

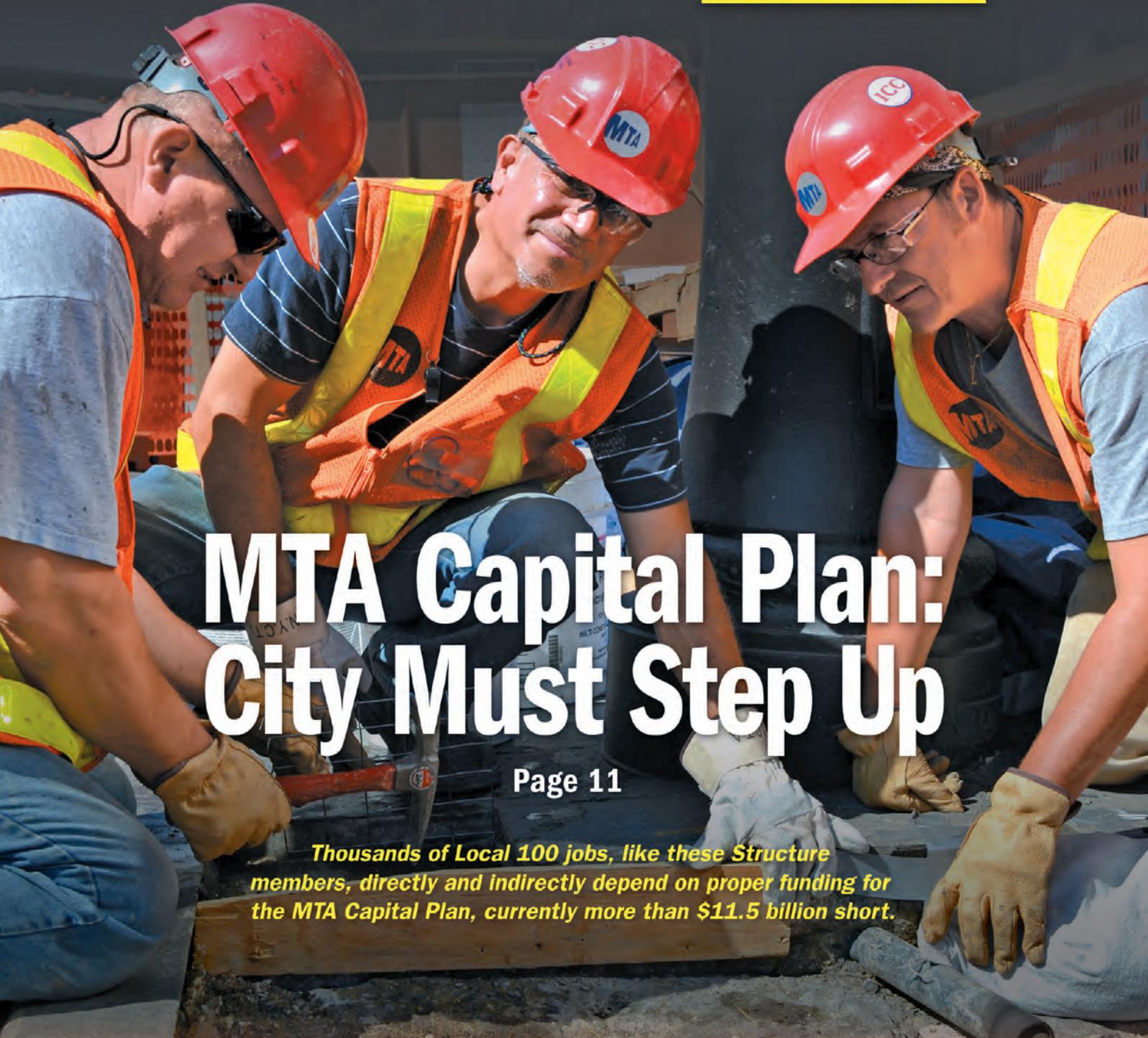


Published by TWU Local 100

Transport Workers

Summer 2015 • Vol.6 • No.2

BULLETIN



MTA Capital Plan: City Must Step Up

Page 11

Thousands of Local 100 jobs, like these Structure members, directly and indirectly depend on proper funding for the MTA Capital Plan, currently more than \$11.5 billion short.

Defending Our Pensions & Contracts

IN LATE JULY, AN ILLINOIS STATE JUDGE ISSUED an important ruling regarding public sector pensions in Chicago that is a clarion call to us here in New York and to public employees across the country.

In that case, Cook County Judge Rita M. Novak rejected Chicago Mayor Rahm Emanuel's controversial blueprint to reduce pensions for city workers as "unconstitutional" under the Illinois Constitution because the state's constitution forbids – as New York's does – "diminishing" the pension benefits of current workers.

Lawyers for the City of Chicago say they will appeal the decision to the Illinois Supreme Court. So the case goes on, and obviously there is no guarantee the pensions won't be cut.

The Chicago situation is just one of many across the country where municipalities and state governments are looking to shed their financial responsibilities to public employee pensions after years of intentionally putting less money in than was fiscally responsible.

Right here in New York, we see a constant barrage of literature from conservative politicians, think tanks and public policy "experts" that criticize public pensions as "unsustainable."

New York's constitution covers public sector benefits in a similar manner to Illinois. But that doesn't mean we can sleep on it. In today's world,

less than 25 percent of workers entering the workforce are covered by a defined benefit pension, like ours. Most workers enroll in 401(K) type plans, which are dependent on market fluctuations and, of course, the amount of money actually contributed. A defined pension is a 'forever' benefit, and worth its weight in gold. Transit workers have the ability to retire with a full pension at 55 after 25 years of service. The attacks are inevitable. We are ready to defend our hard earned benefits.

Attacking our Contract

Speaking of attacks from the right, the conservative Empire Center for Public Policy in Albany put out a release this summer decrying a spike in MTA overtime, and blaming it in part on our contract. The release, broadcast in the media by the NY Post (who else), said that the retroactivity payments in our contract are a major cause for the increase in overtime from 2013 to 2014. The Empire Center also criticized the fact that one in five MTA workers now earns over \$100,000 per year, with overtime included, as if that's a bad thing.

Our detractors conveniently leave out the difficulty and dangers inherent in transit work. They also don't mention that transit workers deliver a service vital to the economic and social fabric of our City and the entire region.

For some reason, the right loves to attack transit workers. For reasons known only to them, they seem to think the work we do is less valuable than that provided by Police, Fire, Sanitation, EMS and other public employees.

Transit workers impact the lives of more than 8 million daily users of the bus and subway system. In sheer numbers, that's every person in New York city every day. I would defy anyone to find a more valuable workforce than us in the entire country.

When you see these annoying attacks on you and the job you and your co-workers do so well every day in the media, try not to get angry or frustrated. Transit workers have been facing this type of prejudice for decades.



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7 Hitting Albany to Protest Vision Zero Arrests

Theresa Gallagher is one of the Bus Operators arrested under Mayor de Blasio's Vision Zero initiative. She and two busloads of union members went to Albany in late June to press the case against the flaws of the VZ law.



8-9 Union Promotes 911 Recognition Project

More than 3,000 transit workers raced to the 911 disaster site, including the late Pete Foley, and worked there for weeks in the recovery effort. The union is fighting to gain recognition for these efforts.



12-15 Family Day a Huge Success

Thousands of members and their families enjoyed a great day of fun at the annual TWU Local 100 Family Day at Coney Island. Kids had an especially good time.



30-31 Westchester Family Day Rocks

Not to be outdone, members and families from TWU's School bus and Westchester Divisions partied for a beautiful day at Redmond Park in Yonkers. Sack races were just part of the fun.



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Front Page Photo

Alan Saly
West 4th St.
ICC Project

We're Either Retirees or Retirees-In-Training!

THE NEWEST AMBASSADOR FOR THE TWU Local 100 Retirees' Association is a man who doesn't want to retire.

Machinist Frank Gurrera, 90, still sits down at his bench every workday at the Coney Island Overhaul Shop, fixing subway car parts that have worn down or malfunctioned, or turning his considerable talents to fabricating needed equipment that just isn't produced anymore outside of transit's own shops.

On a warm July day he got a visit from Mike Tutrone, head of the Retirees' Association, and Norman Rosenfeld, the Union's pension consultant. Both wanted badly to recruit him into the ranks of the retirees. Frank took a "Retiree-In-Training" t-shirt, but said he's not putting down his tools just yet.

However, Frank did sign up to support the Retirees' Association through voluntary payroll checkoff for a modest \$2.00 per pay period. (See sample of card below).

"For me, the work is therapy," he said. "I enjoy what I'm doing. It keeps my mind occupied, keeps my hands oc-



90-year old Frank Gurrera (center) accepts a Retiree in Training t-shirt from Mike Tutrone, Director of the TWU Local 100 Retirees Association. CIOH chair Horace Briggs is at right.

cupied. And I have people around me who I've known for years. I feel that the person who keeps working feels better. Otherwise, the body deteriorates. You've got to keep going. That's what I do."

Frank believes that "retirement is overrated," but he agreed to promote the Association by wearing the new t-shirt that's becoming quite popular among the rank and file. For some, retirement is a gateway to a new life and new opportunities. For others like Frank, it's a mirage that wavers in the heat and may not really deliver much. We think there's room within the TWU for both points of view.

Transport Workers Union of America, Local 100, AFL-CIO - Retirees Association 195 Montague Street, Brooklyn, NY 11201

VOLUNTARY CONTRIBUTION

EMPLOYEE NAMES PLEASE PRINT		TITLE	DEPARTMENT
PASS/PAYROLL NUMBER	SOCIAL SECURITY NUMBER		BI-WEEKLY DONATION \$2.00

To New York City Transit, MaBSTOA, MTA Bus and Liberty Lines Transit: "I hereby authorize the payroll department to deduct from each bi-weekly paycheck which may be due to me the amount of \$2.00 bi-weekly, and I would like that sum to be directed to the TWU Retirees Association, AFL-CIO for services provided by the Association. Please be advised that I retain the right to revoke this authorization on one month's written notice to you. I will also send a copy of my notice to revoke this authorization to TWU Retirees Association, AFL-CIO. I understand that dues, contributions or gifts to the Transport Workers Union of America, AFL-CIO, and its affiliated locals are not deductible as charitable contributions for federal income tax purposes.

- Liberty Lines Transit
- NYC Transit Authority
- MaBSTOA
- MTA Bus

DATE	EMPLOYEE SIGNATURE
------	--------------------

Active members interested in supporting the Retirees Association through payroll checkoff can fill out one of these cards and mail it to the: TWU Local 100 Retirees' Association, 195 Montague St. (3rd Floor), Brooklyn, NY 11201.

Bikeshare Workers Ratify 1st TWU Contract

LOCAL 100'S NEWEST MEMBERS HAVE RATIFIED a landmark contract for the nation's newest transportation workers.

They are the workers who operate New York City Bike-share LLC, the largest bikeshare operation in the United States. Local 100 President John Samuelsen announced the ratification by an 83 percent margin on July 16, 2015.

"This is an historic contract," said Samuelsen. "It greatly improves the income and benefits of these dedicated workers but just as importantly will lead to better service. The workers organized and joined Local 100 in September 2014 first and foremost to improve a problem-plagued bike-share operation that was being terribly managed and was in jeopardy of failing on the biggest stage. They wanted union clout in order to be heard and help their supervisors put the company on the road to recovery. Thanks to this contract and new company management, bikeshare is now on that road."

The four-and-a-half-year agreement, the first for bikeshare workers in North America, covers nearly 200 workers at NYCBS (more popularly known as Citibike), a rapidly growing company that is in the midst of a major expansion in New York City. The company wants to double its fleet of the well-liked baby blue bikes from 6,000 to 12,000 by 2017. The company is also expanding its service area from the financial district and midtown north to 130th street, and from downtown Brooklyn to Bedford-Stuyvesant, Williamsburg, Greenpoint, Crown Heights and Red Hook. It plans to service Long Island City and Astoria in a first step in Queens. It's expanding to Jersey City as well.

"I am gratified that the members have shown their strong support in their ballots, but more importantly for their support throughout the process," Samuelsen added.

Under the agreement, the workers win raises of more than 20% over the contract period. Full-time employees in NYC will get an immediate average 10% boost to their hourly rates, a key worker goal, and will receive periodic raises throughout the life of the agreement.

The contract includes creation of an empowered Workers' Council, a key union goal, to meet regularly with management. Organizer/Negotiator Nick Bedell explained that the council will serve as a forum for worker representatives

to propose operational changes and resolve work place problems.

The contract also mandates predictable and stable schedules for workers who will pick assignments through seniority. It establishes a system enabling workers to get priority for promotions. It also provides a grievance and discipline procedure to guarantee just cause. The union won an array of other economic and benefit enhancements, including 8 weeks of fully paid parental leave, eight paid holidays, the establishment of substantial paid annual vacation, paid medical benefits and night differential.



President Samuelsen announces first ever bikeshare contract at union-hall presser.

In NYC, Local 100 represents approximately 200 mechanics, technicians, call center agents and "balancers," staffers who supply docking stations with bicycles. The union also represents 300 additional workers at Capital Bike in Washington D.C., Divvy in Chicago and Hubway in Boston.

Samuelsen expressed hope that the New York contract will serve as a blueprint for negotiation in the union's other represented cities, and eventually as the foundation of a national bikeshare agreement.

Bikeshare was launched in New York in May 2013. The union immediately embraced bikeshare as an important addition to public transportation with a great potential for growth here and in other American cities. Samuelsen encouraged the workers early on to seek self-determination by joining TWU.

Puerto Rico's Debt Crisis Falls Heavily on Its Workers

By David Katzman

HEDGE FUNDS ARE CIRCLING PUERTO RICO, looking to score big profits from the debt crisis.

Having bought up billions of dollars of Puerto Rican bonds at 55 cents on the dollar, they want Puerto Rico to cut education spending to make their bond payments. But the Puerto Rican government has already and closed over a hundred schools while imposing new taxes. This has just worsened the crisis, which results from years of economic contraction, driving another wave of migration from the island.

Growth and Crisis

From 1976 to 1996, growth in Puerto Rico was fueled by federal tax breaks for corporations that located subsidiaries there. Goods produced in Puerto Rico were shipped to the mainland or exported to other countries in the Americas. This brought growth, but not growth that could sustain itself without the tax breaks. When the federal government wound them down from 1996 to 2006, side by side with the growth of "free trade," the Puerto Rican economy stagnated and then went into decline. This led to increased emigration, which then led to further contraction.

During the earlier period of growth, the Puerto Rican government borrowed heavily to build the island's infrastructure. Puerto Rican public bonds, tax-free in all 50 states, became the favorites of bond-based mutual funds. The size of Puerto Rico's debt did not seem like a problem as long as the economy grew. But economic contraction has now made the debt unsustainable.

The hedge funds swoop in

As the storm clouds loomed, mutual funds dumped their Puerto Rican bonds and opportunistic hedge funds snapped them up at bargain basement prices. Now the hedge funds are looking to make a killing.

On the one hand, they are demanding that the federal government lend Puerto Rico enough money to pay the interest on the bonds through 2016, while Puerto Rico enacts

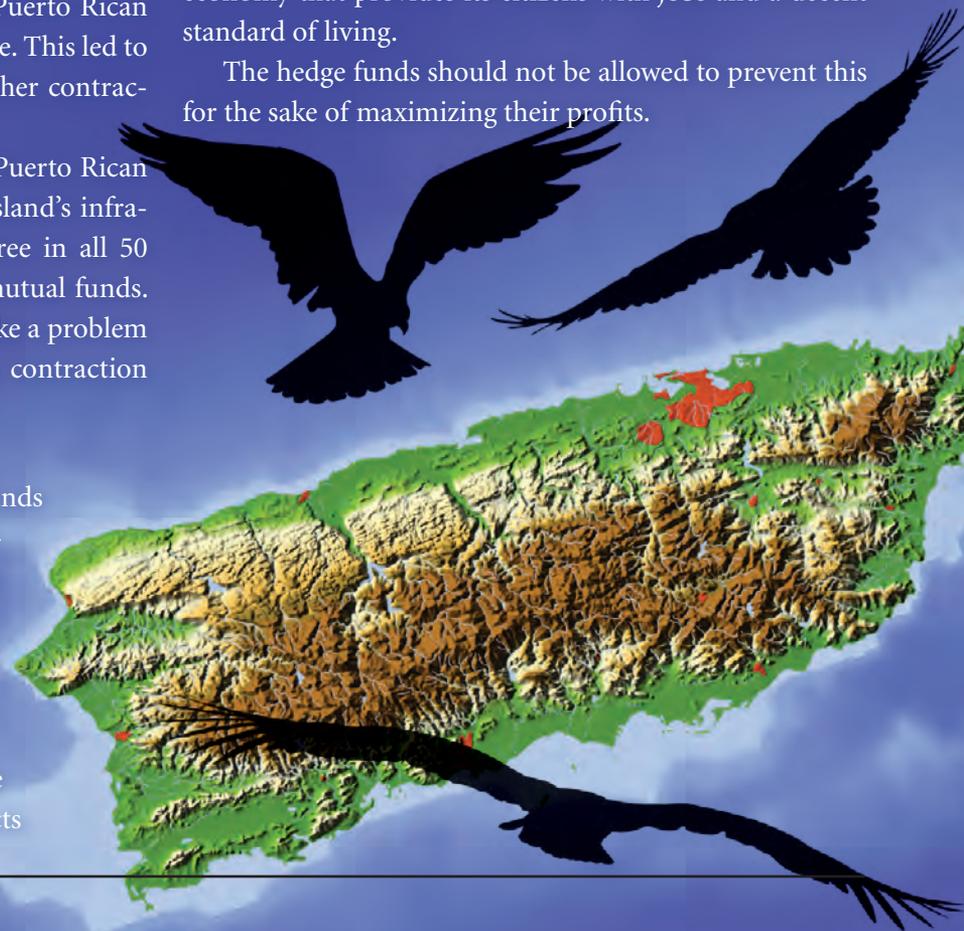
even more severe austerity measures.

On the other hand, they are also supporting legislation to permit Puerto Rico to come under bankruptcy law, as all 50 states do already. Why? First, it is less dangerous for them than Puerto Rico defaulting without the framework of bankruptcy law, which protects bondholders. But also, the typical outcome of corporate bankruptcy proceedings is to let bondholders trade bonds for ownership. This would not work in the case of the Puerto Rican government itself. But the hedge funds would not mind owning the power authority, the highway authority, etc., which are also bond issuers and also in trouble.

Austerity sucks

Years of austerity have already saddled the Puerto Rican people with the burden of this crisis while failing to resolve it. There is no reason to think that more austerity will do the trick. Any viable solution will require reducing the chokehold of debt so Puerto Rico can build a sustainable economy that provides its citizens with jobs and a decent standard of living.

The hedge funds should not be allowed to prevent this for the sake of maximizing their profits.





Local 100 Bus Operators gather on the Million Dollar Staircase in Albany's capital building. Theresa Gallagher is in front.

Union Presses Albany on Vision Zero, Veterans and School Bus Fairness

very unusual. In fact, the left side of the turning bus hit a man who was walking across East 147th. An apparently homeless 61-year-old man, he was declared dead at the scene.

A criminal complaint filed by NYPD Highway Unit detectives in January charged Gallagher with a misdemeanor for allegedly failing to exercise “due care” and failing to yield to a pedestrian, despite the fact that an internal MTA report, citing a non-functioning street lamp and overall visibility so poor that a nearby security camera didn’t “see” the pedestrian at all, seems to exonerate her.

Gallagher and 40 other Bus Operators in Albany’s State Senate gallery heard legislators defending TWU members in bus accidents, declaring that an accident is not evidence of guilt, and affirming the safety record of the MTA. The State Senate voted 54 to 6 to support our amendment to the Vision Zero law, forbidding the arrest of a Bus Operator on the scene of an accident where there is no reckless behavior. But the Assembly, swayed by an intensive lobbying effort from the Mayor, did not take the bill up for a floor debate.

In the fight for school bus driver fairness, the Union advanced A.2781/S.3474 to passage by the Assembly, although it did not come up for a vote in the Senate. This was a significant advance over 2014, when the bill – which would force school districts to honor the union’s grievance process in disciplinary cases – didn’t get out of committee.

The biggest union victory came on June 25th, when our Veteran’s Bill, pushed hard by TWU along with other unions and veterans groups, passed both houses of the legislature. The bill – which was scuttled last year by the Governor because of opposition by Mayor de Blasio on fiscal grounds – has new life after money adjustments lowered its cost. The bill would right a historical wrong – the exclusion of veterans from certain conflicts that weren’t considered service for the purposes of gaining up to three year’s pension credit that could be “bought back.”

TWO BUSLOADS OF LOCAL 100 MEMBERS JOINED the union’s political action team in Albany in the final days of the legislative session to push three important bills: vision zero amendment, the veteran’s pension buyback bill, and a bill for school bus disciplinary fairness. Two advanced in one house; the third, the veterans bill, awaits Governor Cuomo’s signature.

Vision Zero easily grabbed the most media attention: a high-profile fight that has pitted the union, arguing for de-criminalizing Bus Operators in accident situations – against Mayor de Blasio and holdouts on the New York City Council.

Local 100 Bus Operator Theresa Gallagher, one of those arrested under Vision Zero’s failure-to-yield law, joined the bus trip north.

Gallagher is the perfect poster child for Vision Zero’s myopia. For more than 24 years, she had an unblemished record. Not a single traffic violation. Not a single write-up by the MTA for breaking one of its many rules. Not a single customer complaint leading to a disciplinary action by the bosses.

On October 3, 2014 Gallagher was operating a 60-foot-long bus in the South Bronx. It was nearly 1:40 a.m. in the morning as she drove north on Willis Ave. As she was making a left turn with the green light, Gallagher heard a noise. She thought someone threw an object at the bus, which isn’t



New Medal a Tangible Transit Workers' 9/11

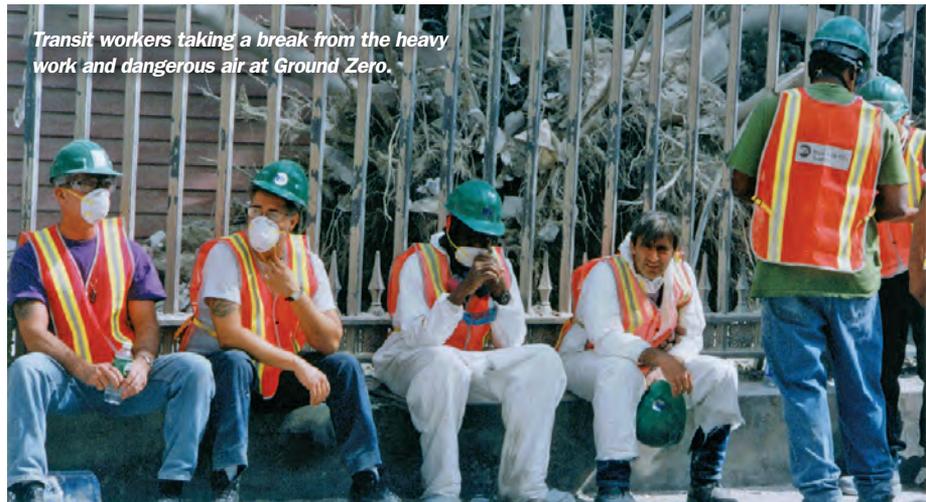
By Alan Saly

AS THE 14TH ANNIVERSARY OF THE attack on the World Trade Center approaches, TWU Local 100 is ramping up its effort to get recognition for transit workers' deeds done on that fateful day. The union is determined that the work of Bus Operators, Train Operators, Station Agents, Cleaners, the MOW trades, Track Workers, and so many others at the disaster site are recognized in the official histories and memorials to the event.

Like firefighters, police, and EMS workers, transit employees heeded the call to help fellow New Yorkers when death struck out of the blue sky. And like the emergency services, many transit workers were assigned to the job by their employer.

Some transit workers were in passenger service, keeping riders out of harm's way as well as shuttling patients and rescuers in and out of the chaotic scene. Most were directed to tackle the big jobs that loomed so large on 9/11 and the days immediately following: bringing in and operating the heavy equipment that lifted thousands of tons of twisted metal and concrete, cutting the beams that hindered rescue efforts, and cleaning the transit system of massive amounts of debris.

In the intervening years, it has become clear than no one is going to tell our story at 9/11 unless we tell it ourselves. The National September 11th Memorial and Museum, adjacent to the twin reflecting pools in the footprints of the old World Trade Center towers, contains scarcely any mention of the actions of transit workers on the day of the disaster and after, although transit was one of the largest workforces there. A list of personnel assigned to Ground Zero – given to the Local 100's Director of Occupational Health and Safety, Frank Goldsmith, by transit's Office of Labor Relations in



Transit workers taking a break from the heavy work and dangerous air at Ground Zero.

2002 – includes 2,051 names and pass numbers. And there surely were many more, because many volunteered to go to the site, and spent weeks on their own time sifting debris and wreckage. The union estimates a total of 3,000.

In the last two years, the union's leadership has made preserving the record of transit's role at 9/11 a priority. Mario Galvet and Kevin McCawley, both out of MOW, were assigned to reach out to active members and retirees to find those who were injured or made ill by their service at Ground Zero but have still not filed with the appropriate health care clinics and with the federally funded Victim's Compensation Fund.

Even now, 14 years later, there are those who have not signed up for benefits they may have earned by their service on the pile. Because new illnesses are still being added to those judged compensable by the 9/11 VCF, this is still an unfolding area of law. As this edition of the Bulletin was going to press, we learned that prostate cancer, the second most common cancer in males, has been added to the 9/11 illness list.

The union has made all of the health information we have available on our website at www.twulocal100.org (just click on the 9/11 recognition link on the right-hand column), and we have been distributing questionnaires about 9/11 service at crew quarters throughout transit facilities. We have also been asking for photographs taken of transit workers, and by

Symbol of Heroism

transit workers, at Ground Zero, and are preparing to print a booklet of never-before-published images from 9/11 to honor the 14th Anniversary.

We have also built a relationship with the 9/11 Tribute Museum, which stands adjacent to the former WTC site on Liberty Street. The Tribute Museum is also prepared to dedicate an exhibit to transit's contribution to 9/11 which will be permanently showcased for the millions of visitors who tour the 9/11 site.

The capstone on the union's effort has been to create a medal, underwritten by 9/11 attorneys Kreindler and Kreindler, in two sizes – a large medallion and a pin. The large medallion will be given to all transit workers who have a verified 9/11 illness or injury, and the small pin is for anyone who can document service on the pile for any length of time.

Two medallions will be given posthumously to the widows of two prominent TWU Local 100 union activists and officers, REM Pete Foley and Conductor Jimmy Willis, both of whom died from 9/11 related illnesses. These injuries and illnesses are still claiming lives, 14 years later. If you served at Ground Zero, you owe it to yourself and your family to visit our website, download the latest brochure, and familiarize yourself with your options for health care. It's also an opportunity to tell your 9/11 story, share your 9/11 photographs, and pick up a medal or pin that you richly deserve.

More than 2,000 transit workers responded to the 9/11 disaster in an official capacity. Many more served as volunteers before or after work.



Union Mourns Duane MacMenamie, Long-Time LES-MOW Officer

Local 100 members and officers are mourning the passing of Duane MacMenamie, Vice Chair of the Line Equipment & Signals Division. Duane had recently retired amidst a difficult battle with cancer. He died on July 30, 2015 from complications after surgery at Mount Sinai Hospital in New York. He was only 59 years old, and was one of the transit workers who responded to the 9/11 terror attacks in 2001.

Brother MacMenamie had been with TWU for the past 25 years as a member of the Lighting Section of LES. He had served as an officer for the past 15 years in several capacities, including most recently as Division V Vice Chair.



Local 100 President John Samuelsen offered the union's heartfelt condolences to his wife, Linda, and sister, Donna. "Duane was a great union activist and even better person. We are all going to miss his friendship and humor, and the members he served so well are going to miss his advocacy on their behalf."

Local 100 MOW Vice President Tony Utano echoed those sentiments, saying: "Duane was a real fighter for his members. He fought for them with the same vigor he tried to fight the cancer that has finally taken him. We are all heartbroken here in Maintenance of Way."

LES Chair John Chiarillo added: "You can never replace a person like Duane. He brought so much energy and vitality to his job. It was a pleasure to work with him and to call him a friend."



Duane MacMenamie responded to the 9/11 disaster with hundreds of other transit workers.



Don't Forget! You have tutor.com for the New School Year

"A new school year is rapidly approaching. As your children get older, it gets tougher and tougher to help them with their homework. No worries.! The union is providing you with a valuable educational benefit, on-line tutoring – totally free of charge. We introduced this benefit last spring and hundreds have utilized it already. Check it out. You have nothing to lose and everything to gain."

John Samuelson, President, TWU Local 100

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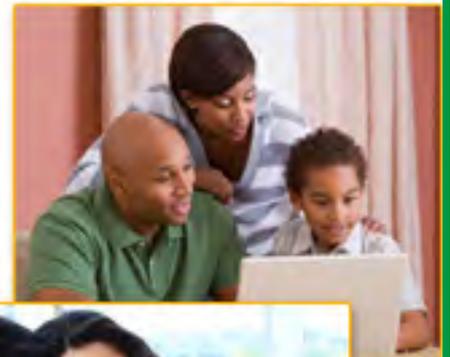
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City Urged to Cough Up More for MTA Capital Plan

No More Free Rides

TRANSIT ADVOCATES HAVE LONG ACCUSED City Hall of stiffing the MTA financially – like a turnstile jumper but on an Olympian scale. This year, however, the City’s “fare-beating” is getting more closely scrutinized because of the MTA’s much publicized 5-year \$30 billion capital plan that is short as much as \$11.5 billion.

Metropolitan Transportation Authority Chairman Tom Prendergast said the city should provide \$3.2 billion to the authority’s capital plan, which encompasses everything from nuts-and-bolts repairs to the purchase of new buses to the construction of the Second Ave. subway.

Prendergast laid out his case for more city funding in a series of letters to the de Blasio administration between early May and late July that were released to the media. He also appeared on television and radio news shows.

“The overwhelming majority of people we carry are New York City residents who ride the subway and bus system,” Prendergast said during a recent appearance on NY1 news. “We think the apportionment of dollars we’re asking for is fair and reasonable.”

One of the letters Prendergast sent to City struck a populist tone as the mayor is apt to do himself.

“Subway ridership has grown to six million on some days,” Prendergast wrote. “Many of our riders are at the mid to lower end of the economic scale, people who are dependent on public transportation they can afford.”

Under Prendergast’s proposal, the city budget would pay for approximately 10% of the 2015-2019 capital program.

Over the decades, the city government contribution has covered between 2% and 3% of the five-year programs.

The city agreed earlier this year to bump its allocation from \$100 million annually to approximately \$131 million annually.

That may appear to be a lot of money – but it’s still peanuts compared to the overall cost of the capital program – and the billions of dollars the federal government

and the state traditionally provide, Gene Russianoff of the Straphangers Campaign, said.

“Relatively speaking, the city gives bupkis for new buses, track and signals, and they’ve been getting away with it for years,” Russianoff said. “It drives me crazy and it stinks.”

In a July 23rd letter to Gov. Cuomo’s budget director, Mary Beth Labate, and to de Blasio’s first deputy mayor, Anthony Shorris, Prendergast also asked the state to provide \$8.3 billion to the capital plan.

Cuomo quickly agreed he would work with the state Senate and Assembly to provide the state portion of the tab.

The MTA technically is an independent authority on paper but is essentially controlled by the governor. The governor appoints the chairman and six of the MTA board’s voting members. The mayor gets four appointees.

Local 100 President John Samuelsen said: “The MTA capital plan directly impacts every transit worker and transit rider in the region. It is vital to transit jobs and to the region’s economy, so obviously coming up with full funding is important to everyone.”

MTA Capital Plan at a Glance

The proposed capital plan is a 225-page document detailing how the MTA plans to “renew, enhance and expand” the MTA’s network. It is staggering in scope, spanning 5,000 square miles in New York, New Jersey and Connecticut.

If fully funded, the plan would bring tangible benefits to transit workers and the MTA’s 8.7 million daily riders. Those benefits include:

- 1,438 new buses
- 948 new subway trains
- 84 miles of new track
- 20 major subway station rehabs with new lighting, platforms, stair wells, communications and other upgrades.

The capital plan also includes repairs being made at more than 60 transit worker facilities.

At least 2,000 transit workers in Maintenance of Way titles toil on projects directly funded through the capital plan.

Oh, Lord! Family Day 2015

SOMEBODY UP THERE LIKES TRANSIT WORKERS. For the fifth year in a row, Local 100's Family Day celebration in Coney Island enjoyed beautiful weather (after an early morning scare of light showers), with clear skies, mild temperatures and an early summer breeze off the ocean.

Festivities for the more than 6,000 members and families who showed up for the popular event included all the food and soft drinks one could consume, a talent show, a kids' zone with moonwalks and sprinklers, face painting and more.

Also, hundreds took advantage of drastically discounted tickets to Luna Park, as well as reduced prices for the Park's extreme rides.

Former New York Knicks star John Starks made an appearance, greeting people and signing autographs.

The trophy for the annual softball challenge remains in the hands of Local 100's excellent squad that won a round-robin tournament of teams from other TWU Locals.

Top right, Local 100's victorious softball team. Middle right, Knicks legend John Starks signs autograph for young fan. Below, Local 100 President John Samuels, ST Earl Phillips, Admin. VP Angel Giboyeaux, VP Tony Utano and others join Starks (center rear) at Family Day.



Another Huge Success









Defendant Domonic Whilby caused this horrific crash scene in February 2014.

Judge Grants Bail in William Pena Murder Case

DOMONIC WHILBY, WHOSE DRUNKEN JOYRIDE in a stolen truck caused the death of Bus Operator William Pena in February of 2014, was granted bail in a Manhattan courtroom after 17 months of incarceration on July 23, 2015.

The decision to set a \$500,000 bond for Whilby, which can also be satisfied by \$250,000 in cash, came over the objections of Assistant District Attorney Randolph Clarke, who called Whilby a flight risk due to the severity of the charges, which carry a potential penalty of life in prison.

At presstime, Whilby remained behind bars, apparently unable to come up with the finances to satisfy bail.

Judge Gregory Carro set the next court date in mid-September, which will likely see the beginning of the trial process.

Whilby's attorney, Laura Miranda, made an extended statement about his character, saying that he has no prior criminal history and that his father was murdered when Whilby was very young. Miranda called the accident an aberration, saying that "Domonic is not the type of person who would do something like that. He was a responsible young man up until the incident, but on February 12th he made the biggest mistake of his life."

In a rebuttal statement, ADA Clarke noted that Whilby had been in New York for less than a day when he began the partying that led to excessive drinking before the fatal incident. Clarke noted video evidence that showed Whilby

recklessly stealing a truck and nearly killing two employees at the loading dock in the theft, then barreling into an intersection against the light, and not only killing Pena but injuring a passenger on the bus and a coffee vendor and his customer on the corner of 14th Street and 7th Avenue.

Clarke added that the people have "a very strong case," against Whilby, which is relevant to the bail application. The ten counts preferred against Whilby include two counts of murder in the second degree, one count of aggravated vehicular homicide, and one count of vehicular manslaughter in the second degree. Clarke called Whilby a flight risk and sought to rebut the character references, noting that Whilby's social media pages show many pictures of alcohol and marijuana consumption. He said Whilby had endangered the lives of others, and asked that he remain incarcerated pending trial.



MABSTOA Div. 1 Chair Richard Davis (right) and Vice Chair Donald Yates (left) join press briefing outside court after bail hearing. Attorney Sanford Rubenstein, Pena's widow, Nancy, and daughter, Gabrielle, are shown.

2015 Election Rules



TWU Local 100 Notice of Nominations and Elections

**for Union-Wide Offices,
Departmental Vice Presidents,
Executive Board,
Division Officers,
Convention Delegates
and Section Officers**

I.

NOTICE OF NOMINATIONS AND ELECTIONS FOR UNION-WIDE OFFICES, DEPARTMENTAL VICE PRESIDENTS, AND EXECUTIVE BOARD

In accordance with the Constitution of the Transport Workers Union of America and Local 100's By-Laws, the election of Union-wide officers, Departmental Vice-Presidents, Executive Board members, (all of whom will also serve as Convention Delegates) will take place by secret mail ballot mailed out on Tuesday, November 10, 2015 to all those who are members of Local 100 in good standing as of October 20, 2015. Ballots will be counted on Tuesday, December 1, 2015. The following officers are to be elected:

POSITIONS TO BE FILLED

Local-wide Offices: President
 Financial Secretary-Treasurer
 Administrative Vice President
 Recording Secretary

Seven (7) Departmental Vice Presidents; and

Thirty-Eight (38) Executive Board Members

(All Local-wide Officers, Vice Presidents and Board Members elected will also serve as Convention Delegates)

PERIOD OF PETITION NOMINATIONS

Monday, September 21, 2012 to Friday, October 2, 2012.

ELIGIBILITY

To be eligible for nomination for any of the above positions, a member must be in continuous good standing in Local 100 since September 21, 2014. A member who runs for the office of President, Financial Secretary-Treasurer, Administrative Vice-President, Recording Secretary or Departmental Vice-President shall not be permitted to run for a Division or Section office during this round of elections or within 18 months of the conclusion of this round of elections.

NOMINATIONS

All nominations shall be made by filing a Nominating Petition Form ("Petition"). A candidate may run as part of a slate or as an independent candidate. Petitions for slate and independent candidates will be available to any member in good standing at the Office of the Elections Committee at 195 Montague Street, 3rd Floor, Brooklyn, NY, between Monday, September 21, and Thursday, October 1, 2015, between the hours of 9:00 AM and 6:00 PM; the Elections Committee Office will be closed on Saturday and Sunday, September 26 and 27, 2015.

Petitions will be issued only to candidates or their representatives who complete and submit an "Authorization to Pick Up a Petition" form. The forms will be available at the Elections Committee Office or on the Local 100 web site and may be hand delivered, mailed, e-mailed or faxed in to the Elections Committee. Any candidate from a slate may pick up a petition or may authorize a member in good standing to pick up a Petition for the entire slate. There shall be no limitation on the number of Petitions that an authorized person may pick up, but the number must be reasonable. All Petitions shall be numbered by the Elections Committee and each member obtaining Petitions shall be required to sign for them and shall be held responsible for their proper use. Each member signing must be a member in good standing for the signature to count, and only members in good standing may solicit signatures.

The member who obtains the signatures on a Petition must complete and sign the statement at the bottom of each Petition, asserting that he or she collected the signatures from persons representing themselves to be members in good standing of Local 100. If such a statement is not signed, the Petition will be invalid.

The Petition must be signed in ink; the member must print his/her name and must either include his/her pass number or if the employee does not have a pass number he/she must include the last four (4) numbers of his/her social security number. Any signature of a member not in good standing and/or pass number and/or social security number deemed illegible will not be counted.

PETITION REQUIREMENTS

Local-Wide Officers

For nomination for one of the top four offices, a candidate requires the signatures of three thousand two hundred (3,200) members in good standing from any department (10% of the good-standing membership).

Departmental Vice President

For nomination for Departmental Vice President a candidate requires the signatures of the number of Departmental members set forth in the table below. Only a member in good standing in the Department may validly sign a petition to nominate a candidate for Vice President from that Department.

The Vice-Presidential signature requirements are in the following table (10% of members in good standing):

VICE-PRESIDENT TABLE

Department	Vice-President	Required Signatures
Car Maintenance	1	350
Stations	1	300
Maintenance of Way		
Line Equipment – Signal, Track, Structure, Power	1	660
Rapid Transit Operations		
Train Operators, Conductors, Tower Operators	1	470
MaBSTOA		
Division I, Division II, Maintenance, Clerical, P&E	1	540
NYCTA Surface		
Operators, Maintenance	1	450
MTA Bus/ Private Operations/School Bus-Paratransit	1	430

EXECUTIVE BOARD

For nomination for Executive Board Member, the signature requirements are outlined in the following table which also shows the number of Executive Board positions allocated to each Division. The signature requirement is 10% of the members currently in good standing. Only a member in good standing in the Division may validly sign a Nominating Petition to nominate a candidate for the Executive Board from that Division.

EXECUTIVE BOARD TABLE

Division	Executive Board Members	Required Signatures
NYCTA		
Surface Maintenance	1	75
Surface Operators	4	350
Car Maintenance	4	350
Train Operators	4	240
Conductor / Tower	3	220
Stations	5	330
Line Equipment – Signal	3	275
Track	2	150
Structure	2	160
Power	1	80
MaBSTOA		
Division I	2	170
Division II	2	240
Maintenance, Clerical, Plant and Equipment	1	125
Private Operations/School Bus-Paratransit/MTA Bus		
MTA Bus	2	200
Private Operations	1	80
School Bus-Paratransit	2	150

SLATE NOMINATIONS

For purposes of nominations, any group of candidates may, by submission of a "Notice of Slate Candidacy Form," provided by the Elections Committee, constitute themselves as a slate, provided that the slate includes nominees for each of the top four Local-wide officers and for Vice-President in one Department, and for at least one Executive Board position in at least one Division. A slate may not contain more than one candidate for each of the positions to be filled. A slate which meets the above requirements need not include a candidate for every position to be filled by this election.

The completed form submitted to the Elections Committee must: (1) be signed by each candidate on the slate (no one may sign for another member), (2) show which office he/she is a candidate for, (3) include his/her name, printed exactly as it is to appear on the Petition and ballot, and (4) include his/her contact information including the mailing address, his/her pass number or the last four digits of his/her social security number, telephone number, and e-mail address.

The Elections Committee will number the Executive Board positions in each Division entitled to more than one Executive Board member. Slate candidacy forms must show the particular numbered positions for which the nominees are candidates, and this number will govern the nominee's position on the ballot.

The ballot shall give the voter the opportunity to cast one vote for a slate.

INDIVIDUAL (NON-SLATE) NOMINATIONS

Individual (non-slate) candidates must notify the Elections Committee of their intent to run for office by completing a "Nomination Form" provided by the Elections Committee. The completed form submitted to the Elections Committee must: (1) be signed by the candidate, (2) show the office for which he/she is a candidate, and (3) include his/her name, printed exactly as it is to appear on the petition and ballot, and his/her contact information including the mailing address, his/her pass number or the last four digits of his/her social security number, telephone number, and e-mail address.

SIGNATURES REQUIRED

To nominate a slate of candidates for the top four Local Officers and one or more Departmental Vice-Presidents, a minimum of three thousand two hundred (3,200) signatures of Local 100 members in good standing from any department are required; IN ADDITION, for each Vice-Presidential Candidate, the petition must include a sufficient number of signatures from each department from which a Departmental Vice-President on the slate is nominated, as set forth in the Vice-President Table above. IN ADDITION, candidates for the Executive Board in a Division will qualify only if, the Petition includes a sufficient number of signatures from that particular Division as set forth in the Executive Board Table above.

PREPARATION OF PETITIONS/ELIGIBILITY TO BE INCLUDED ON PETITION

The Elections Committee will prepare the "Nominating Petition Forms" and will insert, before issuance, the name or names of the candidates for whom the petitions are requested, showing the position for which each is a candidate. To expedite determinations of eligibility and to avoid delays on September 21 resulting from the time required preparing petitions, individual candidates, and those individuals or groups of candidates desiring to run as a slate are requested to file their Nomination Form and Notice of Slate Candidacy Forms, respectively, with the Elections Committee in advance of September 14.

Petitions for those individuals and slates filing required forms on or before Monday, September 14, 2015 will be available at 9:00 AM on September 21, 2015. Otherwise, petitions will be prepared as promptly as possible after the Elections Committee is provided with the necessary forms and information.

The Elections Committee will determine the eligibility of candidates to be included on the petition as promptly as possible and will notify each candidate found to be ineligible by telephone, e-mail, and/or overnight mail. Those found ineligible will not be included on a Petition. The inclusion by the Elections Committee of a candidate's name on a Petition shall not be construed as a final ruling about whether that candidate has met the eligibility requirements for election; such an issue can be the subject of an objection through a period ending 6:00 PM on Tuesday, October 6, 2015.

APPEALS OF ELIGIBILITY RULINGS

A candidate ruled ineligible must appeal that ruling, in writing or by e-mail, delivered to the Elections Committee within 48 hours of receipt of the notice. If the Elections Committee determines that a hearing is necessary, the Elections Committee will conduct a hearing on any appeal as expeditiously as possible, at a time designated by the Elections Committee. The Committee will give the candidate 24 hours' notice of the hearing. The burden shall be on the candidate to demonstrate to the Elections Committee that its initial determination was wrong. The Elections Committee shall rule on eligibility appeals at the close of the hearing. Elections Committee determinations may be appealed, after this hearing, to the Neutral Monitor by any candidate or good-standing member within 48 hours.

FILING OF PETITIONS

Signed "Nominating Petition Forms" must be hand-delivered, by a member in good standing, to a member of the Elections Committee on weekdays from Monday, September 21, 2015 to Friday, October 2, 2015 between the hours of 9:00 AM and 6:00 PM; the Elections Committee will be closed on Saturday and Sunday, September 26 and 27, 2015. A receipt will be given to the delivering member indicating the number of pages and the number of signatures on all accepted Nomination Petitions. NO Petitions will be accepted after 6:00 PM October 2, 2015. Anyone who has signed in at the Elections Committee by 6:00 PM shall be able to turn his/her Petitions in.

OBJECTIONS TO NOMINATIONS

Any member in good standing will be able to check filed Petitions to verify the number of valid signatures, under the supervision of the Elections Committee, on Monday, October 5, 2015, and Tuesday, October 6, 2015, between the hours of 9:30 AM and 6:00 PM. Written objections alleging signature duplication, or other irregularities, must be signed and submitted by a member in good standing to the Elections Committee no later than 6:00 PM, Tuesday October 6, 2015. The burden shall be on the

challenging party to present evidence that would invalidate signatures or a petition as a whole. The Elections Committee will reach a decision about all objections on or before Wednesday, October 14, 2015. The Elections Committee will notify the objector of its decision in writing. The Elections Committee has the authority to investigate apparent irregularities on its own and make a ruling. The Elections Committee may consult with the Neutral Monitor in making its determinations.

ELIGIBILITY REPORT

The Elections Committee will issue the Final Report on Eligibility on or before Monday October 19, 2015. Any party who wishes to contest the determination of the Elections Committee has forty-eight (48) hours from the date of this Report to appeal to the Neutral Monitor, and may appeal the Neutral Monitor's ruling to the International Committee on Appeals. All decisions will be posted on the elections web site: www.twulocal100.org/elections2015

BALLOTING PROCEDURE

The balloting for Union-wide Officers, Departmental Vice Presidents and Executive Board Members, shall be by secret mail ballot mailed out on Tuesday November 10, 2015 and counted on Tuesday, December 1, 2015, in accordance with the procedure set forth in Section III below.

II.

NOTICE OF NOMINATIONS AND ELECTIONS FOR DIVISION OFFICERS AND CONVENTION DELEGATES

In accordance with the Constitution of the Transport Workers Union of America and the Local 100 By-Laws, the election of Division Officers and Convention Delegates will take place by secret mail ballot mailed out on November 10, 2015 to all those who are members in good standing as of October 20, 2015. Ballots will be counted on Tuesday, December 1, 2015. The following Division Officers and Convention Delegates are to be elected:

NYCTA

Surface Maintenance	Chair, 3 Vice Chairs, Rec. Secretary, 2 Convention Delegates, 2 Alternates
Surface Operators	Chair, 3 Vice Chairs, Rec. Secretary, 9 Convention Delegates, 2 Alternates
Car Maintenance	Chair, 5 Vice Chairs, Rec. Secretary, 9 Convention Delegates, 4 Alternates
Train Operators	Chair, 3 Vice Chairs, Rec. Secretary, 8 Convention Delegates, 3 Alternates
Conductor/ Tower	Chair, 4 Vice Chairs, Rec. Secretary*****, 7 Convention Delegates, 3 Alternates
Station	Chair, 4 Vice Chairs, Rec. Secretary, 12 Convention Delegates, 5 Alternates
Line Equipment – Signal	Chair, 4 Vice Chairs, Rec. Secretary, 7 Convention Delegates, 3 Alternates
Track	Chair, 5 Vice Chairs, Rec. Secretary,* 5 Convention Delegates, 2 Alternates
Structure	Chair, 6 Vice Chairs, Rec. Secretary, 4 Convention Delegates, 2 Alternates
Power	Chair, 3 Vice Chairs, Rec. Secretary, 2 Convention Delegates, 2 Alternates

MaBSTOA

Division I	Chair, 5 Vice Chair, Rec. Secretary, 4 Convention Delegates, 2 Alternates
Division II	Chair, 3 Vice Chair, Rec. Secretary, 6 Convention Delegates, 2 Alternates
Maintenance, Clerical, P&E	Chair, Vice Chair,** Rec. Secretary, 3 Convention Delegates, 2 Alternates

MTA Bus/School Bus-Paratransit/Private Operations

MTA Bus	Chair, 6 Vice Chairs,*** Rec. Secretary, 6 Convention Delegates, 2 Alternates
Private Operations	Chair, 3 Vice Chair,**** Rec. Secretary, 2 Convention Delegates, 2 Alternates
School Bus	Chair, 5 Vice Chairs,***** Rec. Secretary, 4 Convention Delegates, 2 Alternates

* One of these Vice Chairs shall be the Section Chair of the TEMs elected in the TEMs Section election.

- ** *This Vice Chair will be elected system-wide. One Location Vice-Chair will be nominated and elected at each location.*
- *** *One Vice Chair will be nominated from each property, and one from the Central Maintenance Facility*
- **** *One Vice Chair will be nominated from Liberty Lines and one from New York Waterways, and one from New York Bikeshare. If there are no Vice Chair nominations from one of these sections, nominations will be accepted from any other section.*
- ***** *One Vice Chair will be nominated and elected from each of the following sections: Mile Square, Royal Coach, Royal Coach Ossining, SuperTrans, and White Plains. If there are no Vice Chair nominations from any one of these sections, nominations will be accepted from any other section.*
- ***** *One of the Vice Chairs must be a member of the Tower Section; only Tower Operators will elect this Vice Chair. This Vice Chair shall also serve as the Tower Section Chair.*

The number of delegates set forth in this chart may be reduced, after the election, based on who is elected to the Top Four Offices and to the Vice Presidencies; since those officers are automatically delegates their division will lose an elected Convention Delegate position for each officer elected. The numbers of delegates may also change after the International's accreditation in 2017. In the event that there are fewer delegate spots than those indicated in the table, the elected delegates with the lowest vote totals will become the top alternates. If the International accreditation requires additional delegates in a division, those spots will be filled by the alternates with the highest vote totals.

NOMINATION OF DIVISION OFFICERS AND CONVENTION DELEGATES

Nomination of candidates for the above Division offices and Convention Delegates shall take place at a Division Meeting, to be held between Wednesday, September 23, 2015, and Wednesday, October 21, 2015. A completely filled out "Nomination Form" (provided by the Elections Committee or available on its website) for each nominee must be submitted to the Local 100 Elections Committee by the Recording Secretary of the Division or Section no later than 6:00 PM on the third business day after nominations are held. A member need be nominated at only one nomination meeting (AM or PM). A member nominated for Division Office or Convention Delegate must be present at the nomination meeting, or the member nominating him/her must submit a written acceptance signed by the absent member by the close of the nomination meetings. The acceptance form must include the nominee's mailing address, telephone number, e-mail address and social security number. A member may be nominated for both a Division Office and Convention Delegate.)

ELIGIBILITY – RULINGS

Rulings on eligibility for Division Office and Convention Delegate will be made by the Elections Committee, either on its own initiative or upon the objection of a member. Any objections to eligibility must be made within two business days of the nomination. The Elections Committee will determine the eligibility of candidates as promptly as possible and will notify each candidate found to be ineligible by telephone, e-mail, and/or overnight mail. The ruling may be appealed to the Elections Committee, which shall hold a hearing in order to establish a factual record and further consider its decision.

APPEALS OF ELIGIBILITY RULINGS

A candidate ruled ineligible must appeal that ruling, in writing or by e-mail, delivered to the Elections Committee within 48 hours of receipt of the notice. If the Elections Committee determines that a hearing is necessary, the Elections Committee will conduct a hearing on any appeal as expeditiously as possible, at a time designated by the Elections Committee. The committee will give the candidate 24 hours' notice of the hearing. The burden shall be on the candidate to demonstrate to the Elections Committee that its initial determination was wrong. The Elections Committee shall rule on eligibility appeals at the close of the hearing. Elections Committee determinations may be appealed to the Neutral Monitor by any candidate or good-standing member within 48 hours of the Election Committee's decision.

ELIGIBILITY – MEMBERSHIP

To be eligible for nomination as a Division Officer or Convention Delegate, a member must have been in continuous good standing for twelve months immediately prior to the nominations meeting.

ELIGIBILITY – MEETING ATTENDANCE

To be nominated for Division Office (but not Convention Delegate), a candidate must be in good standing, and he or she must have attended at least five (5), or fifty (50) percent, whichever is smaller, of the combined regular

meetings of his/her Division and Section held during the twelve (12) month period immediately preceding the month in which the nominations are held. Recorded attendance at the Annual Mass Membership Meeting may be substituted for one such meeting. Attendance at any other union event (such as Lobby Day) will not count as a meeting attended. Meeting attendance may be excused if the nominee has acted in accordance with Article XV, Sec. 7 of the TWU Constitution. The Elections Committee shall make all rulings on issues related to the application of meeting attendance requirements. All disputes submitted for Committee consideration must be in writing. Appeals from an initial Elections Committee ruling must first be made to the Elections Committee, which may hold a hearing with all concerned parties in order to ascertain the necessary information.

DIVISION NOMINATION MEETINGS SCHEDULE*

Division	Times	
Surface Maintenance	Oct. 20	10 AM & 5:30 PM
Surface Operators	Oct. 20	11 AM & 6:30 PM
Car Maintenance	Sept. 23	10:15 AM & 5:15 PM
Train Operators	Oct. 21	10 AM & 6 PM
Conductor/Tower	Oct. 14	10:30 AM & 6 PM
Station	Sept.24	10 AM & 5 PM
Line Equipment – Signals	Oct. 7	11 AM & 5 PM
Track	Sept. 23	8 AM & 5 PM
Structure	Oct. 7	5 PM
Power	Oct. 15	5 PM
OA Division I	Oct. 13	11 AM & 7 PM
OA Division II	Sept. 23	11 AM & 7 PM
Maintenance, Clerical, Plant and Equipment	Oct. 15	1 PM & 4 PM
MTA Bus	Oct. 20	11 AM & 8 PM
Private Operations	Oct. 15	10:30 AM & 8 PM
School Bus-Paratransit	Sept. 23	11 AM & 5 PM

SLATE NOMINATIONS

For purposes of nominations, any group of candidates for Division Office and /or Convention Delegate may, by submission of a "Notice of Slate Candidacy Form" provided by the Elections Committee, no later than 6:00 PM on the third business day after nominations are made, constitute a slate, provided that the slate includes nominees for Chair, Recording Secretary, and at least one Vice Chair Position, and one Convention delegate position (which can be one or more of the members running for Division Office). A slate may not contain more than one candidate for each of the positions to be filled. The completed form submitted to the Elections Committee must: (1) be signed by each candidate on the slate (no one may sign for another member), (2) show the office for which he/she is a candidate, and (3) include his/her printed name exactly as it is to appear on the petition and ballot, and (4) include his/her contact information including the mailing address, social security number, telephone number, and e-mail address.

The Elections Committee will number the Vice Chair and Convention Delegate positions in each Division entitled to more than one Vice Chair or Convention Delegate. Slate candidacy forms must show the particular numbered positions for which the nominees are candidates, and this number will govern the nominee's position on the ballot.

A Division Slate may run as part of a Union-wide slate. The ballot shall give the voter the opportunity to cast one vote for a slate;. Slates in Division elections which are not running as part of a union-wide slate will have a slate box at the top of the division portion of the ballot.

BALLOTING

The balloting for Division Officers (except for MaBSTOA Maintenance Vice Chairmen) and Convention Delegates, will take place, along with the election of Union-wide Officers, Departmental Vice Presidents and Executive Board Members, by secret mail ballot mailed out on November 10, 2015 and counted on Tuesday, December 1, 2015, in accordance with the procedure set forth in Section III below.

III.

ELECTION PROCEDURE – UNION-WIDE OFFICERS, DEPARTMENTAL VICE-PRESIDENTS, EXECUTIVE BOARD MEMBERS, AND DIVISION OFFICERS

THE BALLOT – OFFICERS/EXECUTIVE BOARD/DIVISION OFFICERS

Union-wide Officers, Vice-Presidents & Executive Board

Unless otherwise requested in the Notice of Slate, each Slate will be identified on the ballot by the surname of the candidate nominated for the President on the Slate. The Slate which files the greatest number of valid signatures for union-wide offices will be placed first on the ballot and other slates will be ranked accordingly. Individual candidates will be placed on the ballot after slates, in alphabetical order by surname.

DIVISION OFFICERS

Unless otherwise requested in the Notice of Slate, each slate will be identified on the ballot by the surname of the candidate nominated for Division Chair on the slate. The ballot position of slates will be determined as follows: slates running in conjunction with, and with the same name as a Union-wide slate, will be placed in the same order on the Divisional ballot as they are in the Union-wide ballot; the position of slates not affiliated with an Union-wide slate will be placed in alphabetical order of surnames of heads of slates. Individual candidates will be placed on the ballot after slates, in alphabetical order by surname.

TRANSPORTATION RULE

Bus Operators shall vote for the Vice President, Executive Board, Convention Delegates, and Division Officers in the Division in which they work. They may only run in the Division they are hired into.

THE MAILING/THE BALLOT

Ballots will be mailed on Tuesday, November 10, 2015, by the American Arbitration Association (“AAA”), for Union-wide Officers, Vice Presidents, Executive Board, Divisional Officers, and Convention Delegates utilizing the most recent membership list available. To be eligible to vote in the election and be mailed a ballot, a member must be in good standing and must have paid all arrears in dues and other financial obligations to the Union, prior to voting, in accordance with Article XIII of the Constitution of the Transport Workers Union of America, AFL-CIO, on or before October 20, 2015. Any member who is not in good standing on October 20, 2015 may pay his/her arrears and request a ballot from the AAA. Ballots received from such members will be counted.

Enclosed with the ballot mailed to each member will be two (2) envelopes. The words “SECRET BALLOT – OFFICER ELECTION AND DIVISIONAL ELECTION” will be printed on one envelope. The other envelope will be an addressed return envelope, with postage prepaid.

- Each ballot must be voted in accordance with the instructions printed on it.
- Having voted, the member must place their marked ballot in the appropriate secret ballot envelope and seal it. Any mark on the secret ballot envelope which could identify the voter will void the ballot.
- The sealed secret ballot envelope should be placed in the appropriate return addressed envelope and sealed.
- The voted ballots must be mailed so as to arrive at the AAA Office before 8:30 AM on Tuesday, December 1, 2015. No ballots may be returned to AAA in person.
- The Officer/Executive Board and Divisional Ballot will appear on the same side of the ballots.

AMERICAN ARBITRATION ASSOCIATION

AAA will administer the balloting. AAA will be in possession of the membership list as it stands on October 21, 2015. Any member who does not receive a ballot should contact AAA at 1-800-529-5218 or the Elections Committee. Any question by a member regarding his or her eligibility to vote should be directed to the Elections Committee. If the question is not resolved to the member’s satisfaction, then the member requesting a ballot may make a written appeal to the Neutral Monitor who will then make a determination.

THE COUNT

The count of the ballots returned will commence at 9:00 AM on Tuesday, December 1, 2015, at the AAA office or at another location chosen by the AAA and the Elections Committee, in consultation with the Neutral Monitor, and will continue until completed, with such breaks for meals and rest as the AAA may decide.

No ballot which is received after 8:30 AM on December 1, 2015 shall be counted.

OBSERVERS

Each candidate may designate in writing, signed by him or her, any member in good standing to act as their observer at each step in the election process, includ-

ing: the assembling of ballots at the printer; the picking up of ballots from printers and their transportation to the Post Office for mailing; the eligibility check (which AAA will perform each weekday beginning November 23, 2015, at a time and place to be announced on the Election Committee web page); and the count on December 1, 2015. An individual candidate may not be represented by more than one observer at any one time, except at the count. Candidates on a slate may jointly be represented by up to, but no more than, three observers at any one time except at the count, where each individual candidate or slate may have the same number of observers as there are stations for counting (see Supplemental Rule IV (7)(H)). A candidate may be one of the allowed observers. Each slate will be allowed to have an attorney present in the observer area.

THE NEUTRAL MONITOR

A Neutral Monitor appointed by Local 100 will be responsible for supervising all aspects of the election, including fraud (which will give him/her authority to modify any procedure put into place by the Election Committee or the AAA), and resolving disputes that arise in the course of the election. The Neutral Monitor’s jurisdiction includes all disputes over conduct of the election, and disputes about or protests to the conduct of candidate(s), slate(s), the Local Union or other parties. The Elections Committee will continue to resolve disputes over eligibility, sufficiency of petitions, or failure to issue a ballot, subject to appeal to the Neutral Monitor. Any protests, objections and appeals sent to the Neutral Monitor (or the Elections Committee) must be in writing and must be made within the time periods set forth in these Rules. It will be the Neutral Monitor’s responsibility to resolve these disputes in accord with the Local 100 By-Laws, the TWU Constitution, applicable law, the Election Rules adopted by the Local Executive Board, and any Supplemental Rules which may be promulgated by the Neutral Monitor. The Neutral Monitor will have the power to investigate and determine the facts prior to applying the law to all disputes brought to the Neutral Monitor’s attention.

CERTIFICATION

As soon as practicable, after the count has been completed and any protest(s) is decided and remedy put into effect, the Monitor shall certify, in writing, the results of the election to the Elections Committee. The Elections Committee shall then prepare its appropriate report and certify the election to the Local Executive Board. Should a rerun be necessary, the Neutral Monitor and the Elections Committee shall certify those elections not subject to a rerun.

IV.

NOTICE OF SECTION OFFICER NOMINATIONS AND ELECTIONS

In accordance with the Constitution of the Transport Workers Union of America and the Bylaws of Local 100, the nomination and election of Section Officers will take place between October 2015 and February 2016. The following Section Officers are to be elected:

- Section Chair
- Section Vice Chair (one or more, per Section Bylaws)
- Section Recording Secretary, and in MaBSTOA, Chief Line Stewards

These elections shall be administered and supervised by the Elections Committee and not the Neutral Monitor.

NOMINATIONS

1. Nomination of candidates for the above-mentioned Section offices shall take place at a Section meeting held no sooner than October 1, 2015 and no later than February 29, 2016. A schedule of those meetings will be available at the Elections Committee office and will be published in the Local newspaper and on the Local’s web site as dates are established.

2. The names of candidates nominated at these meetings must be submitted to the Recording Secretary of Local 100 no later than 6:00 PM on the third day following the nominating meeting.

3. A member need be nominated at only one nomination meeting (AM or PM). A member nominated for Section Office must be present at the nomination meeting and submit a Nomination Acceptance Form, or the member nominating him/her must submit a written acceptance signed by the absent member by the close of the nomination meetings.

4. A member may accept the nomination for only one position. The acceptance form shall include the nominee’s address, telephone number, e-mail address and social security number.

5. The member making the nomination must be from the section or depot or location whose officers are being nominated.

ELIGIBILITY

1. To be nominated for Section Office, a member must have been in continuous good standing for twelve months prior to the month of nomination.
2. To be nominated for Section Office a member must have attended at least five (5) of the regular meetings of his/her Division or Section held during the twelve (12) month period immediately preceding the month of nomination. Recorded attendance at the Annual Mass Membership Meeting may be substituted for one such meeting. Attendance at any other union event (such as Lobby Day) will not count as a meeting attended. Meeting attendance may be excused only if the nominee has previously acted in accordance with Article XV, Sec. 7 of the TWU Constitution.

SLATE NOMINATIONS—SECTION OFFICES

Any group of candidates may, on written notice to the Elections Committee, on a form provided by the Elections Committee, constitute a slate, provided that in each case the Slate contains nominees for Chair, at least one Vice Chair, and Recording Secretary. A slate may not contain more than one candidate for Chair or Recording Secretary, or more than the number of Vice Chair positions in that Section. The completed form submitted to the Elections Committee must: (1) be signed by each candidate on the slate (no one may sign for another member), (2) show the office for which he/she is a candidate, and (3) include his/her printed name exactly as it is to appear on the petition and ballot, and his/her contact information including the mailing address, social security number, telephone number, and e-mail address. A section slate may utilize the name of a slate which ran in the union-wide election, subject to consent from the head of that slate. The ballot shall give the voter the opportunity to cast one slate vote for all Section officers.

ELIGIBILITY RULINGS

Rulings on eligibility can be made by the Elections Committee, either on its own initiative or upon the objection of a member. Any objections to eligibility must be made within two business days of the nomination. Appeals from the Elections Committee may be made only to the Executive Board. The Neutral Monitor shall have no jurisdiction over Section elections.

MAILINGS

Mailings and e-mailings may be made to members in accordance with the Supplemental Rules set forth in Section IV above. All mailings/e-mailings will be administered by the Elections Committee at the candidate's expense.

ELECTION

1. The election of Section Officers will take place in December 1, 2015 and February 29, 2016, on dates to be determined by the Elections Committee, which will be published at least 15 days in advance of the election.
2. The manner of voting (whether in person or mail ballot) shall proceed in accordance with the past practices of the section except for Stations Sections 2, 46, 106 and 145, which shall have a mail ballot election, or if the Elections Committee determines that a mail ballot provides a substantially greater opportunity to vote.
3. The Elections Committee shall conduct the balloting, either in person or by mail, and shall notify all candidates of the date, time and location of the count.
4. Members working in MABSTOA I and II bus depots who are employed by NYC Transit, and members who are working in NYC Transit bus depots who are employed by MABSTOA may vote for section officers in the depot where they are working, but may not run for office in that depot.

V.

SUPPLEMENTAL RULES

1. *Membership List*

The final list of the last known names and addresses of all members in good standing of the Local Union shall be delivered to the AAA no later than the close of business on October 21, 2015. This disk shall be considered the master membership list. All members who have moved or changed their address and have failed to notify Local 100 of such change should notify Local 100 of the change no later than October 19, 2015. It is the responsibility of the member to keep the Union updated on his/her current address. (Notice should be submitted either to the Financial Secretary-Treasurer's office or the Election Committee.) After October 21, 2015 any additions made to the master membership list because of errors previously made, any address changes, and any deletions due to error, promotion or retirement shall be made only by the AAA, with concurrence of the Elections Committee, and with notice to the Neutral Monitor; such changes shall be subject to inspection by all affected candidates. The list maintained by the AAA shall be the list used for all candidate mailings done after October 21, 2015.

2. *Inspection of Membership List*

Each candidate has the right, on one occasion between October 6, 2015 November 6, 2015, to inspect, but not copy, a list containing the last known names and addresses of all members of the Local Union. The list may be reviewed at the Local 100 office. Arrangements for review of the list will be made by the Chair of the Elections Committee. The Local Union shall not, in any way, discriminate in favor of or against any candidates with respect to the membership list. The Union shall take appropriate steps to direct that all staff and members who are in possession of part or all of the membership list, whether or not used for their work, shall be returned, together with any copies, to the Union not later than September 14, 2015.

3. *Freedom to Exercise Political Rights*

All Local Union members and all Local Union officers and employees, if members, retain the right to participate in campaign activities, including the right to openly support or oppose any candidate, to aid or campaign for any candidate, and to make personal campaign contributions.

4. *Prohibition on Interference with Voting*

No person or entity shall limit or interfere with the right of any Local 100 member to vote.

5. *Campaign Contributions*

- A. 1. No candidate for election shall accept or use any contributions or other things of value received from any employer, representative of an employer, foundation, trust, union or similar entity. Nothing herein shall be interpreted to prohibit receipt of contributions from fellow employees and members of Local 100 or the International Union, unless that employee or member is an employer.
- A. 2. No employer shall be permitted to contribute anything to any campaign. The prohibition on employer contributions extends to every employer regardless of the nature of the business, or whether any union represents its employees, and includes but is not limited to political action organizations (other than a candidate's or slate's campaign organization), nonprofit organizations such as churches or civic groups, law firms, and professional organizations. These prohibitions include a ban on the contribution and use of stationery, equipment, facilities and personnel.
- A. 3. The prohibition on campaign contributions extends to all labor organizations, whether or not they are employers, except as permitted below.
- B. No Local Union services, facilities, equipment or goods—including, but not limited to, time, staff, copying machines, fax machines, telephones, printing and postage—shall be used to promote the candidacy of any individual or slate unless the Local notifies all candidates of the items available for use and all candidates are provided equal access at equal cost to such goods and services. The use of the Local Union's official stationery, or its logo or its name is prohibited irrespective of compensation or access.
- C. No candidate or other member may campaign for her/himself or for any other candidate during time that is paid for by the Local Union or by any employer. However, campaigning incidental to regular Local Union business or during paid vacation, paid lunch hours or breaks, or similar paid time off, is permitted. Vacation request forms must be approved in advance and request/approval forms and vacation balances must be made available to the Neutral Monitor upon request. In order to ensure compliance with this rule any person on the Union staff must make a written request and anyone on TA/MABSTOA/MTA Bus release must give written notice to Financial Secretary Earl Phillips by email in advance of taking any vacation time or other personal time for campaigning. If union staff making the request has sufficient vacation accruals, the request will be deemed granted. This requirement does not apply to campaigning that is incidental to regular Local Union business or during paid lunch hours or breaks or similar paid time off.
- D. Nothing shall prohibit any candidate from accepting contributions made by any non-member who is not an employer, or by any member, whether or not such member is an employer, or by any caucus or group of Local Union members or any campaign organization of any candidate provided that such caucus, group or campaign organization is itself financed exclusively from contributions permitted under these rules.
- E. Nothing shall prohibit the donation of services by an individual to a candidate rendered on the individual's personal, free, uncompensated time.
- F. It is strongly recommended that each candidate notify all prospective contributors of the limitations on campaign contributions, that the

limitation be placed on all campaign literature soliciting contributions, and at all fund-raising events, and that candidates keep a record of all donations greater than \$99.

6. Protests

- A. All protests alleging a violation of the Local 100 By-Laws, the TWU Constitution, applicable law, the Election Rules adopted by the Local Executive Board, and Additional Rules promulgated by Neutral Monitor related to the conduct of the nominations and election, except count-day protests, must be filed within forty-eight (48) hours of the time the complainant(s) knows or should have known of the alleged violation. All complaints made after 48 hours shall be deemed waived.
- B. Protests regarding any alleged improper mail ballot count-day conduct must be filed with the Neutral Monitor immediately, but no later than the completion of the counting of the ballots.
- C. All pre-election protests except those regarding disputes over an alleged improper failure to issue a ballot shall be filed by sending the Neutral Monitor a clear and concise written statement of the alleged improper conduct by overnight mail or by email or facsimile transmission and shall include the name(s), address(es), e-mail address(es) and telephone number(s) of the complainant(s) and the name(s) of the person(s) against whom the protest is filed. A copy must also be sent by email or facsimile to the Elections Committee Chair and to counsel for the Elections Committee. The Neutral Monitor shall serve the protest on the designated representative of the affected slate or independent candidate(s) unless it is clear that the protest does not impact on a slate or candidate(s).
- D. With respect to any protest, it shall be the burden of the complainant to present evidence that a violation has occurred.
- E. No protest of any candidate or member shall be considered if such candidate or member or anyone acting under his/her direction or control or on his/her behalf, caused or significantly contributed to the situation giving rise to such protest.
- F. As soon as practicable after receipt of the protest, the Neutral Monitor or his/her representative shall evaluate the protest and shall determine its merits, applying the Local 100 Bylaws, the TWU constitution, applicable law, these rules, and any published supplemental rules issued by the Neutral Monitor, and, if found meritorious, determine the appropriate remedy. The Neutral Monitor or his/her representative shall render a written decision on each protest and shall notify the complainant(s), the Local Union Elections Committee, Counsel to the Elections Committee, and any other candidate(s) affected by his/her decision.
- G. All candidates, members, the Local Union and the TWU shall cooperate with the Neutral Monitor in his/her investigations.
- H. Remedies. If as a result of any protest filed or any investigation undertaken by the Neutral Monitor with or without a protest, the Neutral Monitor determines that these Rules have been violated, the Neutral Monitor may take whatever remedial action is appropriate.
- I. 1. Appeals. All appeals from decisions of the Neutral Monitor shall be made in writing to the TWU Committee on Appeals. The applicable procedure to appeal from a decision of the Neutral Monitor shall be that which is set forth in Article XXII of the TWU Constitution for appeal to the International from decisions of Local Unions, except that appeals must be made within three (3) business days of the decision of the Neutral Monitor.
- I. 2. If no appeal is taken from the determination of the Neutral Monitor, that determination shall become final and binding.

7. Voting and Ballot Count Procedures

- A. All candidates and slate representatives will have an opportunity to view and comment on the draft of the ballot and instructions.
- B. The AAA will send the Elections Committee a daily list of all members requesting a duplicate ballot whose names the AAA has not been able to find on its lists. The Elections Committee will investigate these names as quickly as possible and report back to the AAA as to the member's eligibility to receive a ballot. While the Committee investigates whether that person is eligible the AAA, then the AAA will send the person a challenged ballot. The AAA will fax or e-mail to the Elections Committee, Elections Committee Chair, and Neutral Monitor on a daily basis the

names, divisions and pass numbers of all those receiving challenged ballots. The Elections Committee will fax or e-mail these lists to candidates; slate representatives on request to the extent practicable. All parties agree that these lists are to be used for the sole purpose of investigating the eligibility to vote of the people listed, so that if it becomes necessary to resolve challenges on the day of the count, their status can be more readily determined.

- C. If any member does not receive a ballot within four (4) days of the mailing date, he or she should call the AAA at 800-529-5218. It is preferable for all members to mail their return ballots and to do so as soon as possible after receiving them in the mail. If someone is requesting a duplicate ballot on behalf of someone else, the member for whom the request is made must sign the written request for a duplicate ballot, which may then be mailed or faxed to the AAA. No duplicate ballot will be mailed less than three (3) days before the count. No one may pick up or drop off a ballot in person. If a member who has timely requested a duplicate ballot by phone has not yet received it in the mail, he or she should contact the Neutral Monitor.
- D. If more than one ballot is received by the AAA from any person, the later posted ballot will be the one counted. The AAA will note the day of receipt of any ballot(s) received from a person sent a duplicate ballot, so that the order of posting of multiple ballots received might be determined in the absence of a postmark.
- E. If a voter votes for more than the set number of candidates for a given office, his/her ballot will be void for that office only. If the voter votes for a slate, the slate vote will be treated as an individual vote for every member of the slate, so that if the voter votes for a slate and for an independent candidate or an individual candidate on another slate, the ballot will be void for that office only.
- F. If a voter makes any identifying marks on the ballot or erases or defaces the ballot in a manner that makes his/her intent unclear, the ballot will be void or will be void for the office marked in an ambiguous manner. If, however, the voter makes marks or comments on the ballot that do not identify the member or obscure his/her intent, the ballot will be counted.
- G. If a return envelope is completely blank or the return ID completely illegible, the ballot will be void. If there is a partial ID, the AAA will attempt to identify the voter by matching the number on the envelope with the number on the AAA mailing list and then comparing the ID on the envelope with the voter information on the list. A name, an address with street name and number, a signature and/or a pass number will constitute sufficient partial identification to allow such a matching process, so long as the ID is legible.
- H. Each independent candidate or slate may have the same number of candidates/ observers as there will be stations for counting the ballots for their office(s). The exact number will be determined several days before the count, based on the number of returns.

8. Election Count Candidates & Observers Rules

- A. Any candidate who wishes to designate a member in good standing as an observer must notify the Elections Committee in writing.
- B. Candidates and observers may not count or handle the ballots.
- C. Campaign apparel, stickers or buttons may not be worn in the room where counting takes place.
- D. Candidates/observers may not engage in campaign activities, including conversations about candidates or conversations about the election campaign in the room where counting takes place. Candidates/observers who are disruptive may be ordered to leave the counting area.
- E. Candidates/observers must enter and exit through the designated door only.
- F. Candidates/observers must sign in and sign out each time they enter or exit the room.
- G. Candidates/observers may not address the ballot counter. The member may request the counter to stop and address the issue with the Neutral Monitor.
- H. Candidates/observers are permitted to view all aspects of the election process, but must give the ballot counters room to do their job.

- I. The Neutral Monitor will look for the Head of Slate or their designated observer to discuss issues.
- J. No one will be permitted to bring knapsacks or oversized bags into the count room.

9. Procedures for Mailing/EMailing of Campaign Literature

- A. Each candidate shall be permitted a reasonable opportunity, equal to that of any other candidate, to have literature mailed, via the US Postal Service, to all or part of the membership, at the candidate's expense. Each candidate is entitled to a reasonable number of mailings, whether or not any other candidate makes such request(s). Requests for mailing shall be made to the Elections Committee at least five (5) days before the desired mailing date. The e-mail list will be transmitted by the Election Committee to the mailer designated by the Elections Committee.
- B. Each candidate shall also be permitted to send up to five emails, no more than one in any week, to all or part of the membership for whom the Local Union maintains email addresses, at the candidate's expense. Requests for e-mailing shall be made to the Elections Committee at least five (5) days before the desired e-mailing date. The mailing list will be transmitted by the Election Committee to the vendor designated by the Elections Committee.
- C. Each candidate shall also be permitted to do up to two phone blasts, no more than one in any week, to all or part of the membership for whom the Local Union maintains phone numbers, at the candidate's expense. Requests for phone blasts shall be made to the Elections Committee at least five (5) days before the desired phone blast. The list of phone numbers will be transmitted by the Election Committee to the vendor designated by the Elections Committee
- D. All written requests will be honored in the order received.
- E. Arrangements will be made by the Elections Committee with a professional mailer to handle the mailing of campaign literature, and a vendor qualified to handle the mass transmission of e-mails and phone calls.
- F. All costs for the mailing or emailing of campaign literature will be borne solely by the candidate. Costs associated with the mailings include, but are not limited to:
 - 1. Address labels, materials, and labor
 - 2. Postage
 - 3. Fees as determined by the outside mailer/e-mailer.
- E. The outside mailer chosen shall be one prepared to provide candidates with either bulk rate or first class service at the candidate's expense. Once the Elections Committee is contacted by the candidate regarding the volume of the mailing, the vendor will inform the candidate of the estimated cost of the mailing. Cost will vary according to volume.

Payment by cashier's check or cash must be made upon delivery of the campaign materials to the mailer. No personal checks will be accepted by the mailer.

10. Miscellaneous

- A. Staff members who are members of Local 100 but who are not on leave from an employer whose employees are represented by Local 100 may only vote for the top four officers. Special ballots will be prepared for this group.
- B. Members in the MABSTOA Maintenance and the TA Surface Divisions Maintenance shall vote in, and run in the Department and Division which their payroll emanates from, even if they are employed in a depot in a different Department or Division. Bus Operators shall vote for the Vice President, Executive Board, and Division Officers, and Convention Delegates in the Division in which they work. They may only run in the Division they are hired into.
- C. Members employed by a Private Operations, or School Bus-Paratransit employer, and by the NYC Transit and MABSTOA may vote only for a NYC Transit or MABSTOA Vice President, Executive Board members, Division Officers, and Convention Delegates. Such members, however, will be allowed to vote for Section Officers in both of their sections. Special ballots will be prepared for this group (if any)

VI.

LOCAL 100 ELECTIONS COMMITTEE

David Francis, Chairman	212.873.6000, x2089 or x2090 Cell: 646-228-4289
Aquilino Castro, Member	212.873.6000 x 2061
Kevin McCawley member	212.873.6000 x 2059
Election Committee General	212-873-6000 x2090
Arthur Z. Schwartz, Counsel	e-mail: aschwartz@afjlaw.com Phone: 212-285-1400 Fax: 212-285-1410
Elections Committee e-mail:	elections2015@twulocal100.org
Election Committee Fax	646-998-7150
Neutral Monitor: Barbara Deinhardt	phone: 917-763-0906 fax: 718-855-2933 email: neutralmonitor@gmail.com
Election materials are available at:	www.twulocal100.org/elections2015

RECEIPT OF THESE RULES DOES NOT MEAN YOU ARE A MEMBER IN GOOD STANDING, ELIGIBLE TO VOTE OR RUN FOR OFFICE.

The law requires that all "members" receive the Notice of Nominations and Election. If you do not know if the union considers you to be a Good Standing member, eligible to nominate, or run for office, or vote, you must check with the union. To do so, and/or to bring yourself into Good Standing, please call the Dues Department at 212-873-6000 ext. 2084.

ONLY MEMBERS IN GOOD STANDING MAY SIGN NOMINATING PETITIONS, NOMINATE DIVISION OFFICERS, RUN FOR OFFICE OR VOTE.

Hundreds Attend Westchester Family Day



TWU officers, including President John Samuelsen, Secretary-Treasurer Earl Phillips, Admin. VP Angel Giboyeaux and Shannon Poland, at WFD.



Former boxer Juan Laporte with Division Chair Hector Cartagena.

Local 100 sponsored its second Westchester Family Appreciation Day Picnic at Redmond Park in Yonkers on July 12, 2015. Top union leaders, including President John Samuelsen, Secretary Treasurer Earl Phillips, Administrative Vice President Angel Giboyeaux and Vice President Tony Utano shared a day of food, music, and fun with hundreds of TWU members and families from Liberty Lines, school bus properties and private bus lines in Westchester.

Former WBC world featherweight champ Juan Laporte joined the fun as did Local politicians including Assemblywoman Shelly Mayer.



Car Inspector's Daughter, 8, Finds Joy in Music

'The Notes Tell Their Na

BY ALAN SALY



Tina playing violin as dad, CI Giorgi Narimanidze listens.

TO SOME PEOPLE, MUSIC MATTERS MORE THAN almost anything. When she was three years old, it became little Tinatin “Tina” Narimanidze’s constant companion.

Her father Giorgi, a Car Inspector who works at the Coney Island Overhaul Shop, bought Tina a small electronic keyboard, and her mother, Tea, who creates entertainment for parties and weddings, helped her pick out tunes. Every morning, Tina would sit down and go through the melodies as Tea helped her understand musical notes. Soon the little girl was able to play with both hands, learning a sonatina by the Italian master Domenico Scarlatti. Just a year later, she told her parents she wanted to start on the violin, and they found a teacher for her in Brooklyn. She started practicing two hours a day, every day.

“One day she told me: ‘Dad, take any note on the keyboard, and I’ll tell you what it is,’ recalls George Narimanidze. “She did it easily. Then I took two keys and played them together, and she could tell me without looking which keys they were. Then I took three, then five keys, and played them together, and she was still able to pick out all of the notes.” Tina has perfect pitch – a rare talent that is present in only one in ten thousand people.

“I told my father that the notes tell their names to me,” Tina said. “I see the notes.”

In the early spring of 2011 the family found themselves walking under the Brooklyn Bridge when Tina, carrying her violin after just a few weeks of lessons, got hungry for pizza. But George was out of cash. He was about to tell his daughter that there was no money when he hit on an idea. He put his hat on the ground and told the little girl to play, inviting passers-by to listen. “She straightened up, squared her shoulders, and started in on one of the two pieces she had learned,” he remembers. Then a passing lady put a dollar into the hat. Then a nearby couple did the same. In five minutes, Tina had earned \$11.56, but when her father told her it was enough for pizza, she had a change of heart. “This money goes for my education,” she said.

Tea recalls how Tina’s violin playing broke the ice at an after-school event. “Some girls didn’t want to play with her, and she was upset. I told her it was OK and that she should warm up on her violin. She began to play and all the kids stopped and listened. One nine-year old said how beautiful it was. And then the girls who didn’t want to play said, “Will you play with us?”

Tina explains how she learns a new tune: “First, I listen carefully. I really hear those notes. The next day I start singing little parts to myself. Then, I find the other parts that I love. Then, I know the whole piece.”

Her latest accomplishment is Georg Friedrich Handel’s Fantasia in G, a baroque exercise in counterpoint written in 1732. She plays with authority and clean phrasing – quite an accomplishment for one so young. In a YouTube video, she gives a lovely performance of “Somewhere Over the Rainbow,” at a Georgian charity event. Then she plays “the Irish Washerwoman” jig and the audience claps as if they were in a Dublin pub. Tina regularly plays Sundays at a Georgian church in Brooklyn where her parents attend services. Tina’s piano teacher is her grandmother, herself a professional musician, who also came to join the family in America.

A TWU Local 100 Shop Steward, George has three and a half years in Car Equipment. Well aware of the union’s hard fight for good paying jobs and good working conditions, George decided to take a Shop Steward class and become active in safety issues on the shop floor. He feels many co-work-

mes to Me'

ers don't remember how hard it was on the outside, before they came to transit, where they enjoy the union protections and wages made possible by the TWU.

Before coming to transit, George had five years' experience as an electrician and computer tech. He sees a bright future for Tina as a musician but remembers a lesson his father, now deceased, taught him a few years ago.

"My father took a piece of paper, and dropped it and it fluttered to the ground. He asked me what I saw. I was coming up with an explanation about gravity and the laws of physics and he said, 'no, it's something different. That's a moment that passed and is now gone for ever. Remember to enjoy the moment. Don't lose it.'

That's a lesson that Tina, caught up in her music, experiences whenever she sits down at the keyboard or picks up her bow.



Tina with her Grandmother and piano teacher.



The Narimanidze family at their home on Long Island.

10,000 Women Test Their Mettle at NY/NJ “Mudderella”

Muddy Motorettes

BY PETE DONOHUE

Laura Rawson, 41, is afraid of heights.

But on a rain-soaked Saturday last May, the Train Operator climbed an 18-foot-high wooden wall erected in a New Jersey field, knowing full well there wouldn't be an elevator to take her back down. The exit was a steep slide – into a pool of mud.

“I said to myself, ‘I’m not going to think about it,’” Rawson recalled. “I’m just going to do it.”

And she did.

With that descent, Rawson and six other Local 100 members completed a five-mile, mud-filled obstacle course

at Raceway Park in Englishtown, New Jersey.

For three hours, the “Muddy Motorettes” ran, crawled, trudged and climbed their way through a series of 13 physical challenges, including a narrow claustrophobia-inducing tunnel; wires stretched extremely low to the ground; wooden walls with small footholds and knotted pull ropes; and balance beams made out of uneven logs.

To reach the summit of the 18-foot wall, participants first had to jump on a trampoline and launch themselves onto a cargo net, which they then had to climb to the top.

“You feel great,” Rawson, who works on the No. 2 line, said about completing the course. “You feel empowered. It’s an accomplishment.”

The Muddy Motorettes team was comprised of seven subway train operators and conductors and four daughters.

The 2015 New York/ New Jersey Mudderella drew more than 10,000 participants. Such events are designed “by women for women” and are held around the world. They test overall physical fitness but are not races. They are intended as fun exercises in confidence building and teamwork.



Hit Their Mark

“We moved through as a group,” Cheryl Dyer, a conductor with nearly 24 years on the job, said. “We helped one another with difficult obstacles. We pushed each other, we slid down together, we pulled each other up.”

The group’s uniform: black t-shirts with the image of a subway train, purple tutus and running sneakers. Some but not all team members trained. All are in their 40s and 50s. All finished the course.

“At the end, everyone got an ice-cold beer and a t-shirt,” Dyer said. “That was our prize.”

The name “Motorettes” is a nod to their subway roots. The term was used decades ago by subway operators and conductors to signify their work assignment, Dyer said.

“Years ago when you worked on the train, you said you worked for ‘motors,’ ” Dyer said. “People would know you were a train operator or conductor.”

In addition to the goal of empowering women, Mudderella is a fundraiser. Participants can raise money for a charity of their choice or for Futures Without Violence, a non-profit that assists domestic violence victims. The Muddy Motorettes raised a couple of hundred dollars for Futures Without Violence.

Rawson, who formed the team, was captain. She completed a Mud-

derella course a few years ago with some non-transit friends and earlier this year asked co-workers in the No. 2 line terminal crew room if they wanted to form a subway team.

The Muddy Motorettes were born.

And they’ll be back next year, bigger and stronger.

“A lot of the ladies saw how much fun we had and now they want to do it too,” Rawson said.



Headed to U.S. Supreme Court?

Court Upholds MTA Ban on 'Political' Ads

The MTA Board, at TWU Local 100's urging, voted to ban all ads "political in nature" from the transit system at its April 29, 2015 Board meeting. In late June, the MTA's controversial move survived its first test in Federal Court.

Judge John Koeltl rejected the challenge by the American Freedom Defense Initiative and its founder, Pamela Geller, saying that "no law requires public transit agencies to accept political advertisements as a matter of course, and it is not for this Court to impose its own views on what type of forum the MTA should create."

Robert Muise, an attorney for the group, which seeks to place anti-Muslim ads in the subway system and on buses, said he would take the case to the U.S. Supreme Court if necessary. "The government should not be permitted to violate the First Amendment."

Local 100 President John Samuelsen had petitioned MTA Chairman and CEO Thomas Prendergast to ban "hate ads masquerading as free speech" from the transit system last February.

Samuelsen sent the letter after meeting with a dozen Local 100 Station Division members of the Muslim faith, who said they felt particularly targeted by the Geller ads. One of those members told Samuelsen that he had been interrogated by a passenger who wanted to know "are you a Muslim?" while pointing to an advertisement over his shoulder in the station, which declared that the Koran commands believers to kill infidels.

In his letter to Prendergast, Samuelsen stated that the union believes

incendiary ads put worker and rider safety at risk. "I believe the MTA must re-assess its decision to allow (hate) ads to be placed in the transit system," said Samuelsen. "As an employer committed to non-discriminatory hiring and work practices, you have workers of all faiths in your employ. The MTA cannot let hate speech pockmark the system and potentially put your employees, not to mention your riders, in harm's way. Geller's advertisements are an affront to free speech and add to the danger not only to the members I represent but all members of the riding public."

The MTA initially sought to ban only the so-called "hate ads" promoted by Geller's group. But ironically, the same Federal Judge who just ruled against Geller, in April ruled the MTA must accept the ads. Then the MTA made the decision to ban all political

ads, which the court ruled acceptable.

Christopher Dunn, associate legal director for the New York Civil Liberties Union, said at the public Board meeting the proposal was "small-minded" and "intolerant."

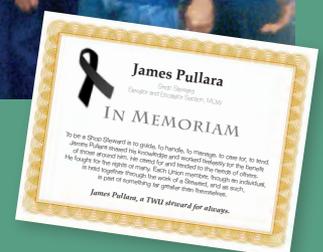
"The New York City Transit system is our public square," he said. "It is the place that virtually all of us pass through day in and day out. Because of that, it is a central part of our speech in New York City."

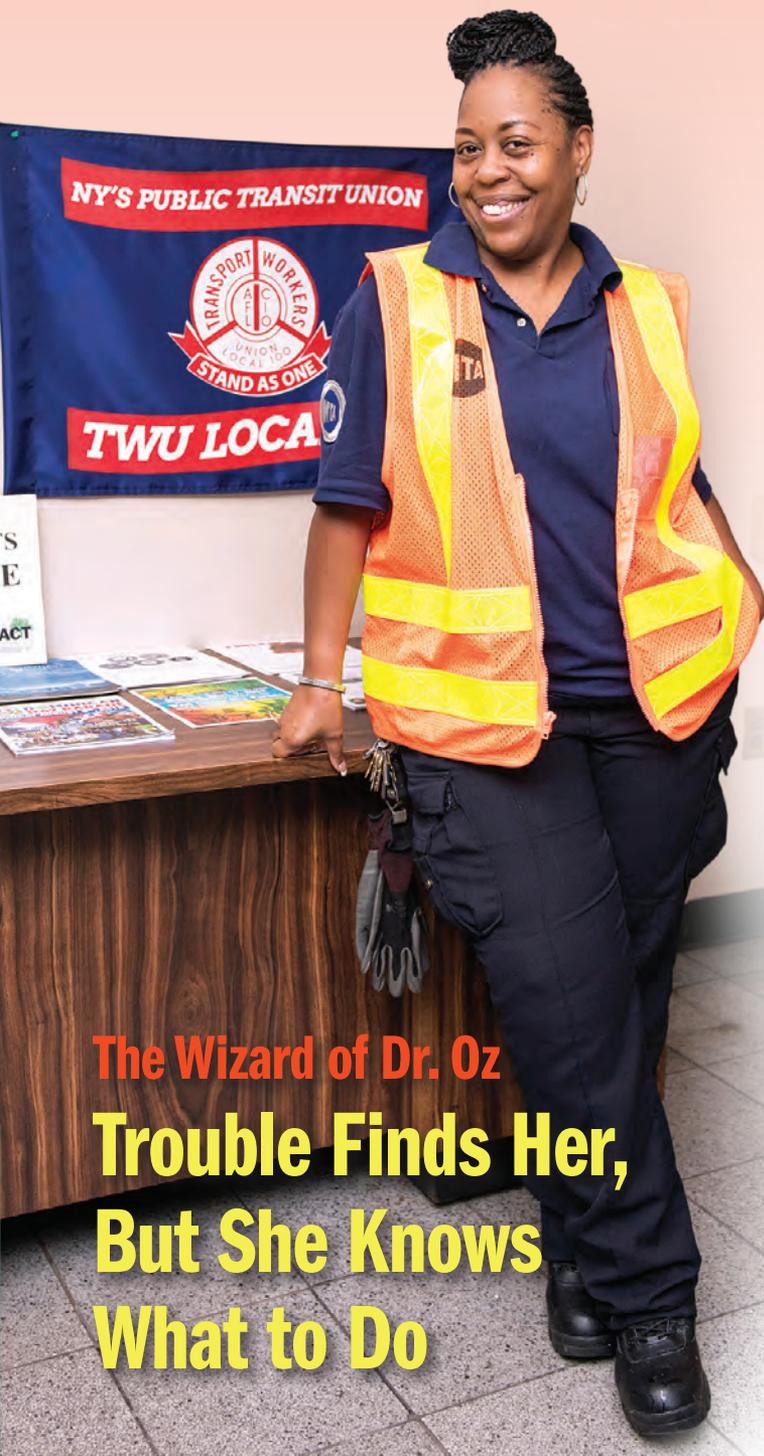
TWU President Samuelsen countered, "some people may think our transit system is some grand public concourse for the exchange of protected speech. But to transit workers, it is our workplace. These same people would not like these hateful or objectionable ads hanging over their desk in their nice secure offices. By the same token, our members don't want these ads in their workplaces either."

Beloved EEM Shop Steward Remembered



MOW Vice President Tony Utano and LES Chair John Chiarello recently visited the Elevator and Escalator crew quarters at East Broadway to present a plaque (inset) in memory of beloved Shop Steward James Pullara. Photo shows plaque presentation outside the crew quarters.





The Wizard of Dr. Oz Trouble Finds Her, But She Knows What to Do

SUBWAY STATION CLEANER AISHAH SMITH IS A “beacon for trouble,” and that’s a good thing.

On back-to-back days in July, Smith, who is assigned to the City Hall station in Manhattan, prevented a distraught woman from committing suicide-by-train and then assisted an elderly man who collapsed and had a seizure.

A few months earlier, Smith also provided comfort and basic care to a man who had a seizure in a state Department of Motor Vehicles Office, she said.

And a few years ago, she helped a man who collapsed on a subway train.

“I just jumped in and did what I do,” Smith, 40, said. “The main thing is to get them to calm down and make sure they are getting enough air.”

Smith’s mother, Lillie, was a subway cleaner for 25 years before retiring.

“She always says, ‘You are a beacon for trouble but you know how to defuse it,’” Aishah Smith said.

On Sunday, July 26, Smith saw an Asian woman sitting on the platform near the edge.

“I didn’t speak her language but I knew she was hurting,” Smith said.

She also knew a train soon would be entering the station.

“I kept asking her, ‘Are you okay?’ while keeping her in my sight,” Smith said. “I asked her to get up, and then gave her a real big hug until the train came in.”

The woman revealed that she had two small children. Smith implored her not to hurt herself because those kids needed their mother.

The woman, who conceded she was thinking of jumping in front of a train, thanked Smith profusely for intervening before leaving the station, Smith said.

The next day, Smith was doing her duties when she saw a senior citizen who looked light-headed. He was sweating profusely and walking slowly.

Seconds after asking the man if he was feeling okay, he collapsed to the concrete floor. He fell face first and started convulsing.

Smith elevated his head on a suitcase he was carrying and rolled him on his side so he didn’t choke on his own blood, she said.

“I kept rubbing his arm and back, telling him he would be alright, trying to keep him calm,” she said. “He went in and out of consciousness.”

Finally, after what seemed like an eternity, paramedics arrive, she said. They took him to Bellevue Hospital, transit officials said.

Smith hasn’t received any formal medical training, although she thinks it might be a good idea for the MTA to provide some basic instruction. Instead, she takes her lead in emergency situations from Dr. Mehmet Oz, who was a health expert on “The Oprah Winfrey Show” and now has his own television program.

“I watch a lot of Dr. Oz,” she said. “Some people call him a quack but I like him.”

No Tears on His Pillow

Retiree Nate Rogers, Unsu

BY PETE DONOHUE

SOME RETIREES TRAVEL TO FLORIDA TO SOAK UP THE SUN. Some go to Vegas to play the slots. Glouster “Nate” Rogers went to Cleveland to the Rock and Roll Hall of Fame several years ago – to be inducted into the musical elite by none other than Smokey Robinson.

For nearly three decades, Rogers was a track worker and power distribution maintainer in the subway system beneath New York City.

But before going underground, literally, Rogers was a founding member of Little Anthony and the Imperials; he sang bass on “Tears On My Pillow,” an instant Doo-wop hit when it was released in 1958 that remains recognizable today to even the casual music listener.

“I absolutely love these guys,” Robinson said in 2009 at the star-studded Hall of Fame ceremony in Cleveland, Ohio. “I think they were one of the greatest groups that ever decided to sing together.”

Robinson called the recognition “long overdue,” and for Rogers the induction ceremony was an unprecedented return to the spotlight. During his years at NYC Transit, he told very few people about his short-lived musical career. At his wife’s prodding, Rogers finally mentioned it to reporters covering a health symposium held earlier this year at Local 100’s headquarters.

“I just never really talked about it,” he said.

Loretta, his wife of 49 years, said: “He’s always kept a very low profile but he’s got a great story to tell.”

Rogers was born in Memphis, Tenn., but grew up in Brooklyn, first in Brownsville, then the Fort Green projects. He went to PS 67, played games like stoop ball and stickball with neighborhood friends, and he sang.

His first group, formed when he was 11 or 12 years old, was called The Mints. They were too young to perform at night on street corners like other vocal groups of the era but The



Rogers with memorabilia from his days as a doo-wop legend.

ng Music Legend



The original group included Rogers (2nd from right), 'Little' Anthony Gourdine, Ernest Wright Jr., Clarence Collins and Tracy Lord.



Loretta and Nate Rogers, holding his Hall of Fame induction trophy.



Early promotional shot of the original group. Rogers is center, looking up.

Mints emulated the older kids who did, Rogers said.

It was about this time when Rogers went to the Brooklyn Paramount to see the Alan Freed Show. The performers on the big stage included Frankie Lyman and the Teenagers, The Valentines and The Turbans, he said.

"I said to myself, 'One day I'm going to be up there,'" Rogers recalled. "I don't know what made me say that but I did."

Rogers didn't have to wait all that long. He was just 14 years old when a group of older boys asked him to sing bass in a group they were forming called The Chesters. He was just 15 years old when The Chesters – soon to be renamed Little Anthony and The Imperials – were spotted by an A & R man and signed to a contract.

"Tears On My Pillow," with Anthony Gourdine's sky-high falsetto, soared to No. 2 on the R & B chart and No. 4 on Billboard's Top 10 pop chart.

"I was shocked just hearing it on the radio and it became a big hit," Rogers said. "It was summer time and I walked outside one day and there was a group

of people sitting in the courtyard. "Tears On My Pillow" came on the radio. I was like "Wow!" They all looked at me and said, 'This is you guys?!'"

Little Anthony and The Imperials were soon performing in clubs and theaters across the country in cities like Washington, D.C., Baltimore and Chicago. They recorded other hits like "So Much" in 1959 and "Shimmy Shimmy Ko-Ko Bop" in 1960.

"It was like a fantasy, a dream come true," he said.

The dream wasn't perfect, however, and it didn't last.

Most of the money went to the managers and producers, not the performers, Rogers said. In 1961, Little Anthony decided to try and go it alone with a solo career. Rogers was drafted into the Army.

After completing his Army service, some of the original Imperials asked Rogers to rejoin the group, which would again be led by Gourdine. But Rogers at

this point was a married father with a young son.

His own father took off when Rogers was very young. He didn't want to be an absentee dad himself.

"My mother always said, 'Do the right thing,'" Rogers said.

He turned down the Imperials, and other singing offers, he said.

Getting ripped off in the late 1950s and early 1960s also left a bitter taste in his mouth.

"I had enough," he said. "I didn't have the love for it anymore. I didn't have the motivation like I had before."

Little Anthony and The Imperials went on to record pop and soul hits into the 1970s including "Going Out of My Head" and "Hurt So Bad."

Rogers joined NYC Transit in 1966 and his family grew to include a daughter, Nicole. He is now a proud grandfather with four grandchildren.

He has no regrets, he said. No tears on his pillow.



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Group shot of Local 100 parade goes before stepping off onto Fifth Ave.



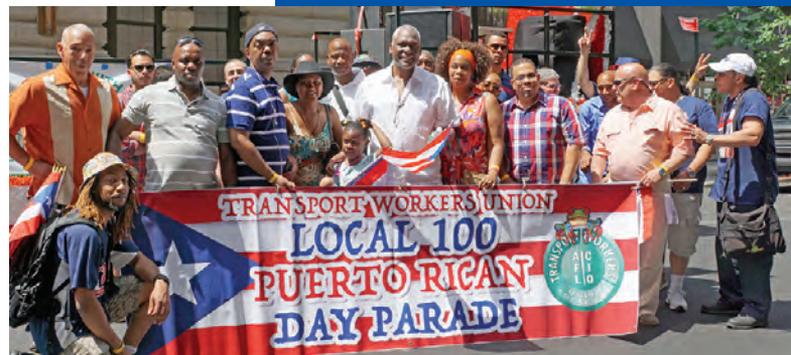
MTA supplied bus for parade and we supplied the banner.



Liz Wilson, Sharase DuBoise, Nancy Martinez and AVP Angel Giboyeaux, from the left.

Puerto Rican Day Parade a Smash

Gorgeous weather and a sea of red, white and blue greeted hundreds of thousands of New Yorkers to the Puerto Rican Day Parade, the city's largest, on June 14. Backed by a large union float with a DJ, TWU Local 100 marched up Fifth Avenue in unity. Great food was provided for members before the parade began. Administrative Vice President Angel Giboyeaux and Recording Secretary LaTonya Crisp-Sauray led the union delegation, along with numerous Division officers. Assemblyman Keith Wright, Chair of the Assembly Black, Puerto Rican, Hispanic and Asian Caucus, stopped by to say hello, as did other elected officials.



Assemblyman Keith Wright (center white shirt) stopped by to greet Local 100 members.



Atop the Local 100 float adorned in red, white and blue.

Danny Gilmartin, Local 100's Through the Tumultuous 60's

By James Gannon

The stories of so many of TWU's early leaders have been obscured by the passage of time and the long shadow cast by the deeds of TWU's charismatic founder Michael J. Quill. But TWU itself might be a footnote to history if not for their hard work and dogged courage. The Bulletin, from time-to-time will focus on some of these important figures from the union's past as part of the history series.

The decade of the 60's was an exciting and turbulent time for America. The military advisory role in Vietnam exploded into a full-fledged war that ignited a wave of national dissent tearing the country in half politically. It ultimately drove President Lyndon Johnson from office but not before he ushered in landmark civil rights and anti-poverty legislation as part of his "Great Society." President John F. Kennedy and Sen. Robert F. Kennedy were both struck down by assassin's bullets, as was Dr. Martin Luther King, Jr. whose murder set off riots in major cities across the country. And, let's not forget the great British rock-and-roll invasion, the race to the moon, the Cuban Missile crisis, the Cold War and the birth of the feminist movement.

The decade also brought an era of unparalleled militancy in Local 100, and bore witness arguably to TWU's most important strikes, as well as huge improvements in wages and benefits.

While TWU founder Mike Quill was front and center handling the media and orchestrating strategy, close by his side was Local 100's 3rd President and long-time TWU activist Daniel "Danny" Gilmartin.

Gilmartin was no Johnny-come-lately. The former car-cleaner and immigrant from County Sligo, Ireland had

been a Quill supporter and organizer from the earliest days of the union. He was a deep believer in industrial unionism who helped Quill fight back numerous attempts to carve up TWU into various craft unions. As TWU's legislative representative in the early 50's Gilmartin was a key player in winning Social Security coverage for transit workers.

Finally, in 1961 Local 100's 2nd President Matthew Guinan turned his full energies to the International Union, and Gilmartin ran unopposed for Local President, a job he would hold until his retirement in the mid 70's.

Gilmartin's first big challenge as President came in 1962 after wealthy businessman Harry Weinberg purchased Fifth Avenue Coach and the Surface Transit private bus lines. Weinberg had made a name and fortune for himself in real estate and by purchasing and flipping privately held transit companies.

Weinberg announced a reorganization plan that included layoffs of up to 1,500 workers, elimination of most night and weekend service and a halt to pension payments.

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



Gilmartin, left, and Matthew Guinan, Int'l Sec'y Treasurer, right in the midst of hundreds of strike signs in prep for the '66 strike.

3rd President, Takes Union

At an overflow membership meeting at St. Nicholas Arena on Feb. 21, 1962, Gilmartin drew a line in the sand over the threatened layoffs. “If even one man goes, everybody goes... if this new management needs to learn what ‘one for all and all for one’ means in TWU, then we’ll teach them,” said Gilmartin.

On March 1, 1962 Weinberg fired 29 senior workers, all just months away from a pension. Gilmartin didn’t wait for the strike deadline, ordering an immediate shutdown of work.

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

The 1962 strike, a crucial moment in TWU history, proved to be a warm-up for the feature presentation, the 1966 city-wide transit, the first in City history.

As the ‘No Contract, No Work’ Jan. 1, 1966 deadline rapidly approached, negotiations led by International President Mike Quill and Gilmartin were stymied by New York’s newly elected Mayor John Lindsay. The union had set similar deadlines numerous times in the past, including in the 1964 contract campaign, but always had been able to pull a rabbit out of a hat at the last minute.

But not this time!

The union went out as threatened. Quill, Gilmartin and six other union leaders were tossed in jail for 8 days during the strike. But in the end, the union walked away with more than \$60 million in wage and benefit gains, a stunning number for the day. A few weeks after the strike, Quill died of heart failure. Gilmartin said this of his long-time ally: “So long as our union lives, maintaining for our members their job security and their 52 paychecks a year, and continuing to improve their wages, hour, pensions and working con-



Gilmartin addresses the press hours before the start of the '66 transit strike.

ditions, the name of Michael J. Quill will remain a vital force among American working people and their families.”

Gilmartin was also a powerful supporter of equality and civil rights. He was one of the labor leaders who participated in the 1965 Selma march with Dr. King. At the time, Gilmartin said: “As long as one American citizen is denied his rights to schooling, employment, housing or public facilities, not one of the rest of us is safe. We must continually rededicate ourselves to the fight for equal rights, or those who have always profited from the subjection of class or race will continue to do so.”

Before he retired due to illness, Gilmartin founded the TWU Local 100 Retirees Association, which remains vibrant and growing.

Danny passed away after a long illness on Sept. 15, 1981 at his retirement home in Venice, Florida at the age of 69.



This circa 1940 photo shows a young Danny Gilmartin, left, with Matthew Guinan and Michael J. Quill.

New Focus on Diesel Emissions as Carcinogen

DIESEL FUEL POLLUTION – WHICH IS SPEWED NOT ONLY BY buses but subway work trains, depot floor scrubbers and other equipment – causes lung cancer and other deadly illnesses. “Diesel is a murderous component,” Local 100 Secretary Treasurer Earl Phillips said as he kicked off the union’s first Diesel Awareness Forum at the Union Hall on June 9.

More than 120 active members, retirees and union officers attended the symposium that featured medical and legal experts, who gave presentations and then took questions from the audience.

A top priority for the union is increasing worker and retiree awareness so they and their families can receive the compensation and benefits they deserve if they were impacted by diesel pollution.

Phillips informed those gathered that the union is aggressively pushing the MTA to further reduce the emissions and worker exposure in bus depots, repair barns and subway tunnels.

At Local 100’s insistence, the MTA is beginning to replace diesel sweepers and scrubbers in bus depots with battery-powered equipment, which would be a big step forward, Phillips

said. Local 100 also wants management to stop purchasing diesel-powered work trains and buy hybrids as some transit properties in Europe have done, he said.

At the union’s insistence, the MTA in April issued a bulletin mandating supervisors ensure respirators are worn when employees are doing work in under-river tubes

“We started the fight and we’ll continue to fight,” he said.

The International Agency for Research on Cancer, part of the World Health Organization, classified diesel engine exhaust in 2012 as a carcinogen to humans, Dr. Lewis Pepper said. That “turned the tables” and validated many studies by researchers that had previously made the link but were not given sufficient weight in the legal arena, Pepper said at the forum.



The MTA is beginning to replace diesel powered scrubbers and sweepers with battery powered equipment.

A landmark legal victory was achieved just last year when the family of Local 100 bus maintainer Anthony Nigro won a job-related death claim before the Workers Compensation Board. Nigro worked at MTA facilities for 28 years, most recently at the Quill Depot in Manhattan. Months after retiring in 2012, Nigro died of lung cancer. It was the first successful workers compensation case establishing a connection between lung cancer and diesel exposure, said Robert Grey, whose firm Grey & Grey represented Nigro’s widow, Dorota “Dora” Nigro.

Mrs. Nigro urged attendees to spread the word to workers and retirees that they should file claims if they fall ill after years of exposure. They may be able to secure workers compensation for themselves and their family, and spur management to provide a safer work environment.

“Hopefully, you will never get sick but never say never,” she said. “My husband was tall, strong and healthy looking. He used to say, ‘I’m as strong as a bull. He died at 57. He was strong as a bull, but you know what, cancer is stronger.’”

Diesel Forum participants, from the left: Attorney John Dearie, Local 100 ST Earl Phillips, Dora Nigro, Attorney Robert Grey, Dr. Lewis Pepper, Retirees Assoc. Dir. Mike Tutrone, Dr. Frank Goldsmith, and Retiree Benefit Consultant Norman Rosenfeld.



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