

PUBLIC EMPLOYMENT RELATIONS BOARD
STATE OF NEW YORK

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: Transport Workers Union Local 106, :
: Petitioner, : **PETITION FOR REFERRAL TO**
: **PUBLIC ARBITRATION PANEL**
: -and- :
: MTA Bus Company, :
: Respondent, :
: -----X

PETITION

1. The instant petition is hereby submitted in accordance with the New York State Public Employment Relations Board ("PERB" or "the Board") Rules of Procedure, seeking the designation of an interest arbitration panel.

PARTIES

2. Petitioner, Transport Workers Union Local 106 ("TSO" or "Local 106"), has its principal offices located at 5768 Mosholu Avenue, Bronx, New York 10471.

3. Respondent, MTA Bus Company ("MTA Bus" or "the Company"), has its principal offices located at 2 Broadway, New York 10004.

CONTRACT NEGOTIATIONS

4. Over the past two and a half years, the parties have met and conferred in an attempt to negotiate a collective bargaining agreement covering the TSO Members currently employed by MTA Bus.

5. Local 106 and the Company took part in contract negotiations on the following dates: January 28, 2015; February 4, 2016; March 2, 2016; March 28, 2016; June 13, 2016; August 5, 2016; September 2, 2016; October 12, 2016; March 16, 2017; May 12, 2017; June 30, 2017.

NO VOLUNTARY RESOLUTION

6. Despite countless attempts to reach a collectively bargained resolution, there persists a fundamental gulf between the parties that requires

arbitral intervention. As such, a voluntary resolution of the contract negotiations between TSO and MTA Bus cannot be effected.

TERMS AND CONDITIONS OF EMPLOYMENT

7. After numerous mediation sessions, the parties have yet to reach agreement on any term or condition of employment.

8. The principal rift between the parties arises from the fact that Supervisors at MTA Bus are paid far less than their counterparts in NYCT/MaBSTOA. TSO insists that its members are entitled to wage parity with identically situated Supervisors throughout the New York City Transit system (many of whom are represented by Local 106).

9. TSO also seeks parity with regards to pension benefits. TSO will not settle a contract that provides Local 106 members with a lesser pension benefit than that enjoyed by the hourly employees they supervise.

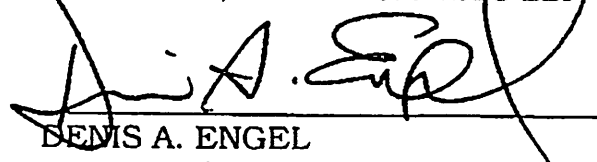
10. The Company's bargaining position has been and continues to be that it will not resolve a contract on terms that exceed a "pattern" – which cannot accommodate the wage parity and pension improvements on which Local 106 has stated time and time again it must achieve in bargaining.

11. The above-referenced disparities and further disagreements between the parties demonstrate an unequivocal need to invoke the interest arbitration process.

12. The undersigned certifies that the instant petition will be served upon the Respondent in accordance with PERB's Rules of Procedure.

Dated: August 1, 2017

COLLERAN, O'HARA & MILIS LLP



DENIS A. ENGEL

Attorneys for Petitioner

Transport Workers Union Local 106