



USW Local 8751 — District 4
Boston School Bus Drivers' Union
25 Colgate Rd. • Roslindale, MA 02131
Telephone (617) 524-7073 • Fax (617) 524-1691
www.BostonSchoolBusUnion.org

Grievance Report: United Steelworkers Local 8751

Grievance #	Unfair Labor Practices, J. Hayes (BPS) illegal interference in private sector bargaining
Location	Veolia / Transdev — Boston
Date	October 14, 2020
Stewards	USW Local 8751 Executive Board

Employee Name	Yard	Job Title
André François et al	Class Action - All	School Bus Drivers

Nature of Grievance:

Transdev's client, attorney Jacqueline Hayes, Boston Public Schools' Fleet & Compliance manager, as if to one-up her predecessor who was fired for similar disgraces, has, in concert and coordination with Transdev management, engaged in a pattern of Unfair Labor Practices amounting to gross and illegal interference in and violations of the private-sector Collective Bargaining Agreement, Memoranda of Agreement and other agreements of impact bargaining regarding emergency COVID-19 Worksite Requirements, procedures, protocols, proper pay & benefits to drivers, Health & Safety mandates and other of the legally private-sector parties' practices and agreements, to wit:

1. Since October 1, 2020, the first day of BPS hybrid in-person schooling, Hayes has personally harassed, threatened discipline, attacked, lied to, and generally disrupted safe and efficient operations by getting in hundreds of drivers faces, without even respect of introduction, before the sun comes up in the morning at the bus yards when she has no right nor business directly dealing with USW Local 8751 members in any way, form nor method.
2. Hayes produced, caused public officials to appear in, conned and coerced USW Local 8751 into participating in and published a fake, fraudulent, lying Public Service Announcement that leads parents, students, bus drivers and monitors to wrongly believe that her office and the BPS transportation program is conforming with DESE guidelines, Mayor and Superintendent press announcements and assurances, BPS published "FAQs" and USW and Transdev agreements regarding Emergency COVID-19 Standard Operating Procedures (ESOP) mandating an adult monitor attendant on every bus, Personal Protective Equipment for students and workers on every bus, proper disinfecting & wiping, documentation and cleaning of busses, proper Health Safety Checks for students and workers, etc.

<https://www.bostonpublicschools.org/Page/8308>

<https://www.youtube.com/watch?v=cPZROqsZsxE&feature=youtu.be>

3. In fact, on October 3, 2020, Hayes took it upon herself to substantially re-write, falsify, and poison the Emergency Standard Operating Procedure document that had on September 30, 2020, contained a majority (25 of 27) tentative agreements between Transdev and USW Local 8751, agreements made after she had excused herself and did not attend the lengthy private-sector negotiations.
4. Beginning October 1, 2020, and every work day since, Hayes personally threatened numerous drivers with discipline up to and including termination and directly ordered Transdev management to violate one of the most important Health & Safety protocols in the private parties' ESOP, causing dozens of busses in all three bus yards to leave and perform entire routes without a required monitor attendant to supervise the children regarding life-or-death pandemic-related protocols on the bus.
5. Besides failing to provide sufficient monitors for the unsafe operations in her charge, Hayes has abjectly failed to provide Transdev's BPS owned fleet and facilities operations with other of the ESOP's requirements such as proper parking, PPE, bus disinfecting, spaces for physical distancing, temperature and health checks, loudspeakers, technology, outside operations space and tents, etc. to provide the families and communities served by BPS with safe pandemic-related school bus transportation.
6. When cases of COVID-19 at the worksite have occurred in recent weeks among mechanics, drivers and monitors, Hayes has thwarted, obfuscated and participated in covering up Transdev's and BPS's failures to properly notify USW Local 8751 members, our co-workers and management staff and perform the life-or-death mandates of track and tracing, quarantining others in close contact, shutting down facilities to deep clean, notifying school communities, provide COVID-19 leave agreements, etc.
7. Contrary to her office's assurances and agreements numerous times in July, August, and early September 2020, that routes would be produced by BPS for Transdev and USW Local 8751 to conduct a proper bid and dress rehearsal for the dangerous operation in October, Fleet and Compliance manager Hayes produced a rushed, thoroughly tainted bid in which every of nearly 600 routes had incorrect effective start dates, wrong pickup and drop off data, wildly inaccurate Versatrans mapping times based on GPS/GIS technology, zero time for COVID-19 safety protocols, and not one minute of dress rehearsal, except for Hayes fake video.
8. Hayes, by her repeated illegal and unconscionable actions has made a dangerous situation worse by her illegal and careless actions, violations, incompetence, anti-union animus and interference with operations.

Settlement Requested:

1. Jacqueline Hayes to immediate cease and desist from illegal interference in private collective bargaining and labor / management relations.
2. Hayes to immediately provide the Transdev fleet and operations with the required resources to implement and maintain every Health & Safety requirement of the Emergency COVID-19 Standard Operating Procedures agreements.

Agreement Violation:

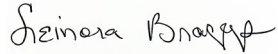
Articles 3, 5, 10, 13, 14, etc. of the CBA, the ESOP, DESE guidelines, the National Labor Relations Act, etc.

Signature of Aggrieved:

Due to the Governor's stay at home declarations, the following officers represent the entire class of aggrieved:



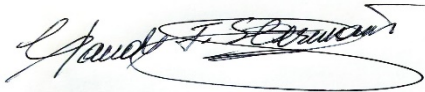
Grievance Committee, USW Local 8751



Treasurer, USW Local 8751



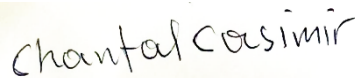
Financial Secretary, USW Local 8751



Recording Secretary, USW Local 8751



Chief Shop Steward, USW Local 8751



Guide, USW Local 8751



Shop Steward, USW Local 8751



Trustee, USW Local 8751

Signature of Union Representative:



President, USW Local 8751



Vide President, USW Local 8751



Grievance Committee Chair, USW Local 8751



United Steelworkers District 4,
Staff Representative