

**Statement of Mark Henry, Amalgamated Transit Union (ATU) President/Business Agent, ATU Local 1056
to NYC Council Committee on Civil Service & Labor on Workplace Safety in
COVID-19 Era, November 20, 2020**

Thank you, Chairman Miller and colleagues on the City Council for this opportunity to present on behalf of Amalgamated Transit Union (ATU) Local 1056 and our sister ATU Locals 726, 1179 and 1181. I am Mark Henry, President/Business Agent of the local and chair of the ATU NYS Legislative Conference Board. Including New York City, ATU represents more than 25,000 hard-working transit workers across New York State; other ATU cities include Albany, Binghamton, Buffalo, Rochester and Syracuse.

While these hearings do not focus per se on the MTA workers, it remains important to emphasize the special plight of our transit workers on the frontlines of the fight against COVID-19. The impact of COVID-19 certainly impacts our civil servants in public transit; this includes the members of ATU Local Locals 1056 and 1179 in Queens, Local 726 in Staten Island, and Local 1181 in Brooklyn – and the riding public. Local 1056 members operate and maintain NYC Transit bus routes serving Queens with some routes extending into The Bronx, Brooklyn and Manhattan. ATU members work under an expired contract that the MTA **REFUSES** to update. The MTA already settled a new contract including new wages for the workers represented by TWU Local 100; this created two classes of workers paid differently to perform the same work. Many of the legislators present today and others flagged this inequity to the MTA and we thank you.

ATU recognizes, as do most experts, that, without a fully functioning transit system, we cannot expect New York City's – and thus our state and national – economy to fully recover and achieve growth beyond. This includes treating all workers fairly and equitable. All who perform the same work must receive the same pay and not be treated as part of some caste. ATU workers deserve a contract for the same work as those the MTA already settled with and refuses to discuss with ATU.

Our members were classified as essential employees and continued to work in order to make sure other essential workers, including doctors, nurses, police, grocery store clerks and others, can get to their jobs and return home to their families. The work of our members has put them at an increased high risk of exposure to the coronavirus. This exposure has not been without consequences. In New York, ATU locals have lost 33 of our brothers and sisters to COVID-19; they put their lives on the line as essential workers during this crisis. And our members perform their jobs in an exemplary manner despite the MTA treating them as second-class workers without the same compensation afforded other brothers and sisters at Local 100 working at the MTA under a new contract.

Transit Workers are unable to shelter in place. We require a workplace that provides the minimum “at home” shelter or better “shelter” at the workplace. Transit workers are exposed to all dangers and still have shown great resiliency mentally and physically under uncertain conditions despite the MTA treating them as second-class workers without the same compensation afforded other brothers and sisters at Local 100 working at the MTA under a new contract.

The priority of the ATU has been to protect the health and safety of our members who are essential workers on the frontline of this crisis. At the start of this crisis, our members were put in harm's way without proper protection. Our workers were not given the personal protective equipment (PPE), such as masks, gloves and cleaning supplies, necessary to prevent transmission of this virus. It

was their unions that supplied those basic and mandatory items. While our members have better but limited access to PPE now, the delay in getting this equipment was too significant. We must ensure that the MTA has access to and supplies PPE equipment to its workers on the frontlines. We must also ensure that the MTA sets mandatory standards for PPE for transit workers and for cleaning buses and transit stations. These standards need not only apply to the situation today but also apply going forward; doing so ensures we are not as ill-prepared for a situation like this in the future. And our members continue to put themselves at risk while the MTA treats them as second-class workers without the same compensation afforded other brothers and sisters at Local 100 working at the MTA under a new contract.

ATU's understanding of the risks faced each day by its own members make clear to the need to also support broad workplace safety protections to safeguard all municipal workers from the threat of COVID-19.

That explains ATU's support for Chairman Miller's worker safety measures:

- T2020-6717, in relation to establishing a board to review workplace health and safety guidance during the COVID-19 pandemic; and
- T2020-6606, in relation to the dissemination of occupational safety and health information to city employees during a public health emergency.

Our members show up to work despite real threats to their health and safety. We believe that our members should be compensated for their work through the implementation of hazard pay, which would be 1.5 times their normal wage rate. Funding already provided from the federal government should also have allocated to the membership. The hardworking men and women came to work and ensured that other essential workers could get to where they needed to go. Their dedication and hard work must be recognized and never marginalized.

ATU also emphasizes that any cuts to bus and subway service puts the public at risk. Crowded buses and subway to get essential workers and others required to reach their places of work, without the ability to work remotely place these workers in harm's way. Nothing gets gained by putting working people at risk and straining our health care services; just plain penny wise and dollar foolish.

We know that all of these initiatives will require more funding, and we also know that financial situation facing the State right now is dire. Through ATU International, we strongly support the inclusion of \$32 billion in emergency operating aid for public transportation in the next round of federal Coronavirus relief funding. These funds would be used to maintain essential service, avoid layoffs, and to purchase PPE to keep our members safe. We are also supporting funding for state and localities because in addition to the emergency aid, we know that funding is needed to shore up the support we receive from the State and the City. We must avert the simply devastating cuts to public transportation being contemplated absent additional funding. We cannot cut public transportation services during this economic downturn or this pandemic. Too many people rely on our services to get to and from work and to and from doctors' appointments, the grocery store and other essential services. COVID-19 has shown all the economic pitfalls and adverse impacts of cost-cutting over past years on programs that never should have been reduced or eliminated in a city this size. But it does not shine attention on public servants delivering public transit as second-class workers without the same compensation afforded other brothers and sisters at Local 100 working at the MTA under a new contract.

The lack of financial support from the federal government also impacts our ability to finalize a contract for our members with the MTA. For decades, pattern bargaining at the MTA resulted in the members of the ATU receiving the same benefits negotiated between the TWU and the MTA. This year, the MTA refuses to honor this pattern bargaining. Settling our contracts collectively involves very little impact on the MTA overall operating budget. We need to ensure that the MTA receives adequate funding so they can honor their contractual obligations.

Thank you for this opportunity to testify today on the impact of COVID-19 on the workplace. At the MTA, we certainly need a protected, safe and healthy workforce and workplace to provide levels of service needed to assure the riding public, they can safely return to work via public transit. Similarly, all workers must be afforded workplace safety in the face of this severe and often deadly epidemic. First hand we know the impact on public transportation and our members has been significant, and thus the risk to those who labor in other workplaces and settings. I appreciate you holding this hearing to hear from those directly impacted.

I am happy to serve as a resource and offer advice and guidance on this and other issues as we move forward.

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