



# TRANSPORT WORKERS UNION OF PHILADELPHIA - LOCAL 234

**SENT VIA EMAIL**

December 17, 2020

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Dear SEPTA Board Members:

I write on behalf of all of the essential workers represented by TWU, Local 234 who are risking their lives every day in order to provide transit services in the midst of a deadly pandemic at its peak, while the decision makers within the Authority work from home---not subject to the risk of contracting this deadly virus.

Initially, SEPTA failed to enforce the necessary safety and health protocols with the required vigor. After talk of a work stoppage, things started to improve toward the end of the spring, 2020. Vehicles were sanitized, PPE was provided to transportation and maintenance employees, and contact tracing and quarantining were pursued. However, as the cases declined over the summer, many of these protections began to erode and management was ill prepared to deal with the dramatic increase in cases seen over the past few months. As a result, our members and the riding public are facing unnecessary risks of contraction and death.

What follows are the safety protocols that must be reinstated and/or implemented immediately to prevent a public health catastrophe.

- **Enforce SEPTA's Contact Tracing Protocols** – As you know, contact tracing is an essential tool to stop the spread of COVID-19. Contact tracing enables the Authority identify employees who may need to isolate and get tested, in order to curb the spread of the virus to one's co-workers and the riding public. Unfortunately, after a good start, SEPTA's operating managers have become extremely lax and are not consistently following SEPTA's own protocols for contact tracing and quarantine
- **Quarantine Employees with Pay.** The reluctance of operating managers to vigorously enforce contact tracing protocols appears to be rooted in their concerns over the availability of workers to perform the work. While understandable at some level, this concern flies in the face of the public health and interferes with federal and state mandates to slow the spread of the virus.

In addition, employees who required to quarantine cannot be expected to stay home if it means foregoing income that they rely upon for the necessities of life. Currently, SEPTA is paying employees who are

quarantined on two occasions. However, some employees are being exposed to the virus and are required to quarantine on more than two occasions, at which point they are told to apply for sick pay, even though they are not sick.

SEPTA's policy in this regard penalizes employees facing a heightened risk of exposure and is violating the no layoff clause of in Local 234's contract. Moreover, to avoid the loss of income, SEPTA's policy is leading many to deny having had contact with an employee who tests positive, thereby placing their co-workers and the public at risk, since they may very well may have an asymptomatic case of the virus.

- **Compensation and Extended Health Care Coverage.** Unlike many other transit systems, SEPTA has refused to provide financial assistance to the families of members who passed away due to COVID 19. As a result, the Estates of our deceased members have been forced to obtain legal counsel to represent their interests at law. This can all be avoided by a settlement of these disputes. At the very least, SEPTA can extend health care benefits for the families of deceased members who have been left without health insurance in the middle of a global pandemic.
- **COVID Related Child Care Leave.** While SEPTA has modified its draconian policy on child care leave, which previously required two weeks' notice, parents with child care needs are still not being accommodated under SEPTA's policy. SEPTA's rigid child care leave policy negatively affects all of our members, but has had a disproportionately negative impact on women, who unfortunately still bear the lion's share of childcare responsibilities in our society. In addition to being deprived of financial support, parents forced to take child care leave are subject to SEPTA's attendance point system leading to discipline, discharge, and/or resignations.
- **Social Distancing.** Initially, the Authority created a buffer zone between the operator and the riding public. However, as of late, this social distancing policy is becoming more and more lax. The failure to support the buffer zone increases the risk of operator exposure to passengers carrying the virus, and as operators become positive the risk to the riding public increases as well. While SEPTA has taken steps to protect passengers from each other by blocking off every other seat, leaving seats available in the front rows of the bus fails to protect the operators in the same way. This unnecessarily increases the odds of transmission, and puts not just operators and passengers at increased risk, but everyone that they then come to into contact with, i.e. their co-workers and the public at large.
- **Stagger Breaks and Lunch Times in Maintenance.** Similarly, SEPTA is violating the public health measures no in force in the City of Philadelphia banning indoor dining. The lunch rooms in maintenance are small, and by forcing everyone to be in there at the same time, with their masks off so they can eat, puts all maintenance employees, their families, friends, etc. at increased risk of contracting the virus.
- **Hold the Attendance Point System in Abeyance.** At the beginning of the pandemic, SEPTA wisely decided to hold the attendance point system in abeyance, in recognition of the exponential increase in absenteeism caused by COVID-19. Recently, however, as the pandemic is reaching

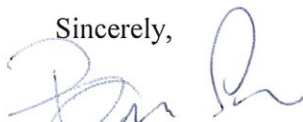
epic proportions, SEPTA decided to reinstitute the attendance point system, placing numerous employees in jeopardy of being disciplined or discharged through no fault of their own. SEPTA is even counting quarantines as a basis to impose attendance points, and pro-rating our members vacation pay due to COVID related absenteeism.

- **Sanitize the Vehicles.** Although the virus often spreads through air borne droplets, those same droplets can land on vehicle surfaces, and can cause infections if people touch those surfaces and then touch their face. For that reason, it is imperative for the safety of the operators and the riding public that SEPTA sanitize all of its vehicles on a daily basis, something the Authority is failing to do in recent months, when such measures are more urgent than ever.
- **Distribution of the Vaccine.** We understand that SEPTA is making an effort to have front-line SEPTA employees be among the first to receive the new COVID-19 vaccines. While the number of vaccines distributed to Pennsylvania will be decided federally, how those vaccines are prioritized once they arrive will be up to state and local authorities. SEPTA must pull out all stops to ensure that its front-line employees receive the vaccines as soon as possible, in order to insure the safety of our members and the confidence of the rising public that it is safe to return to the SEPTA system for their daily commutes.

If SEPTA refuses to take these common sense measures, we will have no alternative but to publicize our concerns in the local media and work with outside counsel to take up these issues in courts of law.

Your prompt attention to these matters is of utmost importance to the members of Local 234 and the riding public.

Sincerely,



Brian Pollitt,

Executive Vice President