

# TRANSPORT WORKERS UNION OF AMERICA • AFL-CIO

1700 Broadway (2nd Floor) • New York, NY 10019-5905 • 212.259.4900 • Fax: 212.265.4537 • www.twu.org

February 15, 2006

**To: All TWU Local 100 Officers and Executive Board Members  
All TWU Local 100 Members**

On February 8, 2006 the TWU International Executive Council and Board adopted the enclosed Resolution of support for Local 100 and its members in negotiating a new contract with the MTA. I believe that the Resolution makes clear the strength of our commitment to a renewed negotiations process, and the degree to which we are ready and anxious to cooperate with the Local in seeing those negotiations to a conclusion that is satisfactory to the members.

I also want to make clear that the focus of my interest and that of the TWU International is getting a contract for our members that will meet with your approval. The International Union will assist, by all means possible, the Local's elected officers in pursuing a contract. But in doing so we will hold to the principle that all Local 100 members, including those who may be officers of Local 100 and/or the TWU International, must be free to speak their minds on any proposed contract.

Finally, I want to report to you regarding the role of the International during the 2005 negotiations and the strike. This brief review is made necessary by the circulation of misinformation, some of it perhaps by media outlets with an interest in stirring up conflict between the International and the Local.

It must be understood that the Transport Workers Union of America was built on the concept of Local autonomy and democracy. Our TWU Constitution guarantees that Local memberships and their duly elected Local representatives have great latitude in determining the direction any TWU Local takes on matters of importance to the membership. TWU Locals retain the vast majority of all dues for this purpose. Per capita payments to the TWU International Union are the lowest, or among the lowest, in the entire labor movement.

This system insures that the core of our organization is a strong, democratic Local system. By the same token, our proven democratic system puts a greater burden of responsibility on elected Local leaders – far more than in many other unions.

The most effective way to approach critical decisions is through a cooperative effort between Local and International officers, but the degree of International Union involvement is based on the needs and desires of duly elected Local officers.

Therefore, I am proud of the way in which the TWU International extended its assistance and cooperation to Local 100 during the 2005 negotiations. This assistance began even

*-over-*

**Michael T. O'Brien**  
International President

**James C. Little**  
International Executive  
Vice President

**John J. Kerrigan**  
International  
Secretary-Treasurer

**Hubert Sneed**  
Administrative Vice President

**Michael Bakalo**  
Administrative Vice President

**Sonny Hall**  
Int'l President Emeritus

## Executive Council

### VICE PRESIDENTS

John Bland  
Dennis Burchette  
Garry Drummond  
Harry Lombardo  
Thom McDaniel  
Gary Maslanka  
William Pelletier  
Barry Roberts  
Marsha Spinowitz  
Ainsley Stewart  
Roger Tauss  
James Whalen  
Gary Yingst

## COUNCIL MEMBERS

Richard Adams  
Sandra Burleson  
Brian Clarke  
Joe Gordon  
Duke Hingley  
J.W. Johnson  
John O'Farrell  
Susan Resch  
Gary Shults

## Executive Board

Wesley Alamo  
Richard Boehm  
Patricia Bowden  
Jeff Brooks  
Sim Campbell  
Mike Chiofalo  
Gordon Clark  
Fred Fink  
Alex Garcia  
Alice Goodman  
Jim Guido  
Glenn Harmon  
Eddie Hill  
Richie Holley  
Jerome Lafragola  
Thomas Lenane  
Charles Little  
Thomas Lutton  
Irwin Lum  
Eddie McLeod  
Carl Martin  
Don May  
Benyoel Morgan  
Mark Nelson  
Carlos Padilla  
Joseph Pajewski  
Orton Reynolds  
Pat Rezler  
Robert Romaine  
Michael Tutrone  
Richard Watson

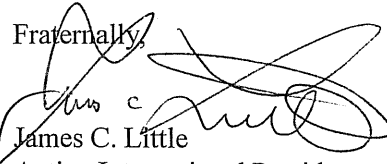
prior to negotiations, at the Local's request, when the International provided and paid for multiple negotiations training sessions conducted by faculty from Cornell University.

At all times during the negotiations, President O'Brien cooperated with Local 100 by sending to negotiations and meetings as many - or as few - TWU representatives as the Local desired. Finally, the TWU International also gave the Local \$500,000 in financial assistance to assist with the expenses of negotiations.

From December 15 to 19, 2005 the top TWU officers including our General Counsel were all available upon request to assist the Local in their negotiations; President O'Brien was present for the meetings on December 15, and the critical sessions on Monday, December 19. Following the decision of Local 100 officers to terminate negotiations, President O'Brien and the other top TWU officers attended the Local 100 Executive Board meeting where President O'Brien advised the Executive Board that, in his opinion, an impasse with the MTA had not yet been reached, and he believed that more money would be made available for a settlement if the negotiations continued. President O'Brien stressed that he was not suggesting that the MTA's last offer should be accepted; rather, he made the point that the opportunity to see how much the last offer could be improved by negotiations would forever be lost by striking at that time. It was for these reasons that he said that he would not authorize the strike.

In other words, the International and Local always shared the identical goal of achieving the best contract possible. However, we disagreed on the best path to take to reach that goal.

The strike is now history, as is the proposed contract that was not ratified by the membership. Our task now is to join together to secure a new contract that you, our members, will ratify.

Fraternally,  
  
James C. Little  
Acting International President

JCL:mo  
opeiu-153  
enc.  
c : TWU Local Presidents (w/enc.)

**Resolution on the Local 100 Contract Campaign**  
**Unanimously Endorsed**  
*By The*  
**TWU International Executive Council and Board**  
**February 8, 2006**

The International Executive Council and Board are deeply concerned over the current contractual dispute between Local 100 and the MTA. We are equally concerned over the onerous fines facing Local 100 and its members, as well as the crippling effect the loss of dues check-off may have upon the Local Union's ability to represent the membership in all matters critical to their safety and security on the job.

We also firmly believe that the MTA's current plans to push the contractual dispute into binding arbitration is the least desirable approach to resolution for two reasons:

1. We believe our members should have a vote on the contract that will cover their working lives and conditions on the job for the next three (3) years.
2. We believe that further negotiations between the parties can produce an agreement acceptable to the membership, and

NOW THEREFORE BE IT RESOLVED THAT:

1. The International Executive Council and Board of the Transport Workers Union of America urges the MTA to suspend its legal efforts to push the contract dispute into binding arbitration. Absent that, the International Union will aggressively engage in efforts to delay the legal process leading to arbitration of the contract dispute so as to facilitate negotiations.
2. The International Executive Council and Board urges the MTA to demonstrate in deed, rather than words, the appreciation and respect it has for its employees, by joining the Union in arguing against the imposition of Taylor Law fines on the members and the Local Union. But with or without the MTA's support, the International should actively cooperate with the Local in legal efforts to minimize the impact of fines on the members and the Local, as well as in fighting the imposition of a cutoff of dues check-off.
3. The rejection of this contract is not without precedent in Local 100. In 1992, the members rejected a proposed contract. Further negotiations produced an acceptable one. Therefore, the International Executive Council and Board urges the following:
  - A. Local 100 officers and our top International officers should jointly take immediate steps to renew negotiations with the MTA.

*-over-*

- B. The International and Local officers should jointly participate in all relevant discussions with the Authority in an effort to produce a new agreement for review by the Local's top officers and its Executive Board, and ultimately for ratification by the membership. Our members deserve increases in wages and benefits as soon as humanly possible.
4. The International Executive Council and Board notes with distress that a number of TWU affiliates have been struggling with the MTA for an acceptable contract for years. Local 106, which represents OA supervisors (and others), and the two Metro North locals have been without contracts for an unacceptable long time. The International should exert all its influence with the MTA to help these Locals reach contracts that meet the needs of the supervisors and Metro North employees.

AND BE IT FURTHER RESOLVED THAT, the International Executive Council and Board pledges our solidarity and best wishes to all the TWU Locals and members in their crucial fight for contract justice with the MTA.

AND BE IT FINALLY RESOLVED THAT, copies of this resolution be sent to TWU Local 100 officers and Executive Board, MTA Board, all members of Local 100 and all TWU Local Presidents.

Approved by the International Executive Council and Board on February 8, 2006.