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## MEMORANDUM

DATE: September 8, 2010

TO: All SFMTA Transit Operators (9163)

FROM: Debra A. Johnson   
Director of Administration, Taxis and Accessible Services

RE: Transit Operators "Sick-Out"

It has come to our attention that certain anonymous individuals have been urging SFMTA Operators to stage a sick-out later this month. In response, this memorandum serves as a reminder that any such work stoppage is prohibited under both the San Francisco Charter and the Transport Workers Union (TWU) Local 250A (9163) Memorandum of Understanding (MOU).

Charter Section A8.346 (a) defines a strike as:

"...the willful failure to report for duty, the willful absence from one's position, any concerted stoppage or slowdown of work, any concerted interruption of operations or services by employees, or the willful abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment..."

Charter section A8.346 (e) also provides that any employee who has engaged in such a job action is subject to dismissal.

Likewise, the TWU Local 250A (9163) MOU, Article 34 No Strike Clause states in part, "Strikes, slowdowns or work stoppages are prohibited during the term of this MOU." This agreement is in effect until June 30, 2011.

For all the above reasons we advise employees not to engage in a sick-out or any other work stoppage. The SFMTA will take all the necessary steps to ensure that we provide a full complement of services that our customers depend upon and that the SFMTA and its employees have committed to provide.

Finally, pursuant to Civil Service Rule 420.3.1, this memorandum shall serve as written notice that SFMTA will require medical certification for absences of less than five days duration. From the date of this memorandum through October 15,

2010, any Transit Operator who takes sick leave of any duration must present medical certification of the need for such leave.

I thank you for your cooperation and for your dedication in moving those who reside and visit this Transit First city. Moreover, I, on behalf our Executive Director/CEO, would like to extend my sincere gratitude for a seamless transition with our most recent service changes on September 4.