

General Chairman's Report September **2015**

Stephen J. Burkert- General Chairman

Mandatory Rest from Crew Callers

I ask any member who has a question as to why they are being forced to take a 24 or 48 hour rest period as per the crew callers to call Bill Nadansky. Bill has a complete record of what jobs you have worked and will discuss with you what triggered the rest period. His number is 973-491-7753.

Late Time Cards

The Carrier is still getting original time cards that are over thirty days old. The Carrier has a rule about submitting them within 30 days, the payroll department will begin denying payment. You will then have to resubmit it as a penalty and wait for that denial. When I have the time stamped copy with the denial I can then put in a claim for payment. Please submit time cards in a normal pay cycle.

Paystubs

The Carrier has begun to email out weekly earning statements to the members who sign up through the union office. The Carrier is still having a major issue with members not picking up their checks and statements. The payroll department will no longer waste valuable time looking for information that is contained on your printout when you can not spend the time to pick it up in the first place. If you wish the earning slip emailed contact: Ermitchell@utulocal60.com

New Time Cards

This month the Carrier will come out with 2 new time cards for our member's useage. The first will be a "Penalty" card that you will only use at the ticket receiver's office when getting it time stamped. This is for claiming a violation of our agreement. All of the 025 claims should be on this form.

Secondly, there is a "Shortage" form, this will be used when your ***original*** time card was not fulfilled. Fill out the card and list what your claim is for missing money. A copy of earnings statement must be attached to this card. (copies attached)

Physical Capacity Test

I attended a follow up visit to this facility, after our initial visit in late August. I was accompanied by members from EAP, Rail Ops, Medical and Labor Relations. We reviewed what the process is for new hires and return to work exams. We also inspected the facility and listened to what the staff had to say about each part of the test procedure. The entire group had questions for the staff and actually performed some of the tasks required for the exam. There will be a follow up meeting to discuss whether any parts of the test should be updated or improved to meet current standards.

Penalty Claims

So far this year I have processed 87 penalty claims that total 119 violations for our members. Please fill out the time card properly with as much info as possible. Date, time, who ordered you, what tracks or what equipment was moved to where. Time stamp both copies and when you get the denial send both to the office. Please remember you only have 30 days to file.

Executive Director Meeting

On this past Wednesday I met with our Executive Director Ronnie Hakim. She listened to our concerns for over an hour during a very busy schedule.

I explained to her the train crew assaults are on the rise and that certain trains are more vulnerable. The late night trains out of New York and the last couple out of Hoboken were dissected. The NJTPD will be consulted and appropriate changes will be made to ensure our member safety while performing our duties. We discussed payroll issues and how we are now working with ALL departments to alleviate any pay shortage before it appears on payday. The new training program was discussed and the challenges it is bringing to light with the new 13 month session. We also discussed the lengthy hiring process and exchanged ideas about improving the entire system. This is my second meeting in 7 months, and it is very productive for our members.

Gas Mileage

The payroll department is starting to get make headway on the gas mileage issue. They will begin this month on examining older claims and assembling info on how many there are so we can start a program similar to the pink timecards. Also the pink time cards should be destroyed and not used at all at this point. That program is closed and any time submitted on pink stock will be discarded.

Atlantic City Terminal & Papal Visit

On September 25, yesterday, I was in AC to lend support to our members working special assignments due to the entire regular train service being revamped for the Papal visit. I was heavily involved in making sure that our member's contractual rights were upheld. The discussion to insure this would happen started 3 months ago and finished in a flurry of activity at the end of this week. The crews working out of AC and the ones called off the extra list did a fantastic job and showed true professionalism for our craft.

Ticket Collection

Please work to meet on all trains. If you are not able to collect all tickets fill out the proper missed transportation paperwork. Please cancel all tickets that you collect and have your \$100.00 working fund on you while on duty.

Attachments

New Penalty time card
New shortage time card
SMART TD front page
PEB news article (3-pgs)

HAND IN AT TICKET RECEIVERS OFFICE - PLEASE HAVE THIS PENALTY CARD TIME/DATE STAMPED

TS-3A
 CONDUCTORS & TRAINMEN
 TIME RETURN & DELAY REPORT
 PASSENGER TRAIN SERVICE



FOR PENALTY ONLY

REPORT NUMBER

DOCUMENT SERIAL NO.

OF 430063 HW 6/97

PLACE FIRST INITIALS HERE
 CLASS OF DUTY
 DIVISION
 G.O.#

PROJECT NO.
 COST CENTER NO.
 CLASS OF DUTY

PLEASE PRINT

VEHICLE PREVIOUS TO THIS TRIP
 HH. TARI. TON. EMPLOYEE NO.
 INITIALS LAST NAME
 CONDUCTOR

DEADHEAD INFORMATION
 BY TRAIN #
 BY VEHICLE
 HH. TARI

CLAIM DETAIL (See Instruction No. 9)
 REGULATORY

DAY OF WEEK

DATE OF DUTY

HOW PAID	HRS. OF SEW. LAW DEMAND TO ASSIGN	TIME FIRST WENT ON DUTY	TIME FINALLY WENT OFF DUTY	TOTAL ELAPSED TIME ON DUTY	TOTAL HRS. OF SERVICE TIME
HH.	MM.	HH.	MM.	HH.	MM.
0	0	0	0	0	0
1	0	0	0	0	0
2	0	0	0	0	0

FROM TO
 FROM TO

PREVIOUS TRIP: POSITION 1 POSITION 2

ASSIGNMENT NO.	ASSIGNMENT NO.	ASSIGNMENT NO.	ASSIGNMENT NO.
1	2	3	4

ALLOW CODE	DIS. ALLOW CODE	CONSTRUCTIVE ALLOW APPLIES	CLAIM CODE	CONSTRUCTIVE ALLOWANCE HRS./MIN.
1				
2				
3				
4				

EATING PORTION OF TIME SLIP

NO. OF OCCURRENCE	DATE	STARTING HRS./MIN.	ENDING HRS./MIN.	CONSTRUCTIVE CODE	CONST. HRS./MIN.	COST CENTER	PROJECT NO.

REPORTING TIME CORRECT SIGNATURE & TITLE
 RELEASE TIME CORRECT SIGNATURE & TITLE
 I CERTIFY THIS REPORT IS CORRECT SIGNATURE & TITLE
 ABOVE TIME IS APPROVED SIGNATURE & TITLE
 AUTHORIZATION CODE

THIS SHORTAGE FORM MUST BE ACCOMPANIED WITH EARNINGS STATEMENT OR IT WILL BE DENIED

TS-3A
CONDUCTORS & TRAINMEN
TIME RETURN & DELAY REPORT
PASSENGER TRAIN SERVICE



FOR SHORTAGES ONLY

REPORT NUMBER

DOCUMENT SERIAL NO.

CF 430053 NW 9/97

PLACE FIRST NAME ON DUTY	WITH ENGINEER	C.O.#
PLACE FAMILY NAME OFF DUTY	DIVISION	

PROJECT NO. _____ COST CENTER NO. _____ CLASS OF RATE _____

PLEASE PRINT

LEAVE OFF DUTY PREVIOUS TO THIS TRIP HR. MIN. _____

POSITION EMPLOYEE NO. _____ INITIALS _____ LAST NAME _____

CONDUCTOR PAID _____ HOW _____

BRAKEMAN _____

DEADHEAD INFORMATION BY TRAIN # _____ BY VEHICLE _____

HR. MIN. _____

CLAIM DETAIL (See Instruction No. 9) REGULATION(S) _____

1 _____ 2 _____ 3 _____ 4 _____

ALLOW CODE	DIS-ALLOW CODE	CONSTRUCTIVE ALLOW APPLIES	CLAIM CODE	CONSTRUCTIVE ALLOWANCE HRS/MIN
1				
2				
3				
4				

DAY OF WEEK _____ DATE ON DUTY MO. DAY YR.

TYPE OF SERVICE _____ ASSIGNMENT NO. _____

HR.	MIN.	HR.	MIN.	HR.	MIN.	HR.	MIN.	HR.	MIN.

FROM _____ TO _____

FROM _____ TO _____

PREVIOUS TRIP: POSITION 1 _____ POSITION 2 _____

ASSIGNMENT NO. _____ MO. DAY _____ OFF-DUTY TIME HR. MIN. _____

RATING PORTION OF TIME SLIP				For Office Use Only			
NO. OF OCCUPATION	HRS. MIN.	HAVE	SITTING OT HRS. HRS. MIN.	CONSTRUCTIVE CODE	CONS. HRS. HRS. MIN.	COST CENTER	PROJECT NO.

REPORTING TIME CORRECT _____ RELEASE TIME CORRECT _____

SIGNATURE & TITLE _____ SIGNATURE & TITLE _____

I CERTIFY THIS REPORT IS CORRECT _____ ABOVE TIME IS APPROVED _____

SIGNATURE CONDUCTOR _____ SIGNATURE & TITLE _____ AUTHORIZATION CODE _____

SMART[®]

Transportation Division News

Volume 47 • Number 5 • July/August 2015 *International Association of Sheet Metal, Air, Rail and Transportation Workers*

President Obama announces PEB 248 in NJT dispute

President Obama signed an Executive Order July 15 creating Presidential Emergency Board 248 (PEB) to investigate and to make recommendations for settlement of the current disputes between New Jersey Transit and the New Jersey Transit Rail Labor Coalition of which SMART is a part.

Appointees to the Board were Dr. Elizabeth C. Wesman as Chair, Barbara Deinhardt and Ann Kenis as members. PEB 248 began July 27 and went through July 31.

SMART Transportation Division's New Jersey Transit General Committee of Adjustment GO 610 representing conductors and trainmen; Northeast Passenger General Committee of Adjustment GO 340 representing yardmasters; and SMART Sheet Metal Mechanical and Engineering Local 396 representing mechanical workers are part of the New Jersey

Transit Rail Labor Coalition. The Coalition is made up of 100 percent of the rail unions on New Jersey Transit property.

"The true symbol of unionism is when all rail labor on the

New Jersey Transit stood side-by-side in PEB 248 to achieve a fair agreement," wrote Vice President Doyle Turner.



Pictured from left: GO 340 Local Chairperson Kevin Quinn, GO 610 Vice Local Chairperson Eugene Ruocchio, GO 610 General Chairperson Steve Burkert, GO 340 General Chairperson Michael Miele, Sheet Metal General Chairman Mechanical John McCloskey, Sheet Metal Chairman Local 396 Joe Persaud, SMART TD Vice President Doyle Turner and TD Associate General Counsel Erika Diehl-Gibbons.

"Our number one priority has always been to obtain a fair contract for all our members, standing shoulder-to-shoulder with our SMART TD brothers and sisters, it shall remain our goal," stated Sheet Metal General Chairman John McCloskey.

GO 610 General Chairperson Steve Burkert thanked Transportation Division President John Previsich for his continued assistance throughout the Presidential Emergency Board and SMART General President Joe Sellers for his ongoing support.

"It's amazing to see the solidarity of all unions and crafts come together to fight for one common goal. Against adversity, standing as one, one voice, one fight, we can achieve the results to best serve our membership," wrote GO 340 General Chairperson Michael Miele.

The PEB issued its report and recommendations to President Obama August 14.

Look for PEB 248's findings in next month's issue.

Inside this issue of *SMART Transportation Division News*:



Long-term disability enrollment began June 29. See pages 1, 6 and 7.



UTUIA honors Volunteer of the Year at Providence meeting. See page 3.



Picture highlights of the Phoenix and Providence regional meetings. See pages 8 and 9.



President Previsich visits Big Blue Bus Local 1785. See page 13.

NJ Transit labor fight: Federal mediators favor unions



Mike Davis, @byMikeDavis

6:15 p.m. EDT September 9, 2015



(Photo: ASBURY PARK PRESS
FILE PHOTO)

NEWARK Could the four years of negotiations between NJ Transit and thousands of unionized employees be nearing a conclusion?

The federal government hopes so.

In a 50-page report, Presidential Emergency Board No. 248 largely sided with a coalition of 12 unions, calling for wage increases nearly double those suggested by NJ Transit and mirroring a health insurance plan proposed by the unions.

A joint statement from the NJ Transit Rail Labor Coalition, which has been bargaining for all 12 unions, said the board recommendations fell largely in line with their own recommendations.

"The Presidential Emergency Board, composed of three veteran, distinguished neutrals, has proposed terms that represent a reasonable compromise approach to settlement," the statement reads. "We sincerely hope that NJ Transit will now take this opportunity to bring this protracted dispute to an end."

But in an email, NJ Transit spokeswoman Nancy Snyder said more negotiations were on the horizon.

"These recommendations are unacceptable to NJ Transit and fail to recognize economic realities or the massive cost burden they will put upon our customers," Snyder said. "NJ Transit cannot agree to a recommendation that New Jersey and our customers cannot afford. We will continue to negotiate for a fair and equitable settlement with our rail labor unions."



ASBURY PARK PRESS

[Obama intervenes in NJ Transit labor fight](#)

<http://www.app.com/story/news/traffic/2015/07/15/nj-transit-labor/30190603/>

President Barack Obama appointed the three-member board in July after four years of stalled contract negotiations between NJ Transit and its 4,300 unionized employees.

The board recommended a 6 ½ year contract, retroactive to July 2011 and lasting until January 1, 2018. The unions sought a six-year deal while NJ Transit was seeking a 7 ½ year contract, which the board wrote was out of character for rail labor negotiations.

The board's findings are non-binding. The two sides have until Nov. 12 to come to an agreement. If not, either side can call a second Presidential Emergency Board, which would produce another recommendation in March.

Beyond that, the future is uncertain. In July, the Brotherhood of Locomotive Engineers and Trainmen — which represents 88 percent of the workforce — authorized a strike.

Wages

The crux of the board's recommendations is an average 2.6 percent annual wage increase, close to the unions' proposed 2.9 percent increase.

NJ Transit is seeking an annual 1.4 percent wage increase, arguing that it could not afford the unions' proposal.

The Presidential Emergency Board members didn't buy that argument: "We do not doubt that (NJ Transit's) budget is tight, its expenses high and rising and its sources of revenue uncertain," the board wrote.

"Those circumstances are not new, however. There has always been a lack of funds but NJ Transit has always been able to secure funds adequate to pay industry standards. There has always been annual uncertainty," the board wrote.

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ASBURY PARK PRESS

[See how NJ Transit slammed by cash woes](#)

<http://www.app.com/story/news/traffic/commuting/2015/07/30/nj-transit-blame-game/30911183/>

Health insurance increases

The board also sided closely with the unions on the issue of increased health insurance costs. The board recommended union employees contribute 2 percent of their straight-time pay until Jan. 1, 2017, when it would increase to 2.5 percent.

NJ Transit suggested employees pay 10 percent of their monthly premium cost, which would at intervals of 2.5 percent until they were paying 20 percent.

However, the board recommended increased co-pay costs similar to those proposed by NJ Transit. The proposals would save NJ Transit close to \$1 million, according to the agency's own statistics.

Buy Photo



NJ Transit Executive Director Veronique Hakim listens to commuter Jeff Grob of New Providence at Hoboken Terminal Friday morning. Hakim has been traveling the system talking to riders and employees after taking the reins on March 2. (Photo: Staff Photo Larry Higgs)

Certification pay for conductors

The board also recommended that conductors receive an extra 20 minutes' pay per shift for time spent pursuing their Federal Railroad Administration certification — the same reimbursement paid to similar to locomotive engineers.

NJ Transit had proposed reimbursing conductors with \$10 per shift, similar to the system used by the Long Island Railroad and Metro-North Railroad. The board said that change would create an unequal relationship within the ranks.

"Internal parity is more significant than external parity with the LIRR and Metro-North," the Presidential Emergency Board wrote. "It would be disruptive for one class of employees to be working alongside another class, both of whom are getting certification pay but at different levels."

According to public records, assistant conductors receive anywhere from \$30,000 to \$89,000 per year in base pay. Conductors have a salary range from about \$60,000 to \$121,000.

New pensions for new hires

The only issue on which the PEB sided with NJ Transit was a new pension system for new employees. Under the board's recommendation, the agency would contribute 1 percent of new employees' gross earnings into a 401 (a) fund during the first year of employment.



ASBURY PARK PRESS

NJ's pension debt up 13 percent, now tops \$40 billion

(<http://www.app.com/story/news/politics/new-jersey/2015/04/23/nj-pension-deficit-grows/26242039/>)

The contribution would increase to 2 percent in the second year, continually increasing until maxing out at 5 percent in the fifth year.

Currently, NJ Transit contributes 5 percent of all employees' salaries except for conductors.

No recommendation

The board did not issue a recommendation on one major bone of contention: Free transit passes for employees.

Citing a report from the state comptroller's office, NJ Transit executive director Veronique Hakim told the board that eliminating free ridership passes would save \$750,000 annually. The unions argued that employees need the passes to save on commuting costs and because parking at the agency's Newark headquarters can be difficult.

But the two sides had barely negotiated the issue, the board ruled: NJ Transit did not propose eliminating the passes until the PEB hearings.

Similarly, NJ Transit executives did not bring up new work rules – particularly an anti-discrimination measure and mandatory direct deposit for paychecks – until the hearings.

The board did not issue a recommendation on those points.

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