

US - NEW YORK - TWU President Roger Toussaint Talks About MTA's Latest Contract Proposal with WNBC's Gabe Pressman (TWU Local 100 website)

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Announcer: From studio 6B in Rockefeller Center, this is a presentation from News Channel 4, Gabe Pressman's News Forum. Now your host, senior correspondent

GABE PRESSMAN: Will there be a new trend to the strike? The Metropolitan Transportation Authority has proposed a new contract to the Transport Workers Union. And from the union's viewpoint, the terms are worse than those its members rejected. With new labor unrest threatening the transit system on which New Yorkers depend, one man, Roger Toussaint, the TWU president, presides over a deeply divided union. Toussaint and TWU leaders hammered out a contract with the MTA, but one month after the three-day strike ended, 22,000 union members rejected that contract by just seven votes. A major issue that angered the rank and file, a requirement that they contribute 1.5 percent of their salaries toward health care insurance.

PRESSMAN: And our guest is Roger Toussaint, the president of the Transport Worker's Union. Good morning, Mr. Toussaint. Welcome.

Mr. ROGER TOUSSAINT: Good morning.

PRESSMAN: The Metropolitan Transportation Authority has proposed a contract that seems a lot tougher than the one your members rejected by seven votes. What's your reaction to the latest proposal.

Mr. TOUSSAINT: The latest proposal is a very—is a very bad proposal, and it remains to be seen how—how serious they are about it or whether they are trying to intimidate our members. So it remains to be seen. We haven't sat down with them as yet and we hope to do that over the next several days.

PRESSMAN: Why would they want to intimidate your members?

Mr. TOUSSAINT: Well, the proposal is extremely bad. They knew that there are a number of issues or items in that proposal that our union couldn't—could never accept. So they may have some other objective of putting this proposal forward in order to achieve some other objective. But we won't know until we get to sit down with them. I'd like to clarify one thing that was mentioned in your lead up. The 1.5 percent contribution was for new benefit, which is retirement medical coverage, which our union members never had. And that would effect thousands and thousands of active members who are waiting to retire. So that's for new benefit. But—this was a point of confusion and contention because the so-called opposition in our members lied to our members and told them that it wasn't 1.5, it was actually 4.5 over the life of the contract, which is simply not true. The contract is a 10.5 percent wage increase over three years, uncompounded, compounded if...

PRESSMAN: It was at 1.5 percent.

Mr. TOUSSAINT: One point five off the 10.5. But they represented it as a 4.5 percent reduction off the 10.5. They purposely misled our members.

PRESSMAN: Now wait a minute, the 1.5 pension—the 1.5 issue involves health care benefits, right?

Mr. TOUSSAINT: For new—new benefits for...

PRESSMAN: For new members.

Mr. TOUSSAINT: No, for retiree medical costs.

PRESSMAN: I see.

Mr. TOUSSAINT: But our members retire between—after age 55, they lost coverage until Medicare pick them up until age 65. This was a premium to pay to fill that gap between age 55...

PRESSMAN: And how—and how is this thing...

Mr. TOUSSAINT: ...and 65.

PRESSMAN: ...distorted according to you?

Mr. TOUSSAINT: It's been represented as a 4.5 percent reduction of the—of the negotiated wage settlement. The opposition was saying that it is 1.5 and we'll see a plus 1.5 in the second year. Plus 1.5 in the third year.

PRESSMAN: Yeah.

Mr. TOUSSAINT: It is simply a 1.5 percent rather a 4.5. PRESSMAN: Right. OK, there are a lot of numbers there, but isn't it a fact that they have offered—the MPA has offered arbitration here to dispel all of the confusion and to put things back on track.

Mr. TOUSSAINT: The problem with arbitration is it takes away our members having a say in their lives. The second thing is non mandatory—the subject of bargaining come off the table when you go to arbitration, and that would include retiree medical coverage, which is a priority for members, as well as—as well as it includes pension issues. Those are non-mandatory subjects and those issues would come off the table.

PRESSMAN: Well, wouldn't it be fair—fairer to the people, the strap hangers, the people who ride the subways and the buses if there were arbitration now rather than put them through the misery of a new strike?

Mr. TOUSSAINT: Well, we are not talking about a new strike. We are saying that we want a negotiated settlement, not an imposed—not one imposed through arbitration.

PRESSMAN: Well, are you capable of negotiating a settlement in view of the fact that the vote was so close and you don't have full support from your own members?

Mr. TOUSSAINT: That would argue for a distinct possibility of actually being able to come to a acceptable solution. The contract was voted down by just seven votes—a seven vote difference, based on members being misled and misinformed. And so therefore it is entirely possible to fix this.

PRESSMAN: Do you feel sorry or do you feel bad about the inconvenience that was caused to millions of people?

Mr. TOUSSAINT: Certainly. Every opportunity we got we spoke to the public, apologized for the inconvenience. But we were out there fighting over some very critical issues for members. Not only—not only health benefits and pension issues, but over question of how transit workers and treated and disrespected and so forth. And that—those are very, very important issues for members.

PRESSMAN: When the MTA says, as they recently said, that—that the financial improvements we have given to the union is as much as we can give. What's the point of sitting down at the table again?

Mr. TOUSSAINT: Well, the MTA is unreliable and undependable. I mean, they are the \$1 billion surplus, they upped it the day before our contract expired and they burnt it. They—yesterday news indicated that in fact they had over 50—\$50 million in proceeds from real estate revenues, above the \$1 billion. And they have constantly shifted their—their report in terms of what the actual financial condition is.

PRESSMAN: So you're—you're saying that they are lying, that they are not telling the truth?

Mr. TOUSSAINT: Absolutely. I'm saying there is money.

PRESSMAN: They have money.

Mr. TOUSSAINT: There is money both to avoid fee increases on the riders, enough to pay for labor contract.

PRESSMAN: The dissidents in your union say that this proposal by the MTA is a slap in the face. Do you agree with that?

Mr. TOUSSAINT: The latest one?

PRESSMAN: Yeah.

Mr. TOUSSAINT: Well, this proposal by the MTA is a bit foul to our members.

PRESSMAN: Are you going to put the offer to a vote?

Mr. TOUSSAINT: With the of—the proposal presented by the...

PRESSMAN: Yes.

Mr. TOUSSAINT: No, we downright reject it.

PRESSMAN: You reject it already?

Mr. TOUSSAINT: Yeah.

PRESSMAN: Have you considered, in view of the fact that more than half—slightly more than half of the membership has rejected the contracted that you led them too, have you considered resigning?

Mr. TOUSSAINT: No. This is about—less than half of the members have voted, 11,000 members didn't vote, believing that they didn't need to because they assumed that the contract was going to pass. Some of the members who voted against the contract may have voted against the contract not only out of confusion and misinformation, but as a protest vote. Not—they do not believe in the contract that would have been voted on. So the—the contract that would reflect the support for—for my administration. The contract reflects certain passions around items in the contract, such as the health benefit premiums and other stuff, but mostly that.

PRESSMAN: What are they—what are they protesting? Why did they vote against it? What was the protest about?

Mr. TOUSSAINT: Primarily the health be—the premium contribution for he—for retiree health benefit. That was the main bone of contention.

PRESSMAN: And do you feel that you've lost the confidence of your members?

Mr. TOUSSAINT: I think that there has been a lot of work done to undermine transit workers confidence

in—in terms of—in the lead up to these contract negotiations, it was very intense, misinformation being conducted by the so-called opposition within our union.

PRESSMAN: What is the so-called opposition? I mean, why do you call them that, so-called?

Mr. TOUSSAINT: Well, because they are presented incorrectly, been more militant and more resolute, when in fact they are primarily a right wing opposition that has consistently advocated within our union support for the Bush administration, support for Pataki, and for Mayor Bloomberg. They are being..

PRESSMAN: Sound likes Hillary Clinton's statement about a right wing conspiracy, is that what you're saying?

Mr. TOUSSAINT: Well, they are certainly right wing. And then they are—and they are being helped along by—by various individuals who—who associate with the left. But they are primarily right wing and conservative, and they are trying to disrupt our union, our organization. That was the whole purpose—the was the whole point of their activity. Once we pull this strike off, the—the right wing elements in this city needed to punish or payback our union, and that was led by the New York Post and others. They were characterizing the settlement as too rich. And on the other hand, they were telling—telling our members that they got too little, because so they would try to encourage and...(unintelligible)... membership discontent with our administration, at the same time calling for the crushing of our union by the courts and others.

PRESSMAN: Let's come back and get further into this question of a conspiracy after this message.(Announcements)

PRESSMAN: Now we are back here with Roger Toussaint, the head of the Transport Workers Union. Do you think that there's going to be a strike, a kind of wildcat strike now because members of dissatisfied with this proposal?

Mr. TOUSSAINT: No, I don't think so.

PRESSMAN: You think that they just won't want to go?

Mr. TOUSSAINT: I think that we—we will not accept the proposal of the MTA.

PRESSMAN: Clive Haberman of The Times wrote that, "Thus far Mr. Toussaint and his associates have managed to blame everyone but themselves for this debacle." That's his words. The fault, they say, lies with the governor, with union dissidents, with the Transportation Authority. Negotiations is, in short—in short with all the others. I guess that they don't spend much time looking at themselves in the mirror." That's a blast at you and your fellow leaders.

Mr. TOUSSAINT: Yes.

PRESSMAN: How do you feel about that?

Mr. TOUSSAINT: Well, I don't think anyone can point to a time in the past when negotiations of this nature and this—this importance where the settlement having been reached, the governor comes out and criticizes his side for the settlement that they proposed and they agreed to. And then the chief negotiator on the MTA side comes into town on New Year's Day and tells our members that the settlement is bad for them. In other words, the voting down of this contract may have well have been what the MTA intended and hoped for, rather than having the MTA board go through the embarrassing prospect of vetoing the contract, they wanted to encourage our members to vote the contract down, because there will be no explanations, no other explanations for why they would said to our members that the contract is bad for them. Why would you negotiate a contract and then...

PRESSMAN: Peter Calico, you say, said that.

Mr. TOUSSAINT: Gary Dellaverson. He had a press briefing...

PRESSMAN: Right. One of the executives.

Mr. TOUSSAINT: ...on New Year's Day. He is, no, he is the head of labor relations to the MTA.

PRESSMAN: Right. Mr. TOUSSAINT: And...

PRESSMAN: This you think was a conspiracy by the governor and Peter Calico and the MTA?

Mr. TOUSSAINT: No, what I'm saying is the MTA may well have wanted and intended for this result to occur, the contract being voted down.

PRESSMAN: And that was...

Mr. TOUSSAINT: Because...

PRESSMAN: And the governor was behind that?

Mr. TOUSSAINT: Well, I—it remains to be seen whether the governor is trying to find a way to get the back out of the pension rebate or the pension refund that was agreed to in the contract. If, in fact, his instructions to them is to get rid of that pension refund, then—then that could be one explanation of—of their behavior and their conduct once the negotiations were completed.

PRESSMAN: He felt it would unbalance his budget, that it was tens of millions of dollars. Right?

Mr. TOUSSAINT: No. There was a—there was a whole debate as to whether he was informed of this before the settlement was reached.

PRESSMAN: Yeah.

Mr. TOUSSAINT: And whether he knew about the side agreement that was made for the MTA to pay out the moneys involved.

PRESSMAN: Right.

Mr. TOUSSAINT: If in fact legislation was passed. And there was a lot of back and forth over that between him and the MTA.

PRESSMAN: Isn't it a fact this dispute over pensions, many of the people out there who ride the subways and the buses, don't have any private pension at all from their employer?

Mr. TOUSSAINT: And they should.

PRESSMAN: And yet they are supporting you and—not just you, but other city employees, not just transit workers, with pension. So you're saying you don't see an inequity there.

Mr. TOUSSAINT: No, I think that they deserve a pension. I don't think that we deserve less. I think that they deserve more. I think that transit jobs, jobs in sanitation, police department...

PRESSMAN: Right.

Mr. TOUSSAINT: ... fire department, municipal jobs, have always traditionally been the gateway to the middle class for poor—for poor New Yorkers. And we should—and it should continue to be gateway to the middle class for poor New Yorkers. We should leave these jobs for the next generation of New Yorkers to—to have better jobs, safer jobs, more secure jobs. Not worse off than our generation.

PRESSMAN: But you think that the people who have—the taxpayers, the people who ride the subways and

the buses, that they should have pensions, too.

Mr. TOUSSAINT: Absolutely.

PRESSMAN: Well, you—you're describing a system which I don't think right now we have the finances to support, or do we?

Mr. TOUSSAINT: Well, I think that, for instance, we have home care attendants who are being paid 6.50 an hour in New York City today to take care of the—of the indigent and the elderly and so forth.

PRESSMAN: Right. Right.

Mr. TOUSSAINT: And that's a shame. And they are doing that without health benefits and without pensions. That is not—that's not a model of the system that New York should—should be upholding. We should provide a living wage to people with health benefits and pensions. That's what New York should be—that's the direction New York should be going in.

PRESSMAN: When they rejected the contract that you spearheaded, did they leave you with egg on your face, do you think?

Mr. TOUSSAINT: Well, it was disappointing. It was disappointing.

PRESSMAN: Was it a failure of leadership?

Mr. TOUSSAINT: I think that—I think that it is mostly—my concern here mostly is—is the impact on our organization, our union and the future of our union, because we have spent an enormous amount of time and effort cultivating the support and respect of New Yorkers, fighting to keep the toll booths open, fighting for safety on the railroads, fighting for more security from possible terrorist attacks and threats and so forth. We came through for New York on 9/11. We came through for New York during the blackout. We came through for New York during Katrina. I personally led the caravan down to New Orleans during that time. So I'm concerned that that respect and support might be squandered away by this turn of events.

PRESSMAN: And you blame this turn of events largely on the dissidents in the union and I guess Governor Pataki and the MTA board?

Mr. TOUSSAINT: This strike was unprecedented for New York City and was looked around the country. There were powerful vested interests that had—had—had a need to pierce back, to punish us, and they acted accordingly.

PRESSMAN: And those vested interests were who?

Mr. TOUSSAINT: Including The New York Times, some other segments of the media. But also Governor Pataki, Mayor Bloomberg and company. This was a strike that—that—that could have contributed and still could contribute to a resurgence in the labor movement. It was seen—was seen, and correctly so, as a major—a major event in—in—in the labor management—on the labor management scene.

PRESSMAN: So you're saying that the powers that be, the major people in government and elsewhere in society, that they wanted this strike so they could knock you down?

Mr. TOUSSAINT: No, no, no. They wanted—they wanted—they wanted a...(unintelligible)...union with a setback or defeat. Once we had pulled off a successful strike that was a short strike but a successful strike, the New York Post and the Daily News, on the one hand categorized the settlement as a "Great Train Robbery," a raid on the pension fund and so forth and called for the crushing of the union. And on the other hand, promoted the so-called dissidents within our union saying that—that our members got too little. So they were trying to turn the members of the union, and crush the union from outside.

PRESSMAN: You have within your union, according to you, a fifth column, what we called it World War II, that is spies or traitors. Is that how you feel about them?

Mr. TOUSSAINT: Yeah. I think that I—I have a long history of being an activist in our union and before this union. And I know what people who—who are in that—who walk that life, what they do. The individuals we're talking about are not from the activist background in that sense. The individuals we are talking about are right-wing individuals who are supporters of Bush and Pataki and the conservative party and the independent people.

PRESSMAN: Who are these people? Who are these people?

Mr. TOUSSAINT: John Mooney....(unintelligible)...the right-wing elements, have always been right wing all their lives. And then they've been—they've been assisted by certain—certain, so-called left individuals. But their point is—their point is to—their aim is the coming elections in our union, to find a way to serve our union with some type of defeat at the next elections, which is the end of this year.

PRESSMAN: They want to not—they want to take power at the end of the year?

Mr. TOUSSAINT: Yes.PRESSMAN: When is that election?

Mr. TOUSSAINT: November and December. And they're prepared to, even if the union is destroyed, our reputation is hurt very powerfully, that's OK for them as long as their political agenda gets advanced.

PRESSMAN: You've said again and again during the strike that you didn't want to quote, "You don't believe in selling out the unborn." What did that mean, the unborn?

Mr. TOUSSAINT: Future transit workers, my son and your grandson who will be transit workers and who will be municipal employees and so forth. What we decide when we negotiate these contracts is more than just bread and butter issues. We're deciding what our city's going to look like in the future. Are these jobs going to be better or worse off? All right? Are our retirees going to be provided medical coverage in their golden age or are we going to tie them to a tree in the forest and let the animals go after them? So they are broad issues. We're shaping society when we negotiate these last contracts because they set patterns for other groups coming behind us.

PRESSMAN: Let's come back and talk about your earlier life after this.(Announcements)

PRESSMAN: And we're back with Roger Toussaint, the head of the Transport Workers Union. There were supposed to be fines against the union for the strike. Where does that stand?

Mr. TOUSSAINT: Fines of \$1 million a day for the three—the three days of the strike as well as fines on all members for every day they walk on strike. We have to be court sometime in the never several weeks to respond to that. We're going to argue that the fines should be mitigated because the MTA provoked the strike by certain illegal actions.

PRESSMAN: So it will be up to the judge?

Mr. TOUSSAINT: It will be up to the judge.

PRESSMAN: You were born in Trinidad, is that correct?

Mr. TOUSSAINT: Yes.

PRESSMAN: And you were born in a one-room house with a family of nine people.

Mr. TOUSSAINT: Yes.

PRESSMAN: Must have been crowded.

Mr. TOUSSAINT: To say the least.

PRESSMAN: What—when you were 17, I read that you were an activist and you were scrawling things on the walls of buildings?

Mr. TOUSSAINT: Well, I attended the equivalent of high school, completed high school in Trinidad and those were very volatile years, those 1970s. Some of the stuff that was going on in the '60s was being reflected in the Caribbean. So I participated in the student movement down there, I mean, the protest movement for justice and equal rights and so forth. So in school, I—I—I—there were—there were—I was actually arrested when I was 17 for what you just described.

PRESSMAN: You wrote, "Free education means free books."

Mr. TOUSSAINT: That's right.

PRESSMAN: And that was the issue, huh?

Mr. TOUSSAINT: That was one of the issues, right.

PRESSMAN: Do you think it's ironic that you, after starting life as a dissident, are now facing new dissidents in your union that are trying to topple you?

Mr. TOUSSAINT: See, that's why I keep using the word, "so-called." I don't consider them to be dissidents or activists. I use the word so-called. There's disruption going on inside our union and it's not for the purpose of improving the lives of transit workers or bring in richer contracts or making our union stronger. The old guard that was thrown out in our union wants to come back and reclaim the union. And then these individuals here who are now leading an opposition to the contract, their aim is the common elections and their own political agendas. I have nothing to do with it but improvement, because this is an important and strong contract that we just negotiated. There are unprecedented improvements for transit workers contained in this contract.

PRESSMAN: Now, you say they're spoilers.

Mr. TOUSSAINT: Yes. They're disrupters. They just try to destroy and undermine the union. And...

PRESSMAN: Will they?

Mr. TOUSSAINT: No. No one should underestimate the transit workers' resilience and their ability to perceive the issues. And I think that we—we're going to be going up from here, not down. We'll be able to reverse this setback.

PRESSMAN: And you expect that that will happen in the near future?

Mr. TOUSSAINT: I hope it will happen. I can't say if it will take weeks or it will take months, but we intend to treat this as a challenge and meet the challenge and best it.

PRESSMAN: Civil war in the TWU.

Mr. TOUSSAINT: I won't call it civil war. This is turmoil but that has given way very rapidly to membership anger at being misled and lied to by these so-called dissidents. And they're taking a lot of heat. For the first time now, they are—they are responsible for this crisis that has now been created and they have no plan of how to get out of it.

PRESSMAN: Thank you very much, Roger Toussaint, head of the TWU, for being with us today. This is Gabe Pressman. Have a good day.

Mr. TOUSSAINT: Thank you.

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