

**STIPULATION AND AGREEMENT
BETWEEN NEW YORK CITY TRANSIT
AND DISTRICT COUNCIL 37
LOCALS 1407, 1655, 2627, and 3652**

AGREEMENT made between NEW YORK CITY TRANSIT and the MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY (hereinafter referred to as the "Authorities") and DISTRICT COUNCIL 37, LOCALS 1407, 1655, 2627, AND 3652 of the AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFCSME) and AFL-CIO (hereinafter referred to as the "Union") and jointly referred to as the "Parties".

WHEREAS, Parties have had ongoing discussions regarding the Union's request for its members to participate in the MTA's telework program; and

WHEREAS, the Parties have resolved their discussions in furtherance of sound labor relations,

It is hereby stipulated and agreed, by and between the parties hereto as follows:

FIRST: Employees shall be eligible for telework in accordance with the terms set forth in Policy Number 11-078 (MTA Teleworking Policy and Program). In accordance with Section VII, Paragraph B of the policy, the MTA maintains the right to modify or rescind this Policy Directive at its sole discretion.

SECOND: Employees represented by the Union that are eligible to telework shall participate in the Performance Management Program regardless of whether or not they participate in the Telework Program.

THIRD: Employees that are assigned to work areas that are determined not to be eligible for telework by department management based on their job functions will not be required to participate in the Performance Management Program.

FOURTH: Any discipline regarding performance related issues will continue to be processed through the contractual disciplinary procedure.

FIFTH: The entering in to this Stipulation shall not constitute a precedent for determination of any other dispute between the Authority and the Union. In this regard it is expressly understood that the arrangement herein is predicated exclusively upon the special circumstances of this matter and shall not be construed to represent any policy or procedure of the Authority. Furthermore, this Stipulation shall not be offered in evidence for any purpose or for any administrative, judicial or other proceeding except for the purpose of enforcing the obligation contained herein.

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FOR: MTA/NEW YORK CITY TRANSIT

BY:


David Franceschini


Date:

Deputy Chief, Collective Bargaining

10/8/2024

FOR: District Council 37

BY:


Daniel Katz

Date 10/04/24

Director, Research & Negotiations