

CIP SUB-COMMITTEE (RE: MTA)

October 24, 2001

6:30 PM

Chairman Pariseau called the meeting to order.

The Clerk called the roll.

Present: Aldermen Pariseau and Levasseur
Aldermen Shea and Vaillancourt

Absent: HR Director Lamberton

Messrs.: Don Clay, MTA General Manager
Howard Tawney, Deputy HR Director

Chairman Pariseau addressed item 3 of the agenda:

3. Continuing discussion regarding issues at the MTA.

Chairman Pariseau stated it was my wish that we conduct this meeting as a non-public session, but because of the ruling from the City Solicitor we can't do that. I don't anticipate having one side bash the other and the other bash the other side. We should be here to look at trying to fix the situation at the MTA realizing that this Board of Aldermen has no control other than appoint the commissioners and review a subsidy in the amount of whatever it is \$650,000 less \$50,000, I think. So, I really don't know what we want to do. I think the situation is that the union rather than following their grievance procedures don't do that, they feel they have an ear here at City Hall and think that with a little sympathy that the Board of Aldermen is going to interfere and help out the situation, but we can't do that. I would suggest that the union continue the grievance process, whichever way it is outlined in their contract and if they're not satisfied with that they're always able to go to the Public Employees Labor Relations Board; that is where things should happen; that is it for union people, that is only my feelings. Management ought to show a little more respect to its employees, you can't be degrading them all the time from the comments that we hear, it just isn't common sense. They're working, they have a family to support, they don't need to come to MTA headquarters and be lambasted by management and be called derogatory names.

With the commission, I think and I'm not singling out any one, but I think maybe they ought to all submit their letters of resignation to the Mayor and start from scratch, I think that would be a new beginning to help the problem at the MTA, I might be all wet but we've got to do something. So, I don't know what we want to discuss...Alderman Levasseur.

Alderman Levasseur stated as far as the issue was concerning the cable box, I read the minutes, I read the release of specific claims by the attorneys and I think it was handled in a fair and appropriate manner. I don't believe it should be anything that should be brought up again. Whatever happened it happened, it was done, it was taken care of, I think that your attorneys handled it responsibly, however, that box got in there...it was in there and that's all there is to it and you paid your fine and your attorneys handled that in the right way. As far as the issue, as far as Mr. Trisciani having a conflict of interest I don't know what you have decided as a group, I understand both sides. I am very discouraged by Mr. Trisciani's...after reading the minutes and I didn't really know why Mr. Trisciani came forward to the Board and said that somebody was going to get hurt and I think he meant that somebody is going to get hurt and I think it's because we have accusations flying across the Board at each other as to whether he should be a commissioner or not and whether his wife is a conflict. Now, reading the minutes and reading the letters from the attorneys and from the union rep it seems like the issue hasn't been settled, however, it seems to be in the best interest of everybody here that you need to work together and I'm not really sure where you're going to go forward with that, I don't know if there was a higher legal place you were suppose to go with that...I'd like to talk to Mr. Clay about that for a second because I know Mr. Clay was in the middle of that with the attorneys. Mr. Clay if you'd like to come forward. As far as you're concerned right now, Mr. Clay, is that settled whether there is a conflict or not.

Mr. Clay replied no, I do not believe it is settled. As far as we know his wife still acts in that capacity as a Secretary/Treasurer of the union.

Alderman Levasseur stated since it wasn't settled you're attorney says there's a conflict, the union labor representative says that there is no conflict, so obviously it is not settled. What is the next step that you're proposing to take.

Mr. Clay replied I'm not entirely sure. I think it needs to go back to our attorneys.

Alderman Levasseur stated we don't have our City Solicitor here so we've come into the question whether our City Solicitor has any kind of ruling over whether you guys are under our direction and obviously he makes a ruling saying that we can't go into non-public session, so we are under his authority or what.

Mr. Clay stated I believe he said that and if I'm not mistaken it's per the RSA's. There is no place that fits under the RSA to go into a non-public session.

Alderman Levasseur stated the Mayor and the Aldermen have the authority to appoint commissioners, so I would ask that you send a letter to the Mayor and to the City Solicitor and to the Aldermen to find out whether there is a conflict or not to have that decision decided here in these chambers by the City of Manchester instead of costing us money with other attorneys and bringing in Devine and Millimet and such, let's bring it to the City Solicitor and find out if he has the right to rule on this and we will go forward as a Board and decide whether there is a conflict or not and let us resolve that as quickly as possible.

Chairman Pariseau stated could I just suggest that they write a letter to the City Solicitor, the Mayor doesn't need a copy, I don't need a copy.

Alderman Levasseur stated just to keep people informed.

Chairman Pariseau noted to clarify the situation.

Alderman Levasseur responded right.

Chairman Pariseau stated the City's interpretation.

Alderman Levasseur stated I'd like to get that matter resolved ASAP so we can decide whether you're having the proper votes go forward and if this is a conflict or not...that way we can move on from that...it seems as though we need to move forward from one thing to another. As far as the Positive Approach Program...I after reading again all of the minutes in reading each letter I am very, very pleased to see that you are having these meetings on a continual basis, it's not something that only happens once-a-month or once every two months...they're going along in a nice way. I didn't see anything in here that said the picnic went off well. You had the picnic, did a lot of people show up, I didn't see anything to that point. Was it a good turnout and did things go well.

Mr. Clay replied it was a terrible day, we had to have it inside because of the rain and it was cold, but I would say we probably had 60 to 65 percent of the people attend, some of them couldn't because they're out on the right, but I think we had good participation.

Alderman Levasseur stated I think that you're making a strong effort and I take this from Louise Gazda because Louise was writing me a letter once-a-week, at least, when I first became an Aldermen complaining a lot about what was going on over at the MTA and after reading her excellent letter at the very end of all of these minutes I read a letter from her expressing all of the things that she thought was right and what's wrong and still standing by her conviction that there was a problem there, that the communication was a problem, but also stating that she sees a different person in Mr. Webster, in yourself...working as hard as you can...things are not completely resolved, they're probably not going to get resolved to everybody's exact specifications but at least you're going in the right direction. I feel that we've got to give it a little bit more time and you've got to keep making those concerted efforts and I'm very proud of the fact that the people who are on this Positive Approach Program are showing up at the meetings; that they are there every single time that the people who are being appointed for employee of the month are not the same people and that you're listening to people that were under consideration, I think that bodes well from a management standpoint, I think that Mr. Tawney's office with Maureen helping you guys through this is a positive step and although I know there are still people out there that are not happy, I just wonder if it's because driving a bus is just not the greatest job in the world and we're never going to make anybody happy, some people just work because they need a job and some people are not thrilled about the job they have, I have employees who love the money but they're not really happy about being there either and we go through this all of the time. But you're trying...I have a lot of faith in Louise Gazda, I'm telling you all that right now, okay. I see Mr. Trisciani laughing over there which really makes me not feel good about the situation because you know, Mr. Trisciani, I really wish you'd take more of a proactive, positive step...we're trying to bring everybody together instead of being a negative, negative, negative, negative on this and that's nothing to say personally about you, Mr. Trisciani, I think you have different points that have to be brought in. This is all that I'm reading from the minutes and such...if you'd like to send a letter which you should have sent a letter saying what you're problems were...we're only getting one side of the story, but we're getting it again...I've got the letters from Louise Gazda, she was not a happy camper two years ago when I started as an Aldermen. She's still not perfectly happy, but she's working in a direction to try to get as much of this taken care of as possible and that's what I'm looking for as a person sitting on this committee. I'm looking for strides, I'm looking for steps, I'm not looking for all of this to be done in one day or one month, I'm looking at steps and the steps that are being taken, I think, are being taken and I think you're going in the right direction. So, I want to commend you

guys for making an attempt, coming forward with your complaints and again, Mr. Trisciani and other employees instead of sending anonymous letters, anonymous letters shouldn't even be read, they should be thrown in the trash can. You have to step up and stand up and write them yourselves. Mr. Trisciani, I'm not throwing out daggers, I'm actually asking you to bring forward letters that are signed by people's names and yourself included; that is all I'm asking you, I'm not throwing any daggers. Just bring those letters forward to us and then we'll look further into what we can see.

Mr. Clay stated I think that letters from employees need to go to the union reps, I think the union needs to work on those problems...we have a long grievance procedure, you have a grievance you put it in writing, you take and you give it to the department head who's involved, he answers it, you have a meeting with him. If you still don't like it now you present that grievance to the General Manager, then you have a meeting with the General Manager, I give my answer to the grievance. I answer no however we're going to end up, up to that point they have 45 days to bring it to binding arbitration; that's the steps that's outlined in the collective bargaining agreement that they have agreed to do and we have agreed to do. So, sending letters to the commissioners or sending letters to the Board of Mayor and Aldermen before they've taken that is wrong and when they have had all of their time, the 45 days after everything is done and they haven't done anything else we call it in the contract an "abandoned grievance"...at that point it is not the time to resurrect it and say we didn't get anywhere with them, now we're going to bring it to the Board of Mayor and Aldermen.

Chairman Pariseau stated that's the problem, it shouldn't come here.

Mr. Clay reiterated it should follow the collective bargaining agreement. When we have a collective bargaining agreement and the last time we were here the big time over the time clock that was an collective bargaining agreement they didn't like it. The thing is that when we sign the dotted line I have to give you the money, I have to give you the days off, I have to give you the vacations, I have to give you everything that they say is in that contract and I expect the individual union drivers, mechanics, part-time or full-time to follow the same steps. It's in the contract, abide by it. If we falter then put in grievances, if you falter we'll grieve and that's the way it should be; that is what we have agreed in our collective bargaining...we've sat around the table and come up with those agreements and that's the way it should be handled.

Chairman Pariseau asked does anyone have anything else.

Alderman Levasseur replied I'd like to have Mr. Trisciani come forward because I don't want him walking out of here thinking this is one sided.

Mr. Trisciani stated the first thing is the only thing I questioned was about getting another commissioner. It's been three months, four months now and there still isn't one picked.

Chairman Pariseau stated frankly, Mr. Trisciani that is none of your business.

Mr. Trisciani asked what do you mean that is none of my business.

Chairman Pariseau replied when the Board is to appoint another commissioner. Who are you to come in and question this Board about appointing anybody to anything.

Mr. Trisciani replied I am a taxpayer...that gives me all the right in the world.

Chairman Pariseau stated but, you're not here as a taxpayer, you're here as an MTA Commissioner; that should be a neutral party to everything, not listen to one side.

Mr. Trisciani stated I'm not listening to just one side.

Chairman Pariseau stated I think you are.

Mr. Trisciani stated let me tell you...I've been there for a year and I haven't yet got an answer to any question I've asked at a Commissioner's meeting. If you read in the meetings you'll see that the questions that I've asked and I still haven't got the answers.

Chairman Pariseau asked are they dealing with the conflict of interest you have with your wife being secretary to the union.

Mr. Trisciani replied I don't have a conflict of interest with my wife. My wife is not a member of the local, she is teaching somebody how to do the books and she was getting paid for two hours, I believe it's two hours a month to do the books, it has nothing to do with MTA.

Alderman Levasseur asked whether we put on another commissioner you may not like this next commissioner we're going to put on. He may be somebody that is not going to be favoring your side, do you think that the difference between one more vote is going to change everything. It looks to me...I was looking at the

minutes and I've looked at a lot of your things and you've gone into executive session, you've all voted the same way...there seems to be you by yourself against the other guys, I would think that a commissioner with only five guys you could try to work together a little bit tougher, work a little closer with each other. The way you're coming here sitting there you're just attacking us, you're just coming at us, you're just coming right at us with all barrels loaded at us and all we're doing is just kind of hanging out trying to get a picture of what's going on and the picture I'm getting right now, Mr. Trisciani, is that you're really being obstinate and you're being a negative force and I don't see why you have to come in here and start screaming at us, you're not making a good impression.

Mr. Trisciani stated I'm not screaming.

Alderman Levasseur stated the tone is that you're really just very...what is it specifically that you want done over there.

Mr. Trisciani replied I want people to be treated all the same. We're getting people terminated, we've lost almost 46 people in a year's time and it's not because they're looking for new jobs.

Alderman Levasseur asked when you say terminated are people being fired, Sir.

Mr. Trisciani replied no they're leaving because they can't...

Alderman Levasseur stated terminated means that they're being fired, quitting means something else. So, I just want to make sure you get your vocabulary correct. What else do you have to bring forward to us.

Mr. Trisciani stated there were people here that came up and spoke at your last Aldermanic meeting...we're penalized the next day.

Alderman Levasseur asked how were they penalized, Mr. Trisciani.

Mr. Trisciani replied we had a gentleman of management standing outside the door...you're talking about me being in conflict, he couldn't come up here, but he stood outside taking names and we had a driver that hit a kid and was penalized for taking the next day off because she was upset because she showed up here at the meeting, she got written up. You don't call that retaliation.

Alderman Levasseur stated that is why I want to have you speak, Sir.

Mr. Trisciani stated there's one girl that spoke here, sure she probably did something wrong a week ago, two weeks ago I guess it was, but the fact that she spoke here, she was suspended for two days and then she was taken off the list for the weekend...that's retaliation in my book. I've got buses that were missed and a driver...nothing was done...we had buses that weren't doing their routes or were late...nothing has happened to them.

Alderman Levasseur stated let me ask you something, Mr. Trisciani.

Chairman Pariseau stated, Mr. Trisciani, as a Commissioner of the MTA you're the boss, not this Board, you handle it. Don't come crying to us.

Mr. Trisciani stated I'm not crying...

Chairman Pariseau stated you're talking about retaliation, how about the one who hit that person, the accident.

Mr. Trisciani stated the young lady that hit the kid, it was over on Main and Douglas Streets.

Chairman Pariseau stated the dispatcher had the driver move the bus, that shouldn't have happened.

Mr. Trisciani agreed it shouldn't have and nothing was done to that dispatcher.

Chairman Pariseau stated that stuff is handled by the commission.

Mr. Trisciani stated it should be, yes.

Chairman Pariseau stated well, handle it.

Mr. Trisciani stated I'm only one man.

Chairman Pariseau stated I think with your attitude...if that changed, Mr. Trisciani, you might have the majority on your side. What else you got.

Mr. Trisciani replied it's the same old thing. Every time I get dragged down here to a meeting I listen to how good things are running and I'm saying no, they're not running right, they're not running properly. You people ask for what...six weeks ago for a list of the people that left from the first of the year, you never got an

answer did you. I waited ten days and had to go down there and still didn't get a full list of the people and it's everything else that I've asked for down there. I asked for a copy and a list of all of the overtime that we're blowing out the window and that was in June, still haven't received it.

Chairman Pariseau stated so as a Commissioner, Mr. Trisciani, you ought to walk into the General Manager's office and don't leave there until you get it, that's the responsibility of a commissioner. You can't come here and complain to this Board because the City Solicitor will tell you we have absolutely no authority.

Mr. Trisciani stated we need the other commissioner that is all I'm saying. We've got to have five. For three months, four months now...

Chairman Pariseau stated I still say that all four of you who are there, or five of you who are there ought to submit your letters of resignation to the Mayor.

Mr. Trisciani stated right now there is only three of us that have been showing up at the meetings.

Chairman Pariseau stated apparently there is no top management.

Alderman Levasseur stated, Mr. Trisciani, it appears to me that Mr. Tentas along in these minutes seems to be voting with you, would that be a correct statement. Are you on the same page.

Mr. Trisciani replied yes.

Alderman Levasseur stated the other two seem to be...so, you're saying that the third person would be the one that would break a tie.

Mr. Trisciani stated probably, yes it would, but that's not what I'm looking for. I'm looking for a fifth person. You people talk to me about there being a conflict of interest...I'll give you an example. You've got a gentleman who is leaving the commissioners with the general manager there who hires all his management and you're telling me I have a conflict of interest.

Alderman Levasseur stated we never said you had a conflict of interest, I never said you were...let me ask you a question. Do you have the power to fire upper management, does the commission have the power to fire.

Mr. Trisciani replied they only have the power to deal with the general manager.

Alderman Levasseur stated you can fire the general manager if you have enough votes...how come I have not seen in any of the minutes that you have brought a motion to fire somebody.

Mr. Trisciani replied there was a motion in there to fire the Superintendent of Transportation.

Alderman Levasseur asked what was the vote.

Mr. Trisciani replied the vote was to do it but they wanted to go and see the laws and take it before the lawyers.

Alderman Levasseur asked who wanted it taken before the lawyers...the commission votes among itself; you don't go in front of lawyers, right.

Mr. Trisciani stated correct.

Alderman Levasseur stated there was a motion made was it seconded.

Mr. Trisciani replied yes.

Alderman Levasseur asked what was the vote 2/2 or did you agree to say okay we're going to table it.

Mr. Trisciani replied they agreed it should be done in executive session but they wanted to take it up before the lawyers first.

Alderman Levasseur asked which lawyers.

Mr. Trisciani replied Devine Millimet.

Alderman Levasseur stated their lawyers. Why are you letting them do that, you're the commission.

Mr. Trisciani stated I fought it and they brought the lawyer in for protection and now they're doing it again. Now, they're bringing the same lawyer in to do the same thing.

Alderman Levasseur asked do you have a rulebook.

Mr. Trisciani replied yes.

Alderman Levasseur asked you read the rules closely.

Mr. Trisciani replied not all of them, no.

Alderman Levasseur stated I'm going to make a suggestion. You take that rulebook and you study it, page-by-page, paragraph-by-paragraph, you study it...find out what your powers are, Sir. Once you know what your powers are then you can do those things. You're one of the rare breeds around this City that has a commission that actually has any power. You guys have a commission that has power, okay, so him and I can't fire anybody...we can make suggestions...and we're not going to make any suggestions to fire anybody that's your job to do that. Now, I would rather you worked together and try to keep going in the same positive way that I think you're heading, but obviously there is still a lot of disgruntled people that no matter what they want to get rid of these guys and they've made up their minds and I don't think it's ever going to stop. So, you're the commissioner, you've got to know that rule book because if they're telling you they have to go in front of lawyers when your commission decides...it says right in that book that you can fire somebody then you should know those rules, you should know them backwards and forwards, John, that is what I would suggest.

Ms. Louise Gazda stated I'm a committee member of Positive Approach. I have about a ten-minute speech here which I'm not going to give because I'm sure that's not what you want. I can only tell you that I did write a lot of letters because there were contractual violations going on and until I started working towards a solution to our problems at the MTA I did not realize what the problem was. As I kept going back over and over what had taken place I came up with the same answer. Our grievances were never, never addressed. Two friends of mine and myself filed 25 grievances in a matter of six weeks. We never, never got a response from those grievances. So, through my work on Positive Approach I have tried to be objective, but I come up with the same answer every time. We have a contract, we pay union dues, but our union is missing and I'm not trying to attack anybody in this. I can only tell you that through Positive Approach I am working with management...John Webster has attended management classes and John and I really have a past, as you know. John and I have worked through our past and we're trying to go ahead to the future. We are getting no where because...I have gone to commissioner's meetings and I have watched Commissioner Trisciani...he is on a mission of hate and revenge against John Webster. He rallies the employees...we have three teams down there and the big team is we're going to get them, no matter what. I don't think Commissioner Trisciani should even be rallying with the employees. The employees should take their complaints to the union, the union should go through the process, but we all know what's going on down there and it's called we're going to get them and

that's why they want the fifth commissioner, they want that third vote because they are going to get them. They don't care that things are better. Anybody that serves on Positive Approach and all of the friends that support me with Positive Approach are called traitors. We are not traitors, we are trying to work towards peace, but there will never be peace with Commissioner Trisciani because the goal is to get them. I always thought that commissioners were supposed to deal perhaps with Aldermen and city officials and focus on the transportation needs of the city. We have the civic center; we have the airport...that's what we should be focusing on. None of us can even do our jobs anymore because all we hear at the MTA is we are going to get them; that is their focus, it's been our focus for two or three years, we now know what the problem is...the union has to be told either to do a job, the employees have to be told to go back to work. If you don't like your job find another one. I'm a 29-year employee and I love my job. For two or three years, you're right, I didn't like what was going on, but you're wrong I never hated my job and I intend to stay. It just angers me to think that we have grown men who are supposed to be hearing about the future of the MTA. I've attended commission meetings and I have not once heard Commissioner Trisciani be concerned about the level of service that we are providing to this community. John and I are working very hard and we have some changes we'd like to see done. I read an article two weeks ago in the newspaper from Kevin Dillon that talked about how the Manchester Transit has only four buses a day, the first one arriving at the airport at 6:55 and right away I called John and spoke with him and said John, why didn't they tell us because we know...at no extra cost...that we could have 13 additional buses a day at the front door of the airport and all you have to do is ask, we can do that at no extra cost by just extending the Goffs Falls to turn around at the front of the airport, but it seems to me as though we not only have a lack of communication within the MTA...we have a lack of communication between the city planners and what the MTA's job should be. We should not be reading about the fact that you think we have inadequate bus service at the airport. I just think we have a lot of work to do and I think it's time for you all to say to us do your job, get out of here...you have to go through the union. Let your managers handle your employees. Commissioner Trisciani is our union rep but unfortunately if you work on Positive Approach you are nothing but a traitor. It hurts me when my co-workers that I've known for 25 years, some of them, I see them come to work now and they're good people, but their full of hate and revenge. I do not see John Webster or Don Clay picking on the employees anymore, but I must tell you I do see the employees being extremely defiant because we all know what's coming, they're waiting to take the tower, it's as simple as that, they are waiting to take the tower. Do you know what it's like to go to work everyday and not know who your boss is going to be. They might have started out to get John Webster but you've got to understand this, they now want more than John Webster, they want all of the people that have worked to keep this

company together for the past six months when you have the...we're going to get them team...they come to work when they feel like it, you have an Assistant Superintendent who's been out-of-work for six months, but she's able to rally with Commissioner Trisciani. The rest of us have had to work and we have done it. I have worked 60 to 70 hours for six months as John Webster, Joanne Albin, Larry Gammell have done. Let me tell you, I'm getting tired, but we are going to keep the MTA together. You have to take a stand, send the employees back to their union, it's been missing for a very long time and tomorrow I'll probably have my tires slashed and everything else, but you know what it hurts when people tell my husband that I'm a traitor because my husband knows that for 29 years I have been a dedicated employee, that hurts and the only reason I came forward tonight is because he encouraged me to do so. I've spoken for ten minutes so you should have listened to this.

Alderman Levasseur stated let me make a statement here. First of all, when I came on as an Alderman let me tell you we were hearing about all of these problems at the MTA and I can tell you that I kept getting letter after letter after letter and we get a lot of letters and I started opening these letters and I started to read them and Louise Gazda had nothing at all except one thing and that was to make sure that the employees at the MTA were treated better, we treated with respect and she was coming to me on Saturdays, on her time off, at eight o'clock at night at my restaurant with other people, she called me on the phone...for hours I would talk to this woman and all she cared about was you guys the employees, she didn't care about John Webster or Don Clay. She wanted their heads on a silver platter...I'm telling you guys that. I have no reason to tell you anything else. This woman has nothing...I don't know; all I can tell you is that...to have somebody that wants to work together to try to get you guys to have a better place to work to me means something. There's not a lot of people out there that are willing to step up...I've been in this business now for two years and there's not a lot of people that are willing to step up and be accountable and come out in front of all of you people and write letter after letter after letter knowing she was going to be retaliated against by the same people she wanted to get rid of, but she made a commitment, she's the reason why we're here. We've had these meetings because of this. You guys have got to try to just put this behind you and move forward, you have to do it. If you can try for six more months and still nothing has gotten done then I think you're going to have Louise Gazda come back to this Board and say that she's done everything she possibly can do. Come on, guys, how many people were willing to step up to the plate and write all those letters for you when nobody was listening. Nobody was listening back in June a year ago when I became an Alderman, she made us listen, she made us listen. Now, I hope you

guys can just give it a little more time that's all I'm asking you. Just give it a little more time and try, just try. If those two guys up there don't keep going in the right direction believe me Louise is going to tell us and then something's going to happen. At least they're going in the right direction.

Ms. Gazda stated, Joe, I'd just like to correct you on one thing. I was never out to get them. I was out to make it right and as I backed up and went over all of my letters to you of what they did to me...took my work away from me, you name it, they did it and I look back though and the only question I have is I filed grievances on all of those issues...where was my union. So, I found my way through the forest and I have found the problem. Had I been a union rep at that time and someone had complained that they had their work taken away from them, I would have had John Webster by the throat and our union should have had him by the throat, but they want him right now by the throat and he's not doing anything wrong. He is working with the employees. If you could come down there and see the attitude of the employees towards him...when he gives an order they should comply with that order because that is the contract. We have our own union officials who are siding with John Trisciani on the "we're going to get them team" that is a violation of the contract. They have got to adhere to that contract as well as John Webster. We're bound to have a difference of opinion, we have to go to arbitration over that, but when you file 15 to 25, 30 grievances and your union says to you three months later "we didn't have time, my plate was full" whatever...they're taking money from my paycheck every week and that union is responsible. I am not trying to badger the union, I was the vice president for nine months, it's a tough job, but if you take the job you do the job or you stop taking money out of my paycheck. Thank you.

Chairman Pariseau asked is there anyone else. Barbara, now you probably weren't here in the beginning. We're not going to have any bashing.

Ms. Barbara Condon stated I'm not bashing.

Chairman Pariseau stated you've been pretty good at it.

Ms. Condon stated be fair with me, you were fair with my co-worker.

Chairman Pariseau stated I'll be fair, no bashing.

Ms. Condon stated I'm a resident of Manchester, New Hampshire...have been for several years. I am a full-time employee with the MTA. Now, I came to you people in April to come about with the first Aldermanic meeting and the CIP meeting. I met with the Mayor and I met with his assistant. I was very upset over things that had happened with management and the hours I was working and the hours I was being told I could work and I could sleep on a table, take a shower in maintenance...excuse me, you had a woman up here who is telling you about how great things are getting and the Positive Approach, but if things were so great, Bob, why were 25 to 30 grievances filed to begin with. You don't file them for nothing. You file them for contract violations. We have employees that are excellent employees who have left there, why. If you are solely responsible to look into the issues of the MTA, I would hope that you would find and take it upon yourselves as Aldermen of the City to speak to some of these people who have left, find out why. Because I'm telling you I have been under a lot of pressure. I went out of work myself not too long ago. I was out for two months on the verge of a nervous breakdown and I'm telling you I have come back and I don't intend on leaving. This job is important to me because it helps me establish the fact that my son will go to college and he will never have to put up or work in a place like this. Things are not good. If things were good you would not have lost forty something employees since September. You would not receive discipline and outright violate all of your rights according to your contract when you try to tell them if you have a difference with me I will gladly go into your office and discuss it and I can prove all of this. These are all called unfair labor practices and yes...

Chairman Pariseau asked what does your union say.

Ms. Condon replied my union and I are meeting with an attorney.

Alderman Levasseur asked what about the National Labor Relations Board.

Ms. Condon replied we do not go to the NLRB, we go to the PELRB. Now, we did go to them over the forced mandatory overtime before I went out sick. I went straight through with no day off except for Sunday to the point where I could not take it anymore. If we had doctor's appointments scheduled because I was trying to find out what is wrong with me, I was told you will be here to run a school bus in the morning, you will be here to run a school bus in the afternoon on my day off and I said no, I will not be here because I have a letter here from this management team that says "make your doctor's appointments on your day off"; that is what I did. I have received misses when I went out sick for two months, I have misses in my file that...John Webster himself refuses to pull these disciplinary notices out of there when I was out on FMLA...that's what he put me on, no one in my family

was sick, I was sick, I couldn't take it anymore and it wasn't just the management. I've had my issues with several of these employees and I don't want to hear the bashing of the union because I have had to have the union represent me...when these members speak so highly of themselves were union members themselves and pulled me in an office and told me give John a big smile Barbara, you can't leave until you give John a big smile Barbara...don't tell me you represented my union when you did that and you did not represent me.

Alderman Levasseur stated you can file an unfair labor practice with the PELRB can't you.

Ms. Condon stated we won with the PELRB on the forced mandatory overtime. Mr. Trisciani our Commissioner tried to read that decision at a Commissioner's meeting...he was screamed at, he was shouted at and he was told we didn't lose it, we're not going to listen to this crap. I was there.

Alderman Levasseur asked by who.

Ms. Condon replied by Don Clay. I was there, I heard it and I testified at that hearing. We did win it; we have the decision on that.

Alderman Levasseur stated so now that you've won it...calm down because you're going to get too upset, relax...you won, right.

Ms. Condon replied yes.

Alderman Levasseur stated and because you won they changed policy right.

Ms. Condon replied they could not force us so the schedules changed, so your schedules are from five in the morning till whenever you're allowed to go home. If you're scheduled to get up at three-thirty in the morning to be in there at five and you may not finish your day till six-thirty at night.

Alderman Levasseur stated let me ask you a question. Now, try to be calm now because this is important...Positive Approach...you brought all of these issues to that little group, right.

Ms. Condon replied I have talked to Don Clay himself. I sat in his office and he asked me because I was arguing an issue...certain individuals were putting time requests in (off slips), I had requested time off for my son's birthday and I was denied, it was handed right back to me. I went to see Mr. Clay about it. He had asked me at that time how do I feel about the Positive Approach and I was very honest in the way I feel. The only way that you can bring a positive change is if

everybody starts working by the contract you agreed to. If you can't do that none of this other employee-of-the-month sign where you can park at the far end of the lot and walk the furthest now is going to get you anywhere. Nobody wants a designated parking spot, we could care less, we want to be treated like people.

Alderman Levasseur asked when you put in a request for a day off because of your son's birthday do you have somebody that will fill in your hours for you or are they supposed to find that person.

Ms. Condon replied management replaces your hours when you put in a time off request. Our time off request slips...management does not handle things, it's not a universal approach with everyone. Certain individuals can file a sheet of "I want time off to go party with my buddies on the beach for three days", time granted, will not affect perfect attendance. Someone can put in "I will be out of work because I am having surgery", will affect perfect attendance. This is what I'm trying to say to you...no matter...you can have people that get paid...however many hours a week, but how many of those hours does that person or these individuals inside the office discussing the Positive Approach while the rest of us drivers were out covering their work. If it's so positive why isn't it done after work.

Alderman Levasseur stated it's not done after work.

Ms. Condon replied no, it's done during company time and they're being paid to be in there. Other drivers are sent out at overtime to cover their work. Bob, that's all I'm asking. You two have been appointed or three of you, I don't even know who you are...to look into the MTA issues. It's all I'm asking, nothing has changed.

Chairman Pariseau stated not being here in the beginning, Barbara, I made the statement that the Board of Aldermen has no control over the MTA...

Ms. Condon interjected I realize that but for you to say that you would like the resignation of all the commissioners...Mr. Trisciani has done nothing but try to stop the crap.

Chairman Pariseau stated I think he's part of the problem.

Ms. Condon stated, Bob, he's not. He is not. To be called a problem was only because he was attacked by the same employee who wants his head, the same employee who handed out her life story at union meetings, the same employee that made me sick.

Chairman Pariseau stated I think we're going to limit to two minutes. Two minutes, Mr. Webster.

John Webster, Superintendent of Transportation, stated the glaring thing that I would like to clear up is the allegation by Commissioner Trisciani that somehow some of the talk at an Aldermanic meeting was disciplined for and retaliation. The person that he has in mind, according to contract, was late for work eight times in the last year, has progressive discipline...discipline occurred on the day of the meeting, had no idea that that individual was going to go up and talk about it and it's according to contract. If a grievance has not been filed on it...many of the things that some people have alluded to here are contractual issues. If there is time being allotted that somebody gets a day off and somebody doesn't, if there's sick pay that it affect and it doesn't...all of these things are contractual. Yet, some people don't understand the contract is evident. The misconception that the PELRB has the jurisdiction, the binding arbitration is supposed to come first. The PELRB is not supposed to go and take the place of the binding arbitration that's outlined in this agreement. I'm the lightning rod in the building down there. I've not been a perfect manager and I understand my shortcomings. But, when you appoint commissioners and when I ask on the record and I have the minutes of the executive session exactly what issues do you have me as the Superintendent...I gave up the protections of being a 9-year union secretary...I'm on my 25th year as an employee, I was proud of being a union secretary and I have the unique distinction, I guess, of having seen it from both sides, but when you appoint commissioners that come in there with a head hunting vendetta who have nothing more to say because you're no longer a union member we're going to get rid of you and that's what's being said behind the doors when you have a commissioner that will rally people to do something instead of the commissioner policy adopted in 1991 that says "bring it to the managers, bring it to the department heads, follow the collective bargaining agreement". If you have most of your grievances being abandoned you have a weak union.

Ms. Sara Dube I started working at the MTA in September of 1999. I don't normally talk at these things because I get very nervous...

Chairman Pariseau asked are you a full-time employee.

Ms. Dube replied I am a part-time school bus operator. I would like to address Alderman Levasseur because I saw you look at the four of us sitting over there when you were talking about how we need to let things go. I don't write a lot of letters to you because you aren't my Alderman. I didn't take the opportunity last year to write to my Alderman and I've since moved to Hooksett, so I can't do that...I could but would you pay any attention. The other thing I would like to

rebut is what Louise Gazda said that drivers that we work with have called her a traitor...I'm sure that's maybe happened to her, but she's lumping together a group of people and saying all of these people call me a traitor, they don't like me. I don't agree with Louise, I personally had issues with John Webster...I've gone into his office and tried to talk to him and I've been yelled at and said you don't know how to follow the contract and then a week later I've said to him why is this work not being handed out like it's stated in the contract and his response to me is well, what's the difference who does it Sara. If a scheduled operator does it and the list operator does their run what's the difference. My answer to that is the difference is it's not in the contract. So, he just came up here with the union book and held it in your face and said we don't know how to follow it, but he's not and I'm not necessarily saying that I'm...I'm not one of those people that say John Webster needs to be fired. I don't necessarily think that but there do need to be some changes. I believe our commissioners are deadlocked 2 to 2 and I think that's pretty much what a lot of us want, is something. Some consistency from management, some consistency somewhere and that's why we keep bringing these issues to you. You're not the people we should have to bring them to but we need you to appoint the people that we can go to because our union is missing. I do agree with Louise when she says that, I agree with her and in the absence of the union I would like to go to my commissioners, but we only have four of them, two of which are impossible to get a hold of and the other two who listen and try to do what they can.

Lynn Swazey stated I reside at 15 Prospect Street, Manchester, New Hampshire and I've been working at the MTA for six years, three years of that as a school bus operator and the last three years as a transit operator. I would simply like to say that there has been a lot of discussion about contractual issues and there are a lot of contractual issues involved in the problems that exist at the MTA. It is true that a lot of the employees do not completely understand every area of the contract, however, the areas that we all pay very close attention to are work rules. We do know them and especially those that apply to us. Whenever we address the issues of the contract that do apply to us that we do know we are told we don't understand and we're told that simply because we have people in management who are determined to do things their way, any day of the week regardless of which way the wind blows and if you approach that issue you're told you don't understand or their some condescending remark about how little you know. Now, there are people there who have been there a very long time who have known as much about this contract as they've known about all the previous contracts that they've had to work through. The things they've gained and the things they've lost. Mr. Webster has been for almost all of those years a designer of those contracts on one side or the other. The union has failed in many ways, but I must say when you're having problems with management it is not wise to approach

management with the problems that they know already exist that they've created. The wise thing to do is to go to the next step up in order that things are going to be treated fairly. The only commissioner that we have that has treated us fairly in regard to our employment at the MTA is John Trisciani, he's the one who's gotten involved and cares about the treatment of the employees because we need that. The complaints that you've heard here over the last several...who knows, weeks, months, years continue because they are real. The three or four people that you hear defending management saying that things are better...they're better for them because they've been put in places where it's bound to be, but there are still people who are retaliated against and are abused on a daily basis.

Larry Gammell stated I'm the Chairman of the Positive Approach Committee down there at the MTA, I'm also a school bus driving instructor and a temporary substitute assistant to management. I feel I understand quite a bit about both sides, I enact on both sides as well. I'd like to address an issue of the 46 employees that have left in the year 2001 and I feel that I can address this because I worked with these people from the time they enter the company until such time as they may choose to leave as their trainer and interviewer and so forth. A lot of these people, all but one are part-time employees. We do have a part-time turnover. I made a list of some I knew of...27 of those that were trainees that never passed their driving test. I have 12 listed here that left for other jobs that I particularly know about for more hours and benefits...three had babies, two moved, one went onto school, one had a license suspension, three had no school runs to fit their needs for the season, a couple couldn't deal with the kids anymore. I had one in my office today who was ready to leave because he was at his wits end of dealing with a busload of kids (I think we've salvaged that)...on and on and on. I really gave this some consideration; I figure approximately 9 people, maybe or maybe not, had management skirmishes of some kind out of the 46. As a temporary substitute, I've been assisting management with the Assistant Superintendent being out on a long-term leave of absence. I feel that management at the MTA has become much better because I have a different perspective of management today. I understand more of the inner workings on the other side, I know what happens when bus drivers call in and don't come to work and I know how we have to skirmish around...I work in dispatch as well also...they have to replace drivers for these runs and double up runs and do everything that we possibly can to get kids off the street, to get transit buses going...I don't work with transit Joanne does, but I see what goes on behind the scenes a whole lot more than I ever did before. As Positive Approach Chairman we are working to establish rewards and recognition and employees of the month and give people due credit for their years of service and time there. We're having communications meetings as well also on a regular basis so I can communicate what our needs are and looking for solutions. I guess I stepped forward to the plate because I'm a solution person, I like to fix things and

I have a mission at the MTA to fix things and that's not to get rid of people. We all have a place there and I think we all need to respect one another and work together, our City needs this company. We do have dissension in commissioners, our leadership...I think we need to fix that dissension, I think we need to get our ducks in order from the leadership level and then go down from there, so I thank you for hearing me tonight and I appreciate being able to come here.

Commissioner Eugene Boisvert stated I'm not a good public speaker, but I'm going to make it short and sweet. Any system or any operation you have, any department you have in the City of Manchester you must follow a line of authority starting with your foreman all the way to your manager, general manager and your commissioners...whatever the case may be. What we have up here is where they circumnavigate the system. Instead of going with a grievance they go to commissioners and file their grievances with him and he in turn tries to correct the situation which is not right and the commissioners should not interfere with the management team as far as where work is assigned to a certain driver...he doesn't want to drive that bus, get him a bus with automatic transmission...that's not supposed to be, that's interfering and that's the problem instead of coming to the union like they're supposed to...if there's a problem, file a grievance, if the grievance is not resolved then it goes to the general manager for his decision and if that's not satisfied then they can go to the union or the PELRB whatever the case may be, but you don't circumnavigate the system. You must let the people do their business and do it properly. When there's interference from outsiders who try to tell the commissioners/managers how to run their system...we're not qualified to tell them how to run his bus system. It's very important that the authority of the general manager is respected and the commissioners know what their job is and do it and not interfere with the management team except when they have a problem, then come to the meeting with the commissioners and we can air these things out and settle them, but not to circumnavigate the system, it's not going to solve anything. We've bent backwards trying to help the drivers, we've got good drivers, I'm very proud of each and everyone of them, but we do have problems here and there...that's personnel problems, that's normal. But, I think the Positive Approach Committee is doing a helluva job, I'll tell you that. Thank you very much.

Alderman Vaillancourt asked could I ask a question.

Chairman Pariseau replied go ahead, a short question.

Alderman Vaillancourt stated the question comes out of the comments from Mr. Boisvert. Commissioner, I had a question for you. Based on what I've heard tonight it seems to me that some of this circumvention might be borne out of a sense of frustration. If, in fact, it is true that some people are treated differently than other people, that some people are not allowed to have their day off while other people might be don't you think that would create the kind of frustration that would lead to this, don't you think that everybody should be treated fairly. I'm not saying whether the comments here are true or not, but don't you think if that happens it might lead to the sense of frustration. Treating all people fairly should be the goal should it not.

Commissioner Boisvert replied I think at times when people are asked to work overtime is because it's a necessity. The most important thing about the bus service, the MTA and the school buses is to be there on time and be there on a certain schedule. If you don't have your schedule like it's supposed to be you could get all kinds of problems...you've got these bus runs that are five minutes late, runs ten minutes late, so as times people call in sick...they have to get somebody to work overtime to fill that run and not let 75 or 80 kids standing on a corner waiting for a bus that doesn't show up.

Alderman Vaillancourt stated I understand that, but the thrust of my question was treating everybody fairly, not making the onus fall on one person...maybe playing favorites like "teacher's pets".

Commissioner Boisvert stated well, I don't know of any of that stuff that goes on.

Alderman Vaillancourt stated it sounds like we've heard evidence of that.

Elaine stated I'm the one that hit the student last week. I didn't hit a mirror, I didn't hit a curb or a bush, I hit a student. She hurt her leg, she could walk, I gave her a ride. I got nothing from management concerning me...how are you Elaine, nobody asked me but John the next day chewed me out two days later because I came to this meeting...you were told that. He didn't have any compassion for me and I'm sorry to say I don't have a problem with Don Clay he didn't have any questions or compassion for me and Joanne looked at me three days later because she saw all the employees around me concerned and loving and asking me how I was...day-after-day and giving me a hug. This Positive Approach is very limited to satisfy their own needs and I'm telling you the truth.

Larry Steele stated I live at 47 Frontage Road, I've been with the company since '94, I'm a full-time transit driver. The thing that bothers me is that we still go back and forth at each other. It really shouldn't be done that way, but sometime I've lost my cool down there and John has lost his cool down there and we'd have a shouting match, but after we ironed that out it would be alright I guess, but you can go into work and feel happy about your job because there is always somebody that is going to get nailed by management and I say that because it's happened to me, it could have been for a selfish reason for the time clock. I was asked by Mr. Clay what we could do to take care of the problem and we have with the time clock as far as not punching and I simply told him that all you have to do is sign that slip because they know you were there...I can't see anything wrong with doing that, but no they have to have restrictions. In other words, we have to be penalized even though we're there and I'm not the only one, but there's been other people and I just don't think that was fair. But, it's something we've got to live with and as far as that union book...you people yourselves asked a question...how do you read this book, it's not in English and I hope you people remember what you said and it is true. We read it one way, they read it one way and who's side is it going to favor, it's going to be theirs because they say it reads this way, not that way.

Chairman Pariseau asked can't you take that dispute to arbitration, Larry.

Mr. Steele replied to be truthful with you, I don't even like to do that. I'd rather take and settle it that day, but it's nothing that can be settled. Why do we have to fight against each other, there's no need for it, there's absolutely no need for it. There were days when I'd go home and I would really, really be upset. Now, I just bite my tongue when I go to work. I do my job and hopefully I'm doing my job good. I just wish we could get together and be a better compatible workplace than what we are right now. Thank you.

Denise Courchesne stated I'm a full-time transit operator...I live in Goffstown though. I don't take side, I was on the Positive Approach, it's a really good committee...90% of the people don't know what it's about. I dropped out because I was kind of snubbed. I don't take sides but it is better. I was a person who was harassed by management, they are a little better, they are improving. He went to school...he needs more classes, but that's beside the point. No, things are a little better. I'm not saying they're 100%...arguing is a big problem, they don't put in our grievances and I was one that had 25 grievances. Why weren't they followed up. I have no idea and I asked...

Chairman Pariseau asked why don't you stop paying the union dues.

Ms. Courchesne replied we can't.

Chairman Pariseau asked why. If they're not doing anything for you, get rid of them.

Ms. Courchesne stated I thought of that too, but, that's another scenario.

Mr. Tawney stated you should not say things like that, that's their decision. If they have a problem I would suggest that they contact the PELRB and they can layout your alternatives for you.

Ms. Courchesne stated we have contacted somebody. It is in the works, but I'm just saying I'm not on this person's side or the other side. I love my job, I just want to go to work...we used to go in, we used to be happy. Now, we go in and we're a bunch of unhappy people. Why is it, tell me exactly...when the employees don't do their job what is John Webster's job, he is to discipline them, that's how I look at it. If you don't do your job right you're going to get disciplined. You do your job right you're not going to get disciplined. He isn't perfect...I'm far from perfect. But, all I'm saying is that it is a little better, it's not a hundred percent, but they're working on it and that's all I have to say. Thank you.

Alderman Levasseur stated I believe that what's happening right here tonight by you people coming out and being able to express yourselves is a very good thing. I don't know if you'll be able to express yourselves over at the MTA like you are in front of us, but I think they're hearing you, they may not like it...you're hearing it, you're going in the right direction. I think if you keep working at it you guys are going to be okay. Just please keep trying, keep working at it and I think we should have these forums for you people once every three or four months so that you can come in and talk to us and tell us what's going on.

There being no further business to come before the committee, on motion of Alderman Levasseur, duly seconded by Alderman Pariseau, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee