

# Pay rules plague LIRR

■ Extra wages known as 'penalty payments' amount to \$5.3M in earnings in 2004 for engineers, conductors

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ALBANY — Dozens of Long Island Rail Road engineers and conductors have been doubling and tripling their salaries because of union work rules that dramatically increase pay when workers perform duties outside of their job descriptions, investigators have found.

An MTA Inspector General's report, obtained yesterday by *Newsday*, found that in 2004, the Long Island Rail Road's 77 highest paid engineers and conductors doubled or tripled their base salaries, from \$64,000 to annual compensation packages as high as \$210,000.

The extra wages, known as "penalty payments," are separate from overtime and can be paid to employees when they're working during their regular shifts. The payments also cost the LIRR more in the long run because they go toward employees' pensions after they take them into higher pay brackets.

Overall, the penalty payments



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LIRR engineers and conductors have doubled their salaries with "penalty payments."

accounted for \$5.3 million of the \$118 million engineers and conductors earned in 2004. Officials said the payments often occur when conductors are switched from equipment trains to passenger trains and vice versa.

When briefed by a reporter about the wage increases, state Sen. Michael Balboni (R-East Williston) called them outrageous. "This is a clear abuse of the system," he said. "Given the priorities of maintaining the infrastructure, making it secure

while keeping fares down, this just isn't right."

The inspector general, Matthew Sansverie, also discovered ballooning overtime costs, an average of \$18,800 for each of the 1,331 engineers and conductors in the agency's transportation division.

The report, which focused on 2004, said while salary costs have begun to go down, internal controls at the LIRR "have been inconsistently implemented and are not fully addressing

the problem."

In a written response to the report, Long Island Rail Road President James Dermody told Sansverie he agreed with its findings. Brian Dolan, a spokesman for the LIRR, said the payments were the result of efforts by the LIRR to maintain safety and on-time performance.

"As noted in the inspector general's report, much of the overtime costs incurred is driven by long-standing work rules," Dolan said in a state-

ment. "These work rules are entrenched and entitles senior employees the opportunity to substantially increase their earnings and ultimately pensions."

Bob Evers, head of the Brotherhood of Locomotive Engineers Division 269, the union that represents engineers in the system, said the hike in penalty payments is the direct result of workforce trims by the MTA.

Evers, who has negotiated some of those work rules, said in 1972, there were 650 engineers but the number has dropped to about 400.

"These payments aren't exorbitant," Evers said, explaining that the agency could be paying two workers base salaries instead of doubling or tripling the salary of one worker.

Assemb. Richard Brodsky, a Westchester Democrat who has been critical of the agency's practices, said, "One of the lessons it teaches us is the MTA can't complain about its workers if it can't manage the system intelligently."

Brodsky said such work rule restrictions should be used infrequently, if at all, and he questioned why the MTA would negotiate such perks in the first place. "To enter into this contract knowing it's going to cost you this kind of money is bonkers," Brodsky said.