



**EPP UPDATE**  
**April 10, 2018**

To our members:

As we have anticipated, 17 companies have sued The New York City Department of Education (DOE) to stop the employee protection provisions (EPPs) and Bids (RFB). These are the companies involved in the lawsuit: L & M BUS CORP., B & F SKILLED, INC., HAPPY CHILD TRANSPORTATIONS LLC, HAPPY DAY TRANSIT, INC., IRIDIUM SERVICES CORP., PENNY TRANSPORTATION, INC., SELBY TRANSPORTATION CORP., SMART PICK, INC., GVC LTD, LEESEL TRANSPORTATION CORP., MAR-CAN TRANSPORT CO., INC., PHILLIP BUS CORP., 21<sup>st</sup> AVENUE TRANSPORTATION, CO., Y & M TRANSIT CORP., VAN TRANS LLC, ALINA SERVICES CORP. and MONTAUK STUDENT TRANSPORT LLC.

On April 3, 2018, the federal court judge heard the case and the judge denied a temporary restraining order (TRO). In the federal court case the companies are seeking to prohibit the (DOE) from proceeding with the Bids (RFB) on the grounds that the employee protection provisions (EPPs) are prevented by federal laws, specifically the National Labor Relations Act and ERISA.

On April 5, 2018, the state court judge heard the case and the judge declared a temporary restraining order (TRO) until April 24, 2018. In the state court case the companies will seek to prohibit the (DOE) from proceeding with the Bids (RFB). In addition, the DOE lawyers (who have pledged to defend the EPPs), on Friday, April 6 filed an appeal in Appellate Court to expedite the reversal of the state judge's decision to temporarily stop the Bids. We are hoping the Appellate court judge will lift the TRO and let the Bids proceed.

As of yesterday, April 9<sup>th</sup>, Local 1181 has petitioned the court to intervene on this case with a signed Declaration from myself.

We want to thank you for your unity and support in this struggle. The EPPs must still be defended against attacks from our enemies. However, if we continue to fight as one, we can continue to succeed. The parents have also joined our fight.

We will keep you updated of all developments. If you have any questions, contact your Union representative.

In Solidarity,

Michael Cordiello, President / Business Agent  
and the Executive Board  
ATU Local 1181-1061