

AVTA Passenger ALERT!

Expect disruption to your normal AVTA Bus services

ATTENTION AVTA BUS RIDERS:

- Your loyal Bus Drivers **have had enough with AVTA** bus contractor Transdev's violation of L.A. City and County minimum wage ordinances, low pay, lousy benefits, **horrendous working conditions**, and denial of our civil rights.
- Transdev's bad faith bargaining, which the AVTA is well aware of, has reached the point that we are **preparing to go on strike** to remedy their "Unfair Labor Practices."
- Before taking action, our Union is pursuing every legal avenue against AVTA and Transdev. We demand to be:
 - **Personally respected** and valued as employees;
 - Provided with the due process rights we are entitled to; and
 - Compensated in **compliance with the law** and the same as other local transit drivers (e.g., Santa Clarita Transit and LADOT).
- But our employer's **bad faith bargaining** and unfair labor practices have pushed us to the brink and we may have no choice but to strike for Justice. As an AVTA bus rider, **you should be prepared** to find alternative means of transportation.

CAUTION FATIGUED DRIVERS



Since August 2015, AVTA's bus contractor, Transdev, has been unable to retain new drivers due to low wages and poor benefits, leaving the company severely under-staffed. Drivers are being forced to fill in by working massive amounts of Mandatory Overtime (MOT), robbing them of needed rest before returning behind the wheel the next day. Many drivers are forced to work extra days every week and must request a day off to get rest and spend time with family.

Dear AVTA Passengers,

We are your loyal bus drivers serving you in the Antelope Valley. We are employed by AVTA's bus contractor, Transdev, and we are proudly represented by Teamsters Local 848. Our negotiated Union Contract expired on December 31, 2106, and Transdev gave us their "Last, Best, and Final" offer on February 23. Transdev's offer – presented with the full knowledge of AVTA's Executive Director/CEO Len Engel – denies us our civil right to due process and demands wages below the L.A. City and County minimum wage.

The problems at AVTA/Transdev go far beyond the bargaining table. In 2015, our co-worker Yvette Holmes was removed from her position after repeatedly reporting toxic fumes leaking into her bus. Without due process, AVTA and CEO Len Engel pulled her from service for refusing to drive the toxic bus. Transdev was too scared of AVTA and Engel to stick up for our co-worker, so they transferred Ms. Holmes to another location far away from her, where her gravely ill husband is at home fighting for his life. Ms. Holmes, a black female, has filed a lawsuit both against AVTA and Len Engel personally for violation of her civil right to due process. Three other operators have been removed from service at AVTA, all three of whom are black females. Coincidence? It doesn't seem like it to us...

As AVTA Drivers, we endure harassment, being cursed at and spit on, and being physically attacked. We have filed multiple complaints but no one at AVTA or Transdev has done anything about it. NOTHING.

We have filed an "Unfair Labor Practice" (ULP) charge with the National Labor Relations Board (NLRB) against Transdev for bad faith bargaining, and our Union is looking into other lawsuits to help protect us from civil rights violations, due process violations, and creation of a hostile work environment.

We know that it can be challenging to find alternative transportation if we are forced to strike, but we appreciate your support during these difficult times. Enough is enough.

Sincerely,

AVTA/Transdev Bus Operators



Yvette Holmes
AVTA/Transdev Bus Driver

After Ms. Holmes lawsuit was filed, AVTA CEO Engel filed a motion to have the case dismissed against himself. Not only was that motion denied, but the Federal **Judge ruled** that because the AVTA has "extensive controls over Transdev operations," there are sufficient alleged facts to establish that AVTA and Transdev are **"joint employers."**

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No. CV 16-1454-DMG (AGR) Date August 18, 2016
Title Yvette Holmes v. Antelope Valley Transit Authority, et al. Page 7 of 12

contracting relations so that in employment decisions it can have its cake and eat it too.") (internal citation omitted). In light of **AVTA's extensive control over Transdev operations**, the Court concludes that Holmes has adequately alleged that **AVTA and Transdev and her joint employers.**



Len Engel
AVTA CEO

AVTA CEO Len Engel was quoted in a March 3 *Antelope Valley Times* article as saying: "Under no circumstances will AVTA tolerate a situation where our riders are stranded because of a labor dispute."

"It is up to Engel to avoid a strike at the AVTA. A **Federal Judge has already ruled that the AVTA is a "joint employer"** with Transdev. **Get up off the sidelines** and step on the field, roll up your sleeves, and help resolve this labor dispute for the sake of the riders that you will not "tolerate" being stranded. Step up or shut up," said Eric Tate, Teamsters Local 848 Principal Officer.

For additional information, updates, and documentation that verifies the above facts, please log onto www.Teamsters848.org and www.ToxicBus.com.