

TRANSIT

MTA and Union Grow Testy in Contract Dispute

Transport workers to protest stalled talks in lower Manhattan next week as deficit looms



Tony Utano, the head of Transport Workers Union Local 100, says New York Gov. Andrew Cuomo might need to become involved in the standoff. PHOTO: JACKIE MOLLOY FOR THE WALL STREET JOURNAL

By Paul Berger

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Tensions are rising between New York’s Metropolitan Transportation Authority and its largest union as workers prepare to protest in lower Manhattan over stalled contract negotiations.

Transport Workers Union Local 100 leader Tony Utano says he might turn to Gov. Andrew Cuomo, a Democrat, if an evening show of force by an expected 10,000 workers outside the MTA’s headquarters on Oct. 30 doesn’t push the authority to resolve the standoff.

Mr. Utano said that as worker anger increases so does the risk that events could spiral out of the union’s control. “There may be a time that the governor’s going to have to get involved,” Mr. Utano said in an interview.

This is the first MTA contract negotiation led by Mr. Utano, 57 years old, who was sworn in at the start of this year to represent almost 40,000 subway and bus workers.

Mr. Utano, who still lives in Brooklyn's Borough Park neighborhood, where he was raised by Sicilian parents, began his transit career in 1980 maintaining the substations that power the subway.

In the interview at the TWU's headquarters in downtown Brooklyn, he blamed the recent bitterness on some of Mr. Cuomo's appointees to the state-controlled MTA, who have accused workers of abusing work rules and overtime policies.

The MTA, which runs New York City's subway and bus systems as well as the Long Island Rail Road and Metro-North Railroad, has an annual budget of \$17 billion and a workforce of about 74,000.

Negotiations with the union are taking place as the authority faces a predicted deficit of hundreds of millions of dollars within a few years and as the agency is poised to undergo a restructuring that could cut as many as 2,700 jobs.

Joshua Freeman, a history professor at Queens College, said negotiations between the MTA and TWU are often contentious. But he said that this latest round is nastier than the previous two negotiations in 2014 and 2017.

The transit union's contract expired in May. The authority has offered annual raises of roughly 2% over the next four years. But it has also asked for benefits and work-rule concessions that the union says negate any increases.

Mr. Utano said that at a recent bargaining session he asked MTA Chairman Patrick Foye how the MTA could claim to be broke when it recently announced the hiring of 500 new police officers. He said Mr. Foye just shrugged.

An MTA spokeswoman said Mr. Foye didn't shrug at the meeting. "The chairman is focused on continuing to negotiate in good faith with the union and reach an agreement that benefits all parties," she said.

Relations between Mr. Utano and Mr. Foye devolved last week, soon after the union launched a \$1 million radio and television ad campaign accusing the MTA of mismanagement. Mr. Foye is singled out in the ads.

On Oct. 13, Mr. Foye sent a combative email to the union head, accusing Mr. Utano of pushing a drug-coverage program during bargaining that would benefit the union while hurting its lower-paid members, especially African-Americans. Mr. Foye dubbed it the "Utano Specialty Drug Scam."

Mr. Utano responded by calling on Mr. Foye to recuse himself from the negotiations.

The transit union is barred by state law from striking. That didn't prevent a crippling three-day transit strike in 2005. However, the strike is generally regarded as a failure because it led to the union being fined millions of dollars and forced to accept a contract in arbitration.

But the union has other ways of squeezing the MTA, such as by unofficially encouraging workers to slow down trains and buses.

Such slowdowns would hurt the authority, which has tried for more than a year to improve service reliability and punctuality. It would also hurt Mr. Cuomo, who has committed himself to turning around the MTA.

If Mr. Cuomo does get involved in the dispute, it wouldn't be the first time. He brokered a deal with the union in 2014 after MTA workers went two years without a contract.

Until recently, Mr. Cuomo had a good relationship with the union. During his recent re-election campaign, the union attacked his challenger Cynthia Nixon and spoke glowingly about his leadership.

John Samuelson, the union's national leader, who also sits on the MTA board, said the relationship with the governor has been up and down this year because of the MTA standoff.

Mr. Samuelson said Mr. Cuomo ought to be embarrassed by Mr. Foye's most recent behavior. "The best organizer in the world is a bad boss and Foye single-handedly succeeded in galvanizing transport workers," he said.

A spokeswoman for Mr. Cuomo said: "The MTA negotiates the TWU's contract and the governor only gets involved in public or private union negotiations to avert a strike."

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