



Legislation Text

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Res. No. 811

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to require inclusion of Employee Protection Provisions (EPPs) in all current and future school bus contracts in New York City.

By Council Members Miller, Treyger, Dromm, Rosenthal, Chin, Lander, Kallos, Eugene, Cornegy, Barron, Ampry-Samuel, Rodriguez, Rose, Ayala and Rivera

Whereas, The New York City Department of Education's Office of Pupil Transportation (OPT) is the largest school transportation department in the country; and

Whereas, Almost the entire transportation budget is spent on contracts with private vendors that provide busing services; and

Whereas, School-bus drivers and matrons are hired by these companies, not by the City; and

Whereas, A 1979 agreement negotiated between Local 1181 Amalgamated Transit Union and the DOE (after New York City bus drivers and escorts went on strike) produced the Employee Protection Provisions (EPPs); and

Whereas, EPPs apply to K-12 transportation and requires the DOE to maintain a seniority list of drivers, escorts and mechanics; and

Whereas, Bus companies that win bids must hire from this list in order of seniority and maintain workers' wages and pensions; and

Whereas, In 2009 the Bloomberg Administration elected to remove EPPs from Request for Bids for pupil transportation services, and subsequently new contracts issued to school bus companies in 2013 did not contain EPPs; and

Whereas, Bus drivers and matrons went on strike in early 2013 over this issue but returned to work without a settlement; and

Whereas, When contracts were awarded under the new bids a number of employees lost their jobs; and

Whereas, In December of 2013, Local 1181 voted not to accept a new scaled down contract from the City's largest school bus contractor, Atlantic Express, which then subsequently announced it was going out of business; and

Whereas, Additionally, according to Local 1181, the removal of EPPs from school busing contracts could create a deficiency in pension funds for current and retired workers due to a loss of contributions; and

Whereas, After years of costly litigation failed to restore EPPs, in December 2018 the New York Supreme Court made clear that the New York State Legislation can easily resolve this issue by requiring EPPs in any future school bus contracts; and

Whereas, School buses transport some of the City's youngest and most vulnerable students and should have the most experienced and professional employees available; and

Whereas, Numerous parents and workers believe that those providing these transport services should be treated fairly and in accordance with established employee protections provisions; now,

Whereas, Despite an initial increase in costs for higher salaries, a comprehensive economic analysis shows that by mandating EPPs state lawmakers would save New York taxpayers more than \$288 million over five years; and

Whereas, The New York State Assembly and the New York State Senate each included language in their respective one house budget resolutions mandating the inclusion of EPPs in all New York City school bus contracts; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation to require include inclusion of the Employee Protection Provisions (EPPs)

in all current and future school bus contracts in New York City.

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