

# New York City transit worker suffers miscarriage on the job

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On June 27, reports emerged that a pregnant Metropolitan Transportation Authority (MTA) subway conductor had given birth at a train yard. Initially workers reported that the baby appeared to have been safely delivered but later that evening coworkers familiar with the mother's situation revealed the baby had in fact died.

The responsibility for this tragedy falls squarely not only on the shoulders of the Democratic administration of Governor Andrew Cuomo, which runs the MTA, but also on the Transport Workers Union (TWU), the organization that falsely claims to represent over 41,000 workers, primarily in the New York City subways and buses. The death of the child is a part of a pattern of systematic and deliberate neglect of workers' basic health and safety needs by the union for many years.

The worker's miscarriage takes place as the number of COVID-19 deaths among New York's transit workers has exceeded 140. As New York state and city authorities, headed by the Democratic Party, continue their deadly drive to reopen businesses during the pandemic, this number will only increase in the coming weeks and months.

The mother had filed a written request for special accommodation on June 24 because of her advancing pregnancy. Even though an appointment was scheduled on June 29 at the MTA's Medical Assessment Center to review her responsibilities, she was forced to come into work on June 27. Following the death of her child, the MTA has granted the worker the standard two weeks paid maternity leave.

The mother was a second-generation New York City conductor. At the time of the incident the mother was six months pregnant and she was assigned to moving switches on the subway tracks. At the notoriously outdated East New York (ENY) yard, this job requires the strenuous pulling of heavy levers to switch over tracks, the continuous crossing of electrically charged third rails,

climbing of ladders on and off trains and walking over uneven ballast.

Furthermore, the East New York yard is raised, therefore, to come in and out of work every day workers must scale multiple flights of stairs. Strenuous and dangerous even at the best of times, during a pregnancy these conditions severely endanger the lives of both mother and child.

The worker's coworkers are understandably outraged at the news. On Facebook, one worker wrote, "As a dad of four and a granddad of two (so far), I hold a special place in my soul for children, and I can say unequivocally that the murder of that newborn baby, committed by Transit officials, at ENY yard yesterday, has hit me the hardest ..."

Another commented, "It's time that the MTA start realizing we are more than just employee numbers."

This death was not an unfortunate accident, but the immediate consequence of strenuous work on the mother and child. In turn, these conditions are the outcome of decades of attacks on the social rights of transit workers in New York City and across the world. Across the globe, unions claiming to defend the rights of workers have been complicit in attacks that are driving working conditions back to those of the 19th century.

It is unconscionable that a pregnant worker was forced to carry out heavy labor of this kind. This is, however, the norm and not the exception for pregnant workers at the MTA. Workers are not only given a meager two weeks maternity leave but must exhaust all other vacation days and paid time off before they are granted longer unpaid leave. For many, this is simply impossible, and workers are often forced to work late in their pregnancies.

Workers have raised concerns over the conditions facing pregnant colleagues for many years. An MTA worker, who wished to be referred to as Lisa, who gave birth to a child late last year, told the WSWs, "She isn't the only woman who had an injury while working while

pregnant down here either. When I was pregnant another train operator slipped off a train at 7 months pregnant in the yard. There are tons of other incidents as well.”

Lisa continued, “I recently had my baby and worked my entire pregnancy. Lots of us are forced to use our sick time during this period as well, which is incredibly unfair because it either depletes the sick time or lowers it. This means when we come back it is at zero and it’ll be counted against us when we come up for promotion. During my pregnancy, I took a leave of absence and was denied when I tried to add some additional time.”

The pandemic has also posed difficulties to workers with children and families. Thousands of MTA workers have worked under the constant fear that they will contract the virus and spread it among their families. The closure of schools also left many workers with children at home, forcing them to take fewer shifts or find expensive childcare. Lisa explained, “I came back to work at the beginning of the pandemic. Finding childcare has been hectic. I feel that mothers should get at minimum six months.”

As the MTA’s financial crisis intensifies—the agency has accumulated not only \$46 billion in debt for capital expenses but also \$12 billion in operating expenses during the pandemic—the agency’s chairman Pat Foye assured the agency’s bondholders, “We’re not asking for forgiveness from our creditors.”

The MTA’s orientation to Wall Street—at the behest of the Democratic-run state government under Governor Andrew Cuomo, who is the effective head of the agency—is, in fact, the overriding reason for its deadly neglect of transit workers throughout the pandemic. While ultra-rich speculators trade MTA bonds for billions, workers will be left to bear the brunt of cost-cutting measures taken in attempts to save the agency.

The criminality of the MTA has only been abetted by the complicity of the TWU. The contract pushed through by the union in January cut workers’ access to health care in other ways beside limiting them to the inadequate two-weeks maternity or paternity leave.

In the last contract, the union and MTA also agreed to inaugurate a Women’s Committee “to address issues relating to female employees.” Such window-dressing is typical of the union’s bait-and-switch approach, in which it tries to distract workers with meaningless concessions while green-lighting the MTA’s continuing attacks on its workforce.

During contract discussions the union proposed shifting its members to New York state’s 2014 legislation on

parental leave requirements for private companies. Despite granting 12 weeks of leave, this legislation only guarantees full pay for the first two weeks, meaning that workers, many of whom are living paycheck to paycheck, would still be forced to return to work prematurely.

In a statement over the weekend, TWU Local 100 President Tony Utano said about the worker’s miscarriage, “This is a terrible and tragic loss. Our hearts go out to our union sister and her family, and we will do whatever we can to assist them at this difficult time.”

The TWU’s hypocritical statement has angered workers. On Facebook, one worker responded, “Have you no shame? Why on earth in 2020 do we have such horrible maternity rights and light duty rights for women by a multi-billion-dollar agency? Why instead of asking for these things from Transit, you are not just straight up demanding them? The ball is in our court, and the power is in our hands, and yet time and time again, you do nothing. You just offer up more ‘thoughts and prayers.’”

Workers must insist on every pregnant woman’s right to safeguard her own well-being as well as that of her child. This includes the right to safe housing, high-quality medical care, and full pay during maternity leave. The length of leave should be determined with the health of mother and child as first priority and should extend for a period after the birth that gives ample time for the mother to physically recover and care for her newborn child. Workers should also insist on similar rights for paternity leave. Workers must also put forward wider demands for workers’ protection from the ongoing COVID-19 pandemic.

The life-and-death struggle for these rights cannot be conducted by anyone other than workers themselves. Appeals to the MTA or attempts to reform the TWU are worse than useless in this struggle.

Following the lead of autoworkers in Detroit, to protect their lives New York City transit workers must form their own rank-and-file safety committees. With the pandemic in resurgence, no time can be lost. The Socialist Equality Party and WSWs will provide full assistance to workers’ efforts to take these vital protective measures.



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