

Contract 2012 Campaign Underway · See Page 9

As I Was Saying JOHN SAMUELSEN, PRESIDENT

A Good First Half to 2011

arbitration and in the workplace. TA, OA and MTA Bus members have received their retroactive three percent pay as well as the retroactive rollback of health care deductions to a flat 1.5 percent on 40 hours. This was all made possible by our victory in late March in the New York State Court of Appeals. But the best news is the resignation of MTA Chair Jay Walder. Unfortunately for Hong Kong's transit workers, they will soon be dealing with his anti-worker agenda.

Advances in Albany

We had a very successful session in Albany with the passage of the "lock box" bill. Most pundits told us the bill would never pass. Well they were wrong. But for sure, passage of the "lock box" bill proves that Local 100's new political action program is on the right track. We have forged never before seen relationships within NYC's communities, with transit advocacy groups, and with other public transit unions across the State.

Contract 2012

Nearly 5,000 Local 100 members responded to our contract survey, both on-line and by filling them out at the workplace. This impressive number demonstrates that Local 100 members are already engaged in the contract process. TWU Local 100 is approaching perhaps the biggest fight in our union's history. Powerful forces that go beyond the MTA are determined to strip us of our ability to provide for our families. If we are to prevail and defend our livelihoods, the membership must remain fully involved and be prepared to fight.

Big Wins at Arbitration

We won three major arbitrations in recent weeks that will have long-lasting and positive consequences for Local 100 members. We first scored a critical win for CED Cleaners against a management attempt to dramatically broadband the scope of terminal cleaners' work. Of course, the MTA is already trying to ignore this award. The union will continue fighting for the Cleaners with every means at our disposal.

We also scored an important win for RTO members regarding overtime caps. The third win – the College Point grievance that is fully described in a piece elsewhere in this issue of the *Bulletin* underscores our Bus Operators' right – and responsibility – to refuse to take unsafe vehicles on the road.

Bus Operator Safety

The vicious and unprovoked assault of Bus Operator Marlene Bien-Aime in the Bronx vividly demonstrates why transit work is among the most dangerous in the City. Our Bus Operators are assaulted at the rate of three per week. This must and will end under my watch.

In addition, the torching of a Station Agent's token booth in Brooklyn on June 29 should surprise no one. The tough economy and high unemployment means more crime in the subways. Couple that with the fact that the MTA has virtually put our Station Agents on an island making a revenue booth appealing to thugs. Hopefully, this was just an isolated incident, and not the start of a new crime wave.

Bus Safety Inspections

TWU Local 100 has now fully established our intention to continue to conduct 19a inspections on the MTA's buses prior to use in passenger service. These inspections are an extremely

important element in Local 100's program to enforce workplace safety. Transit work is incredibly dangerous, and incredibly stressful. Despite the attitude of some bosses, we are not here to be beasts of burden in a never-ending quest for more production, or to risk our health and safety in the pressure filled drive for on time bus and train performance. We work for the MTA to provide for our families, plain and simple. Under my administration, safety will continue to be one of our highest priorities.

Transport Workers Union of Greater New York, Local 100

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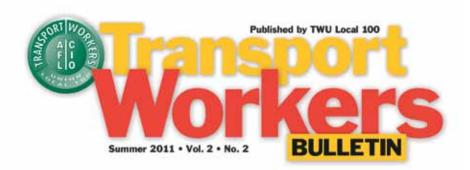
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Lock Box Bill Faces One More Test

One of Local 100's top legislative priorities, the Lock Box bill, was unanimously passed by both houses of the State Legislature in June. The biggest hurdle though, the Governor's signature, still blocks the way.

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Contract 2012 Campaign Kicks Off with Member Survey

More than 5,000 members returned contract surveys recently as part of the first step toward a new collective bargaining agreement.



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Cover Story Mobile Wash Crews Come Out at Night

When the City sleeps, Station Cleaners on the Mobile Wash teams are working hard to keep the system's stations clean.



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MTA Needs a New Head

MTA Chair Jay Walder said good bye to New York and hello to Hong Kong. He's abandoning his post with four years left on his contract.



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5 AWARDS IN ALL!

Bulletin Takes 1st Place in Labor Journalism Contest

day he got his 3,000th base hit. Local 100's Communications Department also went five-for-five in the Metro New York Labor Communications Council's annual Journalistic Awards Contest covering material published in 2010.

The Transport Workers Bulletin, Local 100's quarterly magazine, received a First Place award in General Editorial Excellence in the category of publications with circulations in excess of 25,000.

We also received a first place award in Unique Performance for the Jay Walder Postcard (Greetings from the South of France). Union members handed out thousands of the cards to passengers to demonstrate the disconnect between MTA Çhairman Jay Walder, who was vacationing at his summer home in France at the time, and working class New Yorkers who depend on public transportation.

The Metro Council honored us with a Second Place award for the best E-Newsletter (a weekly update e-mailed to everyone on the union's e-mail list).

Another second place award went to the Department for the back page of the Bulletin's May 2010 edition, which poked fun at Jay Walder's personal contract and golden parachute with the MTA.

Finally, the Council awarded us a Third Place finish in General Excellence for the Local 100 website.

After New Bus Operator Assault:

Union Presses Drive To Get Bus Shields

JUNE 21 BROUGHT THE FIRST DAY OF SUMMER AND A BRUTAL ASSAULT on Marlene Bien-Aime, a Bus Operator on the Bx9, who was sucker punched, pulled out of her chair and dragged down the stairs of her bus by an enraged teen who wanted to bring an un-caged dog aboard.

The attack put a spotlight on the MTA's failure to move more quickly on the issue of bus safety shields for operators. The shields, in use in many other cities and countries, would stop a sudden attack on a Bus Operator.

After the assault on Marlene Bien-Aime, Local 100 President Samuelsen took steps to speed up the process of getting the shields in place. He named MABSTOA Division II Chair Frank Austin to run the Union's Bus Operator Action Committee (BOAC). Austin replaced Secretary-Treasurer Earl Phillips, who is now devoting his full

Photo shows bus protection used in places like Lisbon, Portugal and Athens, Greece.

energies to his duties as chief financial officer.

Even though the installation of bus safety shields, or partitions, has been agreed upon by the MTA and Local 100, installation has been moving very slowly. Local 100 divides these installations into three categories – the retrofitting of buses which are already in

service, the modification of buses in the procurement pipeline scheduled for delivery, and design specs for bus shields in new purchases.

Right now, hundreds of buses are being retrofitted with safety shields at Flatbush depot in Brooklyn. Buses which are in the procurement pipeline – the Nova 3 articulated buses – will

3 articulated buses – will also be equipped with driver protection shields, although the union has concerns that the material

making up the Plexiglas that is part of the protective barrier is not strong enough. The best possible shield, the union contends, incorporates a clear window which the driver can slide down if threatened but which also **Bus Operator Marlene** Bien-Aime shown (above) outside Bronx Courthouse prior to giving testimony; (left) in the emergency room after attack, and (below) with nasty shiner. She received black eye, broken nose and assorted bruises. Her attacker was arrested and, in mid July, was indicted on the assault charges.

makes communication easy with the riding public. Another feature the union wants is a driver exit window on

the left side, similar to passenger exit release windows.

If you have concerns about Bus Operator safety, Frank Austin can be reached at the Union Hall at 212-873-6000 ext. 2038.

State Legislature Pa

RELUCTANT CUOMO HOLDS KEY

TWU LOCAL 100's YEAR-LONG CAMPAIGN to win a "lock box" bill to insure that

dedicated transit funding be used exclusively for that purpose is rounding third and heading home. Only Gov. Cuomo can stop the bill from scoring now. Members of the Governor's

staff earlier indicated that he

has reservations about signing the bill. As this edition was going to press, the bill's future was still undecided.

The margin of victory in both the State Senate (which passed the bill first) and then the State Assembly, was an impressive victory for TWU and the bill's many supporters: unanimous

Gov. Cuomo has expressed reservations about the lock box bill.

approval in both chambers.

What mattered most in the victory was getting the bills out of committee on the way to floor votes. That's where our political action team under the direction of Marvin Holland and Curtis Tate, stepped up to the plate with some old-fashioned union power.

Tracking back to the beginning of the year, the Lock Box drive started to gather steam on Valentine's Day, when we partnered with Transportation Alternatives and the Straphangers Campaign to bring riders postcards with QR codes that sent a message to legislators: transit funds must be dedicated to transit.

Fresh in the minds of the public and transit advocates were the 950 TWU Local 100 layoffs of 2010 – the result of the diversion of \$260 million in transit funding to fill bud-

get holes. Citizens knew a lock box would be a barrier to more service

Revitalizing the MTA Labor Coalition, Local 100 and other transit unions brought 1,500 members to Albany on March 29, with the lock box our main priority. Those addressing the united unions included State Comptroller Thomas DiNapoli.

A May 23 press conference in the Times Square subway complex resulted in renewed commitment to the lock box from bill sponsors Jim Brennan (D-Park Slope) and Marty Golden (R-I-C – Bay Ridge). Both vet-



eran legislators were not afraid to take up an issue that is perceived to limit the Governor's power over the budget process.

The final push came on June 15 when the Local 100 Executive Board went to Albany to meet with key legislators just as the deals were being done to approve the final State budget. As the political process in Albany moved into its final stages, most of the news coverage was about the high-profile fights to preserve rent control regulations and pass gay marriage. Under the surface, however, the lock box moved forward, with the State Senate acting on June 22 and the Assembly bringing it to a vote on June 24.

After the important win, Local 100 issued a joint statement with the Straphangers Campaign and Transportation Alternatives. It also quoted

sses "Lock Box" Bill





Assemblyman Brennan and State Senator Golden. President Samuelsen called the lock box "not only a win for public transportation, but for good government. It also demonstrates that transit workers, teaming with transit riders and responsible legislators make a winning combination."

Times Square press conference (photo middle) with sponsors, Sen. Golden (far left), Assemblyman Brennan (far right) and Local President Samuelsen (2nd right); above. Albany lobby effort with Booklyn TWU officers Tony Untano, Joe Sclafani, Dennis McCormick and John Chiarrelo, with Assemblyman Peter Abbate; (photo left), Valentines Day "card" to Albany event.



State, Local Governments Seek 'Shared Sacrifice,' i.e...

They Want Public Employees To Share All the Sacrifices

By David Katzman

FURLOUGHS, ZEROES, CO-PREMIUMS, THIS IS THE LANGUAGE OF COLLECTIVE bargaining in the public sector. Public employee unions are going through a difficult period, and it is showing at the bargaining table.

We are not speaking here about states like Wisconsin, where Tea Partyinspired governments are dismantling the right to collective bargaining. In those places, pensions and health coverage are under the gun, but not at the bargaining table. There is no bargaining table.

However, the assault on public services and on public employees is not limited to those states. Years of tax cuts for the well-to-do have made many state and local government budgets vulnerable. The rich and powerful have decided that what we need now is "shared sacrifice." Apparently they mean sacrifice shared between the unemployed and public employees, since the rich themselves aren't giving up a dime. These pressures are showing themselves in places like New York.

CSEA, representing 66,000 state employees in New York, has tentatively agreed to a five year-contract. This agreement came under the threat of

thousands of lay-offs. It would effectively reduce pay the first two years and then return to zero, offering a 2% increase only in the final two years. Co-premiums on health are significantly higher. In exchange, there is some limited job protection. (See sidebar.)

Less than a month later, the 56,000 member Public Employee Federation initialed a similar agreement. This agreement, too, is pending ratification.

If these contracts are ratified, it is likely that they will be claimed as a pattern.

What about transit?

The economics of transit are different from these cases. The political atmosphere around us, however, is not.

The MTA is composed of revenuegenerating operations, and NYC Transit generates the most among them and - after bridges and tunnels, which turns a profit – is the least subsidized.

While "shared sacrifice" is hypocritical doubletalk, that doesn't mean it hasn't gained influence. A large part of the public feels pinched by the crisis and its fallout. Even if they understand that Wall Street is to blame, that doesn't mean they are immune to ideas that we should be sacrificing.

With 35,000 families to protect, our union doesn't take this lightly. You don't beat back a tidal wave by huffing and puffing. We have been working hard in Albany. We have been developing our ties with community groups, rider advocates and other labor unions. And we have been making sure that work rules are followed scrupulously, safety rules above all.

Cuomo Slams State Workers

Here's a look at the recent agreement between the State and CSEA

Furlough Days	Additional Payments
0% 5 days (equivalent to a 2% cut)	
0% 4 days (equivalent to a 1.6% cut)	
0%	\$1,000 lump sum
	Made in two
	payments: \$775
	and \$225.
2%	
2%	1.6% lump sum*
2-13 furlough days	
	0% 5 days (equivalent to a 2% cut) 0% 4 days (equivalent to a 1.6% cut) 0% 2% 2%

Health Co-premium

Grade 9 and below 12% individual (up from 10%)

27% family (up from 25%)

Grade 10 and up 16% individual (up from 10%) 31% family (up from 25%)

Layoffs

- No layoffs due to current deficits
- Layoffs possible due to restructuring & facilities closures
- Layoffs possible if revenues take a further unanticipated hit

Contract Fight Underway

Create H.A.V.O.C. and More H.A.V.O.C.

By Steve Downs, Executive Board Member Chair, Contract Working Group

THE RECENT SURVEY OF MEMBERS TO HELP DEFINE THE UNION'S PRIORITIES for contract bargaining was just the first of many opportunities for Local 100 members to **Have A Voice in Our Contract.**

In the fall, members will be able to shape the demands for their titles at their Division meetings. Special contract meetings will be called as needed to report from bargaining sessions and to get feedback from the members. And, where the last two contracts were determined by an arbitrator, this administration is determined to give the members the final say on the contract through a membership referendum.

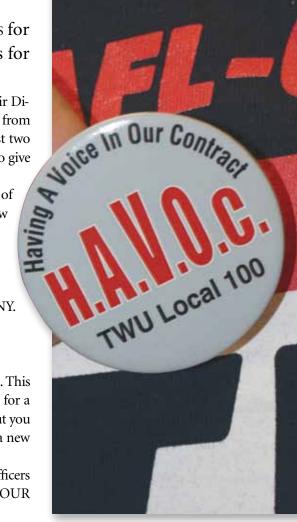
Having a voice inside the union is important. Making yourself heard outside of the union is, too. The MTA, Mayor Bloomberg and Gov. Cuomo need to hear how determined you are to defend your wages and benefits.

To Have A Voice in Our Contract:

- Wear your HAVOC button.
- Help leaflet riders about the MTA's threats to service.
- Speak out about the importance of a fair contract for the people who move NY.
- Enforce safety on the job.
- Join TWU picket lines or lunch time protests at work.
- Come out when TWU calls rallies and demonstrations.

If you haven't paid all of the dues you owe, you can have a voice by paying up. This will give Local 100 more resources for our fight against management demands for a wage freeze, higher payments for medical coverage and other cuts. And it will put you in good standing, so that you can have a voice when it comes time to vote on a new contract.

Winning a good contract will require HAVOC and more HAVOC. The officers of TWU 100 will make sure you have every opportunity to have a voice in YOUR contract.



5,000 Return Contract Survey

Local 100's contracts with the TA/OA and MTA Bus expire Jan. 16, 2012. Although negotiations will not begin until the fall, preparations are underway for what are likely to be the most difficult contract talks in decades. One piece of the preparations was a recent survey of thousands of members to determine their contract concerns. The survey was carried out under the slogan of H.A.V.O.C. (Having a Voice in Our Contract) and participants received H.A.V.O.C. buttons. Over 5,000 members responded to the survey, which was conducted both on paper and online. We are now tabulating the survey responses and the results will be posted soon.

The survey asked members to rank their priorities on possible contract issues. In addition to ranking their priori-

ties, some 3,000 members (60% of the total responding) indicated that they are ready to take some action – whether wearing union buttons or t-shirts at work, attending rallies, or inviting union speakers to their community or religious organizations – to support the campaign for a good contract. Recognizing the importance of full participation in the coming fight, hundreds of members checked the box saying they will pay all dues they owe. Division officers will be contacting them to make arrangements for them to return to good standing.

More than 500 members wrote additional comments on their surveys. These are all being read and tabulated and will be reviewed by the Local's officers.

Carrying the MTA's Water

up. But the steps lead down, into filthy, hot, rubbish-strewn stations. They open up the guns, grab the brooms, mops and pails, and don't let up until the job is done. Then it's onto the next station.

One of the toughest jobs in the transit system is mostly done late at night, in sweltering heat or bitter cold, by teams – many of them women – who resuscitate terminally dirty stations. Tough, not only because of the physical lifting involved, but also because the stations aren't cleared of passengers, who sometimes argue with crews and insist on disregarding their requests to clear the area.

There are many hazards on this job, because it's so physical. CTA Diane Williams knows this better than anyone. On April 15, 2008, she was heading up the stairs at the 2nd Avenue L train stop on Manhattan's Lower East Side when she heard a sharp crack and felt sudden pain in her right leg. That injury would be grounds for termination – but she didn't know it yet.

"I couldn't put any weight on my leg," she remembers. "I tried to call the CTA downstairs, but all lines were busy. So I found a crate, sat down outside, and the lunch relief

found me there." She was transported by ambulance to Beth-Israel Hospital, just down the street, and had surgery.

But instead of being out for a month or two, Williams' injury was complicated when her body rejected the metal implant. More surgery followed at the Hospital for Joint Diseases. The severity of the damage to her leg forced Williams to go from Joint Diseases to a convalescent home, with her mother tak-



nate me? When they asked me to bring in my pass and uniform, I felt bad."

ber Services. "I called out of

frustration [with Transit] she

says. "I wondered, what did I

do wrong, for them to termi-

Bermudez and Lightbourne got Williams back to training after convincing NYCT's Independent Medical Examiner that Williams could go back on duty. But characteristically, Transit put her back to work at minimum pay. Bermudez straightened that out early in 2010, getting a bump up to her correct pay grade as well as credit for lost vacation and sick time.

The *TWU Bulletin* caught up with Williams and her Mobile Wash crew one night recently at the 59th St. Station on the 4, 5, 6 lines. Diane could be seen humping high pressure hose down long flights of stairs and blasting walls, ceilings and platforms clean.

CTA Diane

Williams, after a harrowing injury

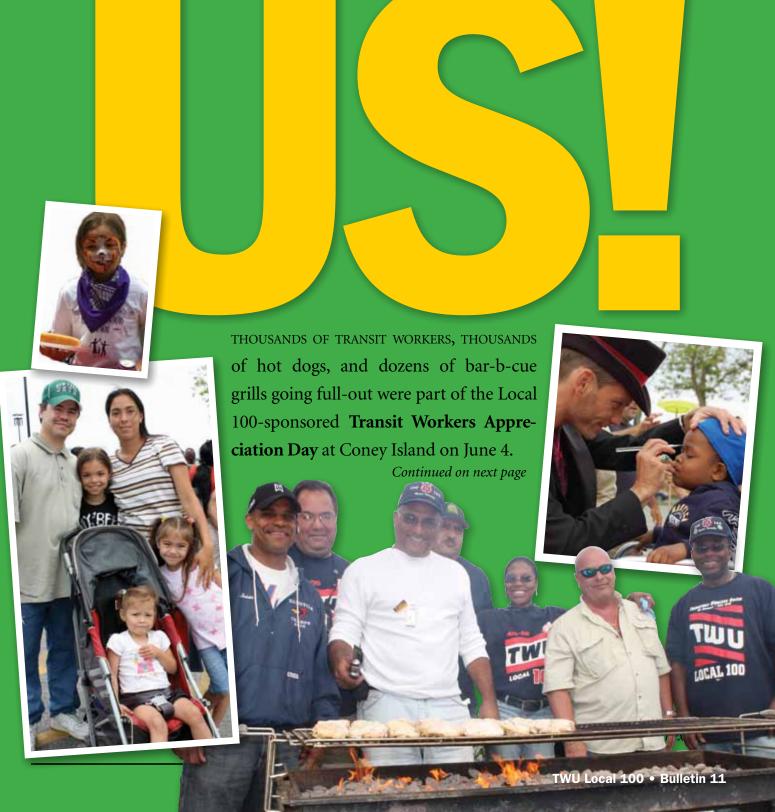
and recovery

period, back on the job

with Mobile



APPRECIATING



Appreciation Day

Continued from page 11

Kids enjoyed the antics of a juggler, jumped like jacks-in-a-box on an elaborate moon walk and had their faces painted in wild art. Transit families also took advantage of the 60 percent off tickets to Coney Island's popular Luna Park.

Local 100 President John Samuelsen threw out the first pitch at a celebrity softball game at MCU Park, home of the Brooklyn Cyclones, sponsored by the High School of Sports Management. Members picked up valuable tips and literature at the associated health fair in the big parking lot outside the stadium.

Prominent politicians, including Brooklyn Borough President Marty Markowitz and City Comptroller John Liu, paid their respects.

President Samuelsen greeted members and their families throughout the day, and emphasized the day's theme, "appreciation."

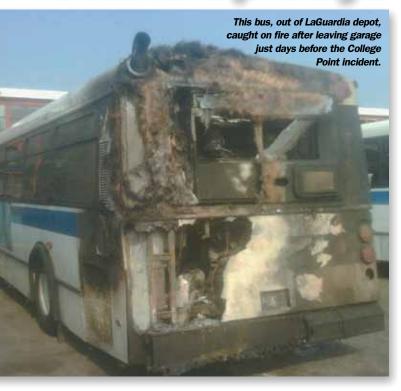
"We don't hear that word – appreciation – very much on the job from the MTA," said Samuelsen. "So at this event, we're here to show a little appreciation for each other. Appreciation for our union and the jobs we do so well every day. Also, appreciation that our union has provided us with a decent standard of living and the promise of a dignified retirement."





Local Locks Horns With MTA on Bus Safety

Union Stands Strong for Stand Up Guys



FOUR LOCAL 100 BUS OPERATORS WHO STOOD UP FOR safety and their union on May 26, and paid for it with suspensions and terminations, are back to work as a result of an important arbitration win for the union.

Arbitrator Howard Edelman issued an immediate bench decision on June 24, to return three of the Operators to their jobs at the College Point Depot.

A fourth Operator, a probationary employee, had been returned to work the previous week in a negotiated settlement.

Edelman also ordered both sides to convene a labormanagement committee to develop a comprehensive "safety" defect list to guide both Company and Union representatives in determining whether buses are to be held out of passenger service.

While Edelman has 30 days to issue his final award, he indicated that he expects the two sides to develop an expedited procedure for such disputes moving forward, including an immediate decision by a designated arbitrator by phone. He also indicated he wants agreement on a post-trip inspection process so that safety issues that arise during operation of the vehicle be noted on the Operator's Vehicle Condition Report ("OVCR") Card and fixed immediately.

The stand-off took place when the disciplined Operators, with union reps at their side, refused to take buses with safety defects on the road during pre-trip inspections mandated by law.

Management charged the Operators with insubordination. Three were terminated. A fourth was put back to work, pending due process on a 30-day suspension.

Defects included upper rear marker lights on an Orion bus and upper brake lights on two MCI Cruisers. Our members' actions were not only justified, but required by law.

President John Samuelsen, Secretary Treasurer Earl Phillips, Vice President John Day and attorney Denis Engel argued the case for Local 100, while management countered with John Hein, Sr., the Executive Vice President, Labor Relations for NYC Transit and David Franceschini, Director, Labor Relations, MTA Bus, among others.

Ironically, the week before these Operators were taken out of service, a wheel came flying off a bus (out of College Point) and a lady and her baby were almost crushed. In another incident, a bus out of LaGuardia burst into flames while in service. And on June 2, a bus out of JFK depot

(ATU) caught fire and burned to the ground as it left the depot for passenger service.

President Samueslen said that the arbitration is an important win for bus and passenger safety, and

protects Operators from intimidation, harassment and discipline when acting to protect themselves and the public from unsafe equipment.

Three of the four operators disciplined for standing up for safety are shown at the union hall.

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Walder Goes A.W.O.L.

to kick them around any more.

The aloof technocrat, once labeled a "bean counter" by Local 100 President John Samuelsen, announced he is exiting the platform in October 2011 for a \$2 million a year position in Hong Kong. Transit workers

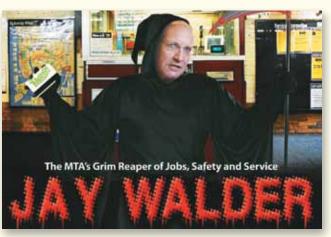
had a message for the MTA boss: don't let the turnstile hit you in the rear end on the way out.

New York's political elite, led by Mayor Bloomberg, fell over each other to praise Walder for his two-year stint as Chairman. The Mayor, for instance, called Walder "a world-class transportation professional. He is the type of person we can't afford to lose, and his departure is a real loss for New York City, the metropolitan region, the state and the country."

Others credit Walder with ushering New York's bus and subway system into the 21st century by introducing modern technologies like count down clocks.

Local 100 President Samuelsen found the positive Walder assessments "laughable."

"Jay Walder leaves the transit system in far worse shape than when he got here less than two years ago," said Samuelsen. "Walder accomplished nothing for public transportation in the region. He pushed through unprecedented service cuts, and laid off thousands of workers – 960 of the them Local 100 members – and all the technological improvements he is be-



We had some fun with Walder along the way, painting him as the "Grim Reaper" of jobs (above), and job slasher"Freddie Kreuger" (below right).

ing credited with were in the pipeline months and years before he got here."

"Transit workers won't miss Jay Walder. We're glad to see him go."

Samuelsen also blasted the outgoing Chairman for his attack on the union's contract. "Walder was antagonistic to the union and the workers from his first day on the job," said Samuelsen. "His attempt last year to blackmail the union into major pay and other concessions led to gratuitous and unnecessary layoffs, and he rammed through equally unnecessary service cuts in both subway and bus service, with particular insensitivity to already underserved areas of Queens, Brooklyn and the Bronx."

Samuelsen tagged Walder a political lightweight. "Walder was totally ineffective in dealing with Albany to either secure new funding for public transportation to avoid service reductions, or to protect the dedicated sources of transit revenue already there."

Finally, Samuelsen charged that Walder "completely fumbled the ball" during the only real operating crisis faced during his tenure, the Christmas 2010 blizzard,

Transit Workers Weigh In On Our Facebook Page

- ANUUDA ONE BITES DA DUST! GOOD RIDDANCE TO BAD RUBBISH!
- Oh, Happy Day, our reign of stupidity is over.
- CHINA WATCH OUT! Trouble's coming, hide your children.
- NA Na, NA NA NA NA, Hey, hey hey, GOOD BYE!
- Goodbye you rich fake phony. I salute my TWU LOCAL 100 FAMILY. HE TRIED BUT COULDN'T BREAK US!
- There will soon be layoffs in China.
- There is a God!
- Damage done. Now it's time to screw up another city's transit system.
- So they're getting rid of the trash ... about time.
- Good riddance to that tyrant!
- Farwell jerk!
- He did a lousy job! Goodbye. You will not be missed.



A Reprint from the New York Daily News



While most columnists from newspapers around the country have blindly joined the chorus demanding givebacks from public employees, Pete Donohue of the New York Daily News brought a new perspective to the debate recently. Donohue used the attempted torching robbery of a revenue booth in Brooklyn to point out the constant life-threatening dangers facing transit workers on-the-job, as well as the justice of the workers seeking a raise instead of givebacks during negotiations later this year.



That's Daily News columnist Pete Donohue talking to Bernadette Boggs, widow of Track Worker Danny Boggs who was killed on the job in 2007, and who is mentioned in this column.

Transit Workers Deserve More Than a Token Raise For the Risks They Take

Pete Donohue New York Daily News

Monday, July 4th 2011, 4:00 AM

Here's a question for the six-figure MTA executives when they try to sell the notion that transit workers should get a series of zeros when their contract is up for negotiation later this year:

When was the last time someone tried to burn down your office when you were in it?

Two punks splashed gasoline on a token booth at the Prospect Park station in Brooklyn before dawn last week and set it on fire with a female clerk inside.

It was an act of depravity and stupidity, an apparent attempt to get the clerk – who doused the flames with a fire extinguisher – to unlock the door so the two young men could scoop up whatever cash was inside from the sale of MetroCards during the overnight shift. However shocking, it was hardly unprecedented.

In 1979, clerks Regina Reicherter, 56, and Venezea Pendergast, 47, were killed when two teenagers sprayed gasoline through the change slot of the booth in the Broad Channel station in Queens and ignited it. It was a twisted act of revenge. One of the teens had received a summons for jumping the turnstile the night before, after a clerk alerted a police officer.

In 1988, clerk Mona Pierre, 39, was killed when a robber torched her booth at the Halsey St. L-train station in Brooklyn.

And in 1995, clerk Harry Kaufman, working overtime to pay his son's college tuition, was burned over 80% of his body in yet another robbery attempt by heartless and brain-

less subway predators armed with gasoline and matches. He survived an agonizing two weeks before passing away, leaving behind a widow, Stella, and a 17-year-old son, Adrian.

"He was a good guy, a hard worker," Adrian said. "He was always working. He spent time with me when he could, but he did what he had to do to pay the bills."

Six years ago, an arsonist stuffed cloth into another L-train booth in Brooklyn, doused it with a flammable liquid and set in on fire in East New York. The clerk, who was six months pregnant, escaped serious injury when the booth's automatic fire-suppression system extinguished the flames, as have many others who have been subjected to such attacks over the years.

It's no cakewalk for other subway workers. Since 1947, at least 239 subway workers were killed on the job, many of them hit by trains while on the tracks to inspect or repair equipment like signals and rails.

Two track workers were run over in one week in 2007 – Danny Boggs and Marvin Franklin. Crew foreman James Knell was electrocuted last year while wrapping up a repair project on an elevated line on a wet, stormy overnight shift.

And then there's emotional trauma. It seems a day doesn't go by without someone jumping or falling in front of a train entering a station. A front seat to death. A human being obliterated in front of your eyes. You just don't change the channel from something like that.

Straphangers shouldn't be outraged that transit workers will at least ask for a cost-of-living increase. There should be outrage that the MTA will make a strong push to deny them.





Local 100 members and their families came out in big numbers to enjoy this year's Puerto Rican Day parade. Prior to the march, (above) Local 100 President John Samuelsen presented a beautiful plaque honoring the memory of Richie Bermudez, Chair of the 100th Street Depot, who died late last year, to his family.

Unions to Wall Street: 'Pay Up'

Local 100 and other TWU Locals, including Locals 252 (Long Island Bus), 501 and 562 (American Airlines) joined other unions in a march on Wall Street recently to drive home the message that Wall Street's millionaires – after causing the economic meltdown in the first place – are getting away scot-free, while public sector workers are bearing the brunt of the losses. This was just one of many similar rallies Local 100 attended to protest worker givebacks.



Support LGBT Pride Parade



For the second year in a row, Local 100 supported the LGBT parade to advance equal rights for all. The union's contingent was led by Recording Secretary Benita Johnson and Administrative Vice President Angel Giboyeaux.

Retirees Continue to Support Their Union

TWU Local 100's retirees are more active than many of our active members, aided by the depth of experience in their Executive Board



(above) and staff, headed up by John Noone (not pictured) and Mike Tutrone (far right). Not only have our retirees reached the \$100,000 mark in donations to the Solidarity Fund to help laid-off members with health care benefits, but they also came to Albany in force to lobby for the union's Legislative Agenda. Looking to retire? Stay involved by joining the TWU Local 100 Retirees Association on our website at www.twulocal100.



Public Sector Unions Are Under Attack

BACK IN MARCH TENS OF THOUSANDS OF WORKERS CAME OUT TO PROTEST THE WISCONSIN GOVERNOR'S EFFORT to strip public employees of their rights to bargain collectively. He won, and the Wisconsin legislature passed his bill, and just recently the State's Supreme Court threw out a challenge to the new law.

Ohio followed suit with an even worse law. And only a few weeks ago, we saw the Republican governor and the Democratic controlled legislature of New Jersey punish their public employees. As a result, New Jersey's state and local workers must now contribute much more for their health insurance and pensions; cost-of-living increases to retirees' pension checks were suspended indefinitely; retirement ages were raised, and even more importantly, the new legislation curbed the unions' contract bargaining rights.

The attack against public sector workers is not just about dollars and cents; it is also about curbing and eliminating the power of public sector workers by stripping unions of their rights. In New York we are facing a similar challenge. Right wing forces are on the march to try to destroy public sector unionism much as they have done in the private sector.

Public sector trade unionism is a more recent phenomenon than private sector unions. In 1935 private sector trade unionism was legalized with the passage of the National Labor Relations Act. The American labor movement grew dramatically until a full third of America's workers were members of a union. At that time only small handfuls were in the public sector. Today, less than 12 percent of the workforce is unionized, and most union members are in the public sector. Stated another way, more than a third of public sector workers are in a union compared to only about 6 percent of the private sector workforce.

Many factors contributed to the decline of private sector unionism, none more important that the deindustrialization of America. Our industries and our jobs were exported overseas. Manufacturing was heavily unionized and when those union jobs disappeared nothing replaced them. But changes in the law designed to curb private sector unionism were very important as well. With Taft-Hartley, passed by Congress in 1947, private sector unions

lost the right to engage in secondary boycotts, the National Labor Relations Board was required to seek court imposed injunctions against militant union activity that ran afoul of the new laws, and the ability of unions to organize new members was greatly hampered. Today, in the private sector there are fewer workers in a union as a percentage of the workforce than there were before these unions were legalized in 1935.

Ironically, having legal rights in the public sector began in Wisconsin, which in 1959 was the first state to grant its employees the right to collectively bargain. Since then public sector collective bargaining rights expanded throughout the United States so that by 2003 only 11 states had not passed laws granting collective bargaining rights to some or all of its employees. New York State passed the Taylor Law in 1967 following a successful strike by Local 100 and other unions.

Today in New York, like in other states, public sector collective bargaining rights are under serious attack. Recently, legislative proposals were made to eliminate seniority rights when teachers are being laid off. There are also calls to eliminate the Triborough Doctrine in the Taylor Law which out-

laws a public sector employer from changing terms and conditions of employment until a new contract is negotiated. Revocation of the Triborough Doctrine would significantly hurt workers' rights.

We live in difficult times. This is when it is more important than ever for workers in both the public and private sectors to have a strong union.

Larry Cary, TWU Local 100 General Counsel



EVERY DAD WANTS TO SEE HIS SON hit a high note in life.

For Train Operator Alex Bowen, his son Alex, Jr. has already hit one in only his senior year at Beacon High School. And for the young Alex, there will be many more octaves to come.

In only his second year of competition, Alex, Jr. won the overall state championship in the boys high jump at the New York State Public High School Athletic Association championship in early June.

Bowen cleared 6 feet, 8 inches to win the title. But that was only the beginning. One week later, he went to the nationals and placed third with a 6 feet 9-3/4 inch jump earning him All America honors at the New Balance Outdoor Nationals at North Carolina A&T University in Greensboro, NC.

The young star's coach at Beacon, Jim Henry, said of Alex: "After placing second indoor (state championships), his whole goal was to get up here and win the state championship, and he did."

Needless to say, dad, Alex, Sr., is ecstatic. "I'm so proud of him. In such a short amount of time, he's done so well. And he did it all himself. I'm so happy for him."

Dad is also very happy that college is already all paid for. Alex scored a full scholarship to SUNY Albany.

Dad said that Alex, Jr. was a gifted athlete in other sports as well. He excelled in Pop Warner Football as a wide receiver. The 6' 4" Alex, Jr. also starred in Lacrosse, and is highly competitive in the triple jump. But he truly found his calling with the high jump.

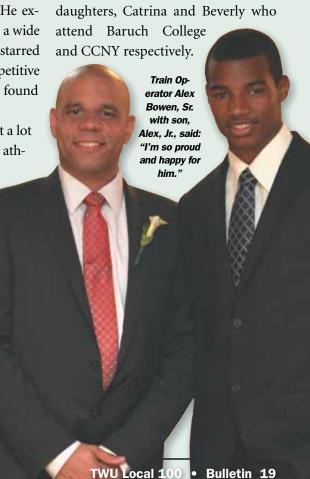
"The college coaches feel that a lot of his success has been on pure athleticism," Alex, Sr. continued. "They believe that he's going to jump a lot higher with intense coaching."

Do we see the Olympics in the future. "Who knows," said Alex, Sr. "That would be nice for him."

Alex, Sr. has been a member of Local 100 since joining NYCT in

1993 as a Conductor. He earned a promotion to Train Operator in 2002. He currently works the midnight tour on work trains, and serves his union and brother and sister members as a shop steward.

Alex, Sr. is also the father of two



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.

Patrick Licata Retired NYC Transit on January 22, 2011.

Michael Hargett Retired CED Cleaner on February 21, 2011.

Brian Temple Retired NYC Transit on February 30, 2011.

Juan D. Rogers Retired NYC Transit on January 2, 2011.

James J. Bartelini Retired NYC Transit on May 3, 2011.

Adelaide Polite Retired Station Agent on November 18, 2010.

William Roberts Active Station Agent on April 17, 2011.

Joseph Schnorr Retired TA Bus Operator on February 1, 2011.

Filberto DiPalme Retired NYC Transit on December 10, 2010.

Eddie Davis Retired TA Bus Operator on January 14, 2011.

Charles Coleman Retired MABSTOA Bus Operator on December 10, 2010.

Michael Hangelt Retired CED Cleaner on February 22, 2011. Benny J. Washington Retired NYC Transit on January 11, 2011.

George T. Nichols
Retired TA
Station Cleaner
on February 8, 2011.

James K. O'Brien Retired Train Operator on March 11, 2011.

Louis Causa Retired Safety Inspector on March 16, 2011.

Michael B. Smith Retired Car Inspector on March 14, 2011.

Felicia D. Windham Active TA Cleaner on March 12, 2011.

Julian J. Washington Retired Train Operator on April 10, 2011.

Curtis C. Hickson Active MABSTOA Bus Operator on April 10, 2011.

Albert Prescott Retired Train Operator on March 15, 2011.

Lewis Ceballo Retired NYC Transit on April 10, 2011.

Ryan Warren Murphy, Jr. Retired TA Bus Operator on April 10, 2011.

William Foriello Retired TA Stock Clerk on April 20, 2011. **Vito Pagano** Retired Conductor on May 19, 2011.

Jennie Kenndy Retired MABSTOA Senior Admin. Asst. on May 3, 2011.

Richard Pryor Active Station Agent on May 11, 2011.

Barry Hare Active Station Agent on June 13, 2011.

Gisel Rijo Retired Tower Operator on June 9, 2011.

Patrick Walsh Retired MABSTOA Maintainer & Recording Secretary Maintenance Division in June 2011.

Peter O'Brien Retired MTA Bus Operator in May 2011.

Cowell Carvey Retired Car Inspector on May 3, 2011

Thomas M. Barnes Retired TA Maintenance Porter on April 30, 2011.

Facundo Rosario Retired MTA Maintainer on June 4, 2011.

Alfredo Belisario Retired Station Agent on June 8, 2011.

Dwellie Benefield Retired Train Operator on June 5, 2011. William J. Green Retired MABSTOA Bus Operator and father of Local 100 Office Manager Kerry Sylvester, on December 20, 2010.

> **Hugh McMenemy** Retired MABSTOA Bus Operator on June 15, 2011.

Sherbert Williams Retired Conductor on February 15, 2011.

Joseph Baatz, Sr. Retired MABSTOA Bus Operator, Hudson Pier, on Nov. 3, 2010.

Gino Lombardi Retired TA Bus Maintainer on October 22, 2010.

Bathold Vollmart Retired MABSTOA Bus Operator on Sept. 29, 2010.

Robert W. Kemps Retired Track Worker on October 15, 2010.

James Morro Retired TA Cleaner on June 5, 2010.

John Visone Retired TA Maintainer on October 2, 2010.

Joseph Matteo Retired TA Bus Operator, Ulmer Park, on October 12, 2010. Walter W. Patterson Retired TA Surface employee on October 19, 2010.

Michael Cowell Retired Structure Maintainer on October 21, 2010.

Walter Gayz, Jr. Retired Liberty Lines Bus Operator on Nov. 1, 2010.

Benny J. Washington Retired, NYCT Member on January 11, 2011.

Arthur F. Bates Retiree since 1977 on January 16, 2011.

Martin Hunt Retiree since 1986 on January 25, 2011.

Leon P. Sealey Sr.
Retired Brake
Maintainer,
on December 7, 2010.

James Malamas Retired Bus Operator, Fresh Pond Depot, on December 7, 2010.

Anthony Basile Retired Car Cleaner on November 7, 2010.

Joseph Schnorr Retiree since 1996, on February 1, 2011.

Alexander Dixon Retiree since 1980, on January 11, 2011.

Local 100 Marks Sad Anniversaries

Local 100 members and officers gathered at the 59th St./ Columbus Circle station on April 25 to honor the memory of Track Worker Danny Boggs (photo below left), killed on the job at that site 4 years ago. Similar memorials have also been held



recently to mark the anniversaries of the deaths of Track Worker Marvin Franklin (below right), killed just days after Boggs; Track Worker Harold Dozier; Signal Maintainers John Nicholson and Daniel Walsh and Liberty Lines member Barrington Garvey.



Working In The Heat

working in hot environments is not safe. Your body builds up heat when you work and sweats to get rid of it. Too much heat can make you tired, hurt your job performance, and increase your chance of injury. When the temperature changes quickly, you need time for your body to get adjusted to the heat. Be extra careful early in the summer when hot spells begin. You have a right to a safe & comfortable work environment.

DON'T WAIT FOR THE 90-DEGREE HEAT. PLAN FOR IT!

- Clean water provided through a fountain, cooler or bottled water at all locations
- Cool work areas and break rooms
- Ventilation to bring in clean air and take out hot air
- Make adequate water supplies part of your daily workplace inspection

To follow up with supervision, call:

- Station command center: 212-712-5277
- **TA/OA:** Call Console. Request immediate medical assistance
- **RTO command:** 212-712-4480

- **CED:** Call your Barn Chair or Local Union rep.
- MOW control: 212-712-4120

HEAT EXHAUSTION

What are the symptoms?

Headaches; dizziness or lightheadedness; weakness; mood changes such as irritability, confusion, or the inability to think straight; upset stomach; vomiting; decreased or dark- colored urine; fainting or passing out; and pale, clammy skin

WHAT SHOULD YOU DO?

- Act immediately. If not treated, heat exhaustion may advance to heat stroke or death.
- Move the victim to a cool, shaded area to rest. Don't leave the person alone. If symptoms include dizziness or lightheadedness, lay the victim on his or her back and raise the legs 6 to 8 inches. If symptoms include nausea or upset stomach, lay the victim on his or her side.
- Loosen and remove any heavy clothing.
- Have the person drink cool water (about a cup every 15 minutes) unless sick to the stomach.
- Cool the person's body by fanning and spraying with a cool mist of water or applying a wet cloth to the person's skin.
- Call 911 for emergency help if the person does not feel better in a few minutes.

If needed, file a Safety Rule Dispute Resolution Form. For off-hours safety emergencies call 888-302-3727.

TRANSPORT BULLETIN

70th Anniversary of TWU's First Major Strike

Workers Shut Down Omnib

IT WAS 1941. THE PRICE OF GAS WAS 12 CENTS A gallon. You could buy a modest house for

\$4,500. Rent on a blue-collar apartment was \$32. Movie-goers flocked to the theaters to see Citizen Kane and the Maltese Falcon. And couples were swinging to the sound of Glenn Miller's Chattanooga Choo Choo.

It was also the year that the young union of transit workers, TWU, faced its toughest challenge yet – a confrontation with the giant Omnibus Corporation that led to the union's first sustained strike since its founding in 1937.

TWU had conducted a several high profile job actions that had gained the union notoriety and respect among the workers. In July 1935, workers at the Jerome Avenue Car Barn stopped work after six fellow workers were fired for refusing to clean windows with enlarged "squeegees" on a rainy day. Then in 1937, the union conducted a two-day sit-down strike at the Kent Avenue powerhouse in Brooklyn to protest the termination of two union activists. Both actions were wildly successful and catapulted TWU to unprecedented election victories.

But 1941 was different. The Omnibus Corporation was at the time the largest and wealthiest urban bus company in the United States. It fully owned the Chicago Transportation Company and a controlling interest in New York City Omnibus and the 5th Avenue Coach Company, which operated bus routes throughout Manhattan. The companies carried an estimated 900,000 passengers a day.

TWU represented about 3,500 workers at the two companies. The union had made steady but modest gains in

three previous annual contracts. But in 1941, the company dug in its heels. Company bigwigs claimed that they were

losing money, even though, as the union pointed out, the company had paid an enormous dividend to its shareholders (shares were trading at \$21.00 and the dividend was \$3.25).

Union officials were seeking an eight-hour day (most Operators were putting in 60-hour work weeks), wage increases and improved pensions. The company countered with demands for the elimination of sick pay and the introduction of one-man operations on some double-decker buses or pay reductions.

The contract expired on March 1, 1941 but the union

kept negotiating. As the pressure mounted, TWU

International President Mike Quill and Local 100 President Austin Hogan refused to accept mediation or binding arbitration to resolve the dispute.

Strikers from
Omnibus and Fifth
Ave. Coach, with
armbands proclaiming their strike
status, march in
1941 St. Patrick's
Day Parade.



us and 5th Avenue Coach

NEW YORK CITY OMNIBUS CORPORATION

Will Stop Work at Once!

OFFICIAL STRIKE CALL

ON STRIKE

the union to strike.

Union officials hastily put together a strike plan. At 5:00 a.m. Monday morning on March 10, 1941 the membership walked off the job and set up picket lines at the companies depots around the City.

Mayor Fiorello LaGuardia took up with the com-

panies. Prior to the strike, the Mayor said that a work stoppage "would not serve any useful purpose." After the strike began, the Mayor's words got much sharper. He called TWU "bull-headed, obstinate and stupid." The Mayor also issued an order to the Police Department to make preparations to protect buses in the event the companies tried to resume operations with scab drivers.

The company bought full-page ads in most of the City's daily newspapers with headlines proclaiming: "If you had to walk today ... Blame the Transport Workers Union."

Other paid ads attacked TWU as a "Communist-domi-



nated, Moscow-directed outfit." And the ads labeled Mike Quill, who was an Irish immigrant, a "Communist agitator, a disorderly trouble-maker and a radical organizer almost from the day that his foot landed on the friendly soil of the United States."

Brother and sister TWU members from the subways, who were themselves locked in a battle with the City and the



Operators at the Fifth Avenue Coach Co. prior to the 1941 strike.

Board of Transportation, flocked by the thousands to support the strikers on the picket lines.

Members and leaders of other unions also joined in. Most notably Joe Curran, President of the National Maritime Union, and Vice President of the CIO, told the press after attending a TWU rally: "Such enthusiastic spirit I have never seen. This is truly a rank-and-file strike

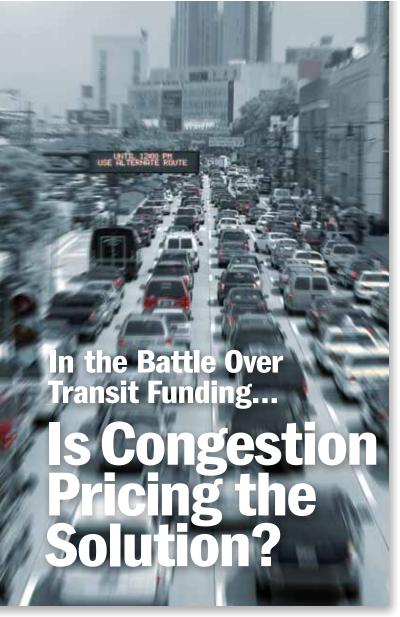
with rank- and-file spirit. These men know what they want and they are determined to fight on to achieve their demands. This strike is 100 percent effective."

Hundreds of strikers, wearing TWU armbands, famously marched in the St. Patrick's Day parade with a number of organizations, despite being denied a permit to march as one by the St. Patrick's Day Parade Committee.

Strikers walked the picket lines for 12 days. In the end both sides agreed to intervention by the New York State Mediation Board. The company dropped its demands for givebacks. And agreed to a total of \$1 million in improvements, to be hashed out through mediation.

It was a grand victory for TWU.

It proved that the union had the support of the workers, and that is was strong enough to conduct a sustained job action. Most importantly, it proved that TWU was here to stay.



over the PAST TWO YEARS, THE STATE LEGISLATURE has stripped \$360 million in desperately needed funding earmarked for the MTA and spent it to prop up other areas of the budget.

Last year's painful layoffs and historic service cuts were the immediate consequences of that action. This year, the MTA is apparently carving it's lost revenue out of maintenance at NYCT, MTA Bus, Metro North, LIRR and LIB. We are already seeing harmful effects in the bus divisions, where many depots are not making service due to curbed maintenance schedules.

Local 100 leaders successfully completed the fight for a legislative "lock box" for dedicated transit funds. The bill, sponsored by Assemblyman James Brennan (D-Brooklyn) and Marty Golden (R-Brooklyn), passed both houses in Albany unanimously. It is revenue neutral, and would simply force the Legislature to use existing funding streams ex-

clusively for public transportation. Had a "lock box" been in place last year, the layoffs and service reductions might have been avoided.

But even with a secure transit "lock box," in place, the funding crisis will not go away.

The MTA projects growing deficits in the years ahead, that if not properly addressed, will guarantee yearly confrontations between union and management, a poisoned atmosphere for collective bargaining, and more pain for riders in the way of less service and jacked up fares.

The payroll mobility tax, advanced by the Ravitch Commission in late 2008, and enacted in 2009, has not nearly produced the projected \$1.5 billion in revenue. Another plan, also supported by the Commission, to impose tolls on all East River crossings was shelved at that time.

So, what is the answer?

Many believe it's congestion pricing – a policy that has had enormous success in London and Stockholm – but has not been instituted in any major American urban center.

Supporters believe it is the most effective tool available to City officials to reduce unnecessary driving during periods of peak congestion, thereby easing traffic and encouraging commuters to walk, bike or take mass transit as an alternative.

Mayor Bloomberg took a big shot at instituting a congestion pricing plan for Manhattan in 2007-2008. The Mayor's program was modeled on the one instituted in London in 2003. Cars entering an exclusion zone in Manhattan's Central Business District (initially everything south of 86th Street but modified later to south of 60th Street) would be charged \$8 between 6 am and 6 pm, \$21 for trucks. All revenues collected through the charge would be used solely to fund expansions and improvements to the regional transit system. The City Council passed the initiative, but it got shot down in the State Legislature, mainly by lawmakers from the outer boroughs.

Benefits of congestion pricing are unquestioned. London and Stockholm's initiatives have resulted in significant shifts of commuters to transit, particularly buses. Bus delays in central London dropped by 50 percent after the pricing plan was introduced. In Stockholm, daily public transportation use shot up by 40,000 riders daily.

Also in London, CO₂ emissions fell by 16 percent within the "congestion" zone, with nitrogen oxides and particulate emissions dropping as well. Also, average traffic speeds increased by 37 percent.

No one presently is openly spoiling for another round over congestion pricing. But a long hot summer of maintenance-related delays across the system may very well restart the debate.

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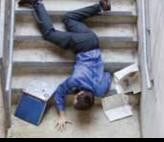
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Free Consultations and in-home visits are available to all members of TWU 100.





DAILY*NEWS

Transit Workers Help MTA Edge Into Solar Age

A GRANT WORTH \$150,000 FROM THE FEDERAL DEPARTMENT OF LABOR is helping TWU Local 100 members learn how to maintain a photovoltaic array over Coney Island's Stillwell Avenue Terminal in the MTA's largest foray into alternative energy generation.

The huge array – 80,000 square feet of roof, housing 2,730 solar panels, each about five feet square – sends current through 150 kilowatt "inverters" that take the DC output and change it into AC, illuminating the inside of the Stillwell terminal. When night falls, the terminal lighting switches to Con Ed.

At peak output, with the summer sun high in the sky, the PV array generates 200 kilowatts of power every hour. On cloudy days – such as on the day when these photos were taken – the current still flows from the solar cells, but at lower voltage. The installation is called "building integrated photovoltaics," meaning that the solar panels are integrated into the roof structure itself. For the technical minded, it's a demonstration proj-

combined with clear glass in custom units to not only generate power from the sun, but to let light in as well. Permanently installed rolling gantries on the roof allow panels to be lifted and moved for repair or replacement.

In late June, Local 100 Administra-

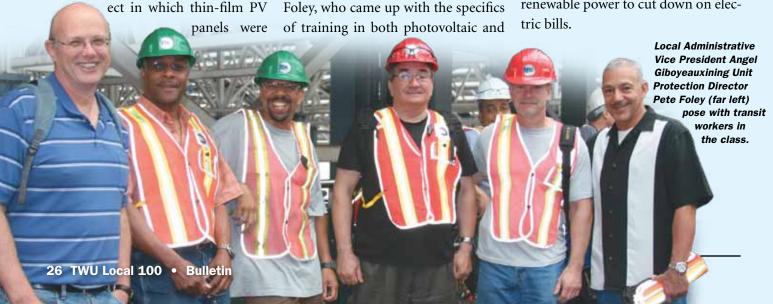
tive Vice President Angel Giboyeaux joined the first class of 15 union members from Maintenance of Way on the terminal roof, training with instructor Kim Curran. Also on hand were Training and Upgrade Fund (TUF) Director Hector Ramirez and Director of Bargaining Unit Protection Pete Foley, who came up with the specifics of training in both photovoltaic and

As Coney Island's Wonder Wheel rotates in the background, Local 100 members (above) take part in photovoltaic training, and (left) Simon Oui takes a meter reading to se how much current the panels are generating on a cloudy day.

fiber optic technology. Giboyeaux devel-

oped the DOL funding with the Transit Authority, insisting on an all-union training program.

He believes that the MTA will announce plans to install solar arrays on other properties, especially above subway platforms. Bus depot roofs may also be ripe for generating free, renewable power to cut down on electric bills.







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Now available for TWU Local 100 Members: **Disability Income Protection Program.**

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To receive more ilnformation about Disability Income Protection Program, cut out and mail this information requiest form to: Office of the Administrator, PO Box 512, Matawan, NJ 07747

Ves! I would like information about the following new	Information Request Form			
benefit offering for TWU Local 100 Members: (CHECK YOUR CHOICE)	Name:	Date	Date of Birth:	
	Home Address:			
☐ Disability Income Benefits	City:		_ State:	Zip:
I am also interested in: Life Insurance With Guaranteed Cash Accumulation at 4.00%* and Living Benefits Critical Illness Paycheck	Home Phone: ()_	Work Phone: ()	
	Cell Phone: ()	E-mail Address:		
	Work Address:		Dept:	
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*After mortality & expenses

☐ Discount Homeowners and Auto

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☐ Send me an application for the \$25,000 in TWU Local 100 Scholarships. imc: 2011080101b

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