

California Legislature

June 24, 2009

Dorothy Dugger
General Manager
SF Bay Area Rapid Transit
300 Lakeside Drive, 21st Floor
Oakland, CA 94604

Re: BART Labor Negotiations

Dear Ms. Dugger:

We write to you as members of the Bay Area delegation to the State Assembly and Senate to voice concern about the direction of labor negotiations with your employee unions. Thank you for your letter dated June 16th that outlined the fiscal situation that the District is faced with and the update on the ongoing labor negotiations at the District. While we appreciate the information that you provided, we are concerned by reports on the District's bargaining position, which we believe has the potential to spark a labor dispute with the unions representing workers at the District.

The BART unions – Amalgamated Transit Union (ATU), Local 1555, Service Employees International Union (SEIU), Local 1021, and the American Federation of State, County and Municipal Employees (AFSCME), Local 3993 – assure us that they understand the economic challenges facing the District today, and indeed, it is these workers who arguably have the highest stake in the District's fiscal stability. Your workers have shown in previous negotiation cycles that they understand that it is their loss if the District cannot maintain its viability. Thus, we understand that in the last negotiation cycle four years ago, your employees gave up raises to ensure the continuing viability of the District's retiree health plan and to address the District's concern regarding its unfunded liability with regard to retiree health. Your employees recognize that the public's interests and the District's interests are necessarily intertwined.

We do not presume, to tell the District – or the Unions – the terms of any bargaining agreement. Rather, our purpose here is to express our concern of the impact an ongoing labor dispute will have on the public transportation and on the workers employed by the District. We also want to ensure that the negotiations involve the give-and-take, which characterizes good faith bargaining and do not reflect a race to the finish line. We are concerned over allegations that the District opened negotiations

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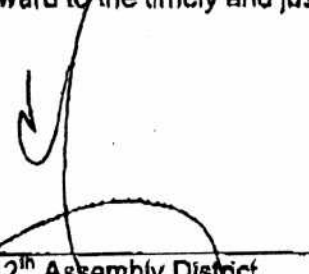
ATU LOCAL 1555

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with threats to unilaterally implement its proposals and to dishonor long-standing provisions of the labor agreements on June 30. We were also concerned to learn that the Board has requested that the Governor not order a "cooling off period," if requested, based expressly on the cost of continuing negotiations, and seemingly without regard to the circumstances or the effect on the public.

In closing, we ask that you bargain in good faith in these negotiations so the District can ensure that the public will continue to be served by BART's services and that your workers do not face any undue economic hardship. Thank you for your leadership and for the public service that you provide to the residents of the Bay Area. We look forward to the timely and just resolution to these negotiations.


Sincerely,



Fiona Ma, 12th Assembly District



Leland Yee, 8th Senate District



Tom Ammiano, 13th Assembly District



Mark Leno, 3rd Senate District



Nancy Skinner, 14th Assembly District



Loni Hancock, 9th Senate District




Sandré Swanson, 16th Assembly District




Mark DeSaulnier, 7th Senate District

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Alberto Torrico, 20th Assembly District


Elaine Alquist, 13th Senate District


Mary Hayashi, 18th Assembly District


Ellen Corbett, 10th Senate District


Joan Buchanan, 15th Assembly District


Tom Torlakson, 11th Assembly District


Jerry Hill, 16th Assembly District

Cc: Thomas Blalock, President of the BART Board of Directors
James Fang, Vice-President of the BART Board of Directors
Gail Murray, BART Director
Joel Keller, BART Director
Bob Franklin, BART Director
Carole Ward Allen, BART Director
John McPartland, BART Director
Lynette Sweet, BART Director
Tom Radulovich, BART Director
Tim Schott, Lobbyist, BART