

The Triborough Amendment: not a bridge addition



Written by

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When I was in public high school, I had an English teacher who was worth his weight in gold. His name was Robert Wolfe.

Even though I came from a literate family, my interest in fiction barely went beyond that of picking up a Classic Comic.

But Wolfe woke me up. He introduced me to Thomas Hardy, Thornton Wilder, Henry James and other novelists I ordinarily would've avoided like the plague.

Though he was a kind and sensitive man, Wolfe, who held a Ph.D from Columbia University, also was a dedicated task master. Somehow he managed to weed out the students who weren't serious about learning. By the middle of the year, the slugs were gone — leaving behind a core group of about a dozen kids, all of whom were proud that they had passed muster with a genuine scholar.

I remember another tenured teacher, who

was long past his prime if he ever had a prime. Call him Brand X.

This guy was the human equivalent of Sominex; he barely went through the motions. Sometimes, he would devote an entire class period to reading a newspaper.

He never seemed to learn my name, a symptom of either lethargy or arrogance, or both. Finally, I said the hell with it and cut his awful class, figuring he wouldn't care. That was a miscalculation because paradoxically he only noticed me when I suddenly wasn't there. Then he got cheap revenge by sending a note home to my parents.

I offer these two extremes to point out an unfortunate trend in the hot-button debate over public unions.

If I criticize a system that allows Brand X to continue educational malpractice with virtual impunity, does it mean that I am "demonizing" and "vilifying" all teachers —

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teachers like the priceless Dr. Wolfe, to whom I remain indebted?

It's no secret that the balance of fairness is out of whack. Not long ago, Yonkers School Superintendent Bernard Pierorazio told me that it takes about two years of litigation and \$400,000 in legal fees and salaries to oust an underperforming teacher who is protected under the rules of tenure. In other words, it isn't worth it.

The wider union "issue" is complicated. Everybody's mixing apples and oranges in the debate, and in the process deliberately misrepresenting opposing points of view — and I include the media in this.

The cops and firefighters aren't the same as CSEA workers, and the CSEA workers aren't the same as nurses and librarians. They all have different contracts, different retirement benefits, different salary scales and work rules.

So when I (or anybody) raises an eyebrow over the fact that a Yonkers cop who was able to retire at age 44 with a pension of \$101,333 after receiving a maximum base pay of \$74,000 a year and further point out that he was among more than 100 city retired police and firefighters with a similar deal, I *am not* begrudging the guaranteed pensions of all public workers.

Come on. I know full well that the average retiree in New York gets about \$14,000 a year. My mother, a very well-educated woman who worked in a state university library and after that in a local library, got

little more than \$5,500 in retirement. (Mom, you really soaked the taxpayers.)

Indeed, I can fully understand any union resistance to a 401(k) concept. It is little more than a corporate Ponzi scheme and ought to be viewed with suspicion.

And believe me, I do not side with the bosses of America, nor do I defend the continuance of tax cuts for the rich.

It bugs me that none of the Wall Street fatcats haven't gone to jail. From a physical standpoint, Gov. Chris Christie is hardly a model for belt-tightening.

On other hand, please don't compare the union protests in Madison, Wis., and elsewhere to the uprisings in Mideastern countries where civil disobedience means getting your hand (or head) chopped off. What's going on in the Midwest of this country is closer to the revolt of the accountants in "Monty Python's The Meaning of Life" than it is to the overthrow of a delusional dictator armed with

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chemical weapons.

Collective bargaining is theoretically a good thing, if the playing field is level. But here in New York, it is often tilted to the union side by a 29-year-old fixture to the Taylor Law called the Triborough Amendment. This prevents a public employer from changing any aspect of an expired union contract until a new agreement is negotiated.

As a result, union negotiators have little incentive to make concessions, and it can stall the negotiating process for years.

Most people probably think the Triborough Amendment has something to do with infrastructure, but it is a key issue in the public union debate. The state's bipartisan Mayoral Task Force on Mandate and Property Tax Relief, which included two Westchester mayors — Phil Amicone of Yonkers and Mary Foster of Peekskill — want it repealed.

Of course, the unions shouldn't be demonized. They fight for their membership and they only take what the politicians give them. It's the feckless pols who sold out the taxpayers in exchange for votes. Government officials might not be so quick to give away the store if they were required by law to open up the process for public inspection.

Start with posting the terms of all union contracts online and in plain, readable English.

But the unions have a public relations

problem. Over and over again, they say this increasingly nasty fight is for the preservation of the middle class, as if the middle class are only those citizens who pay union dues.

There is a vast, unprotected middle class out there. And I haven't heard one union official make a convincing case that they care about them. Instead, they accuse critics of endorsing "a race to the bottom."

The sad truth is that most Americans have little trust in institutions — and that includes private corporations and unions, both private and public.

Ask the guy on the street what he thinks and he might say, "A pox on all their houses."

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