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# UPS refuses to back down from firing 250 union workers for walkout that violated labor contract

UPS said the union that represents the drivers knew it was violating its labor contract with the company by calling for a 90-minute walkout Feb. 26 -- and did it anyway. The company fired 20 workers and will axe the remaining 230 when new drivers are trained.

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EDITOR'S PICKS



ANTHONY DELMUNDO/NEW YORK DAILY NEWS

**UPS driver Domenick Dedomenico, 40, was out for nearly a year because of a work-related hit-and-run that almost killed him. He showed up to work Wednesday, the day after he told his story to the Daily News, and was greeted with a termination notice.**

UPS is sticking to its decision to stamp 250 unionized drivers "Return to Sender."

The Atlanta-based company said the union that represents the drivers at a Maspeth depot knew it was violating its labor contract with the company by calling for a 90-minute walkout Feb. 26 — and did it anyway.

The company fired 20 workers Monday night and said it won't back down from its plan to fire the remaining 230 as soon as new drivers are trained.

"They are being removed from payroll due to their participation in the walkout. The company is taking justifiable action to address the local union's and the employees' misconduct," said Steve Gaut, a UPS spokesman.

The Feb. 26 walkout — sparked by the dismissal of a longtime union activist, Jairo Reyes — had serious consequences for the company's bottom line, the spokesman noted.

The company maintains that under its agreement with the International Brotherhood of Teamsters Local 804, it has the right to fire employees who take part in an illegal job action.

"UPS takes our service commitments to our customers very seriously. We deliver important packages that include everything from business critical goods to live-saving medicines," he said.

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Carlos Tavaraz, 30, dropped off the car at W.



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"We simply cannot allow employee misconduct that jeopardizes our ability to reliably serve our customers and maintain order in our delivery operations," he said.

But UPS's hardline position hasn't won favor with city politicians, who want the company to back down.

UPS has a \$43 million contract with city and state agencies and participates in a city program that saves it millions annually by reducing parking ticket fines.



ANTHONY DELMUNDO/NEW YORK DAILY NEWS

**UPS driver Domenick Dedomenico, 40, delivers some packages at 71-01 Kissena Blvd. in Queens on Tuesday. He is among 250 workers who will be terminated.**

City Controller Scott Stringer, who oversees city contracts, said he will be at a

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press conference Thursday along with Public Advocate Letitia James to urge UPS to drop the strong-arm tactics.

“Nobody should lose their job simply for standing up for their fellow workers, especially at a time when so many New Yorkers are struggling to make ends meet,” he said.

It may be too late to help Domenick DeDomenico, however.

The 40-year-old driver has been struggling to keep up with the UPS pace since he returned to his job in January. He was out for nearly a year due to a work-related hit-and-run that almost killed him.

He showed up to work Wednesday, the day after he told his story to the Daily News, and was greeted with a termination notice. DeDomenico was already on the UPS fire list because he participated in the Feb. 26 walkout, but the company is also trying to dismiss him because of his slower performance, according to his union.

“They’re just going after him, they’re trying to fire him,” said Tim Sylvester, president of Local 804.

But his union contract protects him from immediate dismissal on his performance.

“He has to stay on the job until an arbitrator hears his case,” said Sylvester. “If not for that, he’d be out on the street.”

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