

**Statement of Eric Epstein, Business Manager
Central Dauphin Bus Drivers Association**

October 26, 2009

I received a call on October 15, 2009 from the Bureau of Mediation informing me the District wanted to declare an impasse even though there had been no joint mediation sessions.

The timing was curious since we were asked to produce Confidence Building Measures before meeting with the District. We diligently prepared a list of proposals although it was the Board that broke the contract.

We asked for Right to Know data the District refused to provide, we recommended the implementation of collaborative Safety Committee meetings, and we requested copies of all personal records and proprietary information the District illegally turned over to Durham School Services.

We also requested the District issue an apology to parents and students for the inconvenience and confusion caused by their premature attempt to outsource transportation and void the bus drivers' contract.

The District's response was to file a frivolous law suit on October 14. We did not receive a copy of the suit until October 20 at 9:35 am when the sheriff served the bus drivers on school property.

Our attorney had to call Rhoades and Sinon and request a copy of the legal action on October 20. The suit wasn't delivered until October 22 - eight days after it was filed - even though the offices are blocks apart.

This frivolous suit seeks to turn labor law on its head, and bypass mediation, the Labor Relations Board, Act 88, and decades of case law.

The suit has a low to zero chance of success. To put it in laymen's terms, there is a greater chance of my rabbi eating a ham sandwich with King Abdullah than there is any chance that this suit will do anything other than increase billable hours for Rhoades and Sinon.

Yet this Board has the gall to post rules that lecture the public on manners, and purports to be concerned about taxpayers. The Board's actions are wasteful, counter productive, and bizarre.

But it gets worse. We received an anonymous tip last Friday that the Board president signed a contract with Durham. Remember, the Board assigned all of its decision making responsibilities to Mr. Ellison on August 10. In addition to conspiring to violate legal statute, there is no public record of a contract negotiated by this "lame duck" school board.

Our attorney called Mr. Ellison four times last Friday afternoon and was put hold or just blown off. By close of business on Friday we faxed a simple question to Mr. Ellison: "Has the District signed a contract with Durham? Check either 'Yes' or 'No.'"

No response.

The Board and management authorized this fiasco, and bear the ultimate responsibility for neglecting the bus fleet and plunging this district into a legal war. This latest legal boondoggle exposes the Board and management to a counter suit.

The Board can not continue to outsource responsibly to management and a team of legal opportunists. Nor can they continue to underwrite frivolous law suits on the backs of beleaguered taxpayers.

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October 23, 2009

via: Facsimile Only (231-⁶⁶³⁷~~6638~~)

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RE: Central Dauphin School District and
Central Dauphin Bus Drivers Association

Dear Mr. Ellison:

I called you six times today and spoke to you on four occasions. On each of the four occasions, I asked you whether Central Dauphin School District had signed a contract with Durham School Services. You did not answer the question and on the last occasion, at approximately 12:45 p.m., you said you would get back to me. It is now 2:40 p.m. and I still do not have a response. I would request that you show some professional courtesy and respond to the question that has been raised below:

Has Central Dauphin School District signed a contract with Durham School Services? _____ YES _____ NO

I would appreciate you faxing your response immediately.

Very truly yours,

IRA H. WEINSTOCK

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