



# MABSTOA



# DIVISION

## BUSINESS

From the Desk of Donald Yates, VP, MABSTOA

January 2023



*Together we make a difference in all things.  
We often ask what does unity look like?  
I say doing everything possible to support each other  
regardless of differences in opinion. .*

— Donald Yates, MaBSTOA VP

## GUNHILL SHOPGATE

### Lightbourne, Brown Address Members

Gunhill Depot will always be a special place for me because I started my career working the Bx55. The Chairman at the time was Rosie Allen, who instilling coming to union meetings and functions as a way of strength and dignity for his membership. I learned that fast. There was a code that had to be admired — unionism. — Donald Yates, OA VP

In true form, Chris Lightbourne, Member Services Director, informs the membership about the many issues dealing with

In true form, Chris Lightbourne, Member Services Director, informs the membership about the many issues dealing with health and wellness, such the requirement for members with high blood pressure to fill out DMV forms on revisits. Chris sets up the Wellness Fairs at many depots which are an opportunity for all of us to learn good health practices.

Tom Browne, Depot Chairman at Gunhill, gives us updates on the fights which are going on at the depot. At our shopgate, he spoke passionately about Dispatchers who enforce policies, yet break the policy themselves.





# MTA WANTS TO PRIVATIZE TPPA WORK 130 LIVINGSTON — UNION SAYS, NOT SO FAST!

The Transit Authority has informed local 100 through a letter that they are privatizing certain jobs at 130 Livingston Street and will conduct a pick for those TWU members who currently work out of that location, with the intention of having them pick jobs that are outside of the facility.

In response, Tony Utano, Union President at the time this violation occurred, filed a Grievance rejecting the Authorities position. The Local 100 titles that occupy and work to facilitate operations in the building are TPPA's from OA/TA and MOW.

TPPA OA Chairman John Rivera has done his part to prove that we have a history of picks assigned to the facility. The Union has a Vapor Award decision from 1986 that challenged unreasonably removing bargained work. Our grievance in essence is that work traditionally performed by bargaining unit employees is — with very few exceptions — reserved to the bargaining unit, and this is an essential element of the collective bargaining contract.

An arbitrator heard this case as we went to press and briefs from the Union and Management are due January 17, with a decision to follow. Stay tuned.

## GRIEVANCE UPDATE: AMENDMENT TO MABSTOA DISPATCHERS' TEST

I argued a grievance protesting Transit's amending a Notice of Examination to allow Transit Support Coordinators to take the promotional exam for Surface Line Dispatcher in MaBSTOA (Exam #3208). I opened up with some history of the contractual mirrors that exist between MaBSTOA and the NYCTA, including mirroring our pension provisions and promotional testing, which under NYCTA is done through DCAS under civil service law.

I wanted to avoid the TA arguing that this grievance wasn't properly before them, as they did last November when this case got removed from the arbitration docket and sent back to Step 2. Management representatives didn't offer much of an argument — just a denial without any basis in fact. Stay tuned!

### Pick Rights Under MJQ Construction

We filed a grievance to protect pick rights in the wake of an upcoming MJQ Depot construction project. Our position is that the TA is required to accept a full consolidated pick. They want Manhattan only. Stay tuned.





# INSIDE THE SURFACE LINE DISPATCHER GRIEVANCE

by Donald Yates, OA VP

For as long as MaBSTOA has existed, promotions to Surface Line Dispatcher have been a promotional pathway for MaBSTOA bus Operators. The notice of examination for Exam 3208 originally opened on August 1, 2022 and reopened on October 1, 2022 to allow Transit Support Level 1 and Level 2 Coordinators to participate in the promotional exam. A past practice grievance has been filed against NYCTA/Mabstoa and their exam unit.

The position that I hold is very clear. Bus Operators have only one promotional pathway, and usually, when a Bus Operator is borderline regarding the criteria, it is Local 100 that helps push for their promotion.

The Transit Support Coordinators were Traffic Checkers promoted to supervise Traffic Checkers. Sorry to report that most of my Checkers have received unjustified and unfair write-ups from these very same support coordinators.

When I investigated how this group had been allowed to participate in the promotional exam, I learned that the former President of TSO TWU Local 106 made some kind of secret agreement with NYCT brass. I cannot let this stand without a fight. Local 100 should have been at the table to see if we would approve this change to the exam criteria, but we weren't. So now the grievance procedure has been invoked and possible action court as well. Stay tuned.

**CONTRACT INTERPRETATION GRIEVANCE FORM**

Grievance Number: \_\_\_\_\_ Date Submitted: 10-10-2022

Union: TWU Local 100 Union Representative: Donald Yates

Employee: Donald Yates Title: Bus Operator Dept: Mabstoa Pass: M23504

Employee's Mailing Address: 195 Montague Street Brooklyn NY 3rd Floor

Employee Signature: *Donald Yates* Telephone Number: 212-873-5000 x2013

Cite Contract Section Number, Written Rule or Resolution of the Authority violated: \_\_\_\_\_

Statement of Facts, include date(s) of occurrence: \_\_\_\_\_

Remedy Sought: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

**MaBSTOA**  
Manhattan and Bronx Surface Transit Operating Authority

**Amended – October 1, 2022**  
**Notice of Examination**  
Promotion to Dispatcher (Surface Transportation)  
Exam No. 3208

Application Deadline: October 14, 2022

Application Fee: \$88.00

Type of Test: Multiple-Choice Test

Multiple-Choice Test Date: (subject to change)  
Saturday, February 11, 2023 or  
Sunday, February 12, 2023

Note: Unless otherwise specified, you will be randomly scheduled to test on one of the dates indicated above.

This Notice of Examination was amended on October 1, 2022 to include Transit Support Coordinators as an eligible title. The filing for this notice will re-open from October 1, 2022 through October 14, 2022. Those who already applied do not need to re-apply.

**JOB DESCRIPTION**  
Dispatchers (Surface Transportation), assign Bus Operators to their runs; direct the dispatch and movement of buses within the assigned sector; handle unusual occurrences in service; and determine ways to minimize delays; ensure the observance of rules and procedures pertaining to bus operations; make computations relative to bus schedules, earned pay hours and leave allowances; investigate accidents, unusual occurrences and operational equipment failures; ensure revenue security; keep time records, prepare reports, communicate via radio or telephone with Bus Operators, other Operators, other Dispatchers and the public. They also operate Authority vehicles on the road or in the yards, when required, and perform related work.

Some of the physical activities performed by Dispatchers and environmental conditions experienced are using a keyboard to make entries into a computer; standing outdoors for an extended period of time in all weather conditions; walking between and inspecting parked buses while being alert for the movement of arriving and departing buses; and communicating via radio or telephone with Bus Operators, other Dispatchers and the public.

**READ CAREFULLY AND SAVE FOR FUTURE REFERENCE**  
Application Period Closed: October 1, 2022

At the annual event, OA VP Donald Yates addresses our Bus Operators on the importance of remembering

## KB HOLDS "NOT IN SERVICE" MEMORIAL BBQ

The original idea behind Not In Service was to give a BBQ to the newer members who couldn't attend functions because they didn't have Saturday and Sunday RDO's.

Felix (Flex) Olivo started this event in several places to make it easy for them to show up. With the assistance of the Kingsbridge team, the event was moved to the back of the Kingsbridge bus annex, where a small park area exists. This particular function has been going on since 2017.

Once our members suffered at the hands of COVID-19, and the death toll rose to incredible levels, the event became an annual memorial for all the members who were lost, whether from COVID-19 or other causes.





# MABSTOA MAINTENANCE



MaBSTOA Cleaner Helpers, P&E Workers, Maintainers, and Tow Truck Operators do a lot to help us. Here's some of it.

Our MaBSTOA Maintenance Department is made up of many professionals who are the backbone keeping things going within our Manhattan and Bronx Depots. Our Plant and Equipment workers are skilled in every aspect of electrical repair, construction, plumbing and many other skilled jobs.

Our Maintainers fix and diagnose problems with the buses, operate road trucks, and respond to road calls. If needed, we have tow truck operators who tow buses that are either unsafe to operate or won't operate at all. In addition, we have bus cleaners who are responsible for cleaning the interior of our buses and cleaner helpers who, in addition to cleaning buses, operate sweepers and forklifts to rid garbage from our locations.

This isn't all — but space doesn't allow us to list all the additional functions done by Maintenance. Suffice it to say that they are a critical lifeline for MaBSTOA.



# MABSTOA GENERAL PICK HELD AT TUSKEGEE BUS DEPOT IN MANHATTAN



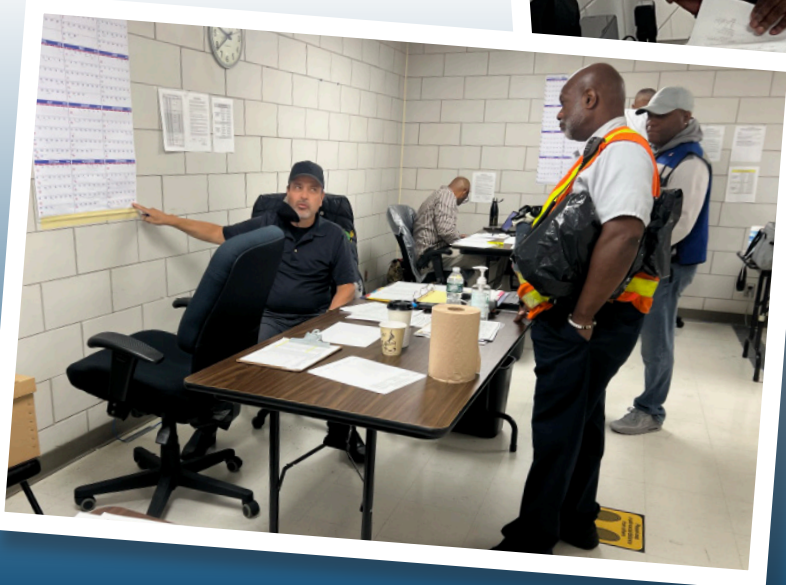
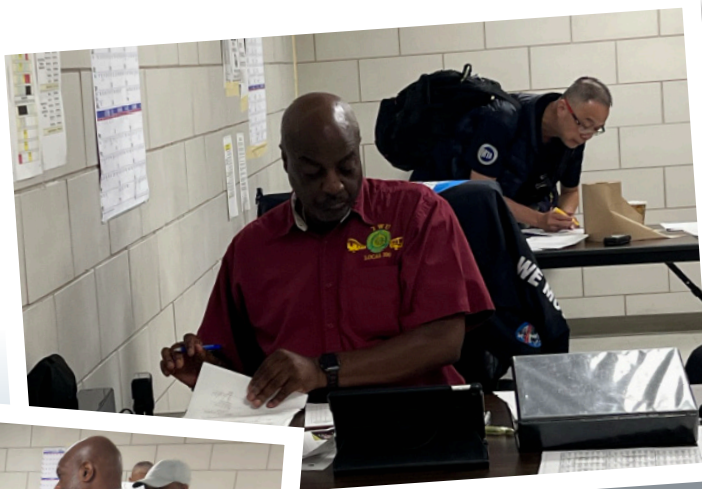
## DUTY AND FUNCTION OF THE UNION AT THE PICK

primary function of the union at any pick is to make sure your to pick is enforced. Your right to view the pick board is paramount, and protected by years of arbitration decisions and past practice.

fore any system pick takes place, the Union meets with the Chief Transportation Officer to go over the pick calendar and the rules. We will negotiate items such as how to treat Operators are considered no picks and what procedures are taken to change their status.

pick rules are meant to be a guide, however there are scenarios where the union may have to stop the pick based on disagreements over those rules. Other issues may include what remedies we have when a depot support service manager tries to the resources needed to enforce the procedural portion of the The Authority has to give the Union pick cars in the Bronx, and

Management has tried many times to attack the MaB-STOA portion of the consolidated pick, claiming that it's not cost effective for them. Historically MaBSTOA operators in the 80's and 90's were pulled off the road to pick. This was challenged with a resulting arbitration decision coming down in the union's favor. You can count on us doing the utmost to protect our pick and pick practices.



# FOCUS ON OUR TRAFFIC CHECKERS

by Donald Yates, OA VP



Traffic Checker Chair Consuela Williams with Members of the SPC Group

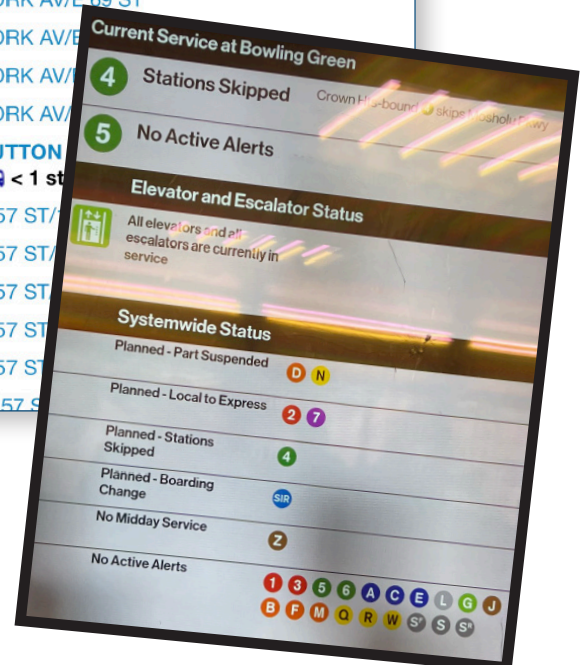
Traffic Checking Operations alerts the riding public of service changes such as General Orders. (GO's) They put up signs explaining when train service is scheduled to be interrupted due to track maintenance or other issues. That means shuttle buses will be dispatched to cover the area.

But Traffic Checkers also do a lot more. Their job responsibilities include, for instance, Guide-A-Ride changes, which are known as Bus Stop Management, the delivering of inter-office mail to 2 Broadway, and data entry. Their data entry group has special assignment jobs which are completely protected by our contract. In fact, they have iron-clad jobs which the TA cannot touch, but often want to do away with.

Traffic Checkers face high levels of discipline and they are also our lowest paid group of members. That's why we offer them special access to our apprenticeship training programs. They're also facing a challenge from advancing technology which has already changed jobs in transit, with electronic signs replacing standard signs and OMNI swipe systems. We are battling with the TA on creating pathways to more jobs for these members, and it's a continual struggle.

## M31 to CLINTON 11 AV via 57 ST

- **E 92 ST/YORK AV** 🚗 at stop
- YORK AV/E 91 ST
- YORK AV/E 88 ST
- **YORK AV/E 86 ST** 🚗 approaching
- YORK AV/E 84 ST
- YORK AV/E 82 ST
- **YORK AV/E 79 ST**  
🚗 at stop, ~19 passengers on vehicle
- YORK AV/E 77 ST
- YORK AV/E 74 ST
- YORK AV/E 72 ST
- YORK AV/E 69 ST
- YORK AV/E 66 ST
- YORK AV/E 63 ST
- **SUTTON**  
🚗 < 1 st
- E 57 ST/
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# OUR FIGHT AGAINST BREAST CANCER

The American Cancer Society was founded in 1913 by ten doctors and five laypeople in New York City. At that time it was called the American Society for the Control of Cancer (ASCC), and a cancer diagnosis meant near-certain death. Rarely mentioned in public, this disease was steeped in fear and denial. Doctors sometimes did not tell their patients they had cancer, and patients often did not tell their friends and families that they had been diagnosed with it.

The Society's founders knew they had to raise public awareness about cancer if progress was to be made against this disease. Despite the enormity of their task, our founders and their colleagues set about writing articles for popular magazines and professional journals; publishing Campaign Notes, a monthly bulletin of cancer information; and recruiting doctors throughout the country to help educate the public.

It was in these early years that the Society first used its now-iconic Sword of Hope symbol, which today is part of the organization's logo. The sword came from a 1928 nationwide poster contest sponsored by the ASCC and the New York City Cancer Committee. George E. Durant of Brooklyn won the contest, receiving a first prize of \$500. He selected the sword to express the crusading spirit of the cancer control movement. The twin-serpent caduceus, which forms the handle of the sword, emphasizes the medical and scientific nature of the Society's work. Classically, twined serpents represent healing of the sick and creativity of the healthy.



TWU Local 100's role in the cancer walk is to bring awareness and raise money to help fight this terrible disease. Like any fight the union takes on, it's all about winning the battle. In years past, this walk took place in three places in our city — Brooklyn's Prospect Park, Manhattan's Central Park and the Bronx's Orchard beach. The pandemic put a damper on such gatherings. This year's cancer walk took place in Central Park and at the Bay Plaza Shopping Center in the Bronx. The event captured a significant amount of support that we would like to see continue.

Many suffer from cancer in silence and are afraid to come forward. TWU has such members suffering as well, or who are experiencing the suffering of friends or family. The Cancer walk is a community movement that we are committed to.



# UNION CELEBRATES LEGACY OF MLK



**Local 100 officers including MaBSTOA reps joined with TWU locals from around the country in a parade and service projects at a food pantry in Houston. Also attending were Local 100 President Richard Davis and Secretary-Treasurer John V. Chiarello.**

## Wednesday, Dec. 14, 2022

TWU Local 100 President Tony Utano – whose career as a union leader has spanned four decades – announced he was stepping down from the top position this morning. The Executive Board overwhelmingly voted to elevate Secretary-Treasurer Richard Davis to the presidency.

Utano, who has served as president since 2017, and was previously the Vice President of the Maintenance of Way Department, said he wants to spend more time with his family and enable a new generation of leaders to lead. Utano will continue to serve as Executive Director.

The Executive Board also voted to promote MOW Vice President John Chiarello to Secretary-Treasurer. Structures Chair Richard Rocco was named MOW Vice President.

In a statement to the membership, Davis said: "I'd like to thank the Executive Board for this honor. Thank you for putting your faith and trust in me to lead our union forward. And that's exactly what I intend to do - move us forward and make this great union even greater."

"My mission is to build a better, stronger, more unified, and more effective TWU Local 100 that has an administration that is focused on you, the membership."

"I promise to work tirelessly on your behalf and put your needs first. I will never stop working to make improvements on multiple key fronts, including safety, job security, your quality of life and your ability to take care of your families."

"Priority number one is gearing up for our upcoming contract fights at the MTA and at our private bus and school bus divisions. I will be immediately sending teams into the field as part of an internal organizing and membership outreach campaign. I believe it's vitally important that your voices be heard as we chart a course for the future. We also must be ready to mobilize to face any obstacles that are placed in our way."

"You have my commitment to lead, to serve, and to fight."

Thank you,  
TWU Local 100 President Richard Davis"

Davis, 53, joined NYC Transit as a Bus Operator at the age of 26. His first union position was chief line steward. He was elected MaBSTOA Division 1 Chair in 2004, then Vice President of the Department in 2014. Davis became Secretary-Treasurer in May following the retirement of Earl Phillips.

Utano, 60, joined NYC Transit in 1980 as an Electrical Helper at the age of 18. He was elected to his first union position the following year. He never lost an election, serving as Section Vice Chair, Section Chair, Division Chair and Vice President before becoming President in September 2017.



Richard Davis  
President

John V. Chiarello  
Sec'y Treasurer

Latonya Crisp  
Recording Sec'y

Lynwood Whichard  
Administrative VP



SCAN ME

STAY CONNECTED

**TWU Local 100 has a new and easy way to keep up to date on union news, activities, events, services – and opportunities. It's called Linktree.**

Scan the QR code and you'll see what our Communications Department has created: a digital space where you can access Local 100's monthly recap videos; sign up for events like Indian-American Day, the African-American Day Parade, and Family Day; update your contact information with the union and the MTA's Business Service Center; review job pick info when it is posted periodically, and more. Make sure you check it out!