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# Transport Workers

## BULLETIN



## Members Ratify Contract with MTA

THOUSANDS ATTENDED THE UNION'S CONTRACT KICKOFF RALLY OUTSIDE 2 BROADWAY ON NOVEMBER 15, 2016. FULL DETAILS PAGES 22-29



## Remembering Louis Gray

FAMILY AND FRIENDS OF CONDUCTOR/FLAGGER LOUIS GRAY, WHO WAS KILLED ON THE JOB LAST NOVEMBER, GATHERED FOR A CANDLELIGHT VIGIL TO HONOR HIS MEMORY. SEE PAGES 10-11

# As I Was Saying

JOHN SAMUELSEN, PRESIDENT

## Take a Breath for 30 Seconds and Move On

WE ACHIEVED MANY GOOD THINGS IN OUR contract with the MTA. We won solid wage increases that beat inflation. We negotiated other important economic enhancements, including a major bump in the articulated bus bonus for thousands of Bus Operators.

We protected our health benefits and negotiated improvements in women's medical coverage, and in the dental plan. We secured a very important change in the sick cash-out at retirement. Prior to this contract, only 1 in 6 transit workers were eligible for the cash-out. Now everyone is. That means a substantial check in the thousands of dollars for most transit workers at retirement.

We won longevity pay increases, night and weekend differential hikes, snow bonus pay for cleaners, increases in the maintainer bonus pay, and many other enhancements in the departmental agreements. Let's not forget the boots. Thousands of rank-and-file members brought up the need for better work boots and shoes in our surveys over the past summer. We got that done as well.

We brought all MTA Bus depots under one unified contract, an important goal of our MTA bus members since they were brought under the MTA banner 13 years ago.

The best part about this win is that thousands of members participated in the effort, by taking part in our one-on-one surveys, or attendance at our massive rally on Nov.

15th, our action at the MTA Board on Dec. 15th, or our Mass Membership meeting on Jan. 7th. In addition, 50 percent of the eligible members voted on the ratifi-

cation. This is an enormous number when you consider that in the last Gubernatorial election in New York, only 33 percent of eligible voters actually cast a ballot.

All in all, it was a well fought fight and we came away with a solid win for transit workers and our families.

### 2017 Agenda

With the MTA contract behind us, we are moving on to the rest of our packed agenda for 2017, not the least of which will be dealing with the possible negative fallout of the Trump election. Already, Congress has introduced a national right to work bill, which would outlaw union security clauses nationwide. We already have right to work in half the states. Luckily New York, New Jersey and Connecticut are not among them. We aim to keep it that way, and we will be working with our International Union to block this terrible bill.

We'll also eventually be dealing with another attack on public sector unions after the Senate confirms a new justice for the Supreme Court. The labor movement dodged a big bullet last year when the Court tied 4-4 on the so-called Friedrichs case, which would have made paying dues in the public sector optional.

The backers of this case, as well as national right to work, are all arch right-wingers and union haters who are trying their best to cripple labor financially. A diminished union movement means lower wages for us and more profits for them. Pretty simple equation. We will be working with our legislative people in Albany and our International Union will be doing its part on the national scene to hopefully bury these assaults on our future.

### Constitutional Convention

In addition, we are facing a ballot question on whether or not a State Constitutional Convention will be held. It will be a simple "YES" or "NO" vote. We want that vote to be "NO" for a number of reasons, including the fact that only a State Constitutional Convention can alter pension benefits (read that as lower benefits) for current workers. We haven't had a Constitutional Convention in decades, and we don't need one now.



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# Transport Workers

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## BULLETIN

## 8 Union Launches Fight for Paid Sick Days in Westchester

Local 100 joined several Westchester legislators in late March to announce support for a bill that would mandate paid sick days for 123,000 County workers who don't have them, including School Bus workers.



8

## 14 2nd Ave. Subway Finally Opens

The new 2nd Ave. Subway opened to much fanfare on New Year's Day. More than 155,000 New Yorkers are using the new line every day.



14

## 22 Members Ratify Contract in Landslide

Local 100 President John Samuelsen (center) stops for a photo during shopgate meeting at the Coney Island Overhaul Shop to explain the new contract. The rank-and-file approved the contract by a 70-30 margin.



22

## 43 No End In Sight on Assaults

Conductor Kiyra Rivera (center) tells press conference at TWU headquarters of her traumatic assault on the job by an off duty police officer. RTO officers Crystal Young and Brussard Alston are flanking Ms. Rivera.



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**Front Page Photos**  
Alan Saly

# Drunk Driver Convicted in Death of Bus Operator William Pena



A tearful Nancy Rodriguez, with Local 100 VP Richard Davis, left, and Pena's brother, Alex, after verdict.

THE JOYRIDING DRUNK DRIVER WHO KILLED bus operator William Pena was convicted March 31st of vehicular manslaughter and other charges in Manhattan Supreme Court. Domonic Whilby, 25, could be sentenced to at least eight years in prison - and as many as 25 years behind bars, ADA Randolph Clarke said.

Whilby stole an 18-ton delivery truck and careened down 7th Ave. on the early morning of Feb. 12, 2014. He slammed into Pena's M14 bus, killing Pena and injuring several passengers. During the trial, Whilby's defense attorney said he was too drunk to know what he was



William Pena with wife, Nancy, and daughter, Gabriella.

doing. Whilby became extremely intoxicated earlier at a VIP party that his famous uncle took him to at the 10AK club on W. 17th St., according to trial testimony. While the Supreme Court jury found Whilby guilty of manslaughter in the second degree and aggravated vehicular homicide, the panel acquitted him of other charges, including the most serious: depraved indifference murder.

Manhattan District Attorney Cyrus Vance had the following statement: "Because of Domonic Whilby's reckless decisions, a beloved family member and public servant is dead. This was a devastating and utterly preventable tragedy. My heart goes out to Mr. Pena's family, friends, and coworkers, as well as the four other pedestrians, passengers, and motorists who were injured that day."

Brother Pena's widow, Nancy Rodriguez, who has car-

ried on a long and courageous campaign for justice for her husband and who was hoping for a murder conviction, broke down in tears after the verdict was read. Responding to a question from a reporter from the New York Times about the message sent by the jury's failure to convict on counts involving criminal intent, she said: "I think it's

horrible, the message that is being sent. An innocent man goes to work. What went wrong that day was that he got to work on time. He was doing his job and he gets killed."

"Our hearts go out again to William's family," TWU Local 100 President John Samuelsen said. "This has been a terrible and long ordeal. I'm absolutely awed by their strength and perseverance. They worked tire-

lessly for more than three years to keep William's memory alive, and to keep this case in the public's view. They are union heroes. He would be proud."

Outside the courtroom, MABSTOA VP Richard Davis expressed the feelings of his fellow Bus Operators: "It's not a just verdict for the Bus Operators of New York City Transit," he said. "They come to work to make an honest living and go back home to their families safely. One was murdered. We did not get that top charge [depraved indifference murder] that we were looking for. That would have served justice. From our eyes, [Whilby's] intent was there, from signaling his left turn, to maintaining his distance as he drove, to making contact with the bus in a deliberate way. It's pure murder for us. We're very unhappy with the verdict."

# Union Scores Big Pension Win for MTA Bus Members

LOCAL 100 PRESIDENT JOHN SAMUELSEN delivered an enormous pension win to MTA Bus members late last year after a multi-year battle to close the gap between pensions earned by MTA Bus members and their brothers and sisters in MABSTOA.

The big win came via an arbitration award handed down by Impartial Arbitrator Howard Edelman, who was swayed by the union's argument for equal pay and benefits for equal work for MTA Bus members.

In November, the arbitrator ordered the pension multiplier to jump from \$105 times years of service to \$130 times years of service for new retirees. For a member with 30 years of service the increase amounts to a very substantial \$9,000 a year.

The MTA pension multiplier had been stuck at \$105 for more than a decade.

In addition to the big boost in the multiplier, the arbitrator also awarded the following:

- The \$130 will escalate, with each wage increase, added to the prior years of service on a going forward basis.
- Future retirees will receive a cost-of-living-adjustment identical to the MABSTOA pension COLA.
- Employee contributions will initially increase to \$35.98 (the same as the increase in the multiplier) and then match increases in the pension on a percentage basis.

Finally, the arbitrator instructed the parties to finalize an agreement for the Yonkers depot members, who were formerly employees of Liberty Bus and covered under a different plan.

President Samuelson said: "This is a huge win for all titles at MTA Bus. It took longer than we would have liked, but our determination to end the 'business as usual' approach of the past to trade work rules for pension improvements finally paid off."

The MTA bus pension has been a battleground with the MTA every year since the agency took over the former Queens Private Lines in 2004.

The union was finally able to push the pension dispute to binding arbitration as part of a final contractual agreement with management for MTA Bus members in 2015. During those negotiations, the MTA had made an important concession on the pension piece by dropping its demand that a pension improvement be paid for by concessions or work rule changes. The MTA also conceded Local 100's position that a disparity in fact existed between the MTA Bus Pension and the benefit covering workers in the TA and OA.

A Report From TWU Local 100 President John Samuelson and Vice President Peter Rotocoi

## MAJOR PENSION VICTORY AT MTA BUS

**Our long struggle has finally paid off!**  
The fight for pension justice has taken a long time. The current leadership of the union steadfastly refused the "business as usual" approach of the past that traded work rules for pension improvements. That's just "Robbing Peter to pay Paul." We fought this fight on the basis of "equal pay and benefits for equal work." As a result we now proudly present this Pension Arbitration Award. It is a Huge WIN for ALL TITLES at MTA Bus.

Here are the highlights of the Award:

1. A DRAMATIC improvement for all titles in the pension multiplier from \$105 to \$130.
2. The \$130 will escalate, with each wage increase, added to the prior years of service on a going forward basis.
3. Future retirees will receive a cost-of-living-adjustment identical to the MABSTOA COLA.
4. Employee contributions will initially increase to \$35.98 (the same as the increase in the multiplier) and then match increases in the pension on a percentage basis.

**AND WE'RE NOT DONE FIGHTING FOR PENSION JUSTICE AT MTA BUS**

The arbitrator directed the parties to FIX THE YONKERS PENSION once and for all.

With this Award, we're ONE STEP CLOSER to closing the gap between MTA Bus Pensions and those earned at MABSTOA.

Calculation of Pension Improvement  
Based on 30 Years of Service MONTHLY ANNUALLY

**OLD** \$105 X 30 = \$3,150, or \$37,800 a year

**NEW** \$130 X 30 = \$3,900, or \$46,800  
Increase in Pension \$9,000 a year

Local 100 President John Samuelson is congratulated on the pension win by MTA Bus depot chairs at meeting at union headquarters.





# Administrative Vice President Angel Giboyeaux Announces Retirement

TWU LOCAL 100 ADMINISTRATIVE VICE PRESIDENT ANGEL Giboyeaux has retired after a distinguished career as union activist and elected officer.

A New Yorker born and bred, Angel grew up on Manhattan's Lower East Side, the son of factory workers who came to America from Puerto Rico. He attended New York City public schools and entered the printing profession, working in the trade for nine years as a member of Teamsters Local 875. While working as a printer he married his wife, Elizabeth, with whom he has two daughters, Elizabeth and Iris Myra.

He was hired as a Bus Operator at Liberty Lines in Westchester in 1990. At Liberty he was a picket captain during the 2001 strike that led to significant raises for workers. In the 2005 strike, he and other picketers were arrested by State Police for blocking the company's Valhalla, NY entrance.

Those strikes, he says, gave him a sense of union power and what is possible when unity is maintained in the shop and on the lines.

In 2006, Angel was elected to Local 100's Executive

Board. At Liberty, he was also elected President of the Latin Society United, a fraternal organization.

In the 2009 union wide elections, he was elected Administrative Vice President on President John Samuelsen's ticket. He was overwhelmingly re-elected in both 2012 and 2015.

He played a key role in negotiating a new four-year contract for members of Liberty Lines in Westchester in 2012, which achieved significant raises over the term of the agreement. The contract preserved the company's pension retirement at 20 years of service at age 59. In May 2014, Angel played a pivotal role in finalizing negotiations with Mile Square School Bus just hours before hundreds of members were ready to go on strike. The agreement brought significant raises in every year and additional pay differentials to members. He also spearheaded the successful campaign for a successor agreement at Liberty Lines earlier this year.

In 2011, he became the Union's point person for green



Angel Giboyeaux addresses presser outside Mile Square School Bus Co. in Yonkers.



Angel with Gov. Cuomo in early 2016.



*Angel Giboyeaux (far left) with other top officers and members at presser to endorse Bernie Sanders for President.*

jobs, working with the staff at the Union's Training and Upgrading Fund (TUF) to negotiate union-only training courses in fiber optic technology, solar panel installation and maintenance, and EPA certified refrigerant handling.

Local 100 President John Samuelsen reacted to the retirement announcement. "None of us want to lose an officer and co-worker of his quality, experience and character. But for him and his family, this is the right move at the right time and all of us wish him the very best moving forward. What Angel has built as a thoughtful, relentless fighter for our members; the outstanding contracts he has negotiated; the jobs he has saved; the working conditions he has fought to improve; the pensions and health care benefits he has protected are all part of a legacy that will continue to benefit this membership for decades to come. A simple thank you for all he has done for me personally and more importantly for this union and this membership sounds woefully insuf-

ficient. But, thank you, Angel, for being a friend, supporter and union brother."

Brother Giboyeaux had the following message for his brothers and sisters of Local 100: "The fact that my position here at TWU Local 100 has come to an end doesn't diminish the great professional experiences I have enjoyed. It has been outstanding working for the membership of TWU Local 100. Nothing gives me more pride than to know I have accomplished all the goals placed before me by the membership and President John Samuelsen. One's work is never finished, but there comes a time in life when change is needed and that change for me is to retire. The ride was a good one. I believe I treated everyone with respect, and I believe that I earned everyone's respect in return. Thank you for the opportunity given me as an officer and member of this wonderful union. I wish TWU Local 100 great success in the future, and wish the best for each and every one at TWU."



*Giboyeaux is arrested by State Police for blocking Liberty Lines entrance during 2005 strike.*



*Giboyeaux with negotiating committee after successful contract talks at Liberty in early 2016.*



*TWU Local 100 members demonstrate outside Westchester County legislative office building to announce drive for paid sick days for nearly 123,000 workers.*

# TWU Pushes Paid Sick Days for Westchester County Workers

TWU MEMBERS AND OFFICERS JOINED WESTCHESTER COUNTY LEGISLATOR AND MAJORITY LEADER Catherine Borgia in late March to announce introduction of legislation that would mandate paid sick days for more than 120,000 workers in Westchester County.

Approximately 36% percent of full-time and part-time workers in the county – 123,000 people – do not get paid sick days, including hundreds of TWU School Bus Division members and workers at Liberty Bus.

Many of those denied the option of taking a paid sick day are workers who can least afford to lose a day's worth of income. Many also are in jobs, like Line Bus Operators and School Bus Operators, who are in close contact with children, transit riders and other members of the public. Currently in Westchester, 54% of workers in service occupations and 47% in transportation, including food service workers, bus operators, and home health aides – three groups of workers which can very easily, and rapidly, spread disease – do not get paid sick leave.

“It’s outrageous that hard working men and women in the wealthiest country on earth are forced to choose between working while sick or feeding their families,” TWU Local 100 President John Samuelson said. “It’s inherently unfair - and a public health risk for everyone. This legislation will fix this injustice.”

Under the proposed bill, businesses with at least five employees would have to provide paid sick days. Workers would earn a minimum of one hour paid sick time for every 30 hours worked. Paid sick leave could be used for both physical and mental illness. It could also be used if an employee needs to take care of a sick family member.



*Bill sponsor Catherine Borgia and other legislators with School Bus Division Chair Gus Moghrabi and member Vivian Guzman.*

“Employers should have the decency to let a parent stay home and take care of a sick child, not penalize them by withholding pay for the day if they do,” Samuelson said. “If employers won’t do the right thing, this law will force them to do the right thing.”

“It is about time we treat all workers in Westchester County with the dignity and respect they deserve,” said Legislator Catherine Borgia.

In addition to Borgia, Majority Whip Alfreda Williams (D-Greenburgh), Legislator MaryJane Shimsky (D-Hastings-on-Hudson), Legislator Ben Boykin (D-White Plains), and Legislator Catherine Parker (D-Rye) have announced their support of the measure.

Committee hearings must be held before the measure can be moved to a vote.

# Executive Board Elects Nelson Rivera Administrative Vice President

The Local 100 Executive Board, on March 24, 2017, unanimously elected long-time Car Equipment activist, officer and 10-year Vice President Nelson Rivera to the position of Administrative Vice President. Rivera will fill out the unexpired term of Angel Giboyeaux, who retired late last year.

President John Samuelsen told the Executive Board that a unified Local 100 is essential to face the coming challenges of an empowered anti-union right wing in the White House, Congress and very soon, the U.S. Supreme Court.

“Nelson and I have had our differences, but we both have the same goal, and that is a union which is in a position of strength to advance and protect our membership.”

In accepting his new role as Administrative Vice President, Rivera thanked the Executive Board and Executive Committee for their unanimous support. He said that he has always been about “representing the membership to the best of my ability” in Car Equipment. He said that he looks forward to “representing all the members” in the same manner as Administrative Vice President.

Rivera joined NYCT in 1989 at the age of 23 as a Maintainer Helper at the 207th Street Overhaul Shop. He earned promotion to Car Maintainer in 1990. He also worked at the Concourse Barn and Coney Island Overhaul.

He graduated Automotive High School, as did his dad, in Brooklyn and found work doing quality assurance and warranty work for NYCT vendors Kawasaki, Alstom and CLRT.

He was elected shop steward at 207th Street in 2000 and then Shop Chair in 2004. He was then elected Vice President for Car Equipment in 2007 and has been reelected in three subsequent elections.

Rivera said that he takes great pride in having changed the union-management culture in CED during his 10 years as Vice President. He recalls that when he took office in 2007 “four barns didn’t even have Chairs. No one wanted



Local 100 President John Samuelsen offers congratulations to newly elected Administrative Vice President Nelson Rivera (3rd from left) as Secretary Treasurer Earl Phillips and Recording Secretary LaTonya Crisp-Sauray look on.

*“I empowered my Chairs with the full weight of the union to rebuild respect for Local 100 throughout Car Equipment.”*

– Nelson Rivera

the jobs because management had no respect for the union and disciplines and terminations were too common.”

“I empowered my Chairs with the full weight of the union to rebuild respect for Local 100 throughout Car Equipment,” said Rivera. “I did battle with seven different TA-CED Vice Presidents over the past decade to make sure the membership was being treated fairly.”

Rivera is also an elected Executive Board member of the NYC Chapter of the Labor Council for Latin American Advancement (LCLAA). He has also served on the union’s Indian Day and Russian Day Committees since their inaugurations 11 years ago.

Nelson, 50, is a lifelong Brooklynite. He and his wife, Catherine, have three children, Jason, 30, Jeffrey, 27, and Samantha, 22.

# Union Presses New Track Safety Measures in Wake of Louis Gray Tragedy

Louis Gray  
(1963-2016)

TWU Local 100 forced a recalcitrant MTA to adopt unprecedented track-safety regulations after the tragic death of Construction Flagger Louis Gray Jr. in a Brooklyn subway tunnel on Nov. 3, 2016.

Citing a continued danger to transit workers along the right of way, Local 100 President John Samuelsen demanded an emergency hearing with a neutral contract arbitrator. Samuelsen, a Track Worker, personally argued the union's case on Dec. 2, 2016 by laying out a series of common-sense rule-change proposals while blasting the MTA for failing to do anything beyond "nibbling at the edges."

The final result: MTA Vice President of Subways Wynton Habersham signed a landmark legal document with Samuelsen and Arbitrator Howard Edelman. Under the stipulation, which has the power of a court order, management now must halt trains when flaggers are setting up yellow warning lights on curves with limited visibility. Supervision also must designate

a lookout whose only job is to stay in visual and verbal contact with flagging crews.

"This is a big win for the safety of New York City transit workers," Samuelsen said. "Past efforts to get the company to simply slow down the trains were extremely difficult. Now, service must be completely suspended, and that is unprecedented."

Gray, 53, was struck and killed on curved tracks between the Fort Hamilton Parkway and Church Ave. stations on the G/F lines. He was setting up yellow warning lights for a construction project that was about to get underway when a G train came around the bend and pinned him against a bench wall. The G train also struck Gray's partner, Jeffrey Fleming who was seriously injured but miraculously survived.



Mourners, including Local 100 Secretary Treasurer Earl Phillips, gather in front of funeral home.



**Mourners gather for candle light vigil in remembrance of Brother Louis Gray near where he was killed on the job.**

Fleming, with the aid of a walker, heroically attended Brother Gray's wake.

The tragedy exposed serious, life-threatening flaws in the MTA's safety protocols. The G-train operator had no idea that Gray and Fleming were up ahead when he left the nearest station. He was unable to stop in time when he came upon the two men on the tracks in front of him.

"It's a travesty that another transit worker lost his life on the job," Samuelson said. "It's also a travesty that this matter had to go to arbitration. The MTA should have done the right thing in the immediate aftermath of this tragedy."

In an unusual step, the National Transportation Safety Board stepped in and took the role of lead investigatory agency. The NTSB scrutinizes every civilian aircraft accident but only looks at a small number of fatal accidents involving other means of transportation, a spokesman told The Chief newspaper.

"We pick those very selectively and they have to be really significant, because if we are going to use scarce investigative resources, we want to make sure it makes a real difference in safety for the workers and the public," the NTSB spokesman said.

The NTSB said its investigation could take up to a year to complete.

Gray was the 13th transit worker to be killed in the line of duty since 2001.

Hundreds of transit workers attended Gray's wake on Nov. 10 at the Grace Funeral Home on North Conduit Blvd. in East New York, Brooklyn. Hundreds more attended the funeral service that evening at the First Baptist Church of East Elmhurst on Astoria Blvd., Queens.

"Sometimes the millions that ride the subway don't know the sacrifice and danger," said Rev. Victor T. Hall, the MTA chaplain.



**Jeffrey Fleming, with walker, Brother Gray's partner the night of the tragedy, offers his condolences to the Gray family.**



*Mourners gather for memorial for union activist Mike Jerome at union hall on Dec. 3, 2017.*

# Local 100 Mourns Activist Member Union Staffer Mike Jerome

Officers and members are mourning the passing of union activist, Mike Jerome, who played a prominent role in the union’s successes in the early 2000’s. He was taken from us by pancreatic cancer on October 31.

He served in the rescue and recovery effort at Ground Zero and received the union’s medal of 9/11 recognition on September 7, 2016 from Secretary-Treasurer Earl Phillips.

A machinist by trade who worked in the wheel and axle shop at Coney Island Overhaul, Mike was a committed trade unionist and socialist who helped bring a new generation of leadership to Local 100 in 2000.

He was named Director of Grievance and Discipline in 2001, and later became Health Benefits Coordinator. In an article printed in the union’s newspaper in December 2001, that reflected his philosophy, he wrote: “We need to stop the write-ups before



*Union activist and long time staff member Mike Jerome marches in a May Day parade with his union.*

and co-workers.

He leaves his wife, Elise deJong, his son, Gabriel, his brothers David, Jonathan, and Richard, and many other relatives, friends and union brothers and sisters.

they happen. That means building strength and unity right at the work sites and crew rooms...we need to build member anger at management injustice and use that anger to build solidarity.”

He will be remembered as a man who was selflessly devoted to others and to the union cause. Local 100 President John Samuelsen said: “Mike kept on giving to the Union, from his activism on the shop floor to his dedicated work as a union staffer. His spirit lives on wherever transit workers fight for better working conditions.”

A memorial for Mike was held at the Union Hall on December 3 that was well attended by friends, family,

# Boss Donates Kidney to Save Local 100 Member

**T**his boss is a stand-up guy. Track Worker Victor Rivera found himself in a race against time.

Diagnosed with kidney failure in 2013, Rivera was told he would need a kidney transplant in order to survive – but he'd have to get in line first.

The demand for organ transplants is greater than the supply. About 20 patients die each day because of a shortage of suitable transplants, according to the American Transplant Foundation.

The clock was ticking. By early last year Rivera's condition had deteriorated to the point that he was enduring dialysis three days a week, four hours a day.

"It takes a physical and emotional toll," Rivera said recently.

That's all in the past, and the future now looks bright, thanks to Maintenance Supervisor George Muehlhaus, who surprised Rivera with an offer to donate a kidney. The two men have known each other for 17 years, going back to when they were rookie Track Workers in Queens but were not close friends.

"I was sitting at my desk one day and he came up and said, 'Hey, how did the kidney stuff work?'" Rivera recalled. "And so I explained to him, and he was like, 'Oh, you know, why don't you give me the number.'"



*Maintenance Supervisor George Muehlhaus, left, donated a kidney so his co-worker, Victor Rivera, would move to the top of the list for a kidney transplant.*

Tests determined that Muehlhaus' kidney wasn't a match for Rivera but he decided to be a donor anyway. That enabled Rivera to move up on the nationwide list for organ transplants.

In July, Rivera received a new organ during a transplant at Mount Sinai Hospital in Manhattan.

"It's life saving, not life altering, life saving," Rivera said. "This disease takes lives."

Muehlhaus also underwent surgery at Mt. Sinai with his donated organ going to a man in the Midwest.

"I did not really mind giving my kidney to somebody else as long as Victor would get a kidney," Muehlhaus said.

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***"It's life saving, not life altering, life saving.  
This disease takes lives."***

**– VICTOR RIVERA**

# 2nd Avenue Subway Provides

THE LONG-AWAITED 2ND AVENUE SUBWAY OPENED to the public on New Year's Day bringing with it nearly 400 new, permanent jobs for Local 100 members in a variety of titles.

Gov. Cuomo christened the new line on New Year's Eve with nearly two dozen organizations, including TWU Local 100 and the Sandhogs union, joining the historic event.

The line, with four new stations along 2nd Avenue, has quickly become an essential part of the City's public transportation network, with more than 155,000 New Yorkers using it every day.

"The Second Avenue Subway has already become an integral part of the Upper East Side and these ridership figures show just how important this expansion project is to the neighborhood and our economy," Governor Cuomo said.

**Local 100 President John Samuelsen (right) was among the first to go through the turnstiles with, from left, MTA Chair Tom Prendergast, Gov. Cuomo, and Rep. Carolyn Maloney.**



**Here's just one example of the amazing art displayed on the walls of the new subway line.**

"This project is proof that government can still get big things done and these early ridership numbers send a clear message that when we deliver on our promises New Yorkers respond."

The Governor also led a sneak peak tour of the subway for the media the week before Christmas. Local 100 President John Samuelsen joined Cuomo, MTA Chairman Tom Prendergast and Rep. Carolyn Maloney as the first official "riders" through the turnstiles.

Local 100 Secretary Treasurer Earl Phillips represented the union at the New Year's Eve celebration.



**Gov. Cuomo leads New Yorkers down the escalator at the 96th St. station.**

# New Jobs for Transit Workers



Union and safety reps, including Secretary Treasurer Earl Phillips, Track Chair Paul Navarro, Vanessa Jones, Tom McNally and Shakira Grillet.



Here's our Local 100 Conductor on one of the first runs on the new line.



Ready for the 2nd Avenue Subway to open for passenger service.



President John Samuelsen (right) and Secretary Treasurer Earl Phillips with two members at 2nd Avenue subway.



Three Local 100 members who will be working at one of the new line's stations.



The 2nd Avenue Subway brings nearly 400 new and permanent jobs to Local 100 members in various titles. Here's just a few of them getting ready for the launch of the new line.



Mike Conigliaro speaking at a Local 101 contract rally.



Mike Conigliaro, left, with Local 100 President John Samuelsen, right, NYS AFL-CIO President Mario Cilentto and NYCCLC President Vincent Alvarez.

## TWU Mourns the Passing of Local 101 President Mike Conigliaro

TWU LOCAL 100 LOST A GREAT FRIEND AND ALLY with the sudden passing of Local 101 President Mike Conigliaro in November.

Michael died Nov. 1 of an apparent heart attack in his Staten Island home. In addition to being Local 101 President, he was a Vice President of Transport Workers Union International. He was just 58 years old.

“Mike was truly one of the good guys,” Local 100 President John Samuelsen said. “There was no ‘mailing it in’ with Mike. He was always out in the field assisting his members, or sitting across the table from management fighting on their behalf. He was also always at our side during our challenges and triumphs. I loved him dearly and he will be sorely missed.”

Local 101 represents gas utility workers in Brooklyn in Queens who are employed by National Grid.

The bond between Local 100 and Local 101 deepened about six years ago when Conigliaro moved his administration into office space at Local 100’s headquarters on Montague St. in Brooklyn.

“Mike was incredibly generous,” Local 100 Vice President Tony Utano said. “He brought a great energy to the Union Hall every day. He lifted everyone’s spirits with his infectious smile and great attitude. We are going to miss him forever.”

Conigliaro was elected President of Local 101 in September 2012 after serving nearly 20 years as Vice President. He also served as Recording Secretary.

He was a revered leader who tirelessly advocated for his blue-collar members, reinvigorated a sense of union pride, successfully steered his organization through company takeovers and negotiated good labor agreements in tough economic times.

During his presidency, Local 101 became more active in the community and its ranks grew dramatically, from about 1,200 when he became president to approximately 1,600 today.

But first and foremost, Conigliaro was a family man. His three adult children – Jaclyn Zito, Steven Conigliaro and Michael Conigliaro Jr. – paid an emotional tribute to their father at a Funeral Mass at Our Lady Star of the Sea R.C. Church in Staten Island.

“He loved his wife and treated her like the Queen of the world,” Zito said. “He loved his children, to whom he gave until he couldn’t give anymore, and most of all, he loved his grandchildren.”

Conigliaro’s sons, Michael Jr. and Steven, remembered their father as the selfless hero of their lives. True to form, Mike spent his last day with family, Michael Jr. said.

“My strong as an ox father, my hero, died in his chair in the living room, after watching Monday Night Football, on a night where he was trick-or-treating with his family...,” Michael Jr. said. “I mean, way, way, way, way, way too young, but what a solid way to go out.”

Conigliaro is from a strong union family with ties to labor across the city and country. His brother James Conigliaro is Executive Vice President of the International Association of Machinists. Another brother, Frank, owns a top-to-bottom union printing company. His nephew, Jimmy, is Vice President of the New York City Central Labor Council representing the Machinists.

He is survived by his wife, Tina, three children, Michael Jr., Jacqueline, and Steven, four grandchildren, two sisters and six brothers.



Fallen NYDP hero  
Michael Fahy.

# TWU Wins Standoff with MTA To Honor a Fallen New York Firefighter

AFTER THE TRAGIC DEATH OF FDNY BATTALION Chief Michael Fahy in a Bronx house explosion on Sept. 27, 2016, Mayor Bill de Blasio ordered flags at all public buildings in New York flown at half staff.

Out of respect for one of New York's Bravest who had died just blocks from Kingsbridge Depot at the Allen Pavilion of the Columbian Presbyterian Medical Center, P&E workers there lowered the facility's flag to half mast as well.

But "brainless bureaucrats" at MTA-NYCT incredibly ordered the workers to raise the flag back up to full mast because, they said, they didn't get a go-ahead to do so from higher-ups. They also threatened to suspend the workers if they didn't comply with a "direct order."

With the backing of TWU Local 100 President John Samuelsen, OA Maintenance rep Tom Lenane and Division Chair Mike Rehn, the workers refused to raise the flag back up.

A tense stand-off ensued between the workers and the bosses.

As word of the threatened suspension filtered out to the media and other TWU depots and TWU Locals, our brothers and sisters throughout the city and throughout the country demonstrated incredible solidarity.

Local 100 members at depots across the city began lowering flags to half mast. Then ATU Local 726 on Staten Island joined in at the Yukon and Castleton depots.

TWU Local 101 members employed by National Grid in Brooklyn did likewise at the company's Greenpoint facility. TWU Local 501 (JFK Airport) and 513 (Dallas-Fort Worth,

Texas) American Airlines workers joined in, as did TWU Local 525 members at the Kennedy Space Center in Florida.

Despite the growing swell of opposition to the MTA's puzzling position, bosses at Kingsbridge raised the flag back up to full mast in front of assembled media.

TWU's Lenane told workers to lower it back to half mast. Lenane and Division Chair Mike Rehn then stood guard to make sure bosses wouldn't try to raise it again.

After several hours of this stand off, the MTA finally backed down blaming the controversy on a "miscommunication" at the depot level.

"I'm happy that it got done, but I'm really disheartened that the transit authority would have taken this position in the beginning. I mean, why did it have to go to this length in order to honor someone," asked an incredulous Lenane. President Samuelsen agreed. He said: "This incident was the result of the disrespectful decisions of brainless bureaucrats at NYC Transit, but when workers stand shoulder to shoulder we win."

The end result? The MTA ordered flags at all its buildings lowered to half mast for Battalion Chief Michael Fahy.



TWU Local 513 members in Dallas show solidarity with Local 100 outside their union hall.



TV reporter interviews KB P&E workers and union rep Tom Lenane outside depot.



After all was said and done, the flag at half mast outside KB.



TWU Local 525 Firefighters at the Kennedy Space Center in Florida were with KB.



## MTA Claims Images of Assaulted Transit Workers are 'Political'

# Union Files Free Speech Suit Against MTA

WHILE LOCAL 100 SLUGGED IT OUT WITH THE MTA in negotiations, another important labor-management battle was taking place in federal court at Foley Square in lower Manhattan.

The legal dispute erupted in November 2016 when the MTA rejected as “political” paid ads the union sought to take out in 270 subway stations highlighting the assaults and abuse MTA employees are subjected to on a regular basis.

The MTA said the ads, which also affirmed that transit workers deserved raises for their dedication and sacrifice, were political in nature and prohibited by a policy it adopted banning political messages in 2015.

Local 100 President John Samuelson immediately blasted the MTA’s action in the press and ordered the union’s legal counsel to test the ban in court. “We want the public to have a better understanding of what it’s like to be a transit worker,” TWU Local 100 President John Samuelson said. “We move over 8 million riders each day, providing this vital service to New Yorkers, but we pay a heavy price in blood.”

Numerous press outlets covered the story, including the Daily News, the New York Post, NY1 News, and top on-line publications. All published the rejected ad (shown at right), giving the union’s campaign widespread exposure.

The MTA’s refusal to sell Local 100 advertising space in the transit system

violates the right of free speech guaranteed under the First Amendment, the lawsuit stated. The ads were part of Local 100’s campaign to secure raises for the 38,000 men and women who operate and maintain the Metropolitan Transportation Authority’s bus and subway system.

The MTA stood on a decision of its board in April 2015, which prohibits ads that “express a political message, including ...an opinion, position or view point regarding disputed economic, political, ...or social issues...”

The union said that the MTA had violated its own rule when, in the weeks following the Presidential election, it allowed thousands of riders to post political opinions and messages on the walls of the Union Square subway complex, including calls to abolish the Electoral College.

Local 100 further argued that the ads in question were not political, and even if they were, the First Amendment protects such speech below ground as it does on the streets and in the city’s parks and squares.

Judge Gardephe, however, ruled in the MTA’s favor, saying that it had the right to bar political speech from

its mass transit system, and that its action against the union ads demanding wage hikes was “reasonable.”

Gardephe said the political nature of the union ads was “obvious” because they discuss wages and were intended to be posted just as collective bargaining talks between the MTA and the union were heating up.



# Rank-and-File, Undaunted by Snow, Attend General Membership Assembly

NEARLY 3,000 LOCAL 100 MEMBERS BRAVED A heavy snowstorm to attend the union's mass membership assembly on Saturday, January 7, 2017, just one week prior to the expiration of the contract covering TA, OA and MTA Bus members. This year, the meeting was held at the refurbished Madison Square Garden Theater.

Members began showing up as the doors opened at 11:00 a.m. They were greeted by Local 100 officers and staff armed with information about all departments, as well as two nice giveaways – a 2017 union calendar, and a beanie style navy blue knit hat with an embroidered TWU Local 100 logo in red.

Recording Secretary LaTonya Crisp-Sauray served as emcee for the event. Secretary Treasurer Earl Phillips presented a comprehensive financial report, and PAC Director Marvin Holland outlined the union's legislative priorities for the coming year.

President John Samuelson gave the membership what they had come to hear – a comprehensive report on the state of negotiations with the MTA. He told the assemblage that he felt confident that the leadership would bring in an on-time agreement, which they indeed did do.

He further reported on the union's many victories throughout 2016, including excellent contracts negotiated for Liberty Bus, NY Waterway, bikeshare, school bus properties, and a first agreement for MTA MaBSTOA technical specialists.





# Members Vote 70-30 to Ratify

RANK-AND-FILE TRANSIT WORKERS OVER-whelmingly ratified a new 28-month contract with the MTA by a 70-30 percent margin, bringing to a successful conclusion the union's multi-pronged campaign to win inflation-beating wages, protect health benefits, improve the dental plan and secure other important economic enhancements.

The membership voted 10,540 in favor vs. 4,571 against in the balloting process conducted by the American Arbitration Association.

TWU Local 100 President John Samuelsen, who led the negotiating team, said: "I want to thank rank-and-file transit workers for their outstanding show of support in ratifying this agreement with the MTA. We recognize that the contract provides wage increases and other economic enhancements that will keep transit workers ahead of inflation, fully protects our health coverage and wins important medical benefit gains without the concessions that are enshrined in city and state public sector patterns."



*Workers at the American Arbitration Association opening ballot envelopes for counting.*

# New Contract with the MTA



*Local 100 President John Samuelsen discusses MTA offer with the union's top officers, including Secretary Treasurer Earl Phillips, Recording Secretary LaTonya Crisp Sauray, Vice Presidents Tony Utano, JP Patafio, Nelson Rivera, Pete Rosconi, Richard Davis, Derick Echevaria and Kia Phua. International President Harry Lombardo and TWU Counsel Denis Engel are also shown.*

The union reached the negotiated settlement with the MTA after 3 days of marathon bargaining over the Dr. Martin Luther King weekend in mid January.

Management's final offer in the wee hours of January 15th was approved in a unanimous vote by the Local 100 Executive Committee, which includes all Vice Presidents and the other top elected officers.

The Local 100 Executive Board voted overwhelmingly to adopt the contract and send it out to the membership with a strong recommendation for ratification.

On wages the contract provides a 2.5 percent increase on Jan 15, 2017 and another 2.5 percent on February 15, 2018. It also provides a \$500 pensionable cash bonus on March 15, 2019. The contract expires on May 15, 2019. Total contract duration is 28 months, which is less than half the length of the agreement it replaces.

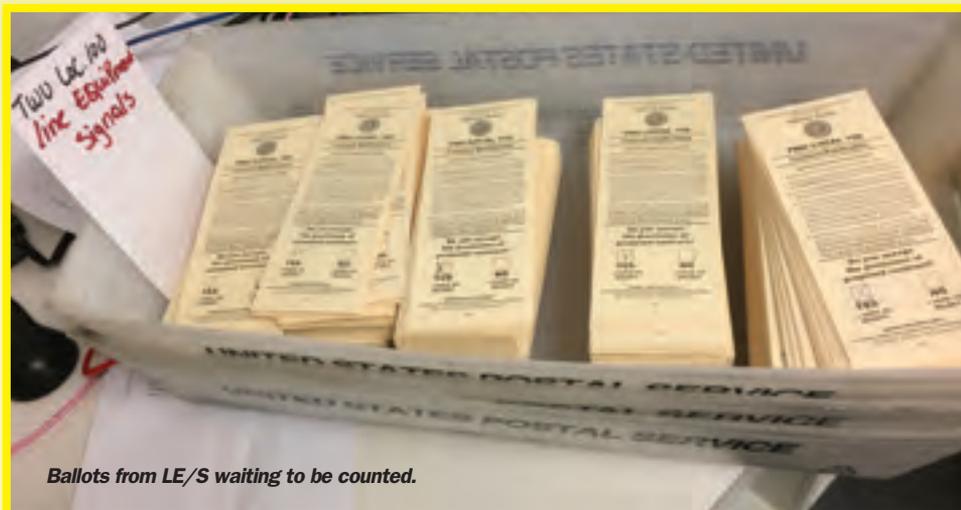
President Samuelsen said that the shortened stretch of the contract is a positive for transit workers. "The contract does not lock us into a long term commitment, which provides an important hedge against any unforeseen spike in inflation," he said.

Also on wages, the union nailed down a "me too" clause with the LIRR unions that Samuelsen called "an unprecedented wage guarantee." He noted that the LIRR unions have the right to strike and are governed by federal law and wage patterns set by the national freight and commuter railroad sectors. "If the LIRR unions leverage this important

bargaining advantage into higher percentage increases, we get them as well," he said.

As importantly, said Samuelsen, there are no health care concessions or any other give-backs in this agreement.

Another huge win involves the sick-time cash out benefit that relatively few transit workers (only 1 in 6) actually qualified for at retirement. Under the new contract, however, the union secured the ability for all workers



*Ballots from LE/S waiting to be counted.*

with at least 10 years on the job to cash-out unused sick days without any strings attached – and start retirement with huge cash payouts. Under the old formula, a 30-year veteran with 40% of sick days in the bank was unable to cash-out a single day. Now, that worker, for example, assuming an hourly rate of \$30, would get a check for approximately \$19,000. President Samuelsen called this a “breakthrough win for transit workers.”

Also, the union was able to consolidate all MTA Bus depots under one unified contract, a union goal since the MTA took over operation of the former Queens private lines 13 years ago. Also at MTA Bus, Maintainers will see a reduction in their workday from 8.5 hours to 8 hours, with no loss in pay.

For the first time, the union secured an agreement from the MTA to hire and utilize in house forces, exclusively, to retrofit the older parts of the transit infra-

structure to provide clean, comfortable and safe crew areas for our sisters in transit.

Negotiators also secured important improvements in the dental plan, including coverage for dependent children to age 26, regardless if they are full-time students or not.



*President Samuelsen announces tentative agreement to the media on Jan. 16.*



*President John Samuelsen explains contract at shopgate meeting at West Farms Depot.*



*Local 100 leaders, including the Executive Committee and Division Chairs, caucus at downtown hotel.*

**OTHER IMPORTANT GAINS INCLUDE:**

- **300% increase in premium pay for Operators of articulated buses (25 cents raised to \$1 per hour). FIRST EVER INCREASE.**
- **Time and a half for any and all snow removal in stations.**
- **Substantial increases in longevity pay.**
- **Increase in the night/weekend differential for the first time in more than a decade. Differential rate will increase by 5% as of January 16, 2018.**
- **Important gains in women's health care coverage.**
- **Increase in maintainer bonus pay from \$320 to \$500 annually starting Jan. 16, 2018.**
- **Commutation rail passes (LIRR and Metro North) extended to all members living in New York City.**
- **Improved boots/shoes for all titles that currently receive them.**
- **1st TIME, uniform cleaning allowance for Station Cleaners.**



*Earlier negotiations with the MTA at TWU headquarters in Brooklyn.*

# November 15, 2016 Rally







*Members and officers hold up oversized photos of assaulted transit workers at MTA Board.*

# The Road to the Contract: 2017

**L**ocal 100's 2017 contract fight actually started off with a bang in the fall of 2015, when the Union pushed an aggressive – and successful – campaign to get Mayor Bill de Blasio to pump \$2.5 billion into the MTA's five-year capital plan, almost \$2 billion more than he wanted to contribute. This action eased the debt burden on the MTA, and would play a crucial role during negotiations in securing more jobs and an exclusive right to retrofit the older parts of the transit infrastructure to provide refurbished crew quarters, especially for women transit workers.

President Samuelson convened the first contract strategy session in February 2016 in Tarrytown for a team building exercise and open discussion on broad contract goals. The union reconvened a similar meeting in May to focus more sharply on a strategy to secure widespread rank-and-file buy-in to the campaign. Out of that meeting came several Local wide campaigns that produced thousands of one-on-one conversations between members and officers. This insured that the leadership would be truly reflecting the contract priorities of the membership during negotiations.

Last summer the union launched a campaign to build

public and political support based on the risks of assault and injury to transit workers, and the enormous economic value transit provides to New York.

The tragic death of Construction Flagger Louis Gray on the tracks on November 3, 2016, dramatically underscored the life-threatening dangers faced by transit workers every day.

On November 1st, the union's media campaign went into high gear with a video message highlighting our theme, "Who Moves NYC?" on a Times Square video billboard at 43rd and Broadway.

The big billboard was backed up with radio ads, and targeted campaigns on Facebook and Twitter. Pop-up ads featured photos of transit workers doing their jobs, making the point that because of our labor, New York's economy is strong – and that, in turn, our work powers the entire tri-state region.

All of that set the stage for our big November 15th rally, which cemented TWU Local 100's ability to bring the rank and file out when we need to. Thousands of us gathered outside of 2 Broadway in an event that showcased our political support. At the conclusion of the rally, President Samuelson, along with top officers and division chairs, presented our contract



*Union members posted giant “post-its” with contract demands on the lobby wall of 2 Broadway.*



*President John Samuelson, with International President Harry Lombardo addresses members in the lobby of 2 Broadway.*

demands to MTA Director of Labor Relations Anita Miller in the lobby of the MTA’s building.

On December 15th, the union conducted another action at the MTA Board meeting at 2 Broadway. Union members packed the meeting space carrying placards with the beaten faces and slashed arms of transit workers assaulted on the job. Several members addressed the board to relate their assaults and or heroic actions to save passengers.

On Saturday, January 7th, President Samuelson gave a comprehensive report on the negotiations to our Mass Membership Meeting at the Madison Square Garden Theater.

When it came down to the wire, we relocated to a hotel

near 2 Broadway over the Dr. Martin Luther King, Jr. weekend for the final push in face-to-face meetings with the MTA’s top brass, including CEO Tom Prendergast.

The union’s entire Executive Committee, and Division Chairs, caucused as bargaining continued, with President Samuelson taking offers and counter-offers from the MTA.

On Monday, January 16 the Executive Committee unanimously voted to approve the latest deal that had been hammered out. President Samuelson and MTA CEO Tom Prendergast shook hands on the agreement at 11AM that day, and the union announced the tentative settlement at 12:32 PM via our Twitter account.



*Members gather in the lobby of 2 Broadway prior to MTA Board meeting on Dec. 15.*

# Severely Injured Signal Helper Is on the Mend

The rookie Signal Helper nearly killed in a third-rail accident was released from Harlem Hospital on Nov. 28 and is recuperating at home in Brooklyn.

Monique Brathwaite spent more than seven weeks in the hospital and underwent multiple surgeries, including amputation of her right arm at the elbow.

She is now undergoing occupational therapy to increase her strength before being fitted for a prosthetic device.

“Keep me in your prayers,” Brathwaite, 36, said. “I have my good days and bad days.”

An older sister has moved into Brathwaite’s Crown Heights apartment and is taking care of her during the recovery.

A single mother of four boys, Brathwaite was on the job only seven months when she tripped and fell onto the electrified third rail in a Harlem subway tunnel. Veteran members from her crew, which had just finished a signal repair assignment, sprung into action.

Signal Maintainer Nitai Nath cut electricity to the third rail. David Martinez, also a Signal Maintainer, performed CPR that may have saved Brathwaite’s life.

It was a miracle that Brathwaite didn’t die that day, Nath said.

“We cannot imagine still how somebody can survive that situation,” Nath said.

Doctors at Harlem Hospital initially placed Brathwaite in a medically induced coma so they could begin an extremely painful series of treatments. She spent several days in intensive care.

The daughter of a transit worker, Brathwaite was born in NYC but moved as a teenager to Greensboro, N.C. Her sons range in age from seven to 19.



Monique before the accident.

*“Keep me in your prayers. I have my good days and bad days.”*

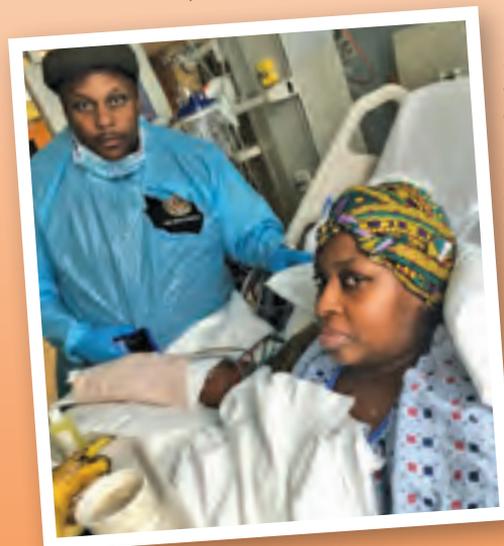
Earlier this year, she made a tough choice. She would leave her boys with their grandmother in Greensboro and take a job with NYC Transit.

“It was in the best interests of the family,” eldest son, Jeremiah McCoy, said. “There isn’t an abundance of good jobs down here. She did it for my brothers and me.”

There was another family reason to come back to Brooklyn, Brathwaite said. She wanted to spend some time with her 92-year-old father, she said. She hasn’t decided whether to move the boys up to Brooklyn or return to North Carolina.

“I’m not sure what I’m going to do,” she said. “Right now, I just want to get better.”

(A GoFundMe fund has been established to help Monique and her family with expenses: <https://www.gofundme.com/2t133o4>).



Monique Brathwaite in the early days after her accident at Harlem Hospital with Local 100 LE/S Division officer Duvet Williams. Not long after this photo was taken, Sister Brathwaite had her right arm amputated to the elbow.



*Local 100 members who were chosen for this class of the Apprenticeship program.*

# Union Launches Revamped Apprenticeship Program

TWU LOCAL 100 HAS RE-INVIGORATED THE Local 100-NYCT apprenticeship program, designed to give career advancement opportunities to workers in the lower-paid titles of traffic checker and CTA.

In a ribbon cutting at the Apex Technical School on December 5, 2016 President John Samuelsen, Secretary Treasurer Earl Phillips, Vice Presidents Richard Davis and Derick Echevarria and TUF Director Charles Jenkins announced that 20 newly minted students – all Local 100 members – are moving up the career ladder.

Selected from a wide pool of applicants, these men and women will be paid their transit salaries as they progress through a six month course at Apex to learn the trades



*Traffic Checker Sheila Youlans is looking forward to getting to work in the Apprenticeship program.*

of masonry, carpentry and plumbing. After graduation, they will enter a three-year apprenticeship program within Maintenance of Way, giving them the opportunity to enjoy better earnings and a better life.

The new “Upward Advancement Program” represents a fulfillment of an earlier promise to create an internal career ladder that requires budgeted jobs for the first time ever. The original program was sidelined by former MTA Chairman Jay Walder during the MTA financial cuts in 2010, and until now there was not a contractual requirement for permanent budgeted jobs in this program.

The next Upward Advancement Program will be selected next year. For more information please inquire at the Training and Upgrading Fund (TUF) at 718-780-8700.



*President John Samuelsen does the ribbon cutting ceremonies as the union launched its revamped Apprenticeship program with guaranteed budgeted jobs for participants who complete the course.*

# TWU Counseling Center to Serve

The Local 100 Executive Board got a sneak-peek at the union's new homeowner and homebuyer Counseling Center at 2475 Westchester Avenue in the Bronx, just a few blocks from Westchester Square on the 6 line and within walking distance of the Zerega Avenue Bus Maintenance and Training Facility.

Local 100 Secretary Treasurer Earl Phillips, who oversaw the renovation of the center, took a number of Executive Board members on a tour of the two story Center. They met with counselors, from Neighborhood Housing Services of New York City, who will be providing three essential services: obtaining sizeable grants for first-time home-owners, financial counseling to help union members qualify to purchase homes or refinance high interest mortgages, and foreclosure prevention counseling.

Local 100 President John Samueslen explained that the new counseling center was made possible by the union's decision, with approval from the federal Housing and Urban Development (HUD) agency and other city and state agencies, to detach itself from the Gilmartin Houses in Queens. That



Local 100 Executive Committee gathers before touring the new TWU Counseling Center. Below, this page in the 1984 TWU Express shows ground-breaking for the Gilmartin Houses.



# Members and Bronx Community

8-story, multi unit building was originally set up, with federal housing grants, to serve the needs of TWU retirees on fixed incomes. But as the union gained more power and saw members and retiree earnings rise, our retirees could not meet the means test as lower income applicants because of strict federal and City income eligibility requirements. The solution, years in the making, was to sell the property and re-invest the funds into something union members can use today to better their lives and those of their families. Local 100 had to reinvest the proceeds for a similar type of non-profit use.

Samuelson was joined in the presentation to the Board by Susan M. Ifill, the CEO of Neighborhood Housing Services, and her staff for the new counseling center, all veteran housing counselors: Raiza Martinez, who has 18 years with NHS, and her colleagues, Carlos Rosa and Dawilsa Pena.

The center is already open for business, but the official ribbon cutting press event is scheduled for the near future.

Members coming into the new counseling center will find a state-of-the-art two-story building sporting an 80-seat auditorium, private offices, and a main floor with six modular-type office suites, similar to what you might see in a bank. The center is not only for TWU Local 100 members – it's also open to community residents who want a leg up in the move from renting to owning.



*Susan Ifill, CEO of Neighborhood Housing Services, describes services that will be provided to Local 100 members and the Bronx Community. Below, President John Samuelson describes the process to launch the new Center.*



*A beautiful mural depicting a No. 6 line scene graces the Westchester Ave. side of the new Center.*





Local 100 President John Samuelsen and Committee Chair Jolly Eapen (center) are joined on stage by other committee members, Vice Presidents Richard Davis, Nelson Rivera and Derick Echevarria, and Executive Board Member Tareque Ahmed.



Vice Presidents Richard Davis, Derick Echevarria and Nelson Rivera and Committee Chair Jolly Eapen participate in the Lighting of the Lamp ceremony.



# Local 100 Celebrates 11th Indian Day

TWU Local 100 celebrated its 11th Annual Indian Day on Saturday Sept. 24, 2016 before a packed house of members, families, officers and well-wishers.

Local 100 President John Samuelsen greeted the big crowd after live performances of the American and Indian National Anthems started the celebration in traditional fashion.

Vice Presidents Richard Davis, Nelson Rivera and Derick Echevarria participated in the Lighting of the Lamp ceremony with Indian Day Committee Chair Jolly Eapen.

Cultural performances were provided by Sabarinath Nair and Shalini, and also Ansu Koshy, daughter of CI Soman Koshy. Attendees were entertained by dancers from the NYC Bhangra Dance Company, and Deepika and Monica Kurup, daughters of RCI Sushil Kurup.

The Committee presented a retirement plaque to Chacko Abraham from Supply Logistics.

Indian Day Committee members included: Jolly Eapen, Chair, Nelson Rivera, Sam Pannolil, Philip Thomas, Varghese Lukose, Viswanathan Kunju Pillai, Roy Mathews, Bobby C. Parambil, Kamal Kumar, and Ragunathan Nair.



Newly Retired Chacko Abraham (holding plaques) is surrounded by his friends from Supply Logistics and its Chair Al Jenkins.



# Union Hosts Annual Veterans Appreciation Night

Local 100 hosted its annual Veterans Appreciation Dinner at the union hall on November 17, 2016.

Special guest speakers, Assemblyman Peter Abbate, and Brian Maher, assistant to State Senator William Larkin took a bit of a victory lap at the event, lauding the final passage earlier in the year of the Veteran's Equality Act, which allows members of public pension systems to buy back up to three years' pension credit for military service.

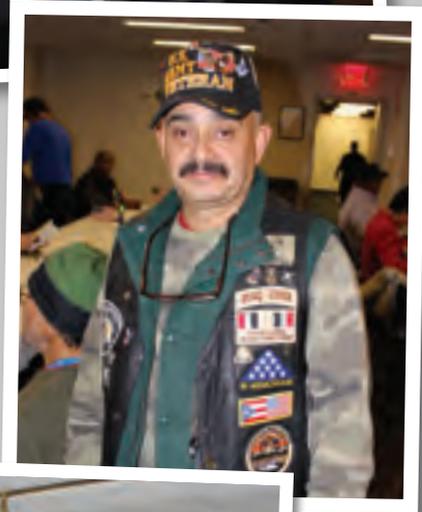
Abbate and Larkin were among the key supporters of the bill, which was signed into law by Gov. Cuomo over the summer. Passage capped a three-year fight for the legislation, which had twice before been vetoed.

Kevin Harrington, former VP of RTO and past head of our Veteran's Committee, was congratulated by President John Samuelsen for his contributions to the passage of the Veterans bill.

The TWU Ceremonial Unit, composed of Local 100 members, added a flourish to the dinner. TWU veterans enjoyed the speeches as well as the excellent food at the Union Hall.



Assemblyman Peter Abbate was all smiles at event. From left are: Kevin McCawley, President John Samuelsen, Phil Caruana, Abbate, and retired RTO VP Kevin Harrington.



Below: The TWU Ceremonial Unit kicks off the event.



Veterans observe moment of silence for fallen brothers and sisters.



# TWU Honors Union's Hispanic Roots

For the second year, Local 100 members and guests honored TWU's Hispanic Heritage under the name, *Nuestras Naciones, Our Nations*, which focuses attention on the many countries that Local 100 members or their ancestors called home.

The lively program included traditional music and dance, and plenty of great food.

Retired Administrative Vice President Angel Giboyeaux served as host of the event with an assist from Norma Lopez. NYS Assemblyman Francisco Moya delivered the keynote address. The program featured representatives from the Westchester Board of County Legislators and the Consulate General of Ecuador.

*Photos show moments from the Nuestras Naciones celebration. Top left, union officers with Assemblyman Francisco Moya.*



# SRO Crowd at 11th Russian American Heritage Day

**T**WU Local 100's 11th annual celebration of Russian-American Heritage Day drew a capacity crowd on Oct 19, 2016 to Tatiana Restaurant in Brighton Beach. Over 700 union members and guests enjoyed a festive afternoon with dancing, entertainment, and speeches from key political figures, including New York City Comptroller Scott Stringer, City Councilman Alan Maisel, and New York State Commissioner of Labor Roberta Reardon.

Local 100 President John Samuelsen opened the event asking members to pray for the recovery of Signal Maintainer Mo-

nique Brathwaite, who just days before had tripped onto the third rail. She suffered life-threatening injuries.

He also pledged a full multi-pronged contract campaign that would bring a fair wage increase for transit workers, as well as preserving and improving health benefits.

Event Chair Grigory Dunichev said that the membership stands behind Samuelsen in the contract fight. "We know John is the right person to lead us in this fight," said Dunichev.

Local 100 Secretary Treasurer Earl Phillips and Vice Presidents Tony Utano and Nelson Rivera also attended.



*Union officers, including President John Samuelsen, ST Earl Phillips, VP's Tony Utano and Nelson Rivera and Div. officers Grigory Dunichev, Eugene Bleynis, Paul Navarro, John Chiarello and Eugene Leybovitch, and guests NYC Comptroller Scott Stringer and NYS Labor Commissioner Roberta Reardon.*



# Union Pride on Display at Labor Day Parade

*Gov. Cuomo with part of Local 100's delegation to the parade, including top officers President John Samuelsen, Secretary Treasurer Earl Phillips and Recording Secretary LaTonya Crisp-Sauray.*

New York has the highest density of union membership in the country. That, and a high degree of union pride, were both on display at the New York City Central Labor Council's annual Labor Day Parade on Sept. 10, 2016.

TWU's top officers, including President John Samuelsen, Secretary Treasurer Earl Phillips, Recording Secretary LaTonya Crisp-Sauray and Administrative Vice President Angel Giboyeaux, led the union's contingent in the march up Fifth Avenue.

TWU was the first in the line of march behind the NYCLC Executive Board and special guests, including

Gov. Andrew Cuomo and Mayor Bill de Blasio, NYC Comptroller Scott Stringer, City Council President Melissa Mark-Viverito, and Congresswoman Carolyn Maloney.

Gov. Cuomo made a special effort to greet TWU marchers and thank them for keeping New York City moving 24-7. The Governor also made sure that TWU members had the opportunity to grab a photo with him.

Prior to the parade, the Governor held a press conference on 45th and Fifth where he delivered a stirring message of support for New York's unionized work force.





Sopranos star Vincent Pastore, 2<sup>nd</sup> from left, with Vice President Tony Utano, left, LE/S Chair John Chiarello and Int'l Vice President Jerome Lafragola.



Pastore with Local 100 rep James Manzella, left, and Secretary Treasurer Earl Phillips.

# Sopranos' Star, Vincent Pastore, Honored at Italian Night

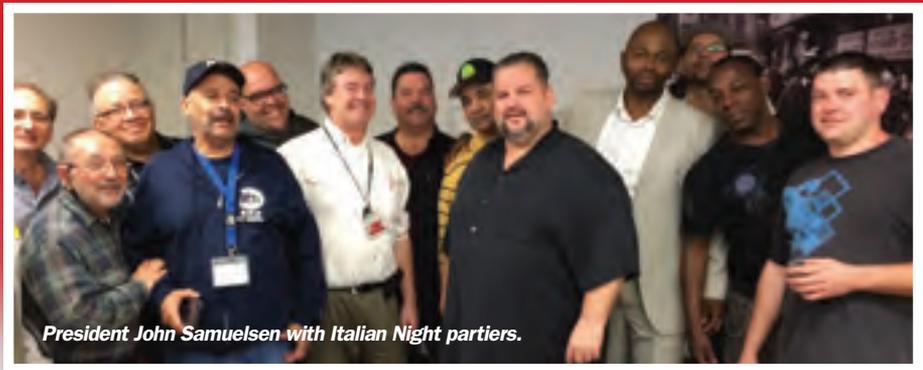
A full house enjoyed Local 100's annual Italian Day celebration on Oct. 26, 2016. This year featured a truly star-studded cast headed by Vincent Pastore, star of the HBO series, the Sopranos. Pastore, an activist member of the Screen Actors Guild, brought along three other Sopranos cast members as well.

The event was hosted by John Chiarello, Chair of the Line Equipment/Signals Division. A special toast was offered by MOW Vice President Tony Utano.

President John Samuelsen delivered opening remarks that focused on the contributions of Italian-American workers in building and operating the City's transit system.

Live entertainment was provided by Don Anthony. The evening's outstanding fare was topped off by espresso and cappuccino and traditional Italian desserts.

Co-sponsors included CMSW, Investors Bank, Freedom Mortgage and Fusco, Bradenstein & Rada.



President John Samuelsen with Italian Night partiers.



# TWU's 2nd Chinese American Festival a Smash Hit

**H**undreds of members and families attended the union's 2nd Chinese American Mid-Autumn Festival at the New Spring Garden Restaurant in Brooklyn. Special guests included former New York Comptroller John Liu and Brooklyn District Leader Nancy Tong. Entertainment included a traditional Dance of the Lion and vocal performances by Winnie Huang. For the second year in a row, Line Equipment/Signals Chair John Chiarello served as MC host. Chiarello predicted the popular gathering would continue to grow and become one of TWU's best attended events.



Photos show various groups at Chinese Festival. Top right, Vice President Tony Utano with former NYC Comptroller John Liu.



## MABSTOA's 'Numero Uno' System-wide Retires at Quill Depot

Victor Sosa, who possessed the number one position on the system-wide seniority list for MABSTOA has taken a well-deserved retirement. Photo shows Brother Sosa (center, red jacket) with co-workers at Quill. While everyone was sorry to see Brother Sosa go, they could take solace in the fact that they all moved up one spot on the seniority list.

## Brooklyn Public School Kids Delight in Tales from the Tracks

On Friday, Feb. 10th, PS 241 in Crown Heights Brooklyn hosted their 2017 career day featuring representatives from the FDNY, NYPD, and the MTA.

Speaking for Local 100's RTO division was our very own Chair for Train Operators, Brussard Alston, who visited classes from grades K-5 to discuss the functions of a Train Operator as well as safety precautions children and their parents should take when riding the subway.

Kids whose ages ranged from 5 to 11 asked "How fast does a train go," "Why do you carry a flashlight," and "How do you turn left and right?" Teachers also got in-

volved asking about operating procedures and even about fare hikes.

Alston told stories and explained the system as some children were very aware of the day to day operations. There were even students who had family members working in transit.

While the discussions heavily emphasized safety, Alston also spoke about the opportunity to be a Train Operator, and the pride transit workers take in moving the city and being able to provide for their families.

Thank you, Brussard Alston, for planting the seed for our future members.



Brussard Alston answers questions from PS 141 children on what it's like to be a Train Operator.



Children were super happy at career day, which featured special guests from MTA, NYPD and FDNY.



## UNION HOLDS 3RD ANNUAL BIKESHARE CONFERENCE

*For the third year in a row, Local 100 gathered representatives from the union's bikeshare properties for discussions on common issues affecting the bikeshare membership, and simply to get to know one another a little better. This year's event was held in Chicago. TWU Local 100 Education Director Nicholas Bedell (not in photo) and staff rep Joe DeManuelle-Hall (back wall right) organized the event. Local 100 represents bikeshare workers in New York, Jersey City, Chicago, Boston and Washington, DC.*



*More than 100 Brooklyn children benefitted from the Local 100 Women's toy drive.*

## WHAT WOULD THE HOLIDAYS BE WITHOUT TOYS?

In mid-December, TWU Local 100 women went to Brownsville and distributed toys at two different shelters for women and children. Conductor/Tower Chair Crystal Young, along with rank and file members, joined Brooklyn Assemblywoman Latrice Walker and Johnnymae Robinson, of the charity, What About the Children, Inc., in the effort. Over 100 children had brighter holidays as a result.



*CT/Tower Chair Crystal Young (left) and TAS Bus Op Shikira Grillet (right) join Assemblywoman Latrice Walker for the toy distribution.*



## TWU READIES FOR NEGOTIATIONS WITH BIG BUS

*Local 100 organizers won a close but impressive victory recently among 150 workers at the City's fastest growing tour bus company, Big Bus. The election took place on Dec. 30, 2016 at locations in Brooklyn and Manhattan. The company put on an aggressive vote "no" campaign, but TWU prevailed on a message of strength and unity among all workers in the City's tour bus industry.*

*Big Bus is one of the largest tour bus companies in the world, with operations in the U.S., Europe, Asia, and the Middle East. Photo shows the Big Bus workers committee (standing), with seated from the left: Local 100 Private Operations Division Chair Bill Mooney, Attorney Betzabeth Sanchez, organizer Joe DeManuelle-Hall and Frank McCann, organizing director.*

## IT'S TOUGH OUT THERE

### Transit Workers Continue to Face Assaults

Two female transit workers were assaulted in recent months. Both cases because of their unusual circumstances, received an abundance of media coverage.

In September, the City was shocked when an off-duty Police Officer with anger management issues violently assaulted Conductor Kiyya Rivera on the J train.

The cop, Tremel Davis, was indicted on two counts of assault in Manhattan Criminal Court on Feb. 21, 2017.

Ms. Rivera was moving from one car to the next to open doors on the other side of the train during the morning rush.

The rogue cop, who was already on modified duty for a separate assault on a 1-year old baby, was blocking the door between cars. When Conductor Rivera said “excuse me” Davis slammed her back through the conductor’s cab door and onto the floor and began verbally menacing her.



*Assaulted Conductor Kiyya Rivera tells press her harrowing story at union hall. Supporting her are CT/Tower Chair Crystal Young (left) and T/O Chair Brussard Alston.*

Davis pleaded not guilty to the two charges.

Conductor Rivera told her story to the media at a press event at the union hall. She was supported by CT/Tower Chair Crystal Young and T/O Chair Brussard Alston.

## KNIFE ASSAULT

In the second assault, Bus Operator Diana Belgrave was confronted by a knife-wielding nut demanding money as she was operating an M4 bus loaded with passengers.

The ordeal began when the suspect, Daryle McClan, a 52-year old homeless man with a long rap sheet, got onto her bus without paying his fare.

McClan began menacing passengers and demanding money. Bus Operator Belgrave told him to sit down and stop bothering people. That’s when McClan turned his anger to her, saying, “You’re next” — and demanded money.

Belgrave told McClan she had no money, to which he responded by waving his knife aggressively toward her.

“I was scared. I wanted to scream,” Belgrave, told the Daily News at an interview conducted at the union hall in Brooklyn. “I wanted to jump out the window, but of course I couldn’t leave everybody’s life in danger.”

Eventually, McClan ran off the bus, leaving Belgrave to call the incident in to command. She pulled over, waited for police to show up, and flagged down the next



*Bus Operator Diana Belgrave (center right) at the union hall after assault with her sister and union officers including VP Richard Davis (left) and President John Samuelsen (right) and Manhattanville Steward Courtney Spencer.*

bus to make sure her passengers could continue their commute.

“We’re grateful the NYPD was able to track down and arrest this criminal,” Transport Workers Union Local 100 President John Samuelsen said. “Bus operators on the front line too often are subject to assaults and abuse, so we’re glad this guy is off the streets and off our buses.”

# Mayor David Dinkins Keynotes Local 100's Black History Celebration

**T**WU Local 100 leadership and rank and file members celebrated Black History Month with a festive dinner and program of education and entertainment at Harlem's historic Alhambra Ballroom. Local 100 President John Samuelsen delivered opening remarks to a completely packed house. He introduced the union's leadership in attendance from all divisions. He then conveyed a strong message of labor unity "to fight the assaults on working people" he said were sure to come from right-wingers in the Trump Administration and Congress.

He said people shouldn't be too quick to get rid of Trump "because Pence is worse." He said that Vice President Pence will be doing his best "to bring an anti-worker, anti-union fight to working people across the country." Samuelsen pledged that TWU would "be in the forefront" of the fight in New York to turn back any anti-worker agenda "that comes our way from Washington."

The keynote speaker was former Mayor David Dinkins who congratulated the union on its new contract with the MTA, and thanked the union for its history of supporting his political career as Manhattan Borough President and Mayor.

He spoke about his long road running for office and losing, but never giving up. He said that anyone who gets into politics "to see their name up in lights, is getting in



*Mayor Dinkins is honored by, from the left: Recording Secretary LaTonya Crisp Sauray, Vice President Richard Davis, President John Samuelsen, and LE/S Vice Chair and emcee Sherlock Bender.*



*Recording Secretary LaTonya Crisp Sauray and PAC staffer Sharase De Bouse, with the Local 100 Ceremonial Unit.*



*The Local 100 Black History Coordinating Committee takes a bow.*

for the wrong reason.” Dinkins said that those who get into politics must do so “to help others.”

He said that union leaders and parents all have an obligation “to provide the next generation with the opportunity to reach their potential.”

Sherlock Bender of MOW and Lynwood Whichard of Stations served as emcees.

The night included great food, and wonderful entertainment in the form of a beautiful dance performance by Eden Duncan-Smith. Renowned DJ and radio personality Dr. Bob Lee from WBLS-FM provided further entertainment and dance music.

Finally, four Local 100 members were honored for distinguished service to the community and their co-workers. They included Lynwood Whichard, Sandra Lennon of GCS, Floyd “Skip” Branch from MABSTOA and Dennison Phillips from CED.



*Dancer Eden Duncan-Smith performs beautifully.*



*Awardee Dennison Phillips, center, with presenters Lisa Bailey and Sherlock Bender.*



*Awardee Lynwood Whichard with Sherlock Bender (left) and Vice President Derick Echevarria.*



*Vice President Richard Davis (left) with awardee, Floyd “Skip” Branch.*



*MABTOA members, including Tuskegee Depot chair Dwayne Ruffin.*



*Award winner Sandra Lennon, center, with friends and co-workers.*



# Local 100 Sponsors 48th African American Day Parade

**T**WU Local 100 was among the sponsors of the 47th annual African American Day Parade on Sept. 18, 2016 in Harlem. The union turned out a big contingent for the line of march that included a float decorated in red, black and green balloons, two NYCT buses and the union’s version of Rolling Thunder – the MABSTOA motorcycle riding club.

In all, more than 200 organizations from 12 states marched in the parade along Adam Clayton Powell Blvd.

Local 100 Secretary Treasurer Earl Phillips, Recording Secretary LaTonya

Crisp Sauray and Vice Presidents Richard Davis, Kia Phua and Derick Echevarria led the union in the mile long walk.

The parade committee presented Lifetime Achievement Awards to two of New York’s most prominent African Americans – former Mayor David Dinkins and retiring Congressman Charles Rangel.

Other union sponsors of the parade included SEIU 32BJ and the Laborers Local 79. Corporate sponsors included Nike, the New York Daily News, FreshDirect, WBLs and the Amsterdam News.



Photos show participants at African American parade, including (photo middle right) Secretary Treasurer Earl Phillips with recently elected State Senator Marisol Alcantara and her son.



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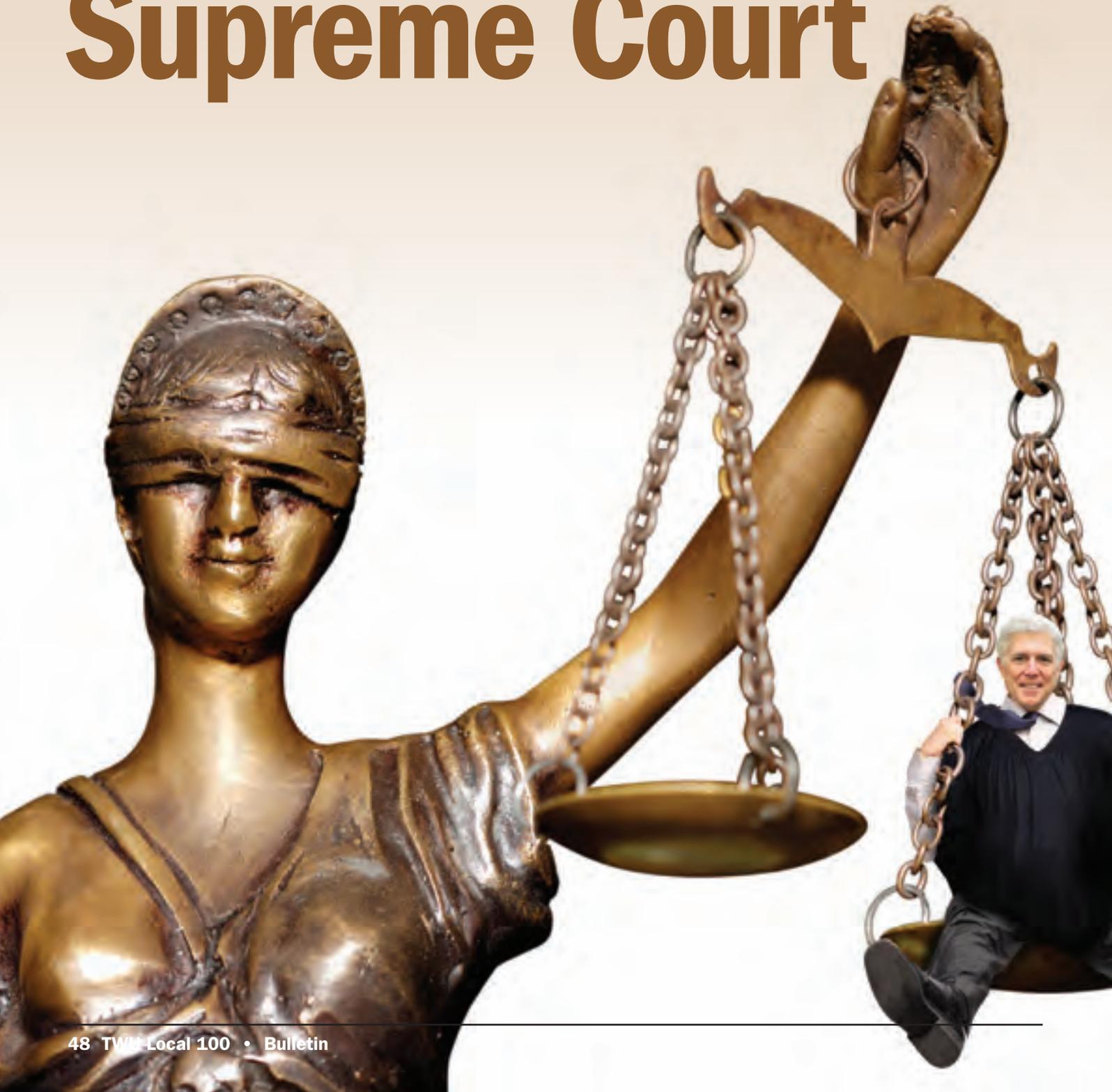
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# Senate Confirms Scalia Clone to Supreme Court



WHEN PRESIDENT DONALD TRUMP'S NOMINEE TO the U.S. Supreme Court – Judge Neil Gorsuch – got confirmed by the Senate on April 7th, the scales of justice listed heavily to the right.

Both Trump and Gorsuch, himself, agree that he is a judicial clone of the man he replaces on the Court, the late Justice Antonin Scalia.

“Ideologically, he’s really cut from a similar cloth as Scalia,” Paul Collins, a legal studies professor at the University of Massachusetts Amherst, told the Bloomberg Bureau of National Affairs (BNA). “He’s known to be pretty conservative and considers himself to be an originalist in the mode of Scalia.”

That’s definitely bad news for the labor movement, especially public sector unions.

The national AFL-CIO said that in a decade as a federal judge, Gorsuch “has criticized courts for giving too much power to government agencies that enforce the nation’s labor and employment laws. As a lawyer in private practice, he also backed curbs on some class-action lawsuits.”

AFL-CIO national President Richard Trumka didn’t pull any punches on the Gorsuch appointment: “He’s been a very, very strong advocate for corporations at the expense of working people,” said Trumka of the nominee’s years on the bench. “You think corporations need more help? And that they’re not strong enough and that they should be stronger, then he’s probably your guy. If you think that workers need more protection and corporations need less protection, then he’s probably not your guy.”

Trumka also criticized President Trump for picking a candidate hand-delivered to him by the far right-wing Heritage Foundation and Federalist Society. “We are deeply troubled that President Trump, who ran his campaign on being a friend to working people, has chosen his nominee from among a group vetted and approved by organizations like the Heritage Foundation and the Federalist Society. Unfortunately, Judge Gorsuch does not seem to appreciate the issues and challenges facing working families and the importance of upholding and enforcing our rights. His rulings to date raise very serious concerns about where he stands on issues like worker health and safety, equal oppor-

tunity in the workplace and the ability of agencies to adopt rules to protect workers’ rights.”

There are several important cases regarding worker rights that will be heard by the Court in 2017. In one of these (NLRB v. Murphy Oil USA, Inc.), the Court will decide whether companies can require workers to sign away their right to pursue class-action lawsuits. The National Labor Relations Board says such waiver agreements violate the rights of millions of workers who want to sue over wage disputes and other workplace clashes. A court with Neil Gorsuch on it would most likely give corporations a big win.

But the big enchilada is a clone of the case, *Friedrichs v. California Teachers Association*, or simply *Friedrichs*. At issue in *Friedrichs* was the Supreme Court’s 1977 decision in *Abood v. Detroit Board of Education* which upheld the collection of mandatory agency fees in the public sector. Under an “agency” or “fair share” agreement, a union with an exclusive right to represent a particular group of employees at a state, city or local agency is allowed to collect an “agency” or “fair share” fee for costs related to collective bargaining and other representational activities from workers who choose not to join the union.

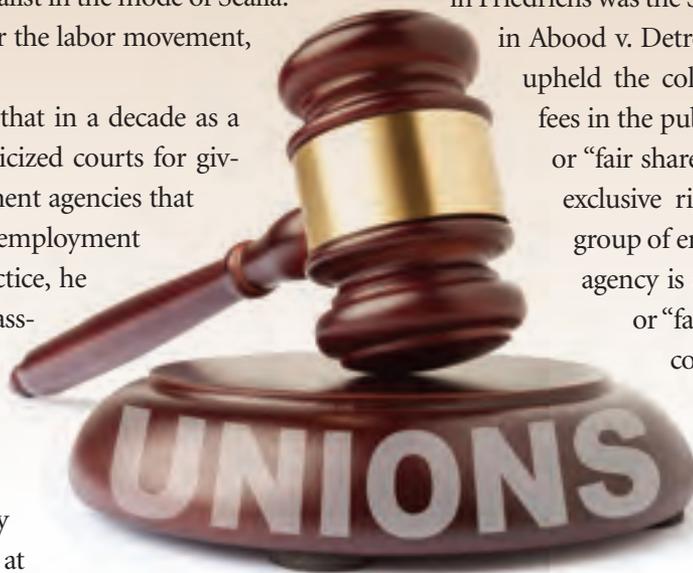
After oral argument in January 2016, almost all commentators agreed

that the Supreme Court was likely to overturn its precedent in *Abood*. That all changed with the passing of Justice Scalia.

The *Abood* decision goes straight to the heart of a public sector union’s ability to properly represent the workers. The right wants to get rid of *Abood* to cripple unions financially and wreck the collective bargaining process.

The new “*Friedrichs*” case is known as *Janus v. AFSCME* (*Janus*). The case is now pending in the 7th Circuit Court of Appeals in Illinois. It plows the exact same ground as *Friedrichs*, and the plaintiffs are following the same playbook by trying to lose in the lower courts so the case can be fast-tracked to the Supreme Court.

*Janus* could get to the Supreme Court by the start of the Court’s Fall term. But if not this year then certainly by the next year. Either way, the issue presented in *Friedrichs* seems likely to return to the Supreme Court. When it does, a 5-4 majority for the right will be waiting with open arms.



# Retirees Pack the House for Annual General Membership Meeting

FORMER LOCAL 100 AND INTERNATIONAL PRESIDENT Sonny Hall was among the more than 350 members of the TWU Local 100 Retirees Association who attended the annual general membership meeting on Oct. 3rd at the union hall in Brooklyn.

Local 100 President John Samuelson greeted the crowd and pledged that he would defend retiree benefits at all costs in contract negotiations with the MTA. Local 100 Secretary Treasurer Earl Phillips and Recording Secretary LaTonya Crisp-Sauray also spoke to retirees at the packed event.

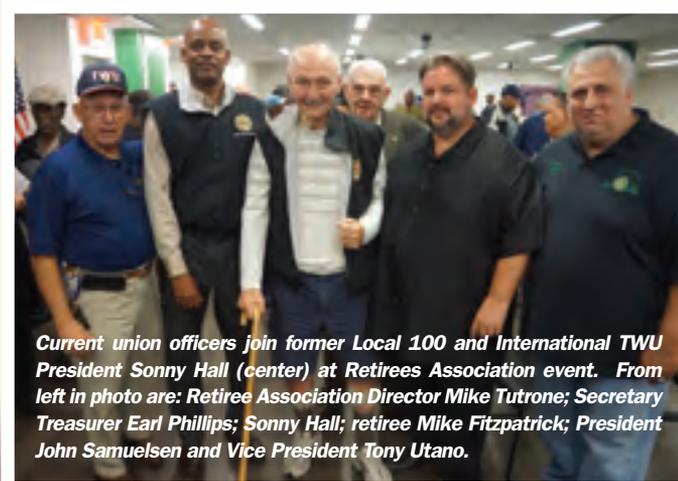
Finally, Barry Kaufmann, President of the New York State Alliance of Retired Americans (NYSARA) spoke about his organization's goals for its retired New York state union members.

The TWU Local 100 Retirees Association is now tapping into the political power of 440,000 retired union members statewide. NYSARA is affiliated with the national Alliance of Retired Americans, an organization of 2.7 million retired union members.

Earlier this year, the Board of the Local 100 Retirees Association authorized the per capita affiliation payment of 25 cents per member per year to corral the power of a united retiree force statewide and nationally. "Seniors need a powerful voice in Albany and in Washington, DC to protect our pensions, Social Security and other benefits against politicians who view these vital benefits as 'entitlements' and who would reduce or eliminate them without serious pushback from us," said Association Director Mike Tutrone.



*President John Samuelson greets retirees before start of meeting.*



*Current union officers join former Local 100 and International TWU President Sonny Hall (center) at Retirees Association event. From left in photo are: Retiree Association Director Mike Tutrone; Secretary Treasurer Earl Phillips; Sonny Hall; retiree Mike Fitzpatrick; President John Samuelson and Vice President Tony Utano.*



*Former President Sonny Hall is recognized at Association meeting.*

*A panoramic photo of the event.*

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