

EXECUTIVE ORDER No. 80

December 16, 2005

EMERGENCY MEASURES  
REGARDING TRANSIT STRIKE

Whereas, employees of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, and the MTA Bus Company (the “Union”) have threatened to commence an unlawful strike on December 16, 2005, and such strike would effectively cease all subway and bus services provided by the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, and the MTA Bus Company; and

Whereas, it is necessary to insure public safety and the orderly transportation of people and goods in the City of New York; and

Whereas, on December 10, 2005, the Union authorized a strike; and

Whereas, on December 13, 2005, the Hon. Theodore T. Jones, Justice of the New York State Supreme Court, enjoined the Union from violating section 210 of the Civil Service Law by conducting, engaging or participating in a strike; and

Whereas, the strike would cause an increase in the response time of emergency vehicles, endangering the lives and health of the City’s residents, commuters and visitors, the loss of instructional time for more than one million students, wide-scale inability to gain access to routine medical care, massive disruptions in the criminal and civil court systems, the loss of wages for hundreds of thousands of persons, the loss, on a daily basis, of hundreds of millions of dollars for businesses in the City, the loss of millions of dollars per day of revenues for the City and the Department of Education, and the increased expenditure of millions of dollars per day by the City of New York; and

Whereas, on December 16, 2005, I issued Executive Order 79, proclaiming a state of emergency and providing for emergency measures to take effect “immediately in the event the strike action by transit workers is commenced, as determined by the Mayor;” and

Whereas, on December 16, 2005, the President of the Transport Workers Union announced that the executive board of Local 100, Transport Workers Union has voted to “begin a series of strikes, first ... on certain private lines and then extending onto MTA properties,” and

Whereas, it is expected that initial strike activities will affect the bus service provided by Jamaica Buses, Triboro Coach Corporation, and may also affect bus service provided by Green Bus Lines;

Whereas, these circumstances constitute an imminent peril to the public health and safety requiring the adoption of special rules, regulations, procedures, and restrictions as emergency measures; and

Whereas, Executive Law §24 authorizes the Mayor to promulgate local emergency orders upon a finding that the public safety is imperiled by the event of a public emergency or in the event of reasonable apprehension of immediate danger thereof, to protect life and property and to bring an emergency situation under control;

Now, therefore,

Section 1. Section 9 of Executive Order 79 of 2005 is amended to read as follows:

§9. Section 1 of this Order shall take effect at 12:01 a.m. on December 16, 2005. Sections 6 and 8 of this Order shall take effect immediately. The remaining sections of this Order shall take effect immediately in the event of strike action by transit workers affecting the public bus lines or the subways or both, as determined by the Mayor.

§2. This Order shall take effect immediately.

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Michael R. Bloomberg  
Mayor