

TESTIMONY OF MARK HENRY, CHAIR, AMALGAMATED TRANSIT UNION NEW YORK STATE LEGISLATIVE CONFERENCE BOARD AND PRESIDENT/BUSINESS AGENT, AMALGAMATED TRANSIT UNION LOCAL 1056 TO THE JOINT SENATE CORPORATIONS, AUTHORITIES AND COMMISSIONS AND TRANSPORTATION COMMITTEE AND ASSEMBLY CORPORATIONS, AUTHORITIES AND COMMISSIONS COMMITTEE HEARING ON THE IMPACT OF COVID-19 ON THE METROPOLITAN TRANSPORTATION AUTHORITY AND PUBLIC TRANSPORTATION

AUGUST 25, 2020

Chairs Comrie, Kennedy and Paulin, and respective committee members, I thank you for this opportunity to submit testimony for your consideration as you study the impact of COVID-19 on the Metropolitan Transportation Authority and public transportation. My name is Mark Henry, and I serve as the Chair of the Amalgamated Transit Union (ATU) New York State Legislative Conference Board and as President/Business Agent of Amalgamated Transit Union (ATU) Local 1056 in Queens. Statewide, the ATU represents more than 25,000 hard-working transit workers throughout ATU cities including Albany, Binghamton, Buffalo, New York City, Rochester and Syracuse.

I am here today on behalf of the four locals in the New York City area - my local, Local 1056 in Queens, Local 726 in Staten Island, Local 1179 also in Queens and Local 1181 in Long Island that work for MTA. While the focus of these hearings is on the MTA, what I will highlight applies to all the transit workers throughout the State. The members of the ATU have been significantly impacted by COVID-19. Transit workers have been on the frontlines of the fight against COVID-19. Our members were classified as essential employees and have continued to work in order to make sure other essential workers such as doctors, nurses, police, grocery store clerks, and others, can get to their jobs and back home to their families. The work of our members has put them at an increased high risk of exposure to the coronavirus. This exposure has not been

without consequences. In New York, amongst the ATU Locals, we have lost 33 of our brothers and sisters to COVID-19, who put their lives on the line as essential workers during this crisis.

The priority of the ATU has been to protect the health and safety of our members who are essential workers on the frontline of this crisis. At the start of this crisis, our members were put in harm's way without proper protection. Our workers were not given the personal protective equipment (PPE), such as masks, gloves and cleaning supplies, necessary to prevent transmission of this virus. It was the Unions that supplied those basic and mandatory items. While our members have better, but limited access to PPE now, the delay in getting this equipment was too significant. We must ensure that the MTA has access to PPE equipment and gets this equipment to the workers on the frontlines. We must also ensure that the MTA has mandatory standards for PPE for transit workers and for cleaning buses and transit stations. These standards need to apply to the situation today but also going forward so we are not as ill-prepared for a situation like this in the future.

In addition to PPE, we also need to put protections in place to guarantee the safety of our members. We need to equip buses with a functional sheeting, or plexiglass barriers, to deflect the spread or spittle of the virus. We need proper ventilation on the equipment and work spaces. We need the highest achievable Minimum Efficiency Reporting Values (MERV) filters. We need protection for our drivers, to explore off-site fare boxes to minimize driver contact with passengers and to speed up the timeline on implementation of the OMNY(One Metro New York) system. In our locations, some of which were built in the early 1900's, we need to upgrade facilities and upgrade HVAC systems and explore remote clock-in/clock-out system for workers as they report to work to improve social distancing. We must also closely explore the airflow on buses, and the designs of the current and upcoming fleets need to be adjusted. Air in buses recycles in the cabin and then flows to the front potentially carrying bacteria and viruses with it. We must work to ensure that the ventilation and air control systems on our buses are up-to-date and meet the appropriate airflow standards to ensure the health and safety of our drivers and passengers.

We know that the pandemic's infection rate in New York has been on the decline, but we tell the MTA daily, and our membership, you must be vigilant and mindful of the risks that still exist. We must continue to mandate social distancing guidelines on public transit. The MTA is starting front door boarding as of August 31, 2020. We still have equipment that does not have proper protection. We still press the MTA to continue to require maximum passenger load requirement for our buses. In addition, we must be vigilant in requiring all passengers to wear facemasks at all times on all forms of Public Transit. We applaud Governor Cuomo for being one of the first to require facemasks on public transit. We believe his swift and decisive action helped to protect our members at a time when PPE was not readily available to them. We must continue to require facemasks on public transit until such time as the risk of COVID-19 no longer exists.

Our members continued to show up to work despite these real threats to their health and safety. We believe that our members should be compensated for their work through the implementation of hazard pay, which would be 1.5 times their normal wage rate with the funding provided from the federal government, which should be allocated to the membership. The hardworking men and women came to work and ensured that other essential workers could get to where they needed to go. As programs or benefits are established, legislative initiatives must be utilized to assist transit workers, including any bills that provide COVID-19 relief or extended FMLA packages because they have family care issues as well. Their dedication and hard work must be recognized and never marginalized.

We know that all of these initiatives will require more funding, and we also know the financial situation facing the State right now is dire. Through ATU International, we are strongly supporting the inclusion of \$32 billion in emergency operating aid for public transportation in the next round of federal Coronavirus relief funding. These funds would be used to maintain essential service, avoid layoffs, and to purchase PPE to keep our members safe. We are also supporting funding for state and localities because in addition to the emergency aid, we know that funding is

needed to shore up the support we receive from the State and the City. The cuts to public transportation that are being contemplated if there is no additional funding are simply devastating. We cannot at any time cut public transportation services during this economic downturn or this pandemic. Too many people rely on our services to get to and from work and to and from doctors' appointments, the grocery store and other essential services.

The lack of financial support from the federal government is also impacting our ability to finalize a contract for our members with the MTA. For decades, pattern bargaining at the MTA has resulted in the members of the ATU receiving the same benefits that were negotiated between the TWU and the MTA. This year, the MTA is not honoring this pattern bargaining ostensibly citing the financial crisis. Our contracts collectively have very little impact on the MTA overall operating budget. We need to be brought to same level as TWU local 100 for doing the exact same job from the exact same agency, we serve NYC proudly. We need to ensure that the MTA receives adequate funding so they can honor their contractual obligations.

Thank you for the opportunity to testify today on the impact of COVID-19 on the Metropolitan Transportation Authority and public transportation. The impact on public transportation and on our members has been significant, and I appreciate you holding this hearing so you can hear from those that are directly impacted. I am happy to serve as a resource and offer advice and guidance on this and other issues as we move forward.