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Transport Workers **BULLETIN**

Transit Workers vs. The Deluge of 2023

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Honoring 9/11 Hero

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Member Strong

RICHARD DAVIS, PRESIDENT

Remaining Resolute

Reflecting on the accomplishments of 2023, you, the invaluable members, have been pivotal in upholding the city's functionality and well-being, ensuring seamless public transportation even in the face of adversity. Your tireless dedication has been instrumental in facilitating the movement of millions across New York City.

Throughout this year, your unwavering dedication shone brightly, particularly during the challenges posed by the record rainfall on September 29th, showcasing the resilience and dedication of our union family. Beyond this, significant milestones have been achieved: safeguarding contractual rights, protecting job positions, and fostering growth and strength within Local 100. Our union remains resolute in its commitment to being member-built, member-strong, and member-driven, as evidenced by the strides made in expanding transit infrastructure, promising new subway lines and light rail projects.

Your relentless commitment to providing essential services, coupled with the strides in maintaining safety, upgrading infrastructure, and enhancing the city's quality of life, are testaments to your enduring contributions. You stand as the backbone of the city's connectivity and security, and for that, I express my deepest gratitude.

Amidst the accomplishments, it's essential to acknowledge the ongoing challenges ahead. The commitment to safeguarding the roles of our union members in the face of potential technological advancements and changes remains a priority. We must ensure that automation doesn't compromise the safety and reliability that only a professional, union operator can guarantee.

As we celebrate your unwavering commitment, we also extend our support to those transitioning into retirement. Your dedication to the city has been invaluable, and our union is committed to enhancing retirement benefits to ensure a prosperous and fulfilling next chapter for our members.

My best wishes for a happy and healthy New Year.

Richard Davis
President



**Transport Workers Union
of Greater New York, Local 100**
195 Montague St.
Brooklyn, NY 11201
Phone: 212-873-6000
Fax: 212-245-4102
www.twulocal100.org

Richard Davis
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John Chiarello
Secretary Treasurer

LaTonya Crisp
Recording Secretary

Lynwood Whichard
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Transport Workers

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BULLETIN

5-7

Assault Symposium Searches for Solutions

Hearing from three panels and an array of experts, we sought and found solutions to combat the plague of assaults on transit workers



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Davis Testifies; Wins Support for Tier VI Modifications

President Richard Davis, before the New York State Senate Committee on Civil Service and Pensions, explained how Tier VI pensions are harming transit workers and the MTA's ability to recruit and retain



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Union Stands with "Fair Fares" Advocates

MABSTOA VP Donald Yates joined advocates in a large demonstration to underscore the Union's support of a program to provide half-fare cards to the poorest New Yorkers



20-21

Transit Crews Battle Record Deluge

Over 8 inches of rain fell in just one day as the transit system endured the wettest September ever recorded. Transit crews, however, were up to the challenge.



Communications Department Transport Workers Bulletin

Executive Director
Alejandro Arroyo

**Chief of
Publications**
Alan Saly

Creative Director
Noah L. Rodriguez

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ASSAULT SYMPOSIUM

Enlightens with Insights and Common Sense Solutions



In 2012, TWU Local 100 held an assault conference with the focus on crime patterns and deterrence. In 2023, President Richard Davis took the Union in a new direction – the reporting of on the job incidents, probing mental health concerns, and understanding domestic violence.

Five key speakers – Janet Gerhard, David Jusino, Anthony Rizzuto, Josie Ashton, and Felicia Ivey -- each with different areas of expertise, brought valuable insights to the event. You can see excerpts from their speeches by scanning the QR codes displayed next to their photos on the next page.

Panels brought in prominent voices in the fight against assault, ranging from Brooklyn District Attorney Eric Gonzalez to NYPD experts and advocates to our own safety team members and Shop Stewards. They conducted wide-ranging discussions on many aspects of assaults, both on and off the job.

Day One

The event began on Wednesday, October 11th when Working Women's Committee and Family Assistance Coordinator Giselle Martinez introduced President Davis for keynote remarks.

He called assaults “a crisis that demands not just our attention, but a renewed commitment to action,” and pledged “a strategic and coordinated effort by myself, this administration, and the TWU of America to push the MTA to make necessary changes,” and he noted that “the very complex issue of assaults encompasses many social afflictions, such as mental illness, substance abuse, crime, anti-social behavior, rider anger at the MTA, and an overall lack of respect for public servants and authority. My vision is centered around inclusivity and safety for all of our members.”



At the start of the program, members show solidarity

KEY SPEAKERS SCAN THE QR CODES TO WATCH SHORT EXCERPTS FROM THEIR INDIVIDUAL PRESENTATIONS



Janet Gerhard,
FNE Health



Anthony Rizzuto,
Seafeld Center



Josie Ashton,
Victim Advocate,
Bride's March



David Jusino,
Manhattan West
Self-Help Program



Felicia Ivey,
Mind-Body and
Inner-Self Wellness

He said the Union is advancing designs for cockpit enclosures for Bus Operators, no-standing zones on subway platforms to protect Conductors, and reclassifying spitting from a violation to a misdemeanor.

Brooklyn Borough President Antonio Reynoso then told the audience that he was particularly concerned about recent budget cuts to mental health services, noting that TWU members, by their presence in the transit system, bear the brunt of addressing problems caused by the mentally ill.



David Jusino, Josie Ashton, Laine Armstrong, Anthony Harmon, Eric Gonzalez, Celeste Kirkland, and Terrence Layne

The day's first panel discussion, moderated by Local 100 Recording Secretary LaTonya Crisp, saw Brooklyn DA Eric Gonzalez emphasizing the importance of court support by union members when cases go to trial. He also took the MTA to task, saying that "the cash box has gotten way more attention than the safety of workers.... What is the MTA doing to day to day to make sure you are safe? How are they working with the police to put undercovers on buses? We are not going to arrest our way to public safety on the transit system; this has to be about forward-thinking leadership."

Attorney Laine Armstrong, who works with Arthur Schwartz's law firm, Advocates for Justice, said, "We need to hold Transit accountable by reporting [incidents of assault]."

"The MTA should care as much about you as this union does. Verbal abuse is something that the MTA should not be tolerating – it is not an assault, but it is a violation of the law and it is a violation of policy."

Advocate Josie Ashton added, "You are in a special class all by yourselves. An attack on you is an attack on New York – it is an attack on the world." To prepare for assault, she said, you need to know what your triggers are and who you are as a person. You need to be grounded, you need to be intentional about your breathing, and your power is in your tongue – one word can escalate, and one word can de-escalate."

David Justino then took the mic to talk about attacks on LGBTQIA people, noting that "over 520 bills targeting the LGBTQIA community have been passed by state legislatures this year... Our country is speaking out against us," he said. "We don't have a safe haven. What are we doing to accept our brothers and sisters? Because at the end of the day, we are all people, we have the same rights."

Bus Operator and Shop Steward Terrence Layne said: "We've been dehumanized; management has comfortably abided our mistreatment and abuse for decades. When any level of aggression is directed at you in the workplace, it has to be reported."



Brooklyn Borough President Antonio Reynoso



Monique Rondon, Chris Lightbourne, Terrance Thornton, Angel Perez, and Damian Treffs

Echoing Reynoso's earlier remarks, Josie Ashton raised the issue of holding government accountable to provide safe and healthy environments for the mentally ill to obtain treatment. Safety Liaison Celeste Kirkland rounded out the discussion by discussing the proper use of the union's landmark Safety Rule Dispute Resolution Form.

In the afternoon session, a panel discussion focusing on Injury on Duty (IOD) procedures featured a presentation by Union attorney Damian Treffs, who gave a comprehensive description of how to document an assault, and what legally constitutes an assault. The Union's IOD package – which keeps injured workers in full pay status after an injury – was carefully reviewed. Members can get an IOD package and explanations of how to file the forms from any Local 100 officers or shop steward.

Day Two

Focus on Domestic Violence

Opening this session, President Davis said that "The safety and wellbeing of our members extends beyond the workplace... to their personal lives." He called for "fostering an environment of empathy and support," points that were emphasized and explained in the panel discussion and especially in the presentation from Anthony Rizzuto.

Panelist Tesa Arozqueta, of the Mayor's Office to End Domestic Violence, described the varieties of

domestic violence and the forms it can take. Attorney Laine Armstrong noted that Transit has an obligation to provide domestic violence victims with accommodations – including hiding your address, changing your workplace, and engaging in safety planning discussions. Said Arozqueta: "Not providing a reasonable accommodation in the workplace for a domestic violence survivor is discrimination – you are in a protected class for employment and for housing."

Brooklyn Assemblywoman Rodneyse Bichotte, who also joined the panel, said that "98% of domestic violence has to do with economic issues. Many offenders find ways to stop victims from working; they will try to get employers to fire them or not hire them." She also listed a series of laws, passed by the New York State legislature, that protect victims of domestic violence, including the seizure of firearms from the abuser,



Members hear from Rec-Dec. LaTonya Crisp



allowing abuse victims to get out of a shared contract without penalties, and creating alternate ways to access claims and benefits which may be under a family plan.

The symposium concluded on a very practical note: a self-defense demonstration where a much smaller woman showed how to fend off and disable her much larger male attacker.



Assemblywoman Rodneyse Bichotte, Laine Armstrong, Felicia Ivey, Sgt. Dawana Castro, Teza Arozqueta, Arrizu Sirjani, and Mustafa Sawaneh.



New Appointments: After being sworn in, PBL VP Danny D'Amato (3rd from left) stands with Recording Secretary LaTonya Crisp, newly appointed MTA Bus Division Chair Mike Capocci, President Davis, Secretary-Treasurer John V. Chiarello, and Adm. VP Lynwood Whichard.

Torch Passes to D'Amato in Private Lines

The TWU Local 100 Executive Board elevated MTA Bus Division Chair Danny D'Amato to Vice President of MTA Bus/Private Bus Lines/School Bus & Paratransit on September 18th. He replaces three-term VP Pete Rosconi (at right), who has retired from active service.

"I'd like to thank President Richard Davis for recommending me for this important position, and also the E-board for granting its approval," D'Amato said. "I look forward to continuing to work with the Davis administration at this higher level. I have big shoes to fill, but I'm up to the task of serving our department's members as their new Vice President."

In other moves, the Executive Board elevated Mike Capocci from MTA Bus Division Vice Chair to Division Chair. The board also placed College Point Vice Chair Lindbergh Ray onto the Executive Board.

On stepping down, Rosconi, a 29-year-transit veteran, said: "I could never have had the success I had with Private Bus Lines without the three Division Chairs, Danny D'Amato of MTA Bus, Gus Moghrabi of School Bus, and Carlos Bernabel of Liberty Lines. They always supported me and have always been loyal. Going forward with Danny as VP and Mike as Division Chair, I feel the membership is in great hands and in a great situation right now. They will continue to put pressure on the bosses and continue to do audits to force the MTA to comply with the law and the contract."

Rosconi, now 68, said he was most proud of pushing for New York State audits of the private lines companies, under the jurisdiction of the State Comptroller. "They resulted in more compensation for the members, and the MTA paying differentials on time. The MTA was forced to clean up its act." He was also proud of a COLA benefit for retiree pensions

that he negotiated in 2016. It increases with every raise.

Asked to recall a moment that made him proud of the Union, Rosconi said, "I'm going to remember a lot of things, but on top of it all was the way John Samuelsen stepped up to defend me when then-President Roger Toussaint had me up on charges. That was a highlight. I became loyal to John and his team. And I remember the first Italian Day at the Union Hall – it was wonderful, and it springboarded the way it is today."

D'Amato started his transit career with New York Bus Service in 1991. When NY Bus was folded into the MTA under Mayor Mike Bloomberg in 2005, D'Amato became a Shop Steward. He went on to win four terms as Vice Chair of Eastchester Depot before becoming Division Vice Chair and then Chair.

Capocci began his transit career in 1999, getting involved with the Union in 2013 as an elected delegate to the TWU International Convention. In 2016 he was elected Section Vice Chair, then served as Division Vice Chair before rising to his current post, Division Chair. He also serves on the Union's Executive Board.

Lindbergh Ray began working for transit in 2006. A strong supporter of the Union, he became Section Vice Chair of Transportation at College Point last year.

President Davis said: "Pete Rosconi has held the line as a powerful advocate for the working men and women of the Private Lines. His team today moves up to continue that legacy and I have every confidence in their ability to measure up to the standard he set."



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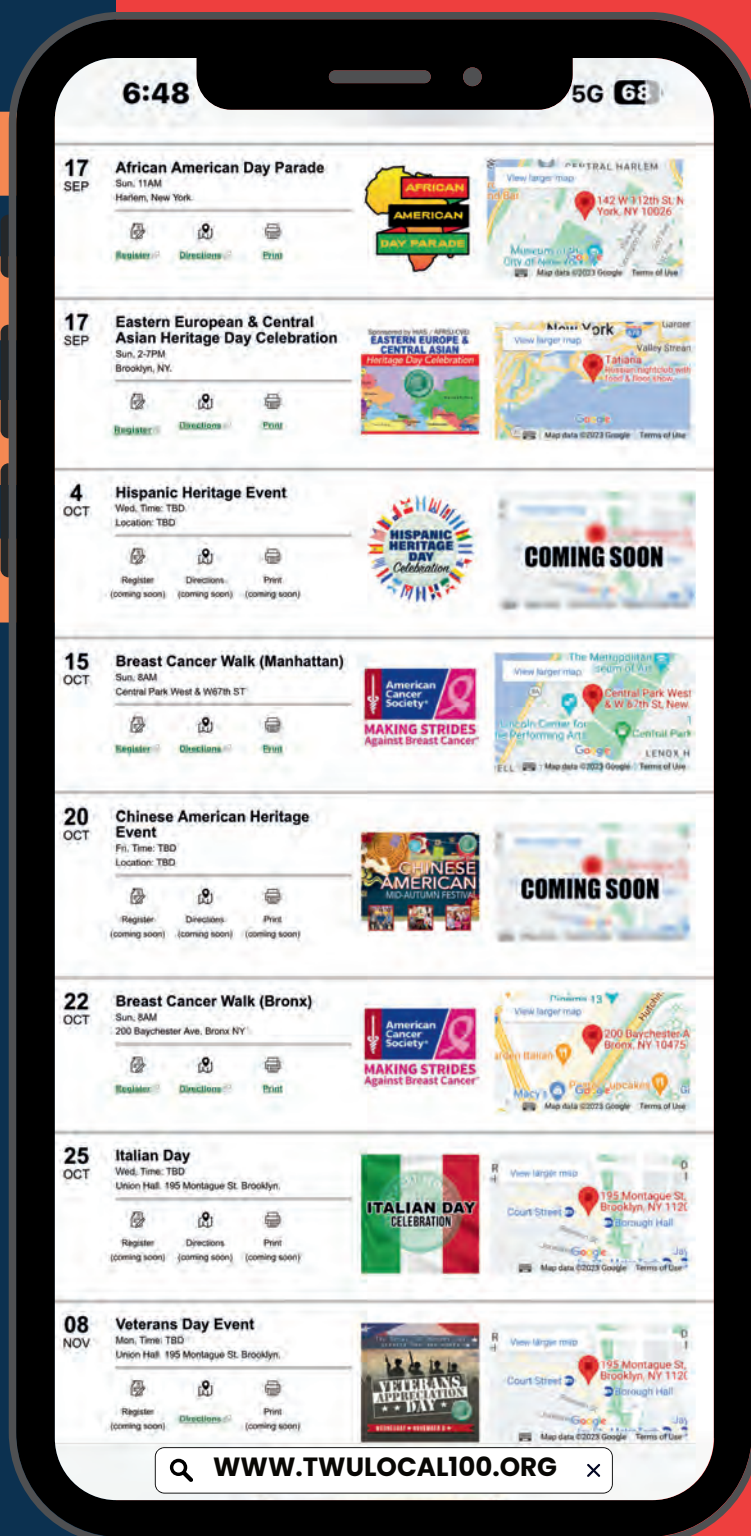
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SAG-AFTRA Stayed Strong – And We Helped

After a bitter 118-day strike, the Screen Actors Guild and the American Federation of Television and Radio Artists (SAG-AFTRA) settled with the Hollywood moguls who control the purse strings in the entertainment industry. The November 8th settlement came after thousands walked picket lines from New York to Los Angeles.

In New York, more than 300 TWU members from across the country brought solidarity to the SAG-AFTRA picket line outside of NBC studios. On October 8th, a huge crowd of striking SAG-AFTRA members were joined by TWU Brothers and Sisters as we jammed 49th Street at Rockefeller Center.

SAG-AFTRA New York Local Executive Director Rebecca Damon introduced us with the following words: “While some people were busy watching Netflix on their couches [during the recent floods], these were the people who came to work so that the doctors and nurses could

get people taken care of. That is no small thing. For me, when I hear the TWU, I think of heroes, because that is what they are, and that is one of the reasons why their support means so much to me today.”

“They have been showing up on our picket lines from the very first week,” she added. “They put other unions to shame, and I need to thank them.”

TWU Local 100 President Richard Davis then led the crowd in a “SAG-AFTRA Strong” cheer. He also gave shout outs to each of the over 20 TWU Locals that were present at the rally in solidarity with the striking actors and techs.

“It’s my absolute pleasure to be with you in solidarity from Local 100 and all of the TWU,” Davis said. “We have to make sure that SAG-AFTRA and its members get their fair due, and get the contract they

deserve. We are united with you and we’re here to fight.”

Dozens of Local 100 members and officers, including VP’s Robert Kelley, Canella Gomez, Shirley Martin, JP Patafio, and Don Yates were also on hand marching on the line.

International President John Samuels also addressed the crowd, calling the Hollywood and entertainment magnates who were fighting the Union’s demands “miserable bastards.”

He said: “We know about miserable bastards. We deal with them every day. And we know how to fight back against them. And this is how you win a fight: you keep throwing punches viciously, relentlessly, endlessly, until you land one that decks the boss. That’s how you do it. And that’s how you win. And you’re winning this fight now.”



Grievance Win as Agents See Extra Dollar

Local 100 caught the MTA shortchanging hundreds of Station Agents on their pay – and now the Authority must cut retro checks to the affected members.

The MTA was not fully applying a \$1 pay-rate increase to Station Agents who have less than five full years on the job. The rate increase was part of a union-management agreement allowing Station Agents to work outside their booths that went into effect March 30, 2023. It is supposed to be applied to all Station Agents, not just more veteran workers.

Stations Vice President Robert Kelley filed a grievance.

The MTA saw the writing on the wall and agreed to settle the case by agreeing in writing to provide retro pay going back to March 30, 2023, union counsel Arthur Schwartz said. The size of each retro check will depend on a worker's date of hire, but the affected agents are expected to receive payments worth several hundred dollars.

"This is another example of our union staying on top of things," Local 100 President Richard Davis said. "We will keep calling out the Authority when it doesn't live up to the contract. That's our job, and we will continue to be vigilant."

Nicolette Brown Appointed Division Chair for Station Department

Longtime Chair Derick Echevarria Retires



On Monday, December 11th, the Local 100 Executive Board elevated Station Agent and union activist Nicolette Browne to Division Chair, as Chair Derick Echevarria announced his retirement. Brother Echevarria, 58, has 34 years of service with NYC Transit, coming on board at the age of 24. Sister Browne joined NYCT in 2002.

Nicolette cut her teeth in the run-up to the 2005 strike, taking part in rush-hour protests and serving as site captain for contract protests as Union Square. She was elected to the Union's Executive Board and also served as a member of the Working Women's Committee and as Child Care Outreach Coordinator. She was a fixture at 2 Broadway, fighting for members in disciplinary hearings.

Brother Echevarria started his career as a Railroad Clerk in 1989, and then became a Station Agent and quickly rose in the union ranks. "There were a lot of ups and downs," he recalled, "but more ups than downs."

The highlight of his career, he said, was when the Union went to bat for hundreds of Station Agents who were laid off by then MTA Chair Jay Walder. "We won reinstatement for everyone who wanted to come back – 312 Station Agents," he said. "And then we passed a bill in Albany so they could buy back pension credit for the time they were laid off." He also lauded the recently-won Station Agent of the Future agreement. "I achieved what I wanted," he said. "Job security for the Agents."

A candidate for a kidney transplant, Echevarria plans, in retirement, to get more rest, eat healthy, and especially enjoy Knick games at MSG.



Davis to State Senate: Remove the Overtime Cap!

In prepared testimony and in an exchange of questions and answers with members of the New York State Senate Committee on Civil Service and Pensions, TWU Local 100 President Richard Davis gave State Senators an education on NYC Transit overtime rules — and why the current system of capping pensionable overtime cries out for reform.

The overtime cap provisions built in to the Tier VI NYCERS pension — which includes the overwhelming majority of transit workers right now — mandate that overtime worked in excess of \$19,000 isn't figured into a worker's salary for the purpose of pension calculations.

"Sometimes, overtime is mandatory," Davis said. "But transit workers never assign themselves overtime. They work extra hours because they are needed — because they are required."

He noted that transit workers routinely provide service at times and in places where the general public won't go — especially when there is heavy flooding or a deadly pandemic. "It's often all hands on deck, and the jobs we do are not easy," he told lawmakers.

He also said that the cap on pensionable overtime is hurting the MTA's ability to recruit and retain critically important workers. Part of the reason for this is the physically taxing nature of transit work. Davis spoke from personal experience as a Bus Operator when he told Senator Robert Jackson about the debilitating effects of operating for long hours, year after year. He noted that for Bus Operators, overtime is generally built-in to their schedules, and because of this some overtime earned in the normal course of business becomes non-pensionable. This is especially galling, he said, when workers who are

members of earlier pension tiers earn more pensionable overtime for the same work than do their Tier VI co-workers who work with them, side by side.

Sen. Andrew Gounardes (D-Brooklyn), discussing issues of recruitment and retention, said, "It seems like we are being short-sighted in nickel and diming the workers who we need to fill these positions to provide the service that we fought so hard for, because our constituents depend on it, if we're not actually thinking about what it takes to pay and retain [them]."

The ranking Republican member, Alexis Weik (R, C-Massapequa) also offered support, saying "I agree there are a lot of problems with Tier VI, and I think the overtime issue is especially unfair...I think Tier VI needs major changes in order for it to be more attractive and to recruit the workers that we need."

Sen. Joseph Addabbo (D-Queens) noted that since Tier VI was enacted in 2012, ten years of data is available to inform the legislature about what needs to be changed. "The time is upon us to talk about how we improve the situation of our workers, going forward," he said.

Senator Iwen Chu, who just won election in a close race in Brooklyn, saluted TWU Local 100 members for keeping the system moving during the major flooding this past September.

Sen Shelley Mayer (D-Westchester), called the current nine-year lookback period for the calculation of pensionable overtime "extremely punitive," adding, "I strongly support changing Tier VI."





Fair Fares rally in Manhattan brings together TWU Local 100 and advocates, including the Riders Alliance and the Community Service Society. MABSTOA VP Donald Yates spoke in favor of the proposal to expand the program.

Union Takes Stand for the Poorest Riders

TWU Local 100 has joined a campaign to help low-income New Yorkers pay for their bus and subway rides, supporting advocates who are calling for the expansion of “Fair Fares” in which participants pay half the price of a ride while the city pays the balance.

MaBSTOA Vice President Donald Yates represented Local 100 President Richard Davis at an Oct. 5th press conference that was organized by the Riders Alliance, a riders advocacy group, and the Community Service Society, a non-profit dedicated to addressing issues facing low-income New Yorkers.

“It’s not a freebie,” Yates said of the discounted fares. “It’s a helping hand, and that’s what good government does. If the city expands eligibility, more working men and women on the lower end of the income scale will ride our buses and trains or ride them more frequently. They will find it a bit easier to make ends meet and provide for their families.”

Enabling more people to take advantage of the discount won’t eliminate farebeating. But it will alleviate economic pressure on individuals, and some of them will be less compelled to jump the turnstile or board a bus without paying, Yates said. “And that’s good for riders and good for the MTA’s bottom line.”

The MTA loses hundreds of millions of dollars a year to farebeating every year. Under current Fair Fares rules, adults are eligible for the 50% discount if they are living at or below the official federal poverty line. For a family of four, that’s a household income of \$30,000 or

less. That’s far too low, advocates argue, especially in New York City, where the cost of living is so high.

Advocates are calling on Mayor Eric Adams’ administration to double eligibility. That would mean adults in a household with an income of \$60,000 or less would qualify. The assistance is needed, Yates said.

“The bus and subway system doesn’t just provide rides,” he added. “It provides access. It provides freedom. It provides opportunity. It enables people to go to work – and to seek work beyond their immediate neighborhoods. It provides access to healthcare, education, social services. When we talk about the cost of using the system, we are talking about the price of equity and inclusion.”

TWU Local 100 wholeheartedly supports the Fair Fares program, and supports making it available to more New Yorkers.



WIADC Parade Pre-Carnival Event: Davis Hails Guyanese Heritage

Shout-Out to Guyana as Davis Takes Mic at Parade Kickoff

Introduced to applause as one of the big parade's grand marshals, TWU Local 100 President Richard Davis introduced himself to a politically-connected crowd at the Brooklyn Children's Museum at a pre-West Indian American Day Carnival event. Listening to his remarks at the August 10 event were NYC Mayor Eric Adams and Public Advocate Jumaane Williams, along with the WIADC parade committee.

"Thank you very much for those who are here on behalf of the West Indian Community, and for those who are here from Guyana," said, invoking the land of his birth. "I'm the second West Indian leader of one of the greatest unions in this country, TWU Local 100," he continued, "and it's a pleasure to represent over 40,000 workers and note the dedication that they bring to the city of New York, working every day to make sure we thrive and make sure we carry everybody back and forth to work and home safely."

"On behalf of those TWU members, we will be on the parkway, and we'll be mashing it up."



Beautiful costumes are in evidence as Davis, TAS VP JP Patafio, Parade Committee Chair Sherlock Bender, and Political Action Director Sharase DeBouse take part in the celebration

The West Indian American Day Carnival is New York's biggest parade. Davis is the first TWU Local 100 President to be a Grand Marshal, and the second West Indian-born Union President after Roger Toussaint, who hails from Trinidad.



Scholarships Awarded

Our Future on Display As Union Kids Win Scholarship Awards

President Davis tells students to take pride in their achievements

The year's big event for many TWU Local 100 families isn't Family Day – it's when we announce our M3 Technology/TWU Local 100 scholarship winners. Over \$150,000 in scholarships is distributed each year, with some students picking up \$10,000 awards. Most receive \$1,000.

College-bound or college-attending students are eligible, and they include not only the sons and daughters of union members, but the members themselves. Grandchildren of TWU Local 100 members and retirees in good standing are also eligible. Want to apply? Just scan the QR code on this page.



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M3 TECHNOLOGY & TWU LOCAL 100
**SCHOLARSHIP
AWARDS
CEREMONY**

Winner's Circle: Proud students with their awards



Veronica Peralta, attending Baruch College, stands proudly with her father, Javier Camilo, a MaBSTOA Bus Operator. At left is MABSTOA Division Chair Sean Battaglia.



Top Officers, RTO VP Canella Gomez and M3's John Pescitelli with happy winner Denivia Rivera, grand daughter of Train Operator Susette Rosado.



M3 CEO John Pescitelli



Union staff and top officers share the love with longtime Member Services staffer Norma Lopez, who is getting a BS in Business from the University of Phoenix.



Bus Operator Roy Toniolo out of Tuskegee Airmen Depot has his arm around President Davis and pal Javier Camilo. Daughter Kaylene (at far right) is studying Nursing at Sacred Heart University. Next to her is her mother, Aurora.



Former President Tony Utano greets Power Electronics Maintainer David Phillips, his wife Catherine, and daughter Nyla. She is studying criminal law at St. John's.



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We Honor 9/11 Hero in New Jersey

On December 26, TWU Local 100 President Richard Davis brought a Christmas gift of sorts to a Track Worker who is fighting cancer in New Jersey.

Track Worker Michael DiRosa, 81, had retired in 2005 after 22 years with NYCT. His retirement was marked

by serious illnesses, including chronic myelogenous leukemia, a cancer of the bone marrow, and Parkinson's disease. In 2001, he had participated in the clean-up effort at Ground Zero, ordered to the site by Transit to prepare the area for a massive rescue and recovery effort.

In 2020, realizing that his cancer may be linked to his service at 9/11 DiRosa applied for benefits from the federal Victim Compensation Fund. Late last year he received a cash award from the VCF and his wife, Catherine, called the Union with a request.

Even though DiRosa was in the hospital undergoing treatment, he wanted to receive the union's 9/11 medal, which is only provided to those who receive a VCF award and which is generally conferred at our annual medal ceremony at the 9/11 Memorial and Museum in lower Manhattan.

Accompanied by Executive Board Member Mario Galvet, President Davis carried the medal to DiRosa's bedside at the Riverview Medical Center in Red Bank, New Jersey the day after Christmas.

Davis said in part, "I'm here to honor you for your exceptional heroism during 9/11. You did what private sector workers could not -- you led the way, and played a crucial role in clearing the way within hours of the towers' collapse, allowing other first responders to do their jobs... this medal will be displayed in the 9/11 museum, insuring your legacy will always be remembered. Michael, you will never be forgotten."

His wife Catherine, after the presentation, told the TWU Bulletin: "It was nice what the President said, that you will always be remembered. He was very moved to be recognized after all these years. Working on the tracks is not an easy job."

Livelihood Restored

Arbitrator Finds Test Refusal Wasn't Voluntary

A veteran Conductor took a promotional test for Train Operator and found himself in the proverbial trick bag. On November 14 of 2022, Scott Foster couldn't produce the urine sample required as part of the exam, and that ended the application. Brother Foster had an issue which is not unusual among men. He couldn't "void" without "evacuating" at the same time – and that would have cost him his job — if not for the union.

Two months later, transit dropped a disciplinary action notice (DAN) on Brother Foster, ordering him to report to 2 Broadway for a hearing. Managers said they considered Foster's failure to produce the urine sample back in November an act of willful refusal.

What followed could have been avoided if transit's medical specimen collector, PetaGaye Harris, had simply allowed Foster to sit down to provide the sample. Instead, transit ran him through the wringer, charging him with refusing a drug test, suspending him, and holding him without pay as of January 24 of this year.

Transit bosses apparently didn't care that -- in the case of another Train Operator, settled the year before, an arbitrator had found that that Operator – who suffered from the same condition – had not in fact refused to provide a sample and should be returned to work.

Foster was referred to a doctor at Mt. Sinai who told transit, "If the patient needs to evacuate in order to void such accommodation should be made if possible." Yet transit medical director Dr. Laura Bienenfeld still contended that Foster had refused to test.

The day he was suspended Foster called RTO B Division Vice Chair Aaron Morrison, who assured him the Union had his back. RTO Conductor-Tower Vice Chair Kenneth



Union Rep Ken Rivera (at left) with Scott Foster

Rivera began the grievance process, filing at Steps 1, 2, and 3 – all of which were denied, even when the Union presented evidence that Brother Foster had an enlarged prostate, which contributed to his condition.

Then came the final step – an arbitration on June 1 before Arbitrator Philip Maier.

Rivera recalled: "We were in the arbitration room and Brother Foster got a call from his wife saying that Con Ed just cut off the lights. He was like, "Oh, my God – you have to give me a minute, Ken." With his wife out of work and his four children dependent on his transit salary, Foster despaired for his future.

But the arbitrator saw the case the Union's way, restoring Foster to service on June 28th and awarding him full back pay. In his decision, Maier referenced the previous finding, saying, "In both cases the grievants asked to be able to sit down at a toilet while providing his urine sample, and there was medical evidence that it is common for men to also have to defecate while they urinate. It is reasonable for Foster to have requested this accommodation."

Today Scott Foster is back on the job as a Conductor on the 1 Train out of 242nd Street in Upper Manhattan.

"I just have to say that the union backs their members," he said. He also thanked his landlord, who could have moved to evict him and his family – but didn't, knowing that transit workers generally do the right thing, unlike some transit managers.

Most important, Foster says, is his strong Christian faith which helped him get through his ordeal.



Veteran's Appreciation Dinner 2023



Our annual event was MC'd by Dartagnan Magana, USMC, who was named the Coordinator of the Veterans Services Department, which will be providing additional resources to our transit veterans. Each veteran attending received a new specially-designed t-shirt. We heard from State Senator Joe Addabbo, a strong supporter of the union who has already signed on to a new initiative which would allow members to buy back more military time for pensionable time within NYCERS. The event also marked the final appearance of Eddie Agard as the Commandant of the TWU Local 100 MTA Honor Guard. Brother Agard is retiring and handed the commission to our new Commandant, Jose Domenech.



Changing of the Guard: Eddie Agard retires as Commandant of our Honor Guard; Jose Domenech picks up the baton.



President Davis and Recording Secretary LaTonya Crisp with brothers from MoW and former President Tony Utano

Bus Op Saves a Life —Without Thinking

Bus Operator Joe Hernandez, on his way from Queens to his morning report at the Michael J. Quill Depot in mid-Manhattan, was standing on the #7 subway platform at Elmhurst Avenue and 90th Street when he heard a thud. It was 3 AM on November 8th.

“I turned around – I saw that a man had fallen off the platform onto the tracks, people trying to reach for him. At the moment, you don’t really think about it – you do what anyone else would have done.”

But the only other person willing to jump to the elevated track bed was a cop who, Hernandez says, “came out of nowhere. We jumped down together, grabbed one leg each. I could see a thin gash of blood on fallen man’s forehead. Other people on the platform grabbed for his arms, helped us get him up.”

The man who fell, Hernandez says, was “smashed,

drunk. He tipped over and slammed his head on the rail. He was dazed – couldn’t even talk.” Two minutes after the Bus Operator and the Police Officer got him back to safety, the #7 to Hudson Yards arrived, and Hernandez boarded the train to go to work.

If not for the intervention, that #7 train would most likely have resulted in another one of the many fatalities caused by falling onto the tracks. “It’s nice knowing that,” the Bus Operator says, “with the holidays coming up, this man will get to spend these days with his family – instead of in a cemetery.”

Channel 41 showed up shortly thereafter, and Brother Hernandez was identified as a good Samaritan, but not as NYCT Bus Operator. Correcting the record, MaBSTOA Division Chair Sean Battaglia said: “We are going to acknowledge this fine Bus Operator for the true hero and lifesaver he is. Thank you my brother, we are all fortunate to have you as part of our TWU Family.”



Tragic Line of Duty Death Spurs Investigation

As this issue of the Bulletin went to press, an investigation was being opened into the tragic death of Track Worker Hilarion Joseph, 57, who made contact with a D train as it entered the 34th Street Station at Herald Square just after midnight on November 29th.

President Richard Davis responded, along with MOW VP Richard Rocco, RTO VP Canella Gomez, Track Chairman Carlos Albert, and members of the Safety Team. Brother Joseph was pronounced dead at Bellevue Hospital after being removed from the scene by EMS. Members of Brother Joseph’s family met union and MTA officials at Bellevue. NYCT issued a 24-hour safety stand-down, stopping non-essential work and schooling workers in safety procedures.

President Davis said, “We grieve the loss of one of our own, and it is crucial

that we come together in solidarity. Please take care of yourselves and one another.”

Joseph, who hailed from Trinidad and Tobago and had a career in the US Army before joining Transit, leaves a wife and six children to mourn. He had only a short time on the job.

One of his co-workers, commenting on the private Facebook group Rails and Spikes 4 Life, said:

“Somacone in my gang said he was just a number and someone else will have his seniority soon. NO. His name is Hilarion Joseph. He was a son, a husband, a father, a business owner and one of the hardest workers in the Dec 5th class of 2022. He was only 6 days away from making probation.

“Show some respect and humanity and stop celebrating being called off the tracks. Pray for his family who are going

to wake up to horrific news. Please stay safe, track family.

Keep focused on what really matters in life -- and that is our own safety and returning to our loved ones every morning. We all lost someone tonight. I prayed this day would never come but deep down inside I felt like it would. This is a dangerous place that people take too lightly.

“I’m sorry this happened to you, Brother Joseph. We’ll never forget that tone loc voice and hard work ethic since day 1. You engaged with the teacher non-stop in class. You were eager to learn and not afraid to work hard. The only pic I have of him, everyone is watching him work the hardest. That was who he was.”



LOCAL 100 Members Battle Historic Deluge



Record-setting rainfall flooded the city on Friday, Sept. 29, 2023, but Local 100 battled through the deluge – and kept New York moving.

While there were major subway service suspensions, delays, and re-routes, trains kept rolling, providing a lifeline for millions of riders, from Coney Island to Pelham Bay, from the Hell's Kitchen to Flushing. The bus fleet moved along its routes, plowing through major flooding where necessary.

"It's a flooding emergency – and our members aren't hunkered down in safe or dry locations," Local 100 President Richard Davis told the media during the deluge. "We're out there keeping NYC moving as long as we can. This is what Local 100 members do. We step up for NYC."

The comprehensive list of actions on the front lines, Davis said, included, "Bus Operators driving through floods so high passengers are standing on their seats. Hydraulics workers operating giant pumps in tunnels between stations. Track Workers unclogging drains. Station Agents evacuating riders, assisting with water conditions, giving alternate directions. It's all hands-on deck for TWU Local 100."

By the end of the soggy day, eight inches of rainfall was recorded at Kennedy Airport, setting a city record for a 24-hour period. The per-hour rainfall at times was greater than the maximum rate the city's storm sewer system could handle. So, the water poured into the city's basement, the



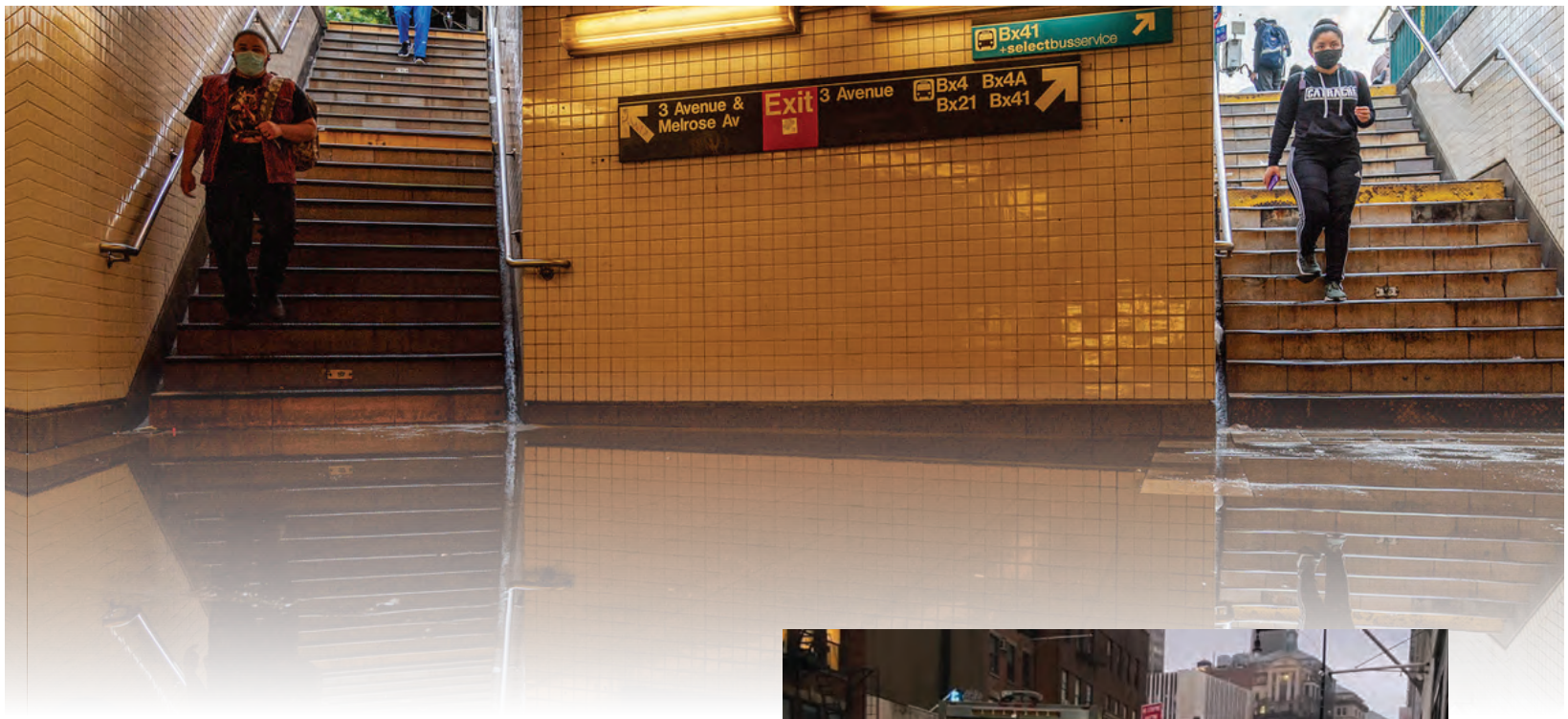
subway system and flooded the streets above.

Photos and videos on social and mainstream media showed images of tracks flowing like streams and water lapping at the feet of passengers riding buses.

"Moving forward, I'd like my title to be Captain Bus Operator...after navigating the mighty flood waters of 86th St. on the B1 yesterday," Brooklyn Bus Operator John Salvio III quipped on Twitter. "Shoutout to ALL my Bus Operators and All of Local 100."

The overwhelming majority of the bus fleet stayed in service. By 11 am. Friday, however, subway service was suspended on three lines and a shuttle; segment suspensions were in effect on 10 lines; and trains on two lines were being re-routed.

When water hits the electrified third rail, it not only results in service coming to a grinding halt. It fills tunnels between stations with scalding hot steam. Ventilation and Drainage Maintainers used portable fans to draw the air up through street vents, making it safe for co-workers to enter tunnels to access pump rooms and other critical infrastructure, Section Chair Alfonso Simmons said.

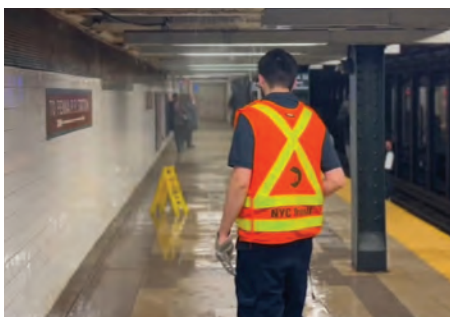
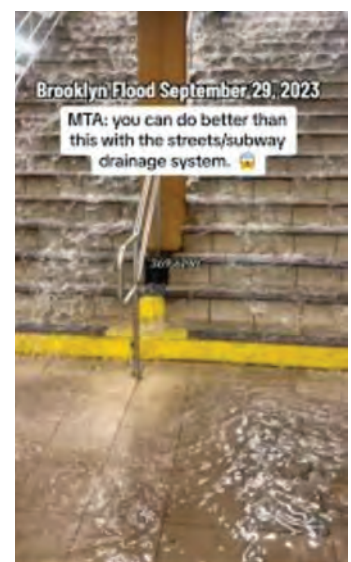
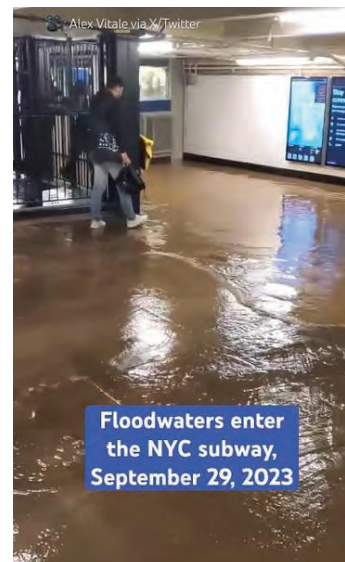
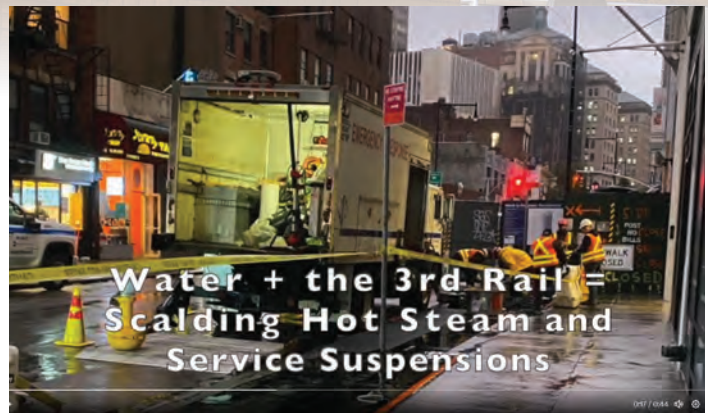


It's a critical step towards recovery along with testing signals, power, and communications systems. By Friday night, most service was back, and it was fully restored the next morning.

"Proud to announce that that service is back to full service," Gov. Hochul tweeted. "Grateful to the incredible transit workers...."

Councilwoman Lynn Schulman said, "Thank you to all the essential workers, including TWU Local 100, for the amazing work and quick turnaround from the unprecedented rain we had yesterday."

Even some riders had kind words to say. "You're doing great," a rider called out to Brooklyn Bus Operator Stephanie Bogy as she navigated down a street with flooding so high water covered the floor of her bus.



WIADC Parade

TWU Local 100 President Richard Davis steps out as a Grand Marshal of the West Indian American Day Carnival, and the second West-Indian Local 100 President. He cut the ceremonial ribbon to begin the parade with other Marshals and New York State Governor Kathy Hochul, then paraded up Eastern Parkway with a large contingent of union officers and rank and file, then joining hundreds of union members as our mass camp at the corner of Bedford Avenue. Brother Davis hails from Guyana. The first Local 100 President born in the Caribbean was Roger Toussaint (2001 - 2009), who hailed from Trinidad and Tobago.







Tracey Young (center) with Rec. Sec LaTonya Crisp and President Davis at the Cancer Walk.

WE WALK TO STOP BREAST CANCER

Marching against Breast Cancer to raise funds and awareness is driven by personal stories. In this issue of the TWU Bulletin, we profile two of our own.

TWU Local 100 has some tough members. Perhaps none tougher than Cancer survivors Tracey Young and Recording Secretary LaTonya Crisp. Both were selected by the union to be honored participants in this year's Making Strides Against Breast Cancer walks in the city: Young at the Oct. 15 event in Central Park, and Crisp at the Oct. 22 fundraiser in the Bronx.

Tracey Young

Young has been battling cancer for approximately two years: major surgery, chemotherapy, and its side effects. But Young doesn't spend her days sulking at home.

You will find Young - the first-ever female chair at Manhattanville Bus Depot - at her post by 6:30 a.m. weekdays to help union members with issues like scheduling, working conditions, and disciplinary matters.

"I don't want to sit home dwelling on being sick," Young said. "I want to fight, and part of fighting is coming to work," Young said.

She also wants to inspire others with cancer to be strong. "You can't give up," Young said. "If you give up, this cancer will eat you up alive."

Young's cancer was discovered after she was involved in a car accident in the summer of 2021. She was heading to work on an off day - with her dog - when a driver ran a red light and slammed into her car, flipping it and hurling it into two parked vehicles. Amazingly, both Young and her four-legged companion were fine.

Hospital doctors, however, discovered the cancer while screening her for injuries.

"It was a shock," she said. She underwent surgery and is still undergoing chemotherapy.

Giselle Martinez, Working Women's Committee and Family Assistance Coordinator, had nothing but praise for Young. "She is an amazing woman who inspires many," Martinez said.

LaTonya Crisp

Amidst thousands of joyous revelers, colorful floats and waving flags, Local 100 Recording Secretary LaTonya Crisp marched in the 2022 NYC Pride Parade in Greenwich Village with a personal secret. She was in pain. And had cancer.

Crisp had received the shocking diagnosis just two days earlier. Still, she was undeterred.

"I made the promise to the Local 100 members of the LGBT community that I would be there for the parade, and nothing was going to stop me," she said.

Shortly after receiving her cancer diagnosis in June 2022, Crisp learned that it was Stage Four Cancer, which means it had spread from one point to other parts of the body. Her cancer's reach was extensive. Its pace was aggressive.

What followed was months of chemotherapy, during which Crisp continued participating in work meetings through Zoom. Her doctor's scheduled major surgery for November, but she delayed it to January so she could preside over her last meeting as Chair of the TWU International Working Women's Committee. Another promise made she wasn't going to break, she said.

The surgery was a success. But Crisp then had a nearly fatal reaction to a post-surgery medication protocol and wound up back in hospital again in February. Two months later, she was back in the Union Hall, just in time for the kick-off of contract negotiations with the MTA.

"It's been one hell of a walk," said Crisp, who is cancer free. "I was in the biggest fight of my life. Now, I'm just living, and I'm very grateful."

CRISP FEATURED ON ABC'S "HERE AND NOW"



LaTonya with (at left) Sandra Bookman and the American Cancer Society's Desiree Berenguer Carton.

TWU Local 100 Recording Secretary LaTonya Crisp spoke about her fight against breast cancer in an interview on the ABC-TV public affairs show, Here and Now, with Sandra Bookman. The program aired at 12 Noon on Sunday, October 8.

On the show, our Union Sister shared about her Stage 4 cancer diagnosis and how she fought back, aided by an excellent team of doctors at the Memorial Sloan Kettering Cancer Center in Manhattan. She also talked about how she became an activist and sponsor of the annual Making Strides Against Cancer marches for the American Cancer Society.



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Top Officers come every year to both TWU Cancer 'Making Strides' events



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Hispanic Heritage at the TWU

On October 4, we celebrated the rich Hispanic traditions, heritage, and contributions of New York City Transit workers. We also remembered our late Administrative Vice President Nelson Rivera, who did so much to support the Island of Puerto Rico after the devastation of hurricane Maria in 2017.

For more photos of this event, scan the QR code on this page.



African American Day Parade

In the heart of Harlem, as we eagerly awaited the start of the African American Day Parade, the tempting aroma of Charles Pan Fried Chicken beckoned us. Crispy fried chicken, buttery cornbread, and flavorful collard greens filled the air. Families, friends, and communities had come together, adorning floats with colorful decorations, banners, and messages of hope and resilience. The energy was palpable, as laughter and joyful chatter filled the air. As the parade kicked off, the music started to play, and the crowd erupted into cheers. Drum lines and marching bands captivated Harlem, while dancers and performers graced the streets with their incredible talents.



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Eastern European Central Asian American Day

800 Transit Brothers and Sisters celebrated their Eastern European heritage at Tatiana's in Brighton Beach, with great food, entertainment, and the presence of Union leadership including President Richard Davis, former President Tony Utano, CED Vice President Shirley Martin, and – always glad to be back in South Brooklyn from his busy schedule – TWU International President John Samuels. Grigoryi Dunichev from CED was the MC, and the floor show was even bigger and better this year! Enjoy the photos of the event.

For more photos of this event, scan the QR code on this page.



Italian-American Day

Our Italian Day this year took place on October 25th at a new venue – The Church of Saints Simon & Jude at 185 Van Sicklen St. in Brooklyn. A great time was had by all, especially the kids!

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Chinese-American Day

Hundreds of Union members came to our annual Chinese Day celebration in Sunset Park, including longtime political ally State Senator John Liu. Also in attendance was the first Asian-American woman elected to the New York State Senate. Senator Chu sits on the Civil Service and Labor Committee, where she recently sat to hear testimony from Pres. Davis about Tier VI, agreeing that it must be reformed.

For more photos of this event, scan the QR code on this page.



Indian Day

Over 800 transit workers of Indian heritage gathered in Queens for a night of celebration. President Richard Davis spoke to the crowd, and all of the top union officers in attendance lit the ceremonial Diwali candle to begin the event. Indian cuisine was a highlight, as well as entertainment featuring Bollywood-style singing and dancing.

For more photos of this event, scan the QR code on this page.



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