

From: Kelsey, Douglas <KelseyD@TriMet.org>
Sent: Wednesday, September 16, 2020 5:38 PM
To: Shirley Block <shirleyb@atu757.org>
Cc: Desue Jr., Sam <DesueS@TriMet.org>; Sewell, Kimberly <SewellK@trimet.org>; Cusack, Laird <CusackL@TriMet.org>
Subject: RE: Phone Call about Referendum

Good afternoon, Shirley,

Thanks for dropping me this note concerning the two topics in your email below. I will respond to them in the same order:

- 1) In terms of the “suffering contract negotiations” and your query about having Sam Desue be part of bargaining, I know you raised the bargaining team leads (ie Laird and Kim) last week on our call together. Upon reflection, I do not see Sam playing a role here unless Laird, and or Kim determine that need. I have Sam working on many other internal business issues at this time and frankly, he is not up to speed on all the issues and dynamics that have gotten us to this point. I believe the current mediator is a fresh set of eyes for us both.

At the outset, Laird was and is TriMet’s appointed negotiator, and supported by Kim. I do not see this changing. Laird is not bargaining for TriMet in isolation. Like the ATU I suspect, he is supported with numerous other leaders, including me, and other resources within TriMet. Overall, it is fully Laird and Kim’s decision when and if they want supporting resources at the table on any technical issues. I do not see changing the TriMet line up as you are suggesting. TriMet is not asking the ATU to change its bargaining personnel composition or its negotiating team’s dynamics. There is a process all are following, including currently using a mediator as part of the process, then arbitration if needed. I always want to remain optimistic the parties will make progress leading to an agreement as it has in the past.

- 2) In terms of your request for hazard pay, I do not see us doing it at this time for numerous reasons, which I have provided in a non-exhaustive list below. First, you are correct that I have referred to our front line staff as heroes. All of our staff are heroes, in the union and non-union groups as well as our contractors. Everyone is carrying different burdens at this time and I know it is not easy and all are facing circumstances not encountered before. Likely, this also includes both of us Shirley. Below are some of the considerations in no order of importance:
 - Hazard pay does not solve the fire and smoke problem, N95 masks do. TriMet moved quickly to source and distribute over 11,000 of them to those who require them. This was done in conjunction with Dr. Vines and the OHA recommendations for an essential service such as ours.
 - I have done some recent checking to see what others in the our region are doing. In all cases, none are providing hazard pay. This includes C Trans, ODOT, PBOT and Salem transit.
 - Hazard pay is not part of the collective agreement.
 - I have stated from the very outset of the COVID 19 pandemic that knowing the likely serious impact the downward economic challenges we are all facing, I have noted several key strategic areas that will guide my decision-making. These include: preserving jobs to the degree possible; ensuring we run a safe system; preserving financial resiliency/flexibility; and keeping our services going to the degree they are demanded and we can afford. A request for

hazard pay would be part of that financial draw down where we may otherwise help save employment and the services our taxpayers need.

- We encourage our employees to use their sick or vacation time, and remain at home if they are not feeling well. This is exactly one of the types of situations they are intended for.
- TriMet has recently expanded its Leave policy to allow employees to access their Leave banks for wildfire related reasons. For employees that do not have Leave hours available we are allowing them to take time off without any associated time loss discipline.

Shirley, I know the above answers are not what you are hoping for, but as I am sure you can appreciate, these are complex issues in complex times. I trust this brings clarity to your email requests.

Cheers

Doug