

Boston Carmen's Union, Division No. 589

50 Federal Street • Ninth Floor

Boston, MA 02110

Phone (617) 542-8212 • Fax (617) 695-9982

Member Notices: Delegate Denial

Date: 02/20/2024

To : Isaac Williams

Re: Your Grievance

Dear Mr. Williams, While I sympathize with your stated feelings regarding the discipline you received on September 18th, 2023, a three day safety suspension + final warning, I am unable to process your submitted grievance as it is contractually improper. At the time of the discipline, you were a probationary employee. Probationary employees do not have access to the grievance procedure. Probationary status aside, the time limits for submitting a grievance, as defined by the CBA, only allows for a 30 day window, therefore this submission is not only improper, it is untimely. Fortunately, you were promoted to full time status before this final warning and therefore did not lose your rating. Additionally, upon completion of your probationary window, the final warning aspect will disappear, leaving only a 3 day suspension. This can be found in the MBTA's probationary policy. I have enclosed a copy of the policy with this letter. Please feel free to call, text or email me if you have any additional comments, questions or concerns. Below is a standard form letter for a denial. If you feel the need to appeal my decision, please follow the process listed below.

I have reviewed your grievance. Based on the evidence you presented with your grievance and my investigation, I have determined we can not prevail with your grievance. In accordance with Section 27c of the Local Union By-Laws you have the right to appeal this decision to the President/BA of Local 589.

Section 27c: "When a grievance is determined to be, either by the Delegate or the Executive Board, non-sustainable or without merit, a letter shall be sent to the member at their address of record with the union. Such notification shall be sent by U.S. First Class Mail, informing the member of such a determination. The member shall have the right to appeal such determination to the President/Business Agent. Such right of appeal shall be required by the member to be in form of a letter to the Recording Secretary of the union and must be received by the union within Thirty (30) calendar days from the day next following the date such a notification was sent to the member. Further, the letter of appeal sent by the member is required to be sent by U.S. Postal Certified Mail, return registered receipt requested".

Fraternally,

Scott James Page

Scott Page

Delegate Division II - Green Line/Light Rail OCC

Cc: J. Evers, President / Business Agent

Local 589 Recording Secretary