

MSN FALL 2002

FROM PRESIDENT LATKO...

I hope all is well with you and your family. Personally, I love this time of the year. The air is getting cooler and soon the leaves will begin to change. Simply put, there is no place on earth I'd rather be than in New York State during the fall season. As we transition from the summer to the autumn, there are a few issues I would like to discuss.

Election Day is fast approaching. Recently, the Teamsters formed a partnership with Governor Pataki and he has this Union's unequivocal support. Governor Pataki's platform and actions leave no doubt that he is the best of the gubernatorial candidates. However, the Board realizes that political support is a tremendously personal issue and your views may cause you to support someone other than Governor Pataki. The most important thing is that you get out and vote. The democratic process does not work without individual voter participation. So, please do not forget to vote on November 5th.

I received some complaints in reference to certain statement made in the last newsletter. Specifically, some members felt the Union implied that they were unwilling to testify at a disciplinary hearing. Also, supervisors and Labor Relations complained when I mentioned certain instances of what the Union believed to be supervisor misconduct, as well as mentioning the supervisors' names.

Our members are always ready, willing and able to support their Union brothers and sisters. We know this to be true. The point we tried to make is that supervision sometimes puts pressure on our members making them uncomfortable if they testify. Albany is well aware of this issue. The comments in the previous article were in no way directed to our members. Instead, we applaud the members and the support they have given us in preparing for and presenting our case at arbitrations and disciplinary proceedings.

Ninety-five percent of the supervisors employed by the Authority are good, honorable people who are a credit to their profession and a tremendous resource for our members. These supervisors are approachable, organized, knowledgeable, reasonable, fair, and most important

Finally, we believe that negotiations will start in January for the next collective bargaining agreement. For the first time in this Union's history, we are preparing a survey to gauge your interest in negotiations and to determine the issues that are

Thank you again for the honor to serve you. If you require anything or have any questions, please contact your Union representative or me.

Fraternally yours,

MARTIN A. LATKO

"No one knows our jobs better than our people."

LOCAL 72 IS PROUD TO BE PART OF PARTNERSHIP

AGREEMENT

That statement is the theory behind the Authority's Quality Initiative Labor/Management Partnership Agreement. After much discussion and thought, Teamsters Local 72 is proud to be a part of this Agreement.

This Agreement is designed to obtain member input prior to making decisions that affect our jobs

Working together is the best way to achieve the goals in this Agreement. Further, your commitment to participate by providing accurate information is invaluable. If you have any questions about this Agreement, contact you local Union representative or me.

GOOD NEWS FOR WOMEN - THRUWAY TO IMPLEMENT ON NOVEMBER 11, 2002

Laws of New York 2002, Chapter 362: An act to amend the civil service law, in relation to directing the granting of excused leave to public officers and employees of this state to undertake screen for breast cancer, became a law August 13, 2002, with the approval of the Governor. Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The civil service law is amended by adding a new section 159-b as follows:

Section 159-b. Excused leave to undertake a screening for breast cancer.

1. Every public officer or employee of this state shall be entitled to absent himself or herself and shall be deemed to have a leave of absence from his or her duties or service as such public officer or employee of this state, for a sufficient period of time, not to exceed four hours on an annual basis, to undertake a screening for breast cancer.

2. The entire period of leave of absence granted pursuant to this section shall be excused leave and shall not be charged against any other leave such public officer or employee of this state is otherwise entitled to.

Section 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

The Thruway soon will be issuing a bulletin to employees regarding this matter.

BEWARE OF THAT PRESCRIPTION ALLOWANCE

By Kevin C. Clor, Esq.

It is my opinion that Teamsters Local 72 members and their families enjoy a tremendous level of benefits. Indeed, my wife and I are both attorneys and she works for the largest law firm in Buffalo. We have Univera family coverage that costs us \$475.00 per month out-of-pocket. Our doctor visit co-pay is \$15.00 and we have a three-tier prescription co-pay of \$10/\$20/\$45. Finally, we do not have dental or eyeglass coverage.

Comparatively, my family's benefit's are very good. However, Local 72 benefits are excellent.

Like most benefit packages, there are limits. One limit you must be cognizant of is the yearly prescription allowance. The allowance is \$10,000 per year per covered individual. This allowance is two or three times higher than most comparable plans administered to public sector labor unions of similar size. In short, we have the Cadillac of prescription allowances.

Even though the allowance is extremely high, it does not take much in the way of medical treatment to push the limit. Today, prescription costs are astronomical. A one-month supply of certain medicine may cost between \$1000-\$1500 dollars. Drug treatment for certain ailments may cost \$2000-\$2500 per month. However, there are certain things you can do to control prescription costs and ensure that you remain under the allowance.

First, always inform your healthcare provider that you have a \$10,000 prescription allowance. Most doctors and nurses assume that insurance will pay for everything. When that perception is changed, they will treat the illness while being mindful of the financial issues. Second, get samples. If you are being prescribed something new and you or your doctor are not sure that it will work, try a sample or a limited dosage with refills. Drugs you throw away still cost money and count against your allowance. Third, there are very cost-effective prescription options for long-care treatment through CFI mail-order. Fourth, if you are close to exhausting any insurance, check to see if you have secondary coverage or supplemental coverage. For example if you and your spouse have coverage and neither opts out, your family has two layers of coverage and one will kick-in when the other is exhausted. Your insurance agent can discuss these options with you.

All told, Teamster Local 72 members and their families enjoy a supreme level of benefits. The Board will always endeavor to maintain these benefits while still keeping the Welfare Fund financially sound. We will not return to the days of the past. However, your help is appreciated and expected.

AUTHORITY MUST FILL FULL-TIME TOLL POSITION AT NEW PALTZ

By Kevin C. Clor, Esq.

Good news from the arbitration front again. In March of 2002, the Authority decided to reduce the full-time toll collector staff at New Paltz from six to five. The Union filed a grievance and that grievance was arbitrated on April 18, 2002. The decision is in and we scored a huge victory for the Union.

The Union argued that pursuant to Article 17.F, the Authority was obligated to fill a permanent full-time toll collector vacancy at New Paltz. Traffic had steadily increased over the years and in 1998 the parties litigated the same issue. Indeed, in 1998 the Authority reduced the full-time toll collector staff at New Paltz from six to five. The Union won that arbitration also.

The Authority argued that although traffic had increased, E-Z Pass transactions substantially increased so there was less traffic processed by toll collectors. Accordingly, since there was less traffic processed by toll collectors, traffic conditions mitigated the need for six full-time collectors.

We attacked the Authority's position on two fronts. First, we showed that many E-Z Pass transactions are still processed by collectors, so an increase in such transactions does not necessarily mean a decrease in toll collector work. Second, at my request, Gerry Flint reviewed substantial documentation and developed a manpower analysis. I thought that if we could show no reduction in total hours actually worked at New Paltz (full time = part time) after the sixth position was eliminated, then we could conclusively prove that there was no need to reduce the full-time staff. Basically, if toll collectors at New Paltz worked a total of 1500 hours per month with six full-time toll collectors and 1500 hours per month with five full-time toll collectors, then that sixth position should be restored.

Thanks to Mr. Flint's exhaustive analysis, we were able to establish that the total hours scheduled at New Paltz actually increased after the sixth position was eliminated. The Authority had no response to this argument and conceded that the staffing needs since it was based on hours actually worked. Ultimately, this argument carried the day and the sixth position at New Paltz will be restored very soon.

The reason why this arbitration is so important is that it provides a template for the other 10 -12 grievances we have filed on this issue. Although arbitrators are not bound by prior decisions, they are hesitant to reverse these decisions as it promotes arbitrator shopping. There must be consistency for the system to work. As a result, the Authority is now taking a closer look at every permanent full-time toll collector vacancy to determine whether they would rather fill it, or risk the probability and expense of losing another case.

America has changed

by Rich Pesci

We will forget the memory of epochal events as they fade with time. As time passes, the mind gets jumbled and we strain to remember the details to make the tragedy somewhat coherent. Country wide samples of people discovering that we have already forgotten some things about September 11.

Which Tower fell first? Was the Pentagon hit after the World Trade Center? We forget. The changes itself matter. Your child is diagnosed with cancer our mother is killed in a car accident. These kinds of events stop our lives for a moment and our souls freeze while the rest of the world swirls around you. Most of us know that there is no moving on from September 11. It wasn't a random act of violence for which grief lingers as heavy and consistent as shackles. It was a massacre, a premeditated murder of civilians by men possessed by religious ideology. It was an invasion and violation of sovereign American soil - a unilateral attempt to erase visible monuments evidencing American success, cultural energy, and true civilization.

The attack was a crime filling the air of a great and free city with the dust of innocent human lives. The tragedy was a statement that radical Islam intended to attack and destroy the very principle of the Enlightenment that underpins the American fundamental of freedom of religion, consensus toleration, and secularism. The appropriate response to this attack is therefore not grief, remembrance, sadness, or reflection - although, of each of these has a place, The appropriate response is rage. For whatever else, September 11 was a declaration of war. The totalitarian forces of radical fundamentalist Islam, like the forces of Nazis and communism that preceded it, have not dissipated.

We briefly defanged the enemy in its most important lair in Afghanistan, but he and the area has not been extinguished. Saudi Arabia, the chief exporter of this murderous ideology, remains protected by the West Saddam Hussein is currently laboring to manufacture weapons of mass destruction. Whatever their purpose, America's enemies may soon have an access to weapons that Hitler and Stalin only dreamed about. But our new enemy cannot be defeated in the same way that Nazi Germany and Communist Russia were defeated. Our new attacker is more like a virus that a host in that it infects nations like Afghanistan with its presence and then moves onto another. We must act to kill the virus in Iraq and elsewhere or it will consume us like a modern day plague.

September 11 shows that for the first time in history, the American homeland is actually vulnerable to a foreign enemy. Only those in deep denial dismiss that unequivocal fact. How can Americans opt out of the world when the world refuses to leave America alone? The illusion of appeasement has been destroyed. Do we really think that by coddling regimes like Iraq, Iran, Saudi Arabia, or Syria we will help defuse the evil that lurks in their societies? The illusions of American superiority have been shattered. The dream of this continent being a safe harbor from terror was ended that day. A new generation will grow up with this as its most formative experience. A younger generation will know that there actually is a right and a wrong and that neutrality and isolationism is no longer an option. That power of future generations has only just begun to transform the culture. In decades time we will look back and see what difference is made.

A PERSPECTIVE FROM A SOON -TO-BE RETIREE

What ever happened to the days of Management caring about their employees? Over the years (and I've had in excess of 25), they have become intolerable, un supportive, and in general, unsympathetic to the needs of their support staff. At a time when we have taken on more responsibilities than ever, Management respects us even less!

I remember when Management was more like a family and was 100% behind you if you were going through a personal crisis or tragedy, be it at work or outside the Thruway. And **YES**, Management, there is **LIFE** outside the Thruway! Today... if you happen to be going through a personal crisis, or if it 's just the daily grind of "9 to 5" that is wearing you down, it seems like that's when they go for the jugular. They'd rather bring you up on disciplinary charges, and make your life here miserable, and then try to get rid of you!

Personally, I'm happy to be out of here!

Name withheld per request

IS THIS WHAT YOU GET AFTER 30 YEARS

I am a 30-year employee, with the last 17 years at Buffalo Maintenance (Sec. 6). I have been a Motor Equipment Mechanic (MEM) for almost all of the thirty years. I have worked overtime every fall for all my years in section. Since we are in the same building as division mechanics we basically worked when they worked.

This year division mechanics started working on September 3. The Wednesday before that, August 28, I was informed that only division mechanics would be working overtime - no section mechanics. So, I thought - "well so be it!"

In the next couple of weeks to follow I found out that two outlying sections were working overtime. When asked for a reason why I was not working, I was told that I did not do enough "C" preventative maintenance service (PMS) during the summer. As you know, Buffalo Section is a large section with probably more equipment than most sections. Our section runs two 8-hour shifts all summer and around-the-clock when winter shift starts.

I spend time everyday working on equipment that the night shift used and will need again for the next night, in addition to normal repairs and PMS.

Is this the reward you get for doing your best job and trying to keep everything running?

JAMES (PAT) WILLIAMS

Sec. 6 Buffalo

