become the first American to orbit the earth. He did it not once, but three times in his Friendship 7 capsule on Feb. 20, 1962, thereby leapfrogging America over the Soviet Union in the race to the moon.

The economy was humming, with unemployment down a full one and a half percent in a year.

The nation was for the most part at peace. Yeah, there was the Cold War, and a growing number of American military advisors were in a faraway land called Vietnam.



Happy strikers emerge from mass meeting after voting to go back to work on March 22.



TWU President Mike Quill visits picket line along with Local 100 President Daniel Gilmartin (left) and TWU Secretary Treasurer Matthew Guinan.



Strikers have some picket line fun hanging owner Harry Weinberg in effigy and holding mock funeral for infamous attorney Roy Cohn.

for Survival STOA

But the Cuban Missile Crisis was still 8 months away, and ground troops would not be sent to Vietnam for another three years.

JFK and his beautiful First Lady were mesmerizing the world in rock star fashion. Gene Chandler's "Duke of Earl" was at the top of the pop charts, and "Lawrence of Arabia" got the Oscar for Best Picture over "To Kill a Mockingbird."

Yes, America was on a roll.

But there was trouble in the Bronx and Manhattan.

A new ownership group headed by Baltimore multi-millionaire (on his way to becoming a billionaire) Harry Weinberg had purchased Fifth Avenue Coach and Surface Transit private bus lines. Weinberg had made a name, and fortune for himself in real estate by purchasing and flipping privately held transit companies. His attorney was Roy Cohn, who had served as chief counsel to Sen. Joseph McCarthy's Senate Permanent Subcommittee on Investigations, during the infamous hearings in 1953 of suspected communists in government.

The pair made an impressive financial and legal duo. They set their sights on taking on TWU. *Continued on next page*

Below, strikers tell new owner on banner, "Nuts to You, Mr. Weinberg, This Isn't Dallas, Scranton, Honolulu," referring to other cities where Weinberg had flipped suffering systems for a profit after decimating service and contracts.



This striker brought wife and baby to picket line to underscore the effect on families.



Strikers pack the Manhattan Center for an update on negotiations.



After victorious strike, members and officers gather for a victory photo outside 5th Avenue Coach offices.

Birth of MaBSTOA

Continued from page 21

Weinberg announced a reorganization plan that included layoffs of up to 1,500 workers, elimination of most night and weekend service and a halt to pension payments. He also demanded that the City of New York approve a fare increase from 15 to 20 cents.

TWU retaliated by setting a strike deadline of 4:30 P.M. on March 2, 1962 to combat Weinberg's "drastic attack on job security, seniority, pensions, working conditions, health and welfare plans and other contract benefits."

TWU International President Michael J. Quill told a cheering, St. Nicholas Arena on Feb. 21, 1962: "the company's management is not our business – ours is to protect our members... if this management terminates one job, we'll strike, and we'll ask all labor to support us."

Then Local 100 President Daniel Gilmartin echoed Quill's militancy, declaring, "if even one man goes, everybody goes... if this new management needs to learn what 'one for all and all for one' means in TWU, then we'll teach them."

TWU International Secretary Treasurer Matthew Guinan piled on, calling Weinberg "a real estate operator who has built a multi-million dollar empire on the ruins of transit systems in Scranton, Dallas and Honolulu," and he warned, "you now face the full strength of the Transport Workers Union, if you tamper with one TWU member."

On March 1, 1962 Weinberg followed through on a threat to fire 29 senior workers, all just months away from a pension. Union members didn't wait for the strike deadline. They immediately walked off the job.

During the strike, nearly 5,000 members turned out for a mass meeting at the Manhattan Center that only held 3,500, to hear Quill declare: "Weinberg met his match when he came to New York and took on Local



Weinberg fired 29 senior drivers nearing their pensions on March 1 prompting an immediate walkout by the union.



President Mike Quill holds striker's child aloft at mass membership meeting, asking "what kind of world is in prospect for our children?"

100. The only think left for him to do is run a ferry down the Hudson."

Quill viciously attacked Weinberg and Cohn in the press. He challenged Weinberg (who declined) to a TV debate. Quill showed up alone with an empty chair and sign declaring, "Reserved for Weinberg"

Members walking the picket lines also took their shots at the notorious duo, hanging Weinberg in effigy, and holding a mock "funeral" for Roy Cohn complete with a makeshift coffin and dummy body."

While the membership held firm on the picket lines, the union's officers were negotiating a settlement with Mayor Robert F. Wagner.

With TWU support, the City wrested control of the private lines from Weinberg. On March 22, the strikers voted unanimously to go back to work – with all jobs and benefits intact – under a newly created subsidiary of the Transit Authority known as the Manhattan and Bronx Surface Transit Operating Authority, or MaBSTOA.

Quill had made good on his promise that, "Weinberg will find out that this isn't Scranton, or Dallas or Honolulu."



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