

Burke Asks State Mediators to Take Stronger Hand in Negotiations

(Oct. 6) With the strike now in its 21st day, CEO Julian Burke has appealed to state mediators for help in establishing a regular schedule and a "more professional location" for bargaining talks between the MTA and the UTU.

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[Letter to mediators](#)
from CEO Burke

In a letter to state mediators Tom McCarthy and Walter Daugherty, Burke said, "...our negotiating team has spent countless hours and days sitting around waiting for the union to negotiate."

A chart that accompanied Burke's letter showed that the UTU has met with the MTA only 51 of the 164 days since negotiations began April 25. Negotiating sessions have averaged only 4.4 hours per week, with the sessions averaging only 1.8 hours each.

Negotiators for the MTA and UTU, were expected to reconvene at 4:30 p.m., today, after a session that ended at 2 a.m., Friday. The MTA and ATU also were due to meet Friday afternoon.

Burke wrote to the state mediators that a review of the contract proposal the UTU submitted to the MTA on Wednesday "makes it clear that we are no closer to reaching an agreement than we were five months ago, despite the fact that the MTA has made more than 50 proposals to the UTU."

Burke asked the mediators to set up a formal bargaining schedule that would include dates and times and specific times for breaks and caucuses "so that negotiations continue at a productive pace."

He also asked that a detailed negotiations log be maintained and that the site of negotiations be moved to an office location with conference and caucus rooms. "I believe a change in venue will signal to both parties that it's time for a new tenor and pace for the negotiations," he said.

A spokesman for the California Department of Industrial Relations, however, said state mediators don't have the authority to carry out Burke's requests.

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EDITOR'S NOTE: This is the text of an Oct. 5, 2000, letter from CEO Julian Burke to Tom McCarthy and Walter Daugherty, mediators for the California Mediation and Conciliation Service. Attached to the letter were two charts. One shows the hours the MTA and UTU negotiated over the past seven months, beginning April 25, 2000. The chart indicates that, since the contract expired, the UTU has met with the MTA an average of 4.4 hours per week. The UTU has met with the MTA only 51 of 164 days since negotiations began. The other chart shows the dates and times actually spent in negotiations and indicates that the average time of sessions was only 1.8 hours.

Dear Mr. McCarthy and Mr. Daugherty:

For the last five months, the MTA has attempted to negotiate a new contract with the United Transportation Union. During that time, our negotiating team has been available on virtually a daily basis to bargain with the union. Unfortunately, the UTU leadership has not been similarly either available or willing to negotiate.

As the attached documentation indicates, our negotiating team has spent countless hours and days sitting around waiting for the union to negotiate. Yesterday, for the first time in five months, the UTU finally submitted to the MTA a formal contract proposal. A review of that proposal makes it clear that we are no closer to reaching an agreement than we were five months ago, despite the fact that the MTA has made more than 50 proposals to the UTU.

I am writing to ask you, as the designated mediator in this negotiation, to establish a more productive and formal approach to these negotiations. Specifically, I propose the following:

A formal bargaining schedule be established by you, with each party agreeing to appear for negotiations without delay. The schedule would include specific dates and times for the daily commencement of negotiations. These meetings should be focused on bargaining, not set aside for excessive caucusing or delays. The schedule should also include specified timeframes for breaks and caucuses so that negotiations continue at a productive pace.

A detailed log be established to track actual time spent in negotiations.

Negotiations be moved to a new, more professional location. I propose that we identify an office location with an appropriate number of conference and caucus rooms for the negotiating teams, and continue our negotiations there. I believe a change in venue will signal to both parties that it's time for a new tenor and pace for the negotiations.

The MTA is open to other suggestions on how to move these negotiations along more productively. We simply cannot continue to sit around for hours and days waiting for the UTU to be available and willing to negotiate.

I look forward to your thoughts on this issue.

Sincerely,
Julian Burke
Chief Executive Officer

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