



united transportation union

Are you concerned about the next contract? Worried about co-paying for your health and welfare benefits? You should be concerned. ACRE opened the door for co-payment of health and welfare by employees. **The unions on the LIRR will not accept co-payment. The UTU will not present a contract for ratification on Metro North that contains a co-payment feature.** ACRE cannot make this same guarantee with any degree of sincerity. The Metro North Coalition has rejected the ACRE contract. The Coalition is fighting for a fair contract for their members. This stance ably demonstrates the difference between unions placing their members interests ahead of the company's and a union that constantly adopts the company position. Every union in commuter service received a better contract than ACRE during the last round of collective bargaining sessions. The list includes MBCRC in Boston, PATH, New Jersey Transit, Staten Island Rapid Transit and the LIRR.

Most ACRE members have noticed changes in the work agreements since ACRE became the collective bargaining agent. Without replacing ACRE as the bargaining agent, the full extent of givebacks may never be completely revealed. It is doubtful ACRE actually signed away most of these agreements. If they did without the members consent, this may constitute a violation of the Federal Labor Relations Act. Most likely ACRE allowed the Carrier to establish past practice or precedent by not challenging the modifications of the agreements. **The UTU will work to restore as many work agreements as possible to pre ACRE standards.** This is a partial list:

1. **17B:** Company attacked agreement soon after ACRE began operation.
2. **Separation of Service:** Has anyone received the "extra hour" ACRE was going to "fight for" after an ACRE officer advised them to put in a 17B **instead of a Separation of Service?**
3. **Extra list calling procedures:** not resolved, list work picked up for summer.
4. **Time limit to deny claims:** A train service member recently received denial for a claim from **last year.**
5. **Claims:** How many members have heard "the company's position is"?
6. **Martin Luther King Day:** is **not** a holiday on Metro North. ACRE **allows** the company to operate a holiday schedule.
7. **Good Friday:** Used to be a working holiday, work your regular schedule, receive time and a half, plus holiday pay. After ACRE, work a holiday schedule, possibly be scheduled off. Benefits the company.
8. **New Hires, No Personal Days:** When did this occur? Opinions divided if it is 2 or 3 years a new hire works without benefit of personal days.
9. **Implementation of ticket machines:** Undisputed by ACRE.
10. **Sick time abuse policy:** Implemented between collective bargaining seasons by MTA, unchallenged by ACRE. ACRE claimed an unfavorable I.B.E.W. award by an arbitrator placed the organization in a bad position to dispute the policy. Review the letter forwarded to Bottalico from the Secretary/Treasurer of the Local I.B.E.W. in May of



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2005. This letter was a response to ACRE's repeated posturing that the I.B.E.W. decision affected their ability to challenge the policy.

11. **Get yard limits extended to CP10:** Why? Who benefits by moving the yard limits? Included in the Highbridge yard agreement.
12. **Blackout:** How many train and engine employees **did not** receive the full earnings of their assignments when they were unable to cover their assignments the day after the blackout because of hours of service violations?

The following items were ACRE givebacks in their "Historic Contract". These givebacks were **not** included in the LIRR deal. The LIRR also enhanced their sick time agreement.

1. **The Vacation Wheel:** We witnessed how well this worked out for many members.
2. **No cap on the 3% employee contribution:** The LIRR has a **10 year cap**.
3. **Health and Welfare co-payment for New Hires:** LIRR – **no co payment feature**.
4. **The 100,000 life insurance coverage:** LIRR kept theirs.
5. **Day after Thanksgiving for Veteran's Day Holiday:** Veteran's day used to be a working holiday – pre ACRE. Who benefited from this giveback? Not the members.
6. **2nd Choice Holiday.**