

MTA MERGER

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In the October news release Chairman Kalikow clearly stated, "No MTA collective bargaining agreements will be unilaterally changed by the restructuring plans. In addition, union representation will continue to be determined by

the wishes of our employees." (Our former international unions apparently either misinterpreted the proposal or missed the press release).

The plan was supposed to have been presented to the New York State Legislature by the end of 2002 and be phased in over a two year period. Because of a variety of considerations, some political and some financial, that timetable has been altered. The final plan will probably not be presented to the State Legislature

until the later half of 2003. Ironically, HR308 - the bill our former international union's prematurely proposed in the House of Representatives - has afforded ACRE an opportunity to be a much more active participant in the MTA's proposal. As we already presented in a related story, we have made numerous contacts including state and federal legislators to make our case and promote our organization. Again, we will keep you informed as these two related stories progress. ★

Assault Bill A11756

One of the great strengths of our political system provides that any organization or any individual can become an active participant in the law making process. ACRE entered that process almost two years ago with the introduction of a bill in Albany designed to increase the criminal penalties imposed on people who assault train and engine service employees. The course our original bill took through the New York State Legislature presents an interesting lesson in the functioning of our legislative system. Even though A11756 passed the State Assembly by a vote of 144 to 0, the State Senate by a vote of 58 to 0 and was signed into law by Governor Pataki its trip through the legislative process was not always smooth. For the past 20 years, other unions had tried to get similar legislation through Albany but were unsuccessful in getting the legislation through the democratic controlled assembly and the republican controlled senate in the same year. These earlier versions

of the bill either covered too many job categories or neglected the commuter railroads entirely. By limiting the bills focus and extending its argument to include all aspects of public safety, ACRE was able to achieve the broad-based support the bill needed to ultimately become law.

A11756 amends section 120.05 of the penal law and section 1266 of the public authorities law. In summary, the bill broadens the category that makes assaults on police officers, firefighters, paramedic, and emergency personnel a felony to include the same protection for conductors, engineers, ticket inspectors, bus drivers and subway motormen who work for the Metropolitan Transportation Authority. Under the new law, an assault on a conductor or engineer is now a second-degree felony punishable by up to seven years in prison. Under the old law the same assault was considered to be only a misdemeanor.

Subdivision 18 of the new law also requires the MTA to make a campaign of public outreach to inform the public of its provisions. We believe this provision is one of the most important parts of the new law. While it is important to insure violators are prosecuted to the full extent of the law, it is even more important to do whatever is possible to prevent the assault from happening in the first place. Hopefully, the public notification should serve as a deterrent and cause any passenger to think twice about escalating their

problem into violence. You will soon be seeing posters and flyers on the trains and in the stations alerting the public to the provisions of the new law.

ACRE would like to thank you all for your support during this lengthy process and we would especially like to thank the bill's sponsor, the Honorable Paul A. Tokasz, New York Assembly Majority Leader and his entire staff for their efforts in making this much needed legislation a reality. ★