



USW Local 8751 — District 4
Boston School Bus Drivers' Union
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Grievance Report: United Steelworkers Local 8751

Grievance #	Transdev Payroll Shortages (Overtime, Exception time, ½ hour per report, etc) Wage Theft / Unfair Labor Practices
Location	Veolia / Transdev — Boston 35 Freeport Way; Dorchester, MA 02122
Date	October 19, 2020
Stewards	USW Local 8751 Executive Board

Employee Name	Yard	Job Title
Robert Salley et al	Class Action - All	School Bus Driver(s)

Nature of Grievance:

Like when Veolia / Transdev and GM Alex Roman III first took over management of BPS school bus operations on July 1, 2013, and created massive pay shortages to hundreds of workers by attempting to destroy decades of CBA payroll accountability, the company has again, taking advantage of the COVID-19 pandemic, resorted to its illegal modis operandi and shorted pay to hundreds of drivers by unilaterally violating nearly every requirement of the CBA's payroll accountability requirements, resulting in mass Wage Theft and Unfair Labor Practices.

1. Beginning on October 1, 2020, the company unilaterally, wrongly, illegally and in violation of the CBA eliminated individual driver payroll "work summary sheets", themselves a settlement to a 2013 Class Action grievance and ULP charge, which account for every minute and hour worked (broken down by flat rate and Exception time, PTOs, attendance data, etc.) per report period per day per payroll week per rate of pay.
2. On October 1 and 2, 2020, the first days of the in-person 2020 Boston Public School's year, Veolia / Transdev's entire electronic payroll and dispatch system (VDS – "Veolia Dispatch System") crashed. Terminal managers and dispatchers at all three yards reported being unable to enter payroll and dispatch data like report-in and out times, Exception Time above the Versatrans-assigned and universally incorrect flat rate time, mayoral directed ½ hour per report early report for all on Friday, October 2nd, Monday – Friday October 5th – 9th and 15 minutes early report Tuesday – Friday October 13th – 16th. No punch time-clocks, Exception time paper reports, manager check ins, etc. have been generally available to record every valuable minute of drivers' labor – from park and pull, COVID-19 health checks, proper travel time, Exception time for Versatrans inaccuracies & Route Problems, travel conditions, COVID-19 bus cleaning and circle checks, paperwork, meetings with management, etc. As a result,

drivers are wrongly and illegally being forced to work and expend large amounts of free labor and their own resources for much more time every day than they are being compensated.

3. Without consultation with Local 8751, Transdev wrongly failed to calculate overtime during the payroll work week Sunday, September 27, 2020, ending Saturday, October 3, 2020 (paycheck date October 9, 2020) to the class of drivers whose hours were greater than 40, in violation of the CBA, causing massive payroll shortages, including gross pay and employer match to the BSBD 401(k) Plan.
4. Despite repeated requests for data, Transdev payroll and General Manager Folk have refused to provide records requests regarding the above detailed payroll shortages and theft, including but not limited multiple requests via phone, email and Zoom operational meetings, etc. Transdev's management has engaged in a concerted effort to hide, obfuscate, and otherwise deny drivers and USW Local 8751 with knowledge to enforce the CBA, state and federal wage & hours laws, agreements directed by Mayor Walsh and Boston Public schools (10-days Paid COVID-19 leave for sick and quarantined members, Accommodations for elderly drivers with pre-existing medical conditions that put them at high risk for COVID-19 infection and death, Paid Disability cases related to coronavirus risk factors, COVID-19 pre-trip health & safety checks, etc.)
5. On paycheck weeks October 2nd, 9th and 16th, Transdev failed to provide timely payroll work summary sheets and checks on Wednesdays and following the AM routes, respectively.
6. Transdev failed to timely process and provide funding for both 401(k) Employee Contributions and Employer Matches, resulting in financial loss to drivers and violations of U.S. Department of Labor timeliness requirements, resulting in financial loss to Plan participants and necessitating correction by the parties' 401(k) Plan Sponsor.

Settlement Requested:

Veolia / Transdev to:

1. Immediately provide every driver and USW Local 8751 with full, detailed, transparent and proper payroll documentation for October 1, 2020, and every work-day since, including detailed payroll work summary sheets, complete payroll files, detailed documentation regarding every agreement related to COVID-19, etc.
2. Provide drivers with Exception Time forms upon demand.
3. Pay Exception Time reports upon submission, per the CBA
4. Provide an accounting of all Overtime Paid and Owed
5. Make All Drivers Whole for all losses, including but not limited to lost wages, benefits, bonuses, etc.
6. Correct and make whole 401(k) timeliness violations
7. Provide all drivers with timely work summary sheets and paychecks, per the CBA
8. Pay all drivers a minimum of 1 (one) hour COVID-19 Hazard Pay per day to compensate for the dangerous working conditions and to offset the massive, unlivable cuts to drivers' wages resulting from the COVID-19 BPS hybrid model.

Agreement Violation:

Articles 7, 8, 11, 12, 13, 17, 18, 24, 26, 27, Appendixes A & B, the contract, MOAs and TA's regarding pay, Emergency COVID-19 Standard Operating Procedures, Agreements re: COVID-19-related accommodations and leaves, state and federal law regarding hours and wages, past settlements and Arbitration awards, etc.

Signature of Aggrieved:

Due to the Governor's COVID-19 restrictions and declarations, the following officers represent the entire class of aggrieved:



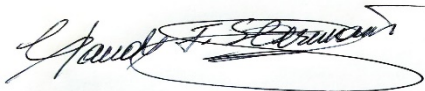
Grievance Committee, USW Local 8751



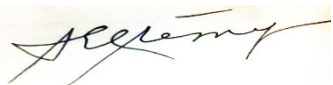
Treasurer, USW Local 8751



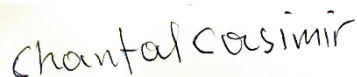
Financial Secretary, USW Local 8751



Recording Secretary, USW Local 8751



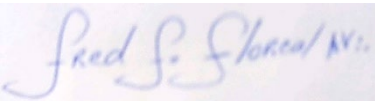
Chief Shop Steward, USW Local 8751



Guide, USW Local 8751



Shop Steward, USW Local 8751



Trustee, USW Local 8751

Signature of Union Representative:



President, USW Local 8751



Vice President, USW Local 8751



Grievance Committee Chair, USW Local 8751



United Steelworkers District 4,
Staff Representative