Resolution urging San Francisco Municipal Railway drivers to immediately end their sick-out and return to work and urging both the drivers and Muni management to participate in the arbitration process to arrive at a contract.

WHEREAS, The San Francisco Municipal Railway ("Muni") is the largest transit operator in the Bay Area, carrying almost half of the region's ridership at 700,000 trips a day; and

WHEREAS, Muni plays a crucial role in San Francisco's economy, allowing the economy to function; and

WHEREAS, For many residents, particularly low income and working class residents, Muni is the only way for them to get to work, school, doctor's appointments, the grocery store, and other important life activities, meaning that the system is key to our city's health, safety, and welfare; and

WHEREAS, Muni drivers play a critical role in the agency's success, and the agency cannot function without their service to the community; and

WHEREAS, Muni drivers have a very difficult job, often performed under trying circumstances, and deserve to be fairly paid in terms of wages and benefits; and

WHEREAS, The SFMTA informed operators on Monday June 2 that a sickout "is prohibited under the Memorandum of Understanding (MOU) between the SFMTA and Transport Workers Union Local 250-A (9163), and operators engaging in this conduct are not entitled to receive paid sick leave;" and

WHEREAS, The voters, in adopting and revising the San Francisco Charter, prohibited municipal employee strikes and required arbitration to resolve labor disputes; and
WHEREAS, 2010's Measure G created a unique arbitration process for contract disputes with Muni drivers in Charter, Section 8A.104, different than for every other union representing non-public safety City employees as governed by Charter, Section 8A.104; and

WHEREAS, Mayor Ed Lee has said: “This [sick-out] cannot continue,” adding, “I say to our drivers: People count on you to do your job so they can get to theirs;” and

WHEREAS, Muni and its drivers have reached an impasse in labor negotiations, meaning that an arbitrator will hear and resolve the dispute; and

WHEREAS, On Monday June 2 and Tuesday June 3, 2014, a large number of Muni drivers called in sick, constituting an sick-out and debilitating the system; and

WHEREAS, The sick-out has made it very difficult or impossible for many riders to get to work, school, doctor's appointments, and other destinations and has undermined the city's economy; and

WHEREAS, It is unclear when the sick-out will end, creating the possibility of a protracted system meltdown, which would damage the economy and cause serious harm to residents' health, safety, and economic well-being; and

WHEREAS, Failure to adopt this resolution on this date would do serious injury to the public interest, and the need to take action arose after the written agenda was ordered printed; now, therefore, be it

RESOLVED, That the Board of Supervisors urges Muni drivers to immediately end their sick-out, and return to work; and, be it

FURTHER RESOLVED That the Board of Supervisors urges both the drivers and Muni management to participate in the charter-required arbitration process in order to resolve their labor dispute.
Resolution urging San Francisco Municipal Railway drivers to immediately end their sick-out and return to work and urging both the drivers and Muni management to participate in the arbitration process to arrive at a contract.

June 03, 2014 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

June 03, 2014 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 140615

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 6/3/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board