

Date: May 10, 2011

Item No. 3
File No. 11034

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA PACKET CONTENTS LIST*

- Frank Mc Dowell against the SFMTA**
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Completed by: Chris Rustom

Date: May 6, 2011

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

March 16, 2011

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2011 APR 19 PM 3:10

BY _____

Mrs. Cheryl Turner
Woods Division Acting Superintendent
1001 22nd Street
San Francisco, Ca. 94107

Dear Ms. Turner:

I Operator Frank Mc Dowell writing a response to the Skelly Letters dated March 8th and 14th 2011, for not stopping at stop signs. It is evident the your intent to violate my rights under Article 23 of our MOU. First and foremost, I did not have in-formal hearing to discuss the basis of the charges. It was your descion to impose a 3 to 5 day suspension on the March 8 charge and dismissal on march 14 charge. This is harassment, extortion and retaliation at its finest. This form of discipline is punitive rather than corrective. If the operators were to conduct a survey it will show that the SFMTA practice discipline versus retraining.

In my 20 years of service I was trained under the "Smith System" now out of the blue management install drive cam on coaches and uses it to harass operators.

I have shown Assistant superintendent Wallace Johnson many defects on the 8100-8400 series coaches. The first defect was the Retarder system. The retarder will cause the drive cam to activate. Second the speedometer will show 10 miles per hour and still descending after the coach is at a full stop. The drivers mirror on all 8400 series coaches has blind spots and the fare box blocks your vision. The SFMTA has taken no corrective action but yet continue to harass and discipline operators.

Since June 2010 extortion has been the commonplace practice of the SFMTA in retaliation against operators under the direction of former Mayor Gavin Newsom. He stated in June 2010 news paper that there will be consequences if the operators do reconsider the vote. You have unilaterally impose aggressive discipline and fail to conduct full and detail investigations. Termination and suspensions at the Woods Division are on the rise.

Municipal Railway General bulletin No. 10-07. Drive cam Event Recorders captures only video and audio of any event that triggered by excessive forces such as : Hard Braking, rough operation, swerving or a collision or operators manually depress the button. This directive was signed 12/08/10 by John J. Haley Director of Transit.

Myself and others operators are constantly feel threaten, intimidate under this brazen attacks. Operators are being viciously discipline for adjusting mirrors, calling Central Control for 702 (Personal Necessity Break.) Third-party reports not support by factual information such as a first party report will "dismissed" and not be counted against any employee. A third party that support a first party report will be used as "Witness only" report and will not be counted as a separate occurrence against an employee, equitable toll and discipline must be equitable.

I am asking under the Sunshine Ordinance Task Force section 6254c that you provide a matrix on all discipline as a result from Drive -cam. You have ten business to furnish the requested documents. Or this matter will be submitted to the Sunshine Ordinance for

enforcement.

In closing we ask that all harassment that you impose cease and desist immediately.
Your cooperation would be greatly appreciated.

Tel: 925 [REDACTED]

Sincerely,

Frank Mc Dowell



This Letter will be furnish to the following Parties:
The State Department of Justice
Office Of Labor Management Standards
Federal Transit Administrator Ray La hood
Congressman John Mica House transportation Committee
Bonnie Lowenthal chair assembly Committee on Transportation
Transport Workers Local 250-a