



# On The Move

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## SEPTA Wages War against Frontline Workers Fighting the Coronavirus, Exposing Co-Workers and Riders to Infection

- SEPTA recently started a temperature check program to identify *possible* COVID-19 cases before the employee exposes his/her co-workers and the riding public to the virus. Workers are sent home for three days, if their temperature reading exceeds 100.4, a possible symptom of the virus. The temperature check program is something the Union had been demanding for months. However, as most things with SEPTA, management found a way to screw the program up.

Employees sent home for a three day quarantine were denied the “sick pay” required by the “Emergency Paid Sick Leave Act” (the “EPSL”). In response, the Union filed a complaint with the enforcement division of the Department of Labor to address the violation. The DOL assigned an investigator to the case and she quickly set SEPTA straight.

SEPTA’s “Absence Management Program Mgr.,” Vicky Duggan assured the DOL that the Authority has “taken steps to ensure that all managers are aware that if an employee is sent home due to high temperature, due to a risk of COVID 19, they will be paid in accordance with EPSL,” 8 hours per day for up to ten days. “Our labor relations manager spoke to the senior directors to ensure” that employees sent home due to a temperature check are not underpaid again.

What made SEPTA’s policy both mean-spirited and counterproductive is the fact that SEPTA can recover the sick pay paid under the EPSL from the government, instead of paying sick benefits out of its’ own budget. Is anybody at SEPTA paying attention to what’s going on?

- A maintenance custodian manager recently tested positive for the coronavirus. Ironically, he had been assigned to conduct the temperature checks on dozens of custodians working in the subway. Instead of tracing his contacts and quarantining them, as recommended by every public health official working on containing the virus, SEPTA is giving those exposed the option of remaining on the job, in order to avoid paying sick benefits. SEPTA’s reckless policy will potentially expose other workers and the riding public to the deadly virus.

- While the recently enacted federal legislation for paid FMLA leave to care for a child does not mandate intermittent child care leave, SEPTA has opted to provide intermittent child care leave on its own. However, workers in need of *emergency intermittent* leave to care for a child are being required to go through a burdensome approval process and provide SEPTA with *two weeks’ notice* of the need for *emergency* leave, a condition that makes absolutely no sense. Here again, SEPTA is trying to avoid paying employees who need intermittent leave to care for a child under circumstances in which the employee finds out that their regular child-care provider is unavailable.

As a result, the Union filed an Unfair Labor Practice charge against the Authority for refusing to negotiate, in good faith, over the process for obtaining Intermittent Child Care Leave.

In sum, while many SEPTA managers continue to work from home, the Authority is doing everything possible to *punish rather than reward* those who are assuming the greatest risk of contracting and possibly dying from the virus. SEPTA's short-sighted, punitive policies pose a threat to the health of our members and the riding public, and are a disgrace for a public, tax-payer funded transit system.

## **SEPTA Buries Its' Head in the Sand**

In February, 2017, we reported that at a discharge hearing a SEPTA *manager testified* that the boss responsible for the discharge had recently stated: **"I'm going to make sure I fire that black bitch."** (The Union won her job back in arbitration).

The racist comments came from the lips of a supervisor named Lou Crocetti. And it wasn't the first time he's been caught attacking union members based on race, gender or age. A few years earlier, Crocetti discharged an African American employee with over 37 years on the job because the worker wouldn't let Crocetti treat him like a child. While working at Midvale Shop, Crocetti kicked a stool out from under an African American mechanic performing body work on a bus. Given his record, SEPTA should have fired Crocetti a long time ago. Instead, they removed him as a supervisor of TWU members---but guess what's happening now.

In the midst of nationwide protests over police killings of unarmed African-American citizens and other forms of inequality based on racism, SEPTA has decided to once again place Crocetti in charge of TWU workers in one of its maintenance locations. This is like hiring a police officer with a long record of using excessive force from one police department to another, as if the acts of lawlessness previously committed never even happened. Is this what we should expect from our recently appointed "enlightened" General Manager?

## **March for Justice on August 28, in Washington, D.C.**

The International Transport Workers Union and its' affiliated local unions is supporting the March on Washington, scheduled for August 28, 2020 to protest police brutality and to fight for racial justice and economic equality in our country.

The march, will coincide with the original March on Washington for Jobs and Freedom, which took place on August 28, 1963, and where Dr. Martin Luther King, Jr. delivered his now famous "I Have a Dream" speech. The march is expected to attract over 100,000 demonstrators from around the country to demand racial justice and other social and political reforms, including an expansion of the rights of workers to organize and bargain collectively.

Local 234 is committed to organizing a strong showing of support in what may prove to be a historic event. The details on logistics and transportation will be publicized as soon as these issues are worked out by the Local and International Union.

# **We Must and We Will**