



April 10, 2009

Mr. Richard F. Krochalis
Regional Administrator
Federal Transit Administration - - Region X
Jackson Federal Building
915 Second Avenue, Suite 3142
Seattle, Washington 98174-1002

Re: Employee Protections for Transit Grants
Under the American Recovery and
Reinvestment Act of 2009

Dear Colleague:

As we are all aware, the American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law by President Barack Obama on Tuesday, February 17, 2009. Under the ARRA, the Federal Transit Administration (FTA) received \$8.4 billion for three separate capital investment programs for public transportation. FTA has informed us to expect to process for certification 800 to 1,000 grants under these programs, in addition to our usual workload.

Key to the effectiveness of these programs in stimulating our economy is the speed with which the apportioned funds are obligated. To this end, the ARRA requires the Secretary of Transportation to withdraw and redistribute a portion of the funds apportioned under this provision from each grantee that fails to obligate at least 50 percent of those funds by September 1, 2009. This office and the FTA have already collaborated regarding efforts to facilitate our processing of these grants. We have secured additional personnel resources in anticipation of this extra work to ensure that grant applications can be handled promptly.

In a further effort to expedite delivery of these grants, the Department of Labor (Department) is now reaching out to our customers in the transit community for assistance. Under the Department's procedural Guidelines, 29 C.F.R. Part 215, transit systems and the union(s) representing mass transit employees in the service area of the projects are given fifteen days from the date of the Department's referral and notification letters to submit objections, if any, to the proposed terms in the referral. To facilitate more expeditious certification, the

Department is urging grantees and the appropriate representatives of the employees to notify us as early as possible in the review period whether they will raise objections to the terms of the proposed protective arrangements. If objections are contemplated, please submit them as early as possible. This will ensure the expeditious completion of our certification process and FTA's release of grant funds.

Additionally, the Department strongly urges that applicants follow FTA's suggestion to submit their grant applications as early in the period of availability for these program funds as possible. Finally, if the parties anticipate any possible disputes that could impact prompt certification, this office stands prepared to provide all appropriate assistance to the parties in an effort to expedite the processing of these grants and avoid the reallocation, or the lapsing, of the funds intended for the benefit of your properties, your members, your employees, your neighbors, and our economy.

If you need additional information, or have any questions, please feel free to contact this office at (202) 693-0126. Our FAX number is (202) 693-1342.

Sincerely,

Ann Comer

Ann Comer, Chief
Division of Statutory Programs