Date:	May 10, 2011	1		Item No.	3
			• • -	File No.	11034

## SUNSHINE ORDINANCE TASK FORCE

### **COMPLAINT COMMITTEE**

**AGENDA PACKET CONTENTS LIST\*** 

Fr	ank Mc Dowell ag	ainst the S	FMTA		
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npleted by:	Chris Rustom		Date:	May 6, 2011	
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## \*This list reflects the explanatory documents provided

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

<sup>\*\*</sup> 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.



# RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO

2011 APR 19 PM 3: 10

BY\_VC

#### SUNSHINE ORDINANCE TASK FORCE

1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 Tel. (415) 554-7724; Fax (415) 554-7854 http://www.sfgov.org/sunshine

### SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission Municipal Rilway S.F. C.D.
Name of individual contacted at Department or Commission
Alleged violation public records access Alleged violation of public meeting. Date of meeting
Sunshine Ordinance Section 6254 C
(If known, please cite specific provision(s) being violated)
Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.
SEE ATTACKED PAPERS
Do you want a public hearing before the Sunshine Ordinance Task Force?  Do you also want a pre-hearing conference before the Complaint Committee?  Optional)  Name  HAWK MONOWELL Address  Telephone No. 925  E-Mail Address  Date  H-15-11  Signature  I request confidentiality of my personal information.  Fig. 12 yes no

07/31/08

<sup>&</sup>lt;sup>1</sup> NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).

March 16,2011

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SAN FRANCISCO

2011 APR 19 PM 3: 10

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

Dear Ms. Turner:

I Operator Frank Mc Dowell writing a response to the Skelly Letters dated March 8<sup>th</sup> and 14<sup>th</sup> 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 " <u>Smith System</u>" 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: <u>Hard Braking</u>, <u>rough operation</u>, <u>swerving or a collision or operators manually depress the button</u> 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 Ordnance 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 Ordnance for

### enforcement.

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

TELE: 925 Sincerely,
Frank Mc Dowell Front MOonly

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