



# *On The Move*

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## **SEPTA Fights Pension Improvements, Due Process Rights, and other Important Issues, as Contract Negotiations are Set to Resume in Early October**

SEPTA is refusing to move on the Union's most important contract demands, despite knowing that such inflexibility is bound to lead to a costly strike for the Authority. SEPTA's bargaining team, under strict instructions from Board Chairman Pasquale Deon, wants to deny our members the chance to retire with the kind of dignity afforded managers, while maintaining an unworkable grievance procedure, in which SEPTA can block the timely arbitration of *contract violation* cases, some of which drag on for years, frustrating the Union and the members whose rights are being violated.

The Union is determined to fix both problems at the bargaining table, or on the street. The disparity in pension benefits between managers and the members of Local 234 has become unjust, unfair and unbearable. As documented earlier, a union member earning \$50,000 a year and contributing \$1,750 or more to the pension, receives a monthly benefit of \$2,500. A manager making the same \$1,750 contribution receives a monthly benefit of \$7,875, more than three times as much! The problem is the formula used to calculate *our pension benefits*. At one time the formula worked well, but it no longer reflects our annual salaries or our additional contributions to the pension fund.

Something must be done in this round of negotiations to fix these problems, otherwise the disparity in pension benefits will continue to grow and SEPTA managers will continue to violate the rights of our members knowing that their violations of the contract could stay in place for years, or never be exposed to the light of day in arbitration.

## **Governor Election Could Have Major Impact on Labor Rights in Pennsylvania**

On November 4, 2014, Pennsylvania voters will decide whether union buster Tom Corbett or Democrat Tom Wolf will be inaugurated as Governor, on January 20, 2015. Make no mistake, all union members have a big stake in the outcome of this election. First, if Wolf is elected there is a good chance we will see a change in the composition of the SEPTA Board that could lead to an improvement in labor relations at SEPTA. Second, for the past year, two anti-worker bills have been proposed in the state legislature. One would outlaw *Philadelphia transit workers'* right to strike, without arbitration as an alternative, while the other is designed to starve union treasuries of funds, in order to deny labor the political clout it needs to protect the legal and contractual rights of working people. If Corbett is reelected these two bills are likely to resurface and be signed into law if they pass the legislature---if Wolf wins the election, the Republican's well-organized, attack machine against labor can be beaten back. If they become law, these anti-worker bills will decimate labor's strength, just like in Wisconsin, where public employee unions have lost the right to bargain over most subjects and are on the verge of financial collapse. With the stakes so high, it is important to make sure you, your family, and friends cast a vote for Tom Wolf in November.

## **AFSCME 33, Local 100 Win Wage Increases after Years without a Raise**

AFSCME District Council 33 recently reached an agreement for a two year contract with the City of Philadelphia, after years of futile negotiations. The agreement provides wage increases of 3.5% effective July, 2014 and 2.5% effective July 2015, in addition to a signing bonus of \$2,800. The Union agreed to increase member contributions to the pension fund. Similarly, the FOP won wage increases in arbitration of 3% retroactive to July 1, 2014; 3.25% effective July 1, 2015; and, 3.25% effective July 1, 2016. In New York, Local 100, the TWU's largest unit, negotiated wages increases of 8.0% over the life of a 5 year agreement to expire on January 15, 2017, under difficult conditions. While wages are not the main focus of our negotiations with SEPTA, it is important for the Local to defeat any effort to exploit the downward national spiral in wage gains, which would create an even wider gap between our members and the top 1% who are robbing the wealth of the country. Working for SEPTA, as a member of Local 234, remains one of the last opportunities for a middle class standard of living for Philadelphia's working families. We cannot let that slip away.

## **Regional Rail Union Continues Contract Fight with SEPTA**

Despite suffering a setback before a Presidential Emergency Board, the commuter rail operators represented by the BLET remain determined to negotiate a fair contract with SEPTA, as bargaining continues, but without a resolution in site. While the BLET is at the table, SEPTA has thus far refused to address important safety issues raised by the union. SEPTA had the chance to quickly resolve all outstanding issues and avoid the possibility of a general strike of SEPTA workers after the Emergency Board made its decision, but the Authority's intransigence has placed the possibility of system-wide walkout back on the table. In order for the BLET to strike under the Railway Labor Act, there would probably have to be a second Emergency Board convened. Local 234 remains determined to assist the BLET in any way possible. It's in the interest of our members to break the anti-worker fever promoted by SEPTA management under the direction of SEPTA Board Chairman and multi-millionaire businessman, Pasquale Deon. In a display of raw arrogance and disregard for the people of Philadelphia, Deon, a suburbanite, has told Local 234 that "he doesn't care" whether the system is shut down by a long strike. As far as Deon is concerned, Philadelphians can walk to work, if that what it takes to run rough-shod over the rights of working people.

## **Union Wins Right to Raise Law of the Land in Defense of Discharged Employees**

In a recent arbitration case involving SEPTA's refusal to provide a religious accommodation to a maintenance custodian whose sincerely held religious beliefs prevented him from working on the Sabbath, SEPTA asked the arbitrator to stop the Union from introducing Title VII cases and EEOC regulations on the subject religious accommodation to defend an employee discharged because he could not work on the Sabbath. The arbitrator denied SEPTA's desire to ignore "the law of the land" in arbitration, ruling that: "there is no question that neither the Company nor the Union can consciously act in a way which would clearly violate Title VII [the federal statute outlawing discrimination]. Accordingly, the Arbitrator determined that Local 234's contract implicitly incorporates the terms and requirements of Title VII and regulations promulgated by the EEOC. This decision will also enable the Local to grieve and arbitrate a number of unresolved requests for the reasonable accommodation of the sincerely held beliefs of female operators who want to wear ankle length dresses in conformity with their religious customs and practices.