



On The Move

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Managerial Incompetence Goes Way Back, But It's Rarely Been This Bad

In transportation locations, operators are frequently being forced to work on their day off. In maintenance locations, managers are forcing more and more members to work on the weekends, while reducing day-off quotas to a minimum. In one maintenance location an employee with 32 years on the job was forced to forego weekends off, even though he'd been off on the weekends for many years.

While providing public transit services is a twenty-four-seven proposition, what's happening now goes way beyond what's necessary to serve the riding public. Instead, we are dealing with the result of managerial incompetence on multiple levels. It all starts with the hiring process. SEPTA is simply hiring too few employees to do the work. As a result, we have too few people on the slate and too few people to maintain the fleet. With manpower well below budgeted levels, SEPTA is shifting more and more work to the existing workforce. That's what leads to drafting and unnecessary limitations on weekends and days off.

While some will argue that the pandemic is what's causing these problems, the truth of the matter is that SEPTA mismanaged the pandemic as well. At first, transportation managers tried to discipline operators who wore masks, because it looked bad! SEPTA was also slow to provide us with personal protective equipment. And to this day, SEPTA is mismanaging issues related to COVID absenteeism and quarantines, such as sick pay instead of regular pay, for COVID absenteeism, which leads to resistance to being quarantined.

Oh...and let's not forget about the scandal that rocked the Buildings Department and led to guilty pleas and orange jump suits for managers who stole from SEPTA right under the nose of the "grievance procedure police." As a result, it's now virtually impossible to get the supplies needed to make repairs on a timely basis, given the red tape created to prevent such thefts in the future. Need anything more be said about management incompetence? Yes, one more thing.

Southern Shop Foreman Creates Toxic Work Environment

Local 234's manager of the month. He has no respect for our members. He doesn't greet you when passing you by. He's a bully who runs the shop like a taskmaster. He even tries to get in the business of other managers. He's John Jackson, foreman at Southern Shop, and he seems to think it's his job to make the workplace as toxic as possible.

Jackson hasn't been a SEPTA manager for that long. Before Southern he tormented our members at Allegheny and Red Arrow. At Allegheny, where he was on the tools, he choked a co-worker; at Red Arrow no one wanted to work for him. At Southern things are no different. Jackson recently filled in for the night shift supervisor. When word got around, the

entire shift, except for one person, called off from work. In other words, this guy is so toxic that the members were willing to lose a day's pay to stay out of his way.

Jackson's conduct is also leading to a surge in requests to transfer out of Southern or to move another shift. And just recently, Jackson took it upon himself to do repairs on a bus and falsified a report indicating that the work was done by one of our mechanics. So why does top management put up with someone who is causing mayhem and lost productivity due to his oppressive, overbearing interference with the work?

Well, by all accounts Jackson has someone covering his ass. The Assistant Director at Southern Shop, Chris Moyer, evidently thinks Jackson's style of management fits nicely into the SEPTA mold. But Moyer is only an Assistant Director, so the real question is why does Mike Civera, the head of SEPTA maintenance, put up with Jackson's toxic way of doing business. What's the answer Mike? We're waiting.

Retaliation is Illegal under the National Transit Systems Security Act

Standing up and fighting for our rights is how we define ourselves as members of Local 234. Our ability to organize as a union and protect our rights, including our legal rights, is often dependent upon knowing what our rights are. While the contract is front and center of our rights at work, it does not cover all of the legal rights we have as employees of a public transportation authority. We also have rights under the National Transit Systems Security Act.

The National Transit Systems Security Act (NTSSA) is one of the many laws passed after 9/11 to help make transportation systems safer and more secure. The NTSSA prohibits "adverse employment actions" against employees *who report safety concerns*. SEPTA is an "employer" under the Act and we are "employees." If you report a good faith safety concern, it is illegal for SEPTA to retaliate.

The NTSSA, like many laws, has a statute of limitations. Under the NTSSA, the statute of limitations is 180 days from the "adverse employment action." While some SEPTA managers think that they are not governed by OSHA, the NTSSA provides OSHA with jurisdiction to perform investigations and impose remedies for unlawful acts of retaliation.

Moreover, the NTSSA does not require us to first file a complaint with SEPTA. After all, SEPTA's preference is to keep investigations of wrongdoing in-house, where they can control the investigative process. With an OSHA complaint under the NTSSA, SEPTA is much more likely to be held to account and they recently were in a case brought by one of our members.

If you experience an adverse employment action due in whole or in part to activity protected by the NTSSA, you have the right to go directly OSHA and file a complaint and the Union will assist you in processing the case. If you think SEPTA has unlawfully retaliated against you, call the Local's Safety Committee Chairman, Ron Newman, at the Union Hall.

We Must and We Will