

NEW YORK STATE PUBLIC EMPLOYMENT RELATIONS BOARD
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PERB NAMES ARBITRATION PANEL IN NYC TRANSIT IMPASSE

The New York State Public Employment Relations Board (PERB) today designated a three-person public arbitration panel with power to determine terms and conditions of employment for New York City's 36,000 transit workers.

PERB designated John E. Zuccotti as the public member of the panel after the New York City Transit Authority (TA) and Transport Workers Union Local 100 (TWU Local 100) jointly appointed him to serve as the panel chairman, in accordance with provisions of the State's Taylor Law. Mr. Zuccotti, a New York City resident, served for nearly a decade beginning in 1981 as the Impartial Arbitrator under agreements between the TA and both TWU and the Amalgamated Transit Union. As Deputy Mayor of the City of New York from 1975-77, he was heavily involved with all aspects of the financial bailout of the City, including negotiations on a variety of wage, pension and operational issues, and in 1978, he helped facilitate settlement of the MTA/TWU collective agreement.

The panel that Mr. Zuccotti will chair is tripartite in nature, and includes, along with the chair, one member selected directly by the TA, and one directly by Local 100. As such, PERB designated Dall W. Forsythe, as the public employer panel member, and Roger Toussaint, as the employee organization's panel member. Mr. Forsythe is a former Director of the Budget for New York State. Mr. Toussaint is the president of TWU Local 100. The panel will also be empowered to determine terms and conditions of employment for the 2,000 members of MTA Bus, who are represented by Local 100.

The TA and Local 100 are parties to a contract that expired on January 15, 2009. The negotiations for that contract involved a three day strike by Local 100 against the TA, which ended through an agreement secured with the assistance of a three person PERB mediation team that brought the transit workers back to work. Later, an arbitration panel ultimately established the terms of the agreement that is now expired.

The arbitration panel is empowered to hold hearings on all matters related to the dispute, and is charged with making a "just and reasonable" determination in accordance with criteria set forth in the Taylor Law. The panel's determination is final and binding upon the parties, except for any provision which requires an enactment of law for it to be implemented.

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