

AMENDED IN BOARD

6/3/14

FILE NO. 140615

RESOLUTION NO. 188-14

1 [Urging End to Muni Sick-Out and a Return to the Arbitration Process]

2  
3 **Resolution urging San Francisco Municipal Railway drivers to immediately end their**  
4 **sick-out and return to work and urging both the drivers and Muni management to**  
5 **participate in the arbitration process to arrive at a contract.**  
6

7 WHEREAS, The San Francisco Municipal Railway ("Muni") is the largest transit  
8 operator in the Bay Area, carrying almost half of the region's ridership at 700,000 trips a day;  
9 and

10 WHEREAS, Muni plays a crucial role in San Francisco's economy, allowing the  
11 economy to function; and

12 WHEREAS, For many residents, particularly low income and working class residents,  
13 Muni is the only way for them to get to work, school, doctor's appointments, the grocery store,  
14 and other important life activities, meaning that the system is key to our city's health, safety,  
15 and welfare; and

16 WHEREAS, Muni drivers play a critical role in the agency's success, and the agency  
17 cannot function without their service to the community; and

18 WHEREAS, Muni drivers have a very difficult job, often performed under trying  
19 circumstances, and deserve to be fairly paid in terms of wages and benefits; and

20 WHEREAS, The SFMTA informed operators on Monday June 2 that a sickout "is  
21 prohibited under the Memorandum of Understanding (MOU) between the SFMTA and  
22 Transport Workers Union Local 250-A (9163), and operators engaging in this conduct are not  
23 entitled to receive paid sick leave;" and

24 WHEREAS, The voters, in adopting and revising the San Francisco Charter, prohibited  
25 municipal employee strikes and required arbitration to resolve labor disputes; and

1           WHEREAS, 2010's Measure G created a unique arbitration process for contract  
2 disputes with Muni drivers in Charter, Section 8A.104, different than for every other union  
3 representing non-public safety City employees as governed by Charter, Section 8A.104; and

4           WHEREAS, Mayor Ed Lee has said: "This [sick-out] cannot continue," adding, "I say to  
5 our drivers: People count on you to do your job so they can get to theirs;" and

6           WHEREAS, Muni and its drivers have reached an impasse in labor negotiations,  
7 meaning that an arbitrator will hear and resolve the dispute; and

8           WHEREAS, On Monday June 2 and Tuesday June 3, 2014, a large number of Muni  
9 drivers called in sick, constituting an sick-out and debilitating the system; and

10           WHEREAS, The sick-out has made it very difficult or impossible for many riders to get  
11 to work, school, doctor's appointments, and other destinations and has undermined the city's  
12 economy; and

13           WHEREAS, It is unclear when the sick-out will end, creating the possibility of a  
14 protracted system meltdown, which would damage the economy and cause serious harm to  
15 residents' health, safety, and economic well-being; and

16           WHEREAS, Failure to adopt this resolution on this date would do serious injury to the  
17 public interest, and the need to take action arose after the written agenda was ordered  
18 printed; now, therefore, be it

19           RESOLVED, That the Board of Supervisors urges Muni drivers to immediately end  
20 their sick-out, and return to work; and, be it

21           FURTHER RESOLVED That the Board of Supervisors urges both the drivers and Muni  
22 management to participate in the charter-required arbitration process in order to resolve their  
23 labor dispute.



**City and County of San Francisco**  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 140615

**Date Passed:** June 03, 2014

Resolution urging San Francisco Municipal Railway drivers to immediately end their sick-out and return to work and urging both the drivers and Muni management to participate in the arbitration process to arrive at a contract.

June 03, 2014 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE


Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

June 03, 2014 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 140615

**I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 6/3/2014 by the Board of Supervisors of the City and County of San Francisco.**

  
Angela Calvillo  
Clerk of the Board


\_\_\_\_\_  
Unsigned

Mayor

\_\_\_\_\_  
6/13/14

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

  
Angela Calvillo  
Clerk of the Board