

May 11, 2020

The Honorable Charles E. Schumer, Minority Leader
S-221 Capitol Building
Washington, D.C. 20510

The Honorable Kirsten Gillibrand
478 Russell Senate Office Building
Washington, D.C. 20510

Re: New York School Bus Industry

Dear Senators Schumer and Gillibrand:

We have come together as a New York-based school bus industry labor-management coalition in crisis and in desperate need of your help. Despite your sincere effort in the CARES Act to ensure that school bus contractors get paid and workers keep their jobs during the current school year, Congressional intent has not been carried out in your home state. **We urge you to strengthen a provision in the CARES Act relating to payment of school bus contractors by school districts during school closures and expand eligibility for Education Stabilization Funds provided to school districts.**

We represent more than 125,000 drivers, matrons and mechanics employed by school bus contractors and school districts in New York State. Together, we are responsible for safely transporting over 2.3 million students who ride a yellow school bus each day in New York.

We are extremely grateful for language that you included in the CARES Act (Section 18006) encouraging local educational agencies and states that receive funds under the *Education Stabilization Fund* to continue to pay employees and contractors during disruptions or closures related to coronavirus. In this section, Congress clearly intended to protect the jobs of workers by ensuring that contractors were paid during the health crisis.

Unfortunately, here in New York, the provision has not had the desired outcome, as about half of our state's school districts are not currently paying their transportation service providers. As a result, school bus contractors are going out of business and thousands of school bus workers have been laid off through no fault of their own.

The reason, of course, is that Section 18006 also provided states and school districts with a path to avoid payments, only requiring them to pay contractors "...to the greatest extent practicable..." For New York school bus contractors and employees, this language has resulted in shuttered doors and rampant unemployment.

During this Coronavirus outbreak, Governor Cuomo of course issued an executive order closing schools. While the Governor's executive order waived the 180-school day requirement in order for a school district to maintain state aid, school districts do not feel that this is enough to guarantee that the State will hold them harmless for continuing pupil transportation payments. While the

school districts have agreed to continue to pay their pupil transportation contracts so long as the State Education Department maintains state aid to the districts, this aid is very much in doubt.

In New York City, all school bus workers were furloughed two weeks ago after officials declined to renew contracts for school bus companies. In addition to their income, these 16,000 working families have lost their medical insurance during the greatest health care challenge in the past 100 years. We are certain that this was not what Congress had intended when it carved out billions of dollars to school districts.

Of course, continuing funding is in the best interest of the school districts, the workers and the families we serve. Our industry is already facing a worker shortage. Many experienced workers who are currently being laid off may not return to work when the schools reopen. The ability to resume school operations cannot happen at a moment's notice, and it is imperative that pupil transportation contracts still be paid so that the school bus industry is ready to go as soon as this crisis passes.

Even while not providing daily transportation services, our professional drivers, matrons and mechanics remain at the ready and on call as needed. Without federal intervention, whenever school does start up again, New York will only have half of its school districts ready for the first day.

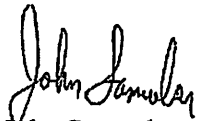
Year after year, our members safely transport children to and from school every day. Now is the time to secure the experienced workforce by keeping them employed, paying their wages and continuing their medical benefits so that when this is over, we can quickly get back to work. Student transportation remains the backbone of the educational system, and this important industry must be protected until this health crisis dissipates.

We urge you to include language in the next COVID bill requiring states that have, or will take advantage of the CARES Act's Education Stabilization Fund and any additional funding that might be made available to schools in future legislation to fund school districts and require school districts to pay school bus contractors during disruptions related to coronavirus. School districts, including those who have already taken CARES Act or other COVID-related funding, should also be required to pay the contractors through funds that were already allocated and set aside for school bus transportation for this fiscal year.

Through the CARES Act, Congress provided emergency funding to states and school districts so that they could keep as many people employed as possible, whether they work in house or for contractors. Please clarify your legislative intent so that people involved in the school transportation business may benefit from your actions and avoid the unemployment line that is already filled with so many other New York working families.

Thank you for your consideration of this critical request, as the safety of our children is our highest priority.

Sincerely,



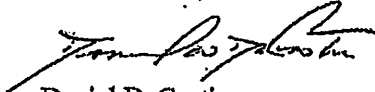
John Samuelson
TWU International President



John Durso
President, Long Island Federation of Labor



Anthony Utano
President, TWU Local 100



Daniel DeCrotie
President, Teamsters Local 1205



Michael Cordillo
President, ATU Local 1181



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President, TWU Local 252



Peter Scälzo
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