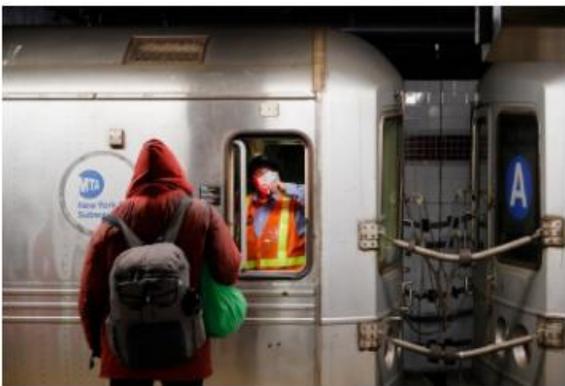


THE CHIEF LEADER

More transit workers will have assault protections

About 11,000 covered by new law



Assaults on subway conductors and on other MTA workers have for some time been considered second-degree offenses, which are class D felonies. Governor Kathy Hochul on Monday signed legislation that makes assaults on other transit workers similarly punishable.

JOHN MINCHILLO/AP PHOTO

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BY RICHARD KHAVKINE

Thousands of transit workers in the state and city will soon have what they hope will be added protections against assault on the job.

Governor Kathy Hochul signed legislation Monday that expands punishment for people convicted of assault or harassment against station customer assistants, ticket or revenue collectors, maintenance workers, repairers and cleaners, along with their supervisors who were not previously covered by existing law.

About 11,000 additional transit workers will be covered by the new law, which makes assault on workers employed by transit or commuter rail companies, agencies or authorities a second-degree offense, a class D felony. Conviction carries with it a minimum of two years in prison and a maximum of 7 years.

Subway operators and conductors, bus operators and station agents were among those transit workers already covered by the second-degree stipulations. The law goes into effect in three months.

Prior to signing the bill at Jamaica Bus Depot in southeast Queens, Hochul said it was imperative to demonstrate to all of the system's workers that they deserved protection and respect, particularly given their roles during the height of the pandemic.

'Fixed a loophole'

She noted that physical assaults on transit workers increased 23 percent last year, to 118 instances, compared to 2020, and that the 2,519 cases of harassment in 2021 were also up from the previous year.

"It's reprehensible and it has to end, and we're going to do everything we can to protect them from these verbal and physical assaults," Hochul said. "No one should be subjected to this in the workplace, especially those who are working for the people of New York," she said.

The new law, she said, would make people "think twice ... about causing harm to these essential, critical individuals."

Mark Henry, the president of Amalgamated Transit Union Local 1056, which represents upward of 600 cleaners and maintainers, also noted the legislation's deterrence factor.

"They fixed a loophole in a law that allows people to viciously attack our members," he said before thanking Hochul for ensuring that transit workers have "the protections and support they deservedly must have."

The bill's main sponsor, State Senator Leroy Comrie, said that recent events on the transit system, including seven assaults on workers in the last month alone and more than 500 incidents of harassment through May, reflected the critical nature of the legislation.

"Unfortunately these employees are easy targets for those who seek to intentionally harm others," Comrie said.

In a statement, TWU Local 100's president, Tony Utano, said the legislation was nothing less than what the transit system's workers deserved.

"Transit workers come to work to do a job, not wind up in the emergency room," Utano, who did not attend the bill's signing, said. "This is a step in the right direction. Prosecutors and judges must now do their job and hold people accountable for their actions."

The president of the Subway Surface Supervisors Association, Michael Carrube, cited increased attacks on MTA employees in lauding the legislation's enactment, calling it "imperative" that his members and other supervisors get similar protections as those already on the books.

"After years of vigorously lobbying to include our members in the Assault Bill, I am deeply grateful to Governor Hochul for signing this critical legislation that finally includes my members and will send a powerful message to their assailants that they will be prosecuted with a felony charge for their crimes committed against us," he said, also in a statement.

Many more MTA workers were assaulted in recent years than the agency has reported, according to the state Department of Labor, which issued violations against the agency in April as a consequence.

The Department's Public Employee Safety and Health Bureau last month found that the agency failed to record 228 incidents of workplace violence in mandatory injury logs in 2019 and 2020. The bureau cited the MTA for similar violations in November 2019.