

Resolution # 12

Preserving 13c Labor Protective Provisions

WHEREAS, one of the most important federal labor protections for TWU members are public transit labor protections known as 13c. Delegates to every TWU International Convention since 1964, when 13c was passed as part of the Urban Mass Transportation Act, have unanimously resolved to use the power of the labor movement to protect those vital labor protective provisions of that landmark legislation; and

WHEREAS, it is time once again for that renewed pledge, but a little history is needed. Before 1964, most transit properties were privately owned, and the unionized transit workers were covered and protected by the National Labor Relations Act (NLRA). But, as these properties transitioned to publicly owned and operated entities with funding from the federal government, the workers became public sector employees, subject to a whole new set of state laws, including right-to-work statutes in places like Florida and Texas; and

WHEREAS, as outlined in the law, before a transit system can receive any support through the Federal Transit Administration, the Secretary of Labor must certify that "fair and equitable" arrangements have been made to protect the rights and interests of employees affected by the federal money. The arrangements must include, but are not limited to:

1. Preservation of rights, privileges and benefits (including pension rights) under existing collective bargaining agreements.
2. The continuation of collective bargaining rights.
3. The protection of individual employees against a worsening of their positions with respect to their employment; and

WHEREAS, a number of new factors have arisen in the past four years that give new urgency to remain steadfast on 13c. Autonomous vehicles, electric bus fleets, driverless trains, automatic fare collection, and other advancing transit technologies all pose threats to traditional transit jobs, inviting new attempts to weaken or eliminate 13c labor protections; and

NOW THEREFORE, BE IT RESOLVED, that the 27th Constitutional Convention of the Transport Workers Union of America hereby renews its historic commitment to preserving the Labor Protective Provisions contained in Section

13c, with new emphasis on the provision regarding paid training and retraining programs, and

BE IT FINALLY RESOLVED, that the delegates to this convention urge the TWU leadership to engage in alliances with other affected labor organizations, whose members' jobs, pay, benefits, and working conditions are also threatened by those who seek to weaken or eliminate 13c protections, and to safeguard against such attacks.