

# Boston Carmen's Union, Division No. 589

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Boston, MA 02110

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## Member Notices: Delegate Denial

Date: 10/27/2023

To : Francine Nicholson

Re: Your Grievance

Dear Mrs. Nicholson, Below is a form letter indicating the action I am taking on the grievance you submitted via the members\ app on 10/14/2023 regarding Bill Killoran and his treatment of you during your workers\ compensation claim. I am sending you this non-prevail letter because the item submitted is a complaint against an individual and not a violation of the Collective Bargaining Agreement. To assist you in airing your concerns with the appropriate personnel, I have forwarded your submission in its entirety to Mr. Killoran\ s boss John Kelly and his supervisor Sean Collins, as well as the senior director of labor relations at the MBTA. Additionally, based on the concerns you raised surrounding the protected characteristics of racial and gender identity, I feel compelled to remind you of the availability of the MBTA\ s Office of Diversity and Civil Rights (ODCR) and Massachusetts Commission Against Discrimination (MCAD). Both are useful tools to assist in these types of matters. If you need assistance in getting your matter to ODCR, please do not hesitate to let me know.

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