

# New York transit workers prepare for December 15 contract expiration

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With just one day to go before the Tuesday midnight expiration of the contract between Transport Workers Union (TWU) Local 100 and the Metropolitan Transportation Authority (MTA), New York City could be on the brink of its first mass transit strike in nearly two decades.

Negotiators for both sides have reported that they are very far apart. Republican Mayor Rudolph Giuliani has over the past few days expressed growing concerns within the city's establishment that the bureaucratic leadership of TWU Local 100 could lose control of the situation.

The mayor has threatened legal action against transit workers and their union if they go on strike. "If they appear to be organizing a strike we will go to court and seek an injunction," the mayor said at a recent news conference. He went on to declare, "They're going to really regret this after it happens. And we'd like them to know that in advance." He threatened massive financial penalties which "virtually ruins, and destroys, the treasury of the union."

The mayor has threatened the TWU with having to pay the extra costs to the city, which his administration is now estimating to be at around \$25 million a day. He is taking court action seeking fines from the union even before the contract deadline unless the leadership removes its strike threat. In addition, the MTA has threatened to fire all of its employees who walk out.

The Giuliani administration has developed a 61-page document with a detailed plan to handle a strike. New York is heavily dependent on public transportation, and therefore a strike by bus and subway workers would virtually cripple the city. The plan calls for the deployment of extra police and the increased use of private vans and private buses. It also involves an increase in commuter rail and ferry service.

Former Democratic Mayor Koch, who was in office during the 1980 transit strike, told the *New York Post* that city officials should "Stand up! Stand firm! Don't give away the city because of an illegal strike. Don't let these bastards bring the city to its knees by engaging in an illegal strike."

A spokesman for Local 100, Jim Gannon, responded to the city's threats by saying, "We don't have to be educated on what the Taylor Law is and possible penalties." Gannon was referring to a state law that prohibits strikes by municipal employees. In the last transit strike in 1980, workers were fined two days' pay for each of the 11 days they were out. In addition, the union was fined \$1.5 million and lost its dues check-off privileges for a period. This law

was drafted largely in response to the highly successful transit strike of 1966, when the union defied court injunctions and won the biggest gains in its history.

The transit union does not directly negotiate with the city or state, but with the MTA. While Giuliani has demanded that both the Authority and the TWU step up their negotiations and reach a settlement, he has reserved his sharpest criticism for the union. He has condemned the current wage demand of 27 percent over three years as "way out of the ballpark." In an attempt to divide transit workers from the rest of the working class in the city, he has claimed that such a wage settlement would result in a doubling of the fare for bus and subway riders.

Most of the city unions, including the TWU, endorsed Giuliani's bid for a second term in the last mayoral election.

The MTA is offering a paltry 9.25 percent wage hike over four years. They are also demanding work rule changes designed to increase productivity. In order to accomplish this, the Authority is seeking to broadband job titles. Some examples involve forcing train operators to work as conductors when needed, having car cleaners change light bulbs instead of having the electrical department do it, and requiring mechanics who presently only fix bus engines also repair chassis or do body work.

Management is thus seeking a contract that will enable it to lower its overall labor costs, including the outlay for any wage hike, by reducing the total number of employees.

The union, under pressure from its members, is seeking to obtain a relaxation of disciplinary actions against workers. A labor relations expert and author of a book on the history of the TWU, Joshua B. Freeman, has stated that "the MTA has a far harsher system of discipline than do most city agencies or even the private sector." There have been reports that the union and management are moving towards a compromise on the disciplinary issue in return for the work rule changes that the Authority is seeking.

Transportation workers are determined not to have another contract with give-backs and paltry wage hikes. They are fed up with the steady decline in their living standards, while working in a city that is home to an unprecedented stock market boom. They are angry over the sharp rise in disciplinary actions, and the increasingly difficult and dangerous character of their work, the result of work rule changes imposed over the years by the Transit Authority.

The base salary of a bus operator is \$42,450, and that of a train operator is \$45,167. Besides laboring under conditions that are

extremely taxing mentally and physically, these workers have enormous responsibility for the safety of the riding public. Yet they earn barely one-fifth of the average salary being made on Wall Street, and less than a third of what newly hired attorneys are earning in the city' major law firms.

One of the most contentious issues is the use of workfare cleaners in the transit system, which was agreed upon in the last contract. The Authority has begun introducing welfare recipients who must work for a minimum wage in order to continue receiving benefits. The city, through an earlier agreement with the other municipal unions, has been able to eliminate thousands of unionized city employees and have them replaced with welfare workers. In divisional meetings throughout the transit union, one of the most popular demands has been the elimination of workfare.

The TWU is the first of all the city unions to negotiate a new contract, and the outcome of its dealings with the city will establish the pattern for the 300,000 unionized municipal workers as their contracts expire next year. The 120,000 workers in District Council 37 of the American Federation of State, County and Municipal Employees (AFSCME) are seeking to make up for the five-year concessions package that was imposed on them in 1996. That contract, which contained a two-year wage freeze, was only passed as a result of massive ballot-stuffing by union officials. The dimensions of the ballot fraud have been revealed over the past year in a series of investigations.

Anger is growing among workers throughout the city, union and nonunion alike. The stock market boom, which has benefited only the uppermost income layers, has been made possible in large measure by intensified exploitation of every section of the working class, from public employees to immigrant workers toiling in the sweatshops.

The growing anger of transit workers, and the city workforce as a whole, accounts for the very contradictory statements by TWU Local 100 President Willie James about the possibility of a strike. In the past month he has at times threatened to call a strike, and then retreated, claiming he never considered such action.

However, the intensity of the situation might provoke a walkout. One of the factors in this volatile situation is the timing of the contract expiration date. From a trade union perspective, this is a perfect time for workers to call a transportation strike. Due to the tendency of the union and management to negotiate 39-month deals, the previous contracts have expired at different times of the year. This year it expires in the middle of Christmas shopping. Furthermore, a major millennium celebration is planned in New York for New Years Eve. It is also cold weather, making it difficult for people to walk about outdoors.

A strike at this time would be a major blow to the businesses of the city. Transit workers are very much aware of this, and a growing number of them are asking, "If the union cannot call a strike now, what is the point of paying dues?" The growing militancy of the rank and file was expressed at a union demonstration held last Wednesday in front of MTA headquarters. By one estimate, 15,000 people were in attendance, mostly transit workers, but also workers from other city agencies.

According to one report in the *New York Times*, there has of late been a noticeable increase in delays on the subway system. But

union officials have vehemently denied the existence of any kind of work-to-rule slowdown.

The Taylor law fines that were imposed in the 1980 strike have for a long time made transit workers hesitant to call another walkout. However, there has been a mood shift, which is evident even in the last few days. As the deadline approaches, and as the Republican and Democratic politicians escalate their threats and insults, workers are feeling provoked and ready to walk, let the chips fall where they may.

Round-the-clock negotiations began on Sunday. The union has scheduled two mass memberships meetings for Tuesday, the last day of the current contract. While not on the agenda, it is anticipated that there will be a motion from the floor calling for a strike authorization vote.

New York transit workers, and the city labor movement as a whole, are at a crossroads. The union leadership has never been willing to call upon broad masses of workers, students and youth to unite against the demands of big business. Instead, in the current contract battle, they have hired Ray Rogers, a consultant who specializes in what is called "corporate campaigns." This is a form of protest politics, in which appeals to the Democratic Party and the corporate elite are advanced as a diversion from a mobilization of the power of the working class.

While the New Directions faction within TWU Local 100, which controls almost one-half of the executive board, has criticized the James leadership and called for more democracy in the union, it has made no serious criticism of the union leadership's political perspective. Many in the leadership of this faction consider themselves radicals and even socialists, but they have done absolutely nothing in the way of proposing an alternative political program for the workers.

The most important issue facing transit workers is precisely the need for a new political strategy. As both big business parties and every level of government—from city hall to the state house, as well as the courts—have made crystal clear, the defense of transit workers' jobs, working conditions and living standards is a fight against the government, which speaks for Wall Street and the rich, not the masses of working people.

To win a strike requires a political struggle and poses the need for working people to build their own political party, based on a program that answers to the needs of workers, not the profit demands of big business. No worker should have any illusion that the TWU leadership will carry out such a struggle. Indeed, the main danger transit workers face is the treachery and political bankruptcy of the union leadership.

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