

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

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B E F O R E: I. DANIEL MILLER  
Chairperson

COUNCIL MEMBERS: Elizabeth S. Crowley  
Daniel Dromm  
Costa G. Constantinides  
Robert E. Cornegy, Jr.

## A P P E A R A N C E S (CONTINUED)

Bob Linn, Commissioner  
Labor Relations  
Office of Labor Relations

Liz Vladeck, Deputy Commissioner  
Office of Labor Policy and Standards

Amit Bagga, Deputy Commissioner  
External Affairs  
Department of Consumer Affairs

Ruth Milkman  
Joseph S. Murphy Institute

Arthur Cheliotes, President  
Local 1180, Communications Workers of America  
Chairman, Labor Advisory Board, CUNY

Janella Hinds, Vice President  
Academic High Schools  
United Federation of Teachers  
Secretary-Treasurer  
New York City Central Labor Council

David Mertz, New York City Director  
Retail, Wholesale and Department Store Union



[sound check, pause]

[gavel]

CHAIRPERSON MILLER: [coughs] Good

afternoon, and welcome. I'd like to welcome everyone here today, and welcome back the members. I hope everyone had a great summer. It's time to get back and do the people's work. So with that, I am Council Member I. Daneek Miller and I am the Chair of the Committee on Civil Service and Labor. Today, we'll be discussing the Murphy Institute's and the CUNY Center for Urban Studies Report and the State of the Union's 2016, a Profile of Organized Labor in New York City and State, and throughout the United States, which was written by Professor [coughs] excuse me—Ruth Milkman and Stephanie Lucci-Luce. The committee previously held a hearing in 2012 on the 2012 version of this important—the city's workforce 2012 on this report. Before—wow, it's been a little while. That was just before we came to the Council. So at this hearing, it was noted that in 1953 the city's workforce was 34.4% unionized, and the national rate was just a little bit lower at 32.6. The 2012 report found that the unionization rate had decreased in the previous three years from 24.6% to

22.3% unionization. [coughs] Excuse me. The 2016 report has fared a bit better. The city's unionized workforce has increased to 22.3% in 2012 to 25.5% currently or about 90,000-901,000 members in 2016. There is much more to determine on the union movement here in the city of New York. There is a lot of data in this report, particularly regarding demographics that we hope that we'll hear more from our Office of the report this afternoon. The report also has a section on recently passed minimum wage increase. The report also includes that this will positively affect millions of New Yorker statewide either directly or via the ripple effect in raises. As I mentioned, today we will hear from representatives of CUNY School of Labor to discussion this data-data in this report. Also implications of the city's economy and the future of the labor movement in the city of New York. However, as it is our custom, there are representatives from the administration that will testify, and we have-- Who do we have here? We have Mr. Bob Linn, Director of Labor Relations, and Liz Vladeck, the Deputy Commissioner of the Office of Labor Standards, and someone else has snuck up there. [background comments] Okay, and Amit Bagga, Deputy

Commissioner of DCA. Thank you, sir, for coming as well. Okay, so with that, I would like to thank the--the members of the committee for being here, Council Member Robert Cornegy, Council Member Elizabeth Crowley, and Council Member Daniel Dromm. I'd like to--I'd like to thank our Committee's counsel Matt Carline; Policy Analyst Gaffar Zoloff and Ms. Stevenson the Analyst as well and, of course, from my staff Mr. Gregory Rose. With that, we will hear testimony from Mr. Linn and the team of the Administration and thank you so much for joining us. It was a bit of a surprise. I was not expecting to see you here, but that demonstrates the importance of this hearing, and obviously labor and its impact on the City of New York. So...

BOB LINN: Chairman--Chair Miller, thank you very much for inviting us, and us, and council members I always enjoy appearing before you to discuss issues of the labor relations and city issues. I think I was speaking first, and Ms. Vladeck will be speaking second. And so thank you for--for--for inviting us. First, I want to thank the Murphy Institute for their comprehensive 2016 Report on the State of the Unions, and I'd like to express

appreciation for the Civil Service and Labor Committee for holding this hearing on this very, very important topic. In their report, the Institute points out that while union representation in the private sector is on a decline, currently in the United States, only 10% of the workforce is unionized, and they point out I think that only 6.6% of the private sector workers are represented by unions, an historic low I—I believe. The story in New York City and the State shows a much more robust unionize workforce, and the numbers that— Chair Miller, I know that you see quite as well, but the fact that unionized total in the state is 24.1%, in— in New York City 25.5% is impressive given the national numbers. In the private sector, New York State is 15.3% organized and New York City 18.6 and in the public sector New York State is organized to the extent of 72.3% and New York City just under 70%. Therefore, New York City representation in the public sector is double that of the country overall, which is at 35.7%, and in the private sector the disparity is even more striking, 18.6% in New York city compared to a national average of 6.6%, almost triple. And I now note that the report said that in

the last several years there's been a small increase in union-unionization in New York City leading them to conclude that the recent increases however modest in unionization rates and the resumption of contract bargaining in the public sector offers the basis for cautious optimism. This I think is even more compelling because as we-as you all know, over the last several years, union members across the country have faced challenging circumstances. Nationally, public sector unions were under attack with new laws limiting collective bargaining rights of the public sector especially in Wisconsin and in other states. And other states are considering similar initiatives, and we all know that *Friedricks v. California*, a Teachers Association case before the Supreme Court sought to curtail collective bargaining rights, induce check-off for public sector employees. And I do wish to note that the City of New York submitted an amicus brief in that case in support of the role of unions and collective bargaining in maintaining effective municipal relationships, workforce relationships. As opposed to these anti-union approaches, the de Blasio Administration has sought the collaborative approach negotiating broad creative



solutions to problems faced by the workforce. We have demonstrated that successful public sector collective bargaining can thrive, and can generate path breaking solutions in both employee and the public interest. We truly believe in collective bargaining. Over 90% of the city's employees are represented by a union. When the de Blasio Administration—as everyone in this room knows—took office, every city employee was working under an expired contract. Of the 337,000 represented civilian and uninformed city employees in 144 separate bargaining units, many have been without a contract for many, many years. Like they all have been without contracts for many years. Approximately 143,000 employees, 42% of the represented workforce were working under contracts that expired prior to the 2008 to 2010 round of collective bargaining. As the report notes, under the prior administration, public sector unions were unable to negotiate new contracts for several years in the wake of the Great Recession. And as I point out, although this has been remedied to a great extent, I think at a very great extent under the de Blasio Administration. For years, the workers had not received significant

increases of pay or benefits. The Administration has taken a respectful and collaborative approach to negotiations. Currently, nearly all of the represented workforce are working under labor contracts established during this administration. Step by step we have changed the labor management dialogue from confrontation and deadlock to collaboration and problem solving. Our innovative interest based approach to problem solving has allowed us to solve thorny issues that have alluded prior administrations. Among our administration's cooperative labor management solutions to date are nine-year collective bargaining agreements with more than 140,000 employees who had not received a wage increase since 2008, and seven-year agreements for most of the more 200,000 employees who had not received wage increases since the 2010. Over 100 labor agreements were negotiated. They were both overwhelmingly ratified by the union membership and hailed as fiscally responsible by the city's fiscal monitors. Our landmark 2014 Healthcare Cost Savings Agreement between the City and the Municipal Labor Committee made the first significant changes to a health plan since 1982. We initiated the first Labor

Management Health Data Sharing and joint Analysis Group. We are on track to achieve the \$3.4 billion of savings for New York City's Healthcare programs through fiscal 18, 2018 while improving healthcare delivery for the city workforce. Our innovative wellness program, Work Well, New York City supports workers' health and wellbeing. We created one union contract and new fund for child and elder care programs. We have created additional education and training opportunities for early education workers, and we have successfully completed the long sort—the long restructuring of the school custodial system, the most significant changes to that system in 50 years. And since 2014, OLR has also assisted in the development of important mayoral initiatives, many of which model our public sector—which are a model to a public sector as a responsible employer such as parental leave for non-represented city employees, which we will hope will form a basis or a model for PTL provisions in union agreements. We worked with the administration on the \$15.00 minimum wage for City employees, and for—for employees of social service organizations who contract for work with the city, known as the Purchase of Service Contracts.

And as the report notes, an estimated 6% of public sector workers stand to benefit from the increases provided. In future bargaining, we will continue to reach innovative fiscally prudent labor agreements that build on these successes and are fair to the workforce while protecting the interest of the taxpayers. We believe that effective collaborative, collective bargaining with strong union leadership works. We're convinced that New York City will lead the way in demonstrating how collective bargaining can lead to improved morale, a more productive and healthier workforce, and we can do all this while being fiscally responsible. Thank you.

DEPUTY COMMISSIONER VLADECK: Good afternoon, Chairman Miller and members of the Civil Service and Labor Committee. I'm Liz Vladeck, Deputy Commissioner of the Office of Labor Policy and Standards at the Department of Consumer Affairs, and I'm joined by my colleague Amit Bagga, Deputy Commissioner of External Affairs. On behalf of Commissioner Salas, OLPS and all of DCA, thank you for inviting me to testify about the 2016 Murphy Institute's Report on Union Membership in our city and state. The institute conducts valuable original

research and education about and for our city's labor movement and working people. The Annual Report, co-authored by Ruth Milkman and Stephanie Luce serves as a barometer for the economic health of working people in our communities, and so it's an important tool for those of us who focus on issues relating to the workplace and workers' rights. We know that union density, driven in part by the outcomes of unionization efforts is an important indicator of how workers are doing overall, whether they have a voice to resolve the issues that arise with their employers and whether they're positioned to achieve and maintain livable wages, benefits and other safe working conditions. This year's report tells that workers in New York City and state are making some progress, and point specifically to key victories in the last few years that have been driven by organized labor and are poised as the report says to greatly enhance the wellbeing of New York workers. We applaud and we honor these victories, but we know that more needs to be done. Too many workers, particularly those toiling in industries where unionization rates are low still face too much uncertainty about their economic lives, and are not

afforded a variety of what we might consider basic protections. As part of our continued commitment to serving all workers, I'd like to take this opportunity to share with the committee two important announcements that the de Blasio Administration is making today. One that outlines the plan for city to take a groundbreaking and leading role in ensuring that some of our most vulnerable workers are armed with tools to lead better more stable lives, and the other that projects a new vision and mission for the Department of Consumer Affairs as the city's lead agency on workplaces justice issues. Just an hour ago I was proud to stand with the Mayor, Commissioner Salas, advocates, workers, and elected officials to announce the Administration's intent to pursue fair working week legislation that would benefit our city's 65,000 fast food workers by introducing predictable, stable and transparent scheduling practices to that industry. Currently, employers aren't required to provide their hourly employees with advanced notice of upcoming shifts. As a result, too many families cannot budget in advance, plan for education or family care, or secure a necessary second job. In the coming months we will

seek to work with the Council, advocates, labor groups, and the business community to draft specific legislation to support hardworking fast food hourly employees who are currently hit hardest by unpredictable scheduling practices. Specifically, we are looking for fair work—fair work week legislation that would require employers beginning with the fast food industry to schedule a majority of expected shifts and publicly post a workplace schedule two weeks in advance. Protect workers by requiring employers to provide additional compensation when workers are required to accommodate last minute changes to their schedules for reasons within employers' abilities to predict or control. And we seek to address problems created by the practice of clopening, or shifts that require employees to consecutively work closing and opening shifts with fewer than 10 hours between them. These measures will give fast food workers more stability and predictability while preventing employers from deliberately under-scheduling workers and forcing them to remain on call. Most importantly, this proposal means that employees will have the ability to take classes, care for their children or

aging parents or work a second job that unfortunately, too many workers need to make ends meet. OLPS, we look forward to leading education and enforcement efforts around this initiative and similar laws, and we are grateful to the Council for your support and partnership through this process. This work and our other work including unpaid sick leave and commuter benefits is focused, of course, on enhancing the economic wellbeing of New Yorkers, and it's consistent with all of our work at DCA. And so, I'm also very proud today to present to the Chairman and to the committee DCA's brand new mission being discussed at this hearing for the first time. DCA's mission is to protect and enhance the daily economic lives of New Yorkers so that our communities can thrive. Our agency was established in 1969 and it has evolved to stand at the nexus of consumers, businesses and working families in New York City. Our work, which includes everything from consumer complaint mediation to policy and legislative advocacy, large scale consumer education campaigns, financial protection and education for low wage workers, but also New Yorkers of all socio-economic strata. All of these efforts that are done under the



guise of DCA and the establishment of OLPS earlier this year demonstrate our unique ability to play role of the city's natural convener of consumers, businesses, and working families, which together form a complex set of constituencies each with specific needs. [pause] I think this committee is familiar with our agency's work on paid sick leave. In the two years since the law was implemented and expanded by the Mayor, we have achieved close to \$4 million in restitution and penalties against employers that were not allowing their employees the right to take advantage of the paid sick leave they're entitled to under law. We know that workers especially in low wage industries where enforcement is still a major issue can't afford even to lose one day of pay because that can compromise their ability to afford life's necessities. Our clear and compelling metrics in successfully implement paid sick leave show our deep and unwavering commitment to enforce the law, and the impact robust enforcement has on the daily lives of New York's most vulnerable workers. But importantly, we also know that paid sick leave makes sense for employers. Paid sick leave foster employee retention and productivity. It enhances job and

economic security. It appears to possibly reduce the incidents of transmission of the flu according to recent reports, and ultimately it does—it gets employers' bottom lines even after taking into the law's costs. This is in line with a study authored by Ruth Milkman and Eileen Applebaum (sp?) that was released just last week. The study found that by and large coming into compliance with the city's paid sick leave law has not represented a financial burden to city employers. The study is aptly titled *No Big Deal*. So, both paid sick and commuter benefits are now housed in OLPS, and we are building on our groundbreaking work in these areas to fulfill our new mandate from the Council to engage in advocacy, education, research and policy work in addition to the pursuit of new legislative initiatives. I know the Council is familiar with the new Paid Care Division that has been created and will be house in OLPS. This division will focus on developing creative strategies to improve employment standards for paid care workers, a group that for legal and practical reasons is often unable to unionize. In connection with all of these efforts that we are undertaking, we are very glad to highlight the Murphy

Institute's key conclusion that unionization is increasing in our city and state including in the private sector. We share Commissioner Linn's view. We believe in collective bargaining, and we know that our work has to help strengthen the abilities of workers to have and achieve a voice at their work place to define the standards that they need. And so increasing unionization is good news including in the fight for racial and gender justice as we know that unions and higher unionization rates mitigate race and gender inequality, and that in compliance with labor and employment laws such as those that regulate health and safety and wages in hours is greater in unionized workplaces. This is all consistent with our experiencing enforcing paid sick leave, which has suggested to us that unionized workers are more likely to have access to paid sick leave, and less likely to experience violations of their rights under law. At OLPS and DCA, we are committed to doing all we can to ensure workers have a voice in the issues that affect them. We seek to build broad deep relationships with stakeholders who share commitment such as the Murphy Institute, Labor Unions and community based organizations and, of course, the

City Council including this committee under Chairman Miller's leadership. I thank you again for the opportunity to speak before you today. My colleagues and I are happy to answer any questions you may have. Thank you. [background comments, pause]

CHAIRPERSON MILLER: So-so in terms of DCA, what kind of supports are given to low wage workers in terms of a right to organize? Is there any educational resources available, and-and if so, how are they distributed, and how do they access them?

DEPUTY COMMISSIONER VLADECK: So, that's a great question. We, as you may know, we're-we're getting up and running so I've been on the job for about three weeks, but we have-we have a great model for getting the word out to workers about their right to organize, and happily that's part of what we are mandated to do despite the fact that we, of course, wouldn't enforce workers' rights to organize. And so, for example, we've brought samples of our literature on paid sick leave and commuter benefits. We've, I think provided all of you with examples, and we have used this literature to touch tens of thousands of workers, businesses, organizations that

are interested in what we're doing all over the city. We've done hundreds of outreach efforts to make sure that workers know their rights under the law, and we envision a similar kind of outreach effort to make sure Chairman Miller, as-as you asked that workers are aware that among other things they have the right to collectively organize and-and bargain, and my colleague-- Excuse me, my colleague, thank you, points out that we've distributed over two million pieces of literature.

CHAIRPERSON MILLER: And let us take a look at some of the paid sick leave. How many-how many violations were issued over the past two years since this inception.

DEPUTY COMMISSIONER VLADECK: Sure. We've received 973 complaints. We settled 758 of those cases. Those settlements, consent orders that often implement workplace changes that go far beyond the original initial complainant, have resulted in restitution to workers of \$2.5 million and about one point-almost \$1.4 million in civil penalties.

CHAIRPERSON MILLER: And-and what is a typical timeframe for restitution or for-for this to be resolved?

2 DEPUTY COMMISSIONER VLADECK: So I  
3 believe and my colleagues here from OLPS will correct  
4 me if I'm wrong, but I believe that our average  
5 timeframe from a complaint to resolution is--Is it 30  
6 days? Yes? Right, about 90 days.

7 CHAIRPERSON MILLER: That's pretty good  
8 actually. That's better than--than the collectively  
9 bargained business process. [background laughter]  
10 So, that's pretty good.

11 DEPUTY COMMISSIONER VLADECK:  
12 [interposing] That's our dream team right there, and  
13 they're happy to share resources with anyone who is  
14 interested.

15 CHAIRPERSON MILLER: Are--are there, um--  
16 I've got a bunch of questions here, and I don't want  
17 to jump back forth and no organizing. I'm going to  
18 go to my colleague who is to the left here, and--  
19 [background comments]. Council Member Cornegy.

20 COUNCIL MEMBER CORNEGY: Good afternoon.

21 DEPUTY COMMISSIONER VLADECK: Good  
22 afternoon.

23 COUNCIL MEMBER CORNEGY: So this question  
24 is for anybody on the panel who would like to field  
25 it. I'm wondering if with the Murphy Institute as

identified as decreased to some degree in—in organizing or a new strength in general, is that representative of the new industries that have emerged in technology and in—in those kind of industries that kind of play a part in their decrease? Like it's almost like a—is this a natural—I want to say progression but a natural digression away from based on new industry, and the inability to organize a new industry or is there some other determining factor that you may have seen?

COMMISSIONER LINN: Well, I mean just from—from the public sector in New York City obviously you're not seeing a decrease in the, um, collective bargaining. The private sector is a much different story, and I'm certainly not an expert in that area. I must admit it—it seems to me that 6.6% private sector workers nationally is an extraordinarily low number, and it can't simply be explained by some industries and changes in industry. There—there must be and I'm—and I'm going to leave the experts from the Murphy Institute to speak more about it, but there has been a steady decline largely I think from the 50s and 60s it's reached its highest percentages of—of union organization. And a lot of

people point to the Traffic Controllers' strike as a--  
as sort of a watershed change in what happened in the  
private sector, but I--I think that one thing I can  
say is I believe that collective bargaining makes for  
better workforce results, and that it is--there are  
many that mistakenly believe in the--in the--both  
public and private sector that a non-unionized  
workforce is better for manage--management or better  
for operations, and I don't think that's necessarily  
true. As I said before, our job in New York is to  
demonstrate that labor and management can work  
together to provide the best possible services, and  
even better than non-unionized workers.

COUNCIL MEMBER CORNEGY: So--so for me,  
I'm acutely aware that there are some demographics  
and populations in the city and in the country who  
were better served, had a pathway in the middle to--to  
the middle class to good solid jobs in particularly  
minority communities, and I'm just trying to follow  
the trends and make sure that we can stay abreast  
and--and not get out of what we know to have been, you  
know, substantial for--for the demographics. So,  
I'll--I'll follow with the Murphy Institute. Okay.

COMMISSIONER LINN: Okay.



DEPUTY COMMISSIONER VLADECK: Member Cornegy, if I can address your questions as well. You know, a recent report suggests that most of the job growth in the last few years has been in the so-called gig economy, and, you know, on the one hand this feels new in a lot of ways, the changing nature of employment, but on the other hand the history of—of workers organizing is that, you know, industry comes up with new ways of organizing itself, and workers come up with new ways of organizing themselves. You know, part of what our Scheduling Initiative is about is to take jobs that are currently crummy jobs, not middle-class jobs as steel workers work once was, as mine worker work once was, and make those middle-class jobs because we think that's part and parcel of the work that workers do collectively to organize and change an industry. So, I guess that's part of my answer.

COUNCIL MEMBER CORNEGY: I'm just a little concerned because it seems like if that's—if that's true that we're kind of behind the curve, meaning that we're—we're just bring fast food workers to a place where, you know, they have better rights when unfortunately that industry is—is shrinking to

some degree, and there are plans to-to-to use a lot more technology based on the efforts. You know, I'm—I'm just wondering if-if that's the forecast for what we can see as we begin to organize across the board. But I'm just really concerned that we're behind the ball, and now with the—with the GIGA economy that we just talked about, you know, will that be 20 years before we're able to— I just feel like we're operating kind of behind to some—in some regard.

DEPUTY COMMISSIONER VLADECK: Yeah and I think conditions for workers are—are hard. They need to be improved, but I think the city is out in front on this issue. The reality of why we need an OLPS and why we need a council like the one we have is that federal laws make it hard for workers to organize. And so we're trying to fill in some of those gaps and make it easier.

CHAIRPERSON MILLER: Council Member Dromm.

COUNCIL MEMBER DROMM: Thank you very much Chair Miller. Commissioner Linn, my questions really is more around the contracting out of jobs. So a common complaint that I heard during the previous administration in particular was around the issue of

DCA-37's jobs being contracted out to private industries. Do you have any numbers or figures in terms of how this administration compares to the previous administration in terms of bringing those jobs that were once contracted out back into union jobs.

COMMISSIONER LINN: So I don't have figures with me. Those are figures that we can develop. I would like to say, though, that I know that that the issue you raised, especially with DC-37, is a central issue of concern of Henry--of Henry Garrido, and I've had numerous conversations with Henry over that topic, and we are equally committed with DC-37 to bring jobs in-house when it makes sense, and I think there are many, many situations where it does make sense, and that the issues of contracted jobs can be individuals who come and go. We lose and we lose the knowledge that people gain and when we contract out as opposed to having work done in house. We lose the ability to develop employees internally, and we have done a number of--of efforts or substantial effort with Henry Garrido and DC-37 involving information technology where we think that there are numerous jobs that made more sense

performing internally rather than externally, and I think we—we—there was an announcement about some of this work about a year ago, but I'd love to bring you the information on that. But we are working hand-in-hand with DC-37 to identify where it makes more sense to contract in than contract out, and there are many areas that will make sense to do that.

COUNCIL MEMBER DROMM: Yeah, I would love to see that information because it is a major concern. Another area that's been brought to my attention is where we're putting solar panels on public buildings, for example, and some of those contracts that go—I think go through DCAS, and it's my understanding that the contracts are going to private I guess construction or contractors. Do your office have any role in determining how those contracts are done or how that work is completed. Particularly because it's placing these solar panels on schools, the Health and Hospitals Corporation buildings, hospitals, et cetera.

COMMISSIONER LINN: My office does not—is not involved in that. That is a DCAS operation.

2 COUNCIL MEMBER DROMM: So those decisions  
3 to contract out to private contracting firms are made  
4 at the mayoral level, or how is that determined?

5 COMMISSIONER LINN: I think you should  
6 speak to them, but I think there still is the process  
7 of--of regulation and approval, but I'm--I'm just not  
8 an expert in that area. So I'd--I'd rather not go  
9 further.

10 DEPUTY COMMISSIONER BAGGA: This is Amit  
11 Bagga, DCA. I should point out-- Council Member  
12 Dromm, nice to see you.

13 COUNCIL MEMBER DROMM: Good to see you.

14 DEPUTY COMMISSIONER BAGGA: As always.  
15 The city--city agencies are bound by a variety of  
16 complex, but also clear and in some cases stringent  
17 pertinent rules and so perhaps it is possible that  
18 those contracts are dictated by their pertinent  
19 rules.

20 COUNCIL MEMBER DROMM: It just concerns  
21 me because I always think that--that cheaper isn't  
22 better necessarily, and often times I see this being  
23 used as the philosophy, not necessarily by this  
24 administration, but certainly I've heard this  
25 argument before. I don't think cheap--cheaper

necessarily equates to quality work, which is certainly in my opinion what unions always produce, you know. I do appreciate the administration's efforts, by the way, having been a former New York City public school teacher, to work out the teachers' contract, which was one of the first contracts that you did. And I think that also in terms of its effect on the--on the morale the teaching force has been fantastic. So I want to thank you for that, and--and really would appreciate follow up on exactly what's happening in terms of contracting out of these jobs that were once union jobs.

COMMISSIONER LINN: Let me and let me say that the teacher contract was the very first contract that I--that I reached in my return to the city, an extraordinarily important contract. One that I--I want to also commend the leadership of the UFT that was willing to--do a number of innovative approaches first in how we dealt with increases that hadn't been paid for five years, and had to find a way that we could financially afford to make that contract, and then they provided leadership in the health benefit settlement as well. So I--and I think there was very--there's overwhelming ratification of the contract

once negotiated. So, I-I-I agree that it was an incredibly important contract for the city and the workforce, and we will get the information for you on contracting.

COUNCIL MEMBER DROMM: Okay, and I always like to follow my grandfather's advice, which was get a union job. So for 25 years before being elected to the Council I had a union job, and I was proud of that. Thank you.

CHAIRPERSON MILLER: Thank you Council Member Dromm. We've been joined by Council Member Costa Constantinides and before we go to our next member I just want to follow up, Director, on the increase, the modest increase of about 3% that we've seen since 2012 over-over the past few years in the city's unionized workforce. How much of that would you attributed to the public sector?

COMMISSIONER LINN: So I'm trying to think of how many that we-

CHAIRPERSON MILLER: In fact, let's put it this way, we were-some of our-some of-some of-there's been some reporting on the city's increase of approximately 25, 26,000 new workers over the past two years. Are those number accurate that the city's

workforce has increased by that much, and if so what—  
what percentage that is a unionized workforce?

COMMISSIONER LINN: So actually it was a  
larger number, but-but let me—let me suggest this.  
Rather than my doing this on the fly, let us figure  
out how many more workers were city workers, how many  
of the—Virtually, all of the new workers were  
probably unionized, or a very high percentage of them  
were unionized. And let me—let me ask—estimate the  
impact on the overall numbers. So—so let us work it  
out, and—and that's a to do item we'll come back  
with.

CHAIRPERSON MILLER: Yeah, that—that is  
certainly, that—that is certainly important. I think  
I—I saw a report somewhere that said that—that the  
majority of that was a—a decent portion of it was  
with the FDNY. Certainly I think that we've had a  
conversation in the past, and I want to continue to  
have a conversation about when we follow up with  
those numbers as to what those numbers actually mean  
not just in terms of the city's economy, but in terms  
of services being delivered to the communities and  
the cities and the values that they have. We also  
talked about negotiations. Obviously we know that



the services bring a--have a--the services that was delivered have a great economic impact on the city of New York, its--it's public safety, its construction, it's cleanliness, and it's education. It certainly is transportation. How do we quantify that, and growing the workforce?

COMMISSIONER LINN: So let us put together information on--on the numbers, the job titles, and--and see what we can provide for you.

CHAIRPERSON MILLER: Okay, I think that would be great. Council Member Crowley.

COUNCIL MEMBER CROWLEY: Good afternoon. First, I would like to chair--I'd like to thank the chair, Chair Miller for having the hearing today on such an important issue, the State of the Union 2016 here in New York City as it compares to the rest of the country. I want to thank the administration for being here today to testify as well. What I find a little disturbing about the numbers I see in this report, are more the areas where we're falling short of the rest of the country. And that is certainly the areas where we need to do better if the rest of the country is doing better. One area is manufacturing, and so the New York City Metro Area,

4.6% of the jobs are unionized versus 9.2%. So nearly twice as many jobs in the rest of the country are union versus what we here in the New York City Metropolitan area. The same is true double in leisure and hospitality. We have only 1.5% whereas the rest of the country has 3%. Another area is construction, and I'm surprised because I thought the New York City Construction and Trades Council had a strong hold on union jobs, but the fact of the matter is the rest of the country is doing better. This is all on page 11. I guess, you know what disturbs me about what I do know about some of the city contracts that are given out certainly in the Housing Preservation and Development agency is—is that not only have reports shown that most of the companies are non-union, there have been reports that companies break labor laws and tax laws and are not only exploiting their workforce, but downright doing illegal practices. So what is the Department of Consumer Affairs doing to better regulate not only the companies that are non-union, but the companies that are downright exploiting the workforce?

DEPUTY COMMISSIONER VLADECK: Thank you, Member Crowley. That's a great question. We have

carefully tailored the statutes that we've adopted so far to try and leave room for allowing unions that are doing a good job representing their workers to negotiate higher standards, but ensuring that if those standards aren't being met, our law comes into play as a minimum standard that's intended to raise the floor for--

COUNCIL MEMBER CROWLEY: [interposing] So which law are you referring to?

DEPUTY COMMISSIONER VLADECK: I'm sorry. Yes, I'm referring to the Paid Sick Leave Law.

COUNCIL MEMBER CROWLEY: Okay, so are there any other laws outside the Commuter Law and the Paid Sick Leave Law that the Department of Consumer Affairs regulates whether employees are getting paid minimum wage or are getting any other type of exploitation in their workforce?

DEPUTY COMMISSIONER VLADECK: Well, we do have purview of the city's Living Wage and Prevailing Wage laws.

COUNCIL MEMBER CROWLEY:

DEPUTY COMMISSIONER VLADECK:

COUNCIL MEMBER CROWLEY:

DEPUTY COMMISSIONER VLADECK:

2 COUNCIL MEMBER CROWLEY: Uh-huh.

3 DEPUTY COMMISSIONER VLADECK: The law  
4 actually sets up a mechanism whereby our  
5 investigation and enforcement work only proceeds  
6 based on referrals from the Comptroller. So in terms  
7 of our ability to initiate investigations there, we  
8 are somewhat constrained.

9 COUNCIL MEMBER CROWLEY: Now, how do you  
10 know if an employer has 20 or more employees where  
11 they would have to follow the law that would allow  
12 commuter benefits?

13 DEPUTY COMMISSIONER VLADECK: We've done  
14 extensive work developing tools to analyze that. If  
15 you'd like some detail, I can ask our legal, the  
16 Legal Director OLPS is Joe Maxwell, to provide that.

17 COUNCIL MEMBER CROWLEY: What about the  
18 Office of Labor Relations? Do you—do you have the  
19 ability to answer any questions?

20 COMMISSIONER LINN: No, we don't have  
21 jurisdiction. They are private sector employers.

22 COUNCIL MEMBER CROWLEY: What about when  
23 our city dollars are subsidizing part of their wage  
24 such as with Housing and Preservation?

2 COMMISSIONER LINN: I'm not saying the  
3 city doesn't have a responsibility, I'm saying the  
4 Office of Labor Relations--

5 COUNCIL MEMBER CROWLEY: [interposing]  
6 Right.

7 COMMISSIONER LINN: --that our job is  
8 charged with bargaining with public sector city  
9 employees in their negotiations.

10 COUNCIL MEMBER CROWLEY: Right.

11 COMMISSIONER LINN: We have--we--we have I  
12 have to say that we're actively involved in assisting  
13 in negotiations in the daycare industry where the  
14 impact of the--of the \$15 wage floor provides very  
15 important wage increases to those workers, and we  
16 were I think centrally important in--in working with  
17 them to increase salaries to appropriate rates. But  
18 that is not the job of Labor Relations.

19 COUNCIL MEMBER CROWLEY: How could either  
20 of your offices help the city do better when--where  
21 we're falling short in comparison to the rest of the  
22 country?

23 COMMISSIONER LINN: So, look, I think in--  
24 in my earlier life I also worked at the National  
25 Labor Relations Board, and there is--there is a role

for--for unions in organizing more. Some unions have been effective in organizing more, the healthcare worker industry has increased substantially their membership in the, the last several years. I think that when you--when you look at for instance in hospitality, while it is an amazingly low number of 1-1/2% in New York, it's only three percent nationwide, which means basically that industry is--is not organized.

COUNCIL MEMBER CROWLEY: Or wherever it is organized, we're not doing that good.

COMMISSIONER LINN: Well, but the difference in 1-1/2 and 3 while it is still--

COUNCIL MEMBER CROWLEY: [interposing]  
Half.

COMMISSIONER LINN: --statistically is half, but still it means that both industries are either--

COUNCIL MEMBER CROWLEY:[interposing]  
Understood.

COMMISSIONER LINN: --97% or 98-1/2% non-union.

COUNCIL MEMBER CROWLEY: Well, I also think that's because a lot of those jobs are

restaurant workers, and in the hospitality industry it's very hard to regulate these businesses, and I—I don't know if it falls more within the state than it is within the city's powers to—to make sure that workers-- I know you can try to make sure that they get their paid sick leave, but if they're getting paid off the books, it's very hard for them to show that they've worked 80 hours last year. There's no documentation for it. I mean how do you work with the Department of Labor in the state or what agencies do you work with when you have a company that's been reported to you as paying their employees off the books?

DEPUTY COMMISSIONER VLADECK: So Member Crawley, I'd like to describe to you our new Paid Care Division and the work we've done that led up to its creating, and I think a partial response to your question. You know, there are serious vulnerabilities that we agree needs to be addressed. We have developed a very robust rubric for dealing with calls from domestic workers who have specific protection under the Paid Sick Right. It's precisely issues like the fact that employees may be working off the books, that we have developed mechanisms to

address. We work closely with state and federal agencies to make sure that when we are hearing about legal violations that we don't have authority to enforce those complaints are making their way to enforcement agency that does, and I want--

COUNCIL MEMBER CROWLEY: Oh, I'm sorry, just--which agencies would those be?

DEPUTY COMMISSIONER VLADECK: So for example the New York State Department of Labor, the New York State Attorney General's Office, the Federal Department of Labor, and--and I wanted to say, you know, we don't only give someone a phone number and say here's what you should--where you should call. We follow up both on the complainant and the agency side to me make sure that loop gets closed and enforcement is being pursued. You know, as--as you've describe, there are constraints around pre-emption issues in terms of what we have the authority to do, but we've launched a Paid Care Division that designed to--

COUNCIL MEMBER CROWLEY: [interposing]  
It's less the paid care because the domestic worker while it is very important, there's usually one per household. So, it's--it's a smaller fraction of the workforce. I'm looking more at these hospitality,



the hospitality industry, which is a huge employer, and much greater numbers. So while as it is so important to make sure nobody is getting exploited, I want to make—I want to see what we're doing as a city because that's where the—the sick employee is passing on the illness, and the customer is more frequently, and I just—I feel like there are so many in the hospitality industry go on unregulated.

DEPUTY COMMISSIONER VLADECK: Uh-hm, we agree. So the Fast Food Scheduling Initiative that was announced this morning--

COUNCIL MEMBER CROWLEY:[interposing] Fast food is a little different. It's the fast food industry has to do with franchises, and there's better enforcement when it comes to franchise. I'm talking about the mom and pop restaurants that may have 40 employees, but they don't tell the government that they have that many employees.

DEPUTY COMMISSIONER VLADECK: Right. Um, well, what I was going to say is that, you know, the announcement today is that fast food is the first industry where we have specific intentionality around scheduling but part of our legislative initiative is

to understand this issue better and other industries including hospitality.

COMMISSIONER LINN: Let me just add one thing because the column that you are referring to is the New York City Metro Area column as opposed to New York City Five Boroughs. So if you look at the New York City Five Boroughs in leisure and hospitality, you see 6% as opposed to the national 3%, and I mistook because it surprised me, yeah, but it surprised me given the--the importance of the Hotel Workers Union in New York that the numbers were so low, but I assume that--I assume that again I'm--I'm now reading from--

COUNCIL MEMBER CROWLEY: [interposing]  
Okay, no you're right, Mr. Linn.

COMMISSIONER LINN: --I'm not reading off a part that has--

COUNCIL MEMBER CROWLEY: But when it comes to--

COMMISSIONER LINN: --that has ruled out our chart.

COUNCIL MEMBER CROWLEY: --when it comes to construction and manufacturing we're doing a lot worse than the metro area in the five boroughs and

the country is doing better than we are here in New York City. The same way in wholesale and retail.

[background comments]

COMMISSIONER LINN: Yeah, so listen, I—I am certainly supportive of expansion of union—unionization and—and we're getting greater numbers organized.

COUNCIL MEMBER CROWLEY: You may be, but I'm not sure that is shared with the administration.

COMMISSIONER LINN: Oh, I don't know if that is at all.

COUNCIL MEMBER CROWLEY: Well, I know that in a certain area where we've been trying to get just better disclosure in terms of construction workers that are getting jobs from employers who were doing work with HPD, we are—the—the city is suing the Council on—a law that we—we had asked for these companies to disclose how much they're paying their employees. They're not union companies and a lot of them have been found to—have violated labor laws, but we're continuing to employ them with contracts on city jobs—on, you know, city funding, HPD work. It's—it's just one example of how the city, um, one of our administrations, um, HPD is helping employees

who-employees who-employers who have been found to have been breaking labor laws, and some of them have been fined significantly by the Attorney General. I mean I'm getting into more and more details than- thank you even know of. But, however, there is exploitation going around by employers in this city, and unfortunately our tax dollars are helping them do that, and we need to do better by our workforce, and we certainly shouldn't be a party to it.

DEPUTY COMMISSIONER VLADECK: Member Crowley, I share your concern about our construction workers. My husband is one, and so I'm very sensitive to how--

COUNCIL MEMBER CROWLEY: I hope he's unionize.

DEPUTY COMMISSIONER VLADECK: He-he is but, um, even as I'm sure you know, unionized workers, non-unionized workers, there are larger forces at play that are-are creating significant pressures. I have been very excited to take on this new role at OLPS. I've been in the Labor Movement for a long time and, you know, the issues you are raising particularly in the areas that we have authority to do something about are exactly the kinds

1 COMMITTEE ON CIVIL SERVICE AND LABOR

45

2 of things we're going to be looking at, and so I look  
3 forward to working with you on that.

4 COUNCIL MEMBER CROWLEY: Thank you. No  
5 further questions.

6 CHAIRPERSON MILLER: Thank you, Member  
7 Crowley. So while be-before we-we let you guys go,  
8 and we-we do have you there, and we want to kind of  
9 stay focused on the public sector stuff. DCA, do you  
10 have oversight over the-the legislation that governed  
11 the-the School Bus Employee Protection Provisions?

12 [background comments]

13 DEPUTY COMMISSIONER BAGGA: No, we don't.

14 CHAIRPERSON MILLER: Do you know does  
15 that.

16 COMMISSIONER LINN: Is this SBA? SBA or  
17 SBS.

18 CHAIRPERSON MILLER: Okay.

19 COMMISSIONER LINN: SBS.

20 CHAIRPERSON MILLER: Okay, and that would  
21 and the same would apply to the-some of the workers  
22 retention bills that were just recently passed as  
23 well?

24 DEPUTY COMMISSIONER VLADECK: So the  
25 Grocery Worker Retention Bill is housed in OLPS, and

we've been—we've been looking for good cases and we think we've found one. So stay tuned.

CHAIRPERSON MILLER: Okay. Have we had many complaints thus—thus far?

DEPUTY COMMISSIONER VLADECK: We haven't. That's why we've been looking.

CHAIRPERSON MILLER: Okay, when—when—other than—so when—when these transitions occur, a new ownership comes in is there a role that—that—that your office plays or that DCA—DCA may have played in the past informing the—or leaving it up to their employer to inform the members, the—the employees that they have rights under the new legislation or is—is your office or your agency, the city playing a role in—in bringing it to the attention of the employees that they have rights under these provisions?

DEPUTY COMMISSIONER VLADECK: Yes, absolutely. So as you know, the law was just recently passed. So we don't have a—a—a long sort of period of time to look at how—what we've been doing, and how it's been going, but we make sure that we're working closely with unions, with advocates and with other partners so that they have awareness of the law

so that they know to come to us if they see an issue that falls under its provisions.

CHAIRPERSON MILLER: So obviously you can't do it with-with-with, you know, a lot of the smaller supermarkets, but the chains are kind of—it does a lot of transition. Is there a—a—a trigger mechanism that you know that the—the sale is going to occur and, therefore, that your resources and information are going out to employees of those businesses?

DEPUTY COMMISSIONER VLADECK: So, there's—there's not a comprehensive place to go to see the transparency in those transitions, but one thing we do very actively is ensure that we're monitoring bankruptcy dockets. As you know, several very high-high profile chain supermarkets have filed bankruptcy petitions in the last year. In many of those cases, there hasn't been a change of ownership that would trigger the coverage of the law. But we have identified businesses, supermarket bankruptcy declarations where there does seem to be the possibility of an ownership transition. That's when the law comes into play, and we're trying to make

sure we're present at the ground floor before this those transactions even take place.

CHAIRPERSON MILLER: So that's--that's kind of where we were trying to get to, you know, are we being proactive--

DEPUTY COMMISSIONER VLADECK: That's right.

CHAIRPERSON MILLER: --and are we providing the resources that are necessary. Before we let Mr. Linn go, I want to talk a little bit further about--

COMMISSIONER LINN: Could I also before you ask the question, just go back to it I guess what Council Member Crowley's comment was, and I--I think we were both misreading the table before. Because the table that you were referring to adds up to 100%, which just means the percentage of the workforce in that--in that area--

CHAIRPERSON MILLER: [interposing] Yes, sir.

COMMISSIONER LINN: --that--that is--it's unionized. So the fact that there may be for instance if you'll look at the table, 26% is in healthcare. It means that a quarter of those



unionized workers in the five boroughs are in healthcare. It doesn't address the raw numbers or even the percentage of the workforce numbers, which is how that compares from location to location. So I do think since--especially since these are not my tables and my numbers, I would--I would ask you to ask those that produced it what it means, but I really do believe that unionization in New York City is very strong--

COUNCIL MEMBER CROWLEY: [interposing]

But, sorry--

COMMISSIONER LINN: --and it is--it is not correct, and it would be hard to imagine for instance in hospitality--

COUNCIL MEMBER CROWLEY: [interposing]

Chairman.

COMMISSIONER LINN: --that we are relatively low.

COUNCIL MEMBER CROWLEY: Can I proceed?

CHAIRPERSON MILLER: Oh, absolutely.

COUNCIL MEMBER CROWLEY: One of--and I look forward to the Murphy's to--testimony and the ability to ask questions about the report. What I was focusing on was how we compare to the rest of the

country. So, regardless of whether it's 100% of the workforce, or whether it is of the entire industry, it's still a greater number of workers in the-the United States are unionized working in construction versus the number that's working.

COMMISSIONER LINN: So-so look at page 15 for example.

FEMALE SPEAKER: [off mic] That's 13 I believe.

COMMISSIONER LINN: Oh, 13 is it? Because I put 15 as good, too. So 13 that you have in construction, actually the same numbers I think are on 15 also. If...if you look at construction, in the New York City area, it's 27% in the metro area, the-but that is 27% while nationally right, it is 14%. So I-I think that when look specifically of the-of the unionization of race by industry, you see very substantial numbers in New York. It is-it is-New York it generally has very high percentages in comparison to the nation in most-in most industries, right, and that's not to say that it's sufficient or more can't be done, but that it is generally much-much higher, and-and if you look at for instance in the healthcare, which is what I was talking before,

you see 38% of the—of the healthcare in New York is organized as opposed to a much lower number nationally.

COUNCIL MEMBER CROWLEY: I appreciate your point of clarification, and I thank you for bringing attention to this chart, and my contention is really with the fact of the matter that over 70% of the industry in the New York City metropolitan area that is doing construction work, and I was just looking at that sector because it's at the top, and that's the one that I spent the most time discussion with you earlier is over—over 70% is non-unionized, and not only do we have situations here in the city where we have a record number of construction fatalities happening over the past year, it's not just that they're non-union, it's that they're working off the books and getting exploited and then—and we found out that our city dollars party to that happening as well. So that's where my frustration is at. When we look at all the sectors, and we look at those outside of the public sector because we do have a strong hold traditionally, and—and that is good, and it's secure work in—in our public industry. The other sectors where we have non-union we also have

situations that it goes beyond just being non-union where we have workers that often not even getting paid on the books, and getting exploited in the workplace. So, I do believe we need to do more. Not the fast food industry, but every single industry, not just the fast food industry, to make sure not only our--our workers are getting paid fair, but that they're not getting exploited and working in unsafe conditions. Thank you.

COMMISSIONER LINN: Thank you.

CHAIRPERSON MILLER: Thank you, council member. Going back to once again the city's workforce and--and--and you probably don't have this information now as well, but I--I know the last hearing we did with DCAS, there were able to provide some semblance of this, and that is the demographics of the city's workforce. Obviously by gender, by race, by age and--and so forth, and--and its impact on the city and these economies in the city, what communities have more public employees or union--public employees and unionized employees, and how they are faring economically. So those are some of the things that, of course, the--the report addresses, but certainly the--the City plays a major role in that

as well. As in the pushback that I—as I said, I’ve—I’ve received in the conversations that I’ve had with some of these watchdog groups that were concerned about the—the vote in the city’s workforce and not quantifying its impact on services that are being delivered, and its impact on communities, on the economy of communities. I was hoping that you’d be able to shed some light on that. If not now, but whether through DCAS or others under your purview that we can provide that information, and really see its impact on the workforce, on the economy and—the demographics of—of various communities.

COMMISSIONER LINN: So let us as we put together the information on the growth of the workforce and the titles and let us also look at what we could find out on the demographics, and perhaps, you know, where people live. And so I—I don’t know what we can get, but let us—let us look and see what we can present to you, but I think you raised a very interesting question, and we’ll look at it.

CHAIRPERSON MILLER: You know, then there’s also obviously some things that we can’t talk about and—that is, you know, we—we can talk about it in general, but certainly there is some—some

outstanding cases that are probably—that you may or may not be able to discuss on—on pay equity, and—and that is within union—union—right here within the city's workforce and unionized workforce, and we want to be sure to—to—to address as well. And I think this—we can open the door so that you are prepared, too, in—in—in upcoming hearings to address those issues of pay equity within the city's workforce. So I just wanted to give you heads up on that, and before I let you go, you did—you—you brought up the, um, the negotiations of the city daycare workers.

COMMISSIONER LINN: Yes.

CHAIRPERSON MILLER: And—and unfortunately that agreement was turned down whether and for—for whatever reasons, it—it was unfortunate that they could not come to an agreement that the workforce that the membership could—could ratify. Are we back at the table?

COMMISSIONER LINN: So I—I do have an update for you.

CHAIRPERSON MILLER: Good.

COMMISSIONER LINN: And unfortunately, it was voted down. Unfortunately, we reached a new

agreement that is now going out for a revote with an at-home ballot as opposed to an in-person ballot, or I—I don't know whether you were aware, but 380 of 3,000 showed up for the vote, and so it is hoped that the new contract will be ratified, and I hope once again ratified by a substantial majority.

CHAIRPERSON MILLER: Okay, that is—that is really good to hear. Certainly, we want to make sure that those who are responsible for our most precious resources, our early childcare providers and daycare providers that they are compensated adequately. That is an industry that has historically been undercompensated. This is something that we've done in many administrations over-considering that they require the same licensing as DOE teaches, and they are paid substantially less, and we hope that we can make sure that they have some semblance of reaching parity there.

COMMISSIONER LINN: So it was a group that had not had a wage increase since 2006, and my office and members of my team spent many, many hours working with them, and hopefully we've reached—help them reach a settlement to help fund the settlement that—that secures health, secures pensions, secures

2 wages and secures the ability to have a career ladder  
3 all in one contract.

4 CHAIRPERSON MILLER: Thank you so much  
5 for that information. Thank you to this panel.

6 DEPUTY COMMISSIONER VLADECK: I'm sorry  
7 just quickly, Member Crowley, Chairman Miller, if you  
8 wouldn't mind if I just address the points that--

9 CHAIRPERSON MILLER: [interposing]  
10 Absolutely

11 DEPUTY COMMISSIONER VLADECK: --that  
12 Member Crowley raised. My staff thankfully has  
13 reminded me that we have developed protocols when we  
14 are dealing with undocumented workers or workers who  
15 work off the books. And for us, evidentially we will  
16 take worker testimony as an adequate basis of the  
17 work that they're doing and their right to accruals  
18 or otherwise under the laws we enforce. I know you  
19 specifically were asking about that, and I wanted to  
20 share that with you. Thank you.

21 COUNCIL MEMBER CROWLEY: Do you have  
22 situations where an employer is denying that they  
23 never worked there?

24 FEMALE SPEAKER: [off mic] We do.  
25



2 DEPUTY COMMISSIONER VLADECK: We do but  
3 frankly I mean unless we're—we're shown--

4 COUNCIL MEMBER CROWLEY: Do you have  
5 situations within—like can you point to examples when  
6 there's been enforcement and that these employers  
7 have been punished in partnership with the work that  
8 your office has done and the state or the federal  
9 government?

10 DEPUTY COMMISSIONER VLADECK: I think  
11 it's accurate to say, and I'm looking to my team to  
12 correct me if I'm wrong, but I think it's accurate to  
13 say that among the consenters we've entered into,  
14 there are employers covered who have initially made  
15 representations to us that they don't know who we're  
16 talking about. In addition to which you know that  
17 our adjudicatory functions have been transferred to  
18 OATH. We've been waiting for the opportunity to  
19 litigate our cases there. Starting next week we  
20 finally get that started. We also have cases pending  
21 where that issue was present.

22 COUNCIL MEMBER CROWLEY: And how many  
23 cases pending do you have against the employers who  
24 are not providing paid sick leave?

DEPUTY COMMISSIONER VLADECK: About 50?

[background comments] Open—150 open cases.

COUNCIL MEMBER CROWLEY: And how long  
does it take to adjudicate those case—cases?

DEPUTY COMMISSIONER VLADECK: We're going  
to find out, but we've been working closely with OATH  
to make sure that their procedures for hearing our  
cases are as streamlined and efficient as possible.

COUNCIL MEMBER CROWLEY: Thank you.

CHAIRPERSON MILLER: Thank you so much.

COMMISSIONER LINN: Thank you.

[background comments, pause]

CHAIRPERSON MILLER: So the next panel  
will be Ruth Milkman and Arthur Cheliotes (sp?).  
[pause] So thank you to the panel for this very  
important and informative report, and I'm sure some  
things that you want to highlight and there are  
certainly some questions that we have as well. So  
we'll get started now. [pause]

RUTH MILKMAN: Good afternoon everybody.  
I'm Ruth Milkman, and I'm one of the authors of the  
report that we've been talking about here today. I  
just want to give you a little background first.  
This—we've been putting out these reports annually

around Labor Day since 2010 and we intend to continue doing that. There is a huge amount of data in there as we've already seen and sort of everything you always wanted to know about organized labor and were afraid to ask or something. But let me just give you a little bit of background on where the data comes from, and then I'm just going to highlight of the key findings. You can obviously read the whole thing if you would like all the gorey details. There are copies over there if anyone doesn't have one, which I will be referring to. So I'll get to that. The data we analyzed in this report—oh, and I just want to mention my co-author Stephanie Luce is out of the country at the moment. She's doing some research abroad. So that's why it's just me. We use U.S. labor—Bureau of Labor Statistics data for the use analyses. Those are publicly available data, and the way they're collected is every month, the U.S. government, the Bureau of Labor Statistics does a household survey on about 1% of the American population. It's one of the biggest surveys there is in the U.S. and it's the only data we have on union membership, but the way it works is the—when someone answers the phone, it's on a telephone, they ask a

lot of different questions. For one set of which are about employment. So first they ask is anyone in the household employed, and if someone is employed, then the question is are you a union member? Are you covered by a union contract, et cetera? So that's what the basis of this is, and that's important in making sense of the data because when we report on the five boroughs of New York City, or on New York State, we're talking about people who live in those jurisdictions. They may or may not work there. So that just complicates the story a little bit in terms of interpreting all this. So just keep that in mind as you read it. Again, I have very little time so I'm just going to give you a few highlights. You can read the whole thing, and I'm happy to answer any questions that the member are, you know, have. The overview I think that there's both good news and bad news in this story. The good news is, as we have already heard this afternoon in the context of really relentless union decline nationally. New York is the fine gravity. We have seen a modest uptick in union membership here in the city and statewide, and that is extremely unusual in today's United—in the 21<sup>st</sup> Century United States. For a long time now

unionization levels in the city and the state have been roughly double the level nationally and, of course, we all know about other good news this past year. This again is an annual report so we really just focus on the last year mostly, which the minimum wage law statewide and the Paid Family Law statewide are both major victories for labor. So that's all good news. On the other hand, union density, the unionization rate is much lower than it was decades ago. So the peak was in the mid-1950s, and in other states New York and the—and the United States were very close together in both cases about a third of the wage labor force was unionized, and today, as you heard, the numbers are much lower. So that's not so great. In the longer view even though we've seen this recent increase, and I think there's a kind of danger of complacency here in New York because we are doing better. I think that—and I used to live—I spent 20 years on the west coast living in the Los Angeles area, and I sort of feel like I've seen this movie before sometimes when certain appear in the news here especially in the construction sector that Member Crowley was speaking about earlier, the attacks on unions, the wage theft, all those issues.

In California, unionization of construction is a lot lower, and that's not the only thing that matters, but we've—we—we see a tax on the union sector here that has been successful in other parts of the country. So that is really something to watch and try to stop. The only other thing I would say in the terms of, you know, a danger that's kind of looming on the horizon is the widening gap between public and private sector density, this is a national problem, but it's also a problem here in New York. So in the public sector we're talking about union--unionization rates in the '70s—70—70% and up. In the private sector it is double the national level, but that's not saying much. The national level is less than 7%. So that's really where the action is, and employers are, you know, not like the Office of Labor Relations folks you just heard from. In the private sector, they do not like unions, and they think they're doing a bad job if they allow unions to come into their workplace. That's kind of the mantra of management these days. So New York is doing better than elsewhere, but that's, you know, that's always there as a kind of problem, and I think there's a danger of isolation for the public sector union members insofar

as the private sector density continues to drop, but you know, politically and socially. So instead of people saying oh, that union contract looks good. I'd that, too, they say, how come they have that and I don't? And they shouldn't have it. I don't have, and that's I think what we're facing potentially down the road. So, this is just something to keep in mind. I just wanted to highlight a few of the demographics, but this is all in the report that I personally find quite interesting. I hope you do, too. One is age. You notice I have some gray hair so I notice this one a lot these days. Union members are much older than workers generally, and that's also kind of a red flag, so to speak, in that there's a lot of reasons why that's true, but the labor movement has yet to succeed in organizing the youngest sector of a labor force. The--the chart for that is on page 8 if you're interested in the numbers, but unionization rights are way higher for people my age than they are for say the millennials, and we have to do something about that because those are the future. So that's one striking demographic fact. On the same page, you'll see a chart about union members earnings, which as you'd expect are

higher than those of non-union workers. It's not in the chart but, of course, unionized workers also are much more likely to have things like pension s and employee provided healthcare. So as a, you know, a reminder of why unions matter, one of the reasons, not the only one. Another thing that surprises a lot of people who look at these numbers is that this not true in the city for reasons that I'll mention in a minute, but nationally and in the state of New York union members on the average are more educated than non-union workers. That is they're more likely to be college graduates, and so on. In city it's not like that. Mostly because of transit, which still employs a lot of non-college educated workers and, of course, is basically 100% unionized. So the traditional pattern was that it was the non-college educated workers who were likely to be union members. Nowadays groups like teachers are the core of organized labor. So that's another interesting demographic, and then I want to just say a teeny bit about gender and race and--and immigration. Historically, there was a big gender gap in unionization rights with--with men much more highly unionized. That is--that gap has closed, and actually



here in the city women a teeny bit more unionized than men. It's basically the same level. That basically reflects that public sector/private sector disparity I mentioned earlier that if women are highly concentrated in the public sector and the public sector is much more unionize. So they've kind of caught up. Most-it's not because it might be-we might be, we women might be more pro-unionized. That's a different question, but in any case, where we're employed is more likely to be unionized, and the same thing is true for African-Americans who have the highest unionization rate of any major or racial or ethnic group in the city, state and nation alike. Again, that reflects a concentration in the public sector in part. Here in the city Latinos come in second place in terms of unionization rates, which is entrusting and that's relatively recent. That's not true in the state or the country where whites are tied for-are in second place. And then immigrants, a huge part of our workforce here in New York City and increasingly in the country, too, in the-in the city, New York-New York's immigrants are almost as unionized as U.S. born workers. That's they lag more in the state and the nation. This is on page 18 if

you're interested. And if you look at immigrants and break down the immigrant population into some subcategories, it's actually really interesting that naturalized immigrants, those who have been around for long enough to become citizens of the U.S. through naturalization are more than United States--than the United States born workers in New York City. And the same thing is true of immigrants who arrived a long time ago like before 1980. They are more than United--than U.S. born workers. So that's all I find quite interesting. Some nationalities are more unionized than others, and that's kind of related to when the bulk of each, you know, immigrant arrived. So I'll just read you list of the--in the city here in the city immigrants from the following countries are more unionized than the U.S. born workers: Italy, they came a lot of them mostly. The Ukraine, India, the Philippines, Barbados, the D.R., Dominican Republic, Haiti, Jamaica, Trinidad and Tobago, Colombia, Guyana and Ghana. So whatever. It's facts, you know, fun facts. So finally, I--I-- So I--I don't want to go on and on and you can read all the details in the report if you--and again, I'm happy to answer questions, but let me just tell you a little bit

about the special feature in this report where each year we try to spotlight one like smaller piece in a little detail, and this time what we looked at was projecting the impact of the new Minimum Wage State Law on both the city and the state, and what we found was-- Well, we looked at two things. We looked at the direct effect. That is workers who now make less than \$15 an hour who were going to benefit from this law very immediately. And then we also tried to project the ripple effects, that is employers if they raise somebody who's now making the minimum wage to \$15 an hour, they're going to want to raise the person who's making \$15 an hour now to something higher so that they maintain those differentials. So not surprisingly, women, workers of color, immigrants and young workers will be disproportionately impacted in both respects because they are the ones who are earning very low wages now. Union members will be less affected because they're already mostly earning significantly more than \$15 an hour. Not everybody, though, and for the same reason public sector workers will be less affected than private sector workers. So, that's just kind of a very quick overview and I'm happy to answer any questions anybody has.

[background comments]

ARTHUR CHELIOTES: Thank you, Mr.

Chairman. I'm Arthur Cheliotas, the President of the Local 1180, the Communications workers of America, and also Chairman of the Labor Advisory Board of City University, a position I've held for over 30 years, and in that time, we realized long ago that we needed to begin to collect data and information on behalf of the workforce, and to bring in scholars like Ms. Milkman to discuss these issues. And our efforts would support both the City Council and the State Legislature, and you Council Member Miller in your other roles as-as-as a labor leader before you became a council member. I have gotten us to the point where we can issue a report like this. It is because we brought these people and scholars together to address these issues, and what is important to realize is that the bigger picture is one that speaks to the need to expand unionization, of course, and the impact in our in our society in terms of inequality that the de-unionization of the workforce has created. There are charts that exist that show quite clearly that the percentage of income going to the-to the middle class has declined as unionization

has declined. It is a decades long trend, and the-  
the decline of unions and the decline of the share of  
middle-of-of middle income, of-of income that the  
working people take in parallel each other as they  
decline. So, reports like this are very important  
and our work with the-with the various unions, the 23  
unions that make up our Advisory Board allow us to  
give our members the skills that they need in an eve  
changing work environment to be prepared for that  
changing work environment. And this report reflects  
that in the wages that workers earn. They earn those  
wages because employers see the value of their work  
and the advocacy of their unions to make sure that  
that work is compensation. I'm proud to say that  
among the things that the Murphy Institute has done  
is the Para to Teacher program that allows para  
professionals working in the city's classrooms to  
become teachers, and report- There's a report out  
that shows how-how this has been very beneficial to  
the city school system. We have worked with the  
operating engineers, people do HVAC work who were not  
given promotional opportunities to become managers  
because they lacked credentials. Working with-with  
he City University we were able, we were able to-the

Murphy Institute was able to bring the operating engineers into the university to get them those credentials and to give them the opportunities to advance in their careers, and certainly my own members I've been able to get certificates and help the administration and cooperation with the Health and Hospital Corporations where, again, the employees are given opportunities for promotion that otherwise not be there having lacked those credentials. So Murphy has many aspects to it. Murphy is on the cusp right now of becoming a school, and it is because of the support of the City Council and the State Legislature that has put us in that position, and the Chancellor (sic) is in place of the concept and pursuing it at the Board of Trustees. So I would like to thank you, Mr. Chairman, and members of the City Council who have supported us through this struggle, and your continued support and reports like this, the work that Murphy does is key to better understanding the struggles of labor unions and the struggles of workers in the city and we're proud of the work that they do. Thank you.

CHAIRPERSON MILLER: Thank you, Arthur.

In fact, I'll segue to what--what you kind of just

laid out there about the work that Murphy is doing and--and--and some of the members, and I kind of want you to be able to speak to--to the demographics, that--that not joining (sic) but union membership through it as a--as there no pin indicated. The demographics of union members throughout the city that they have changed over the years that they are now gender wise that they're probably--they're close to 50/50 or maybe even a little above in terms of female representation. Are we seeing them at more non-traditional job titles than before because you did mention the Transit Authority. So I mean you did. I'm throwing it out so whomever can answer. Are we seeing them in--in--in non-traditional titles not necessarily that we're working-- So say for instance you write in--in--in Mr. Cheliotas, a title that you may represent--

ARTHUR CHELIOTES: Uh-huh.

CHAIRPERSON MILLER: --which may be traditional--traditionally a--a female title or a predominantly female as opposed to something in the constructions or transportation or public safety that we are seeing now. Does that have more to do with

the numbers—the increasing numbers in terms of gender that we're seeing?

ARTHUR CHELIOTES: Well, in the City of New York, traditionally a white male titled was Administrator Manage, and over the decades the demographics changed and it became a predominately female—female group, 85% women and people of color, and we saw as the job was populated by women and people of color, the pay for that job declined. So that the \$24,000 a year that white males were making in 1978 because \$53,000 in 2009, and if you applied the CPI to the \$24,000, it should have been closer to \$93,000. Now, this is the City of New York. This is the City of New York that mandates that its cultural institutions made data available so they can see if there is discrimination in how they hire and fire and retain people in their workforce, and the Federal EOC has ruled that the city has not offered that same kind of data to the Federal EOC to see if, in fact, there is discrimination as we claim there is, and the Administrative Managers title. They have given a ruling that makes it very clear that they found discrimination, and proposed a remedy that would cost in back pay and front pay, and compensatory damages



in the amount of \$243 million to some 1,200 women and people of color. So we think a good place for the city to start in terms of dressing-addressing issues of racial bias, of gender bias, is in its own ranks. And we hope that with your assistance and the assistance of perhaps the federal courts, if necessary, that will bring this city and the administration it claims to be interested in ending gender and racial inequality to the table to fact-- Because those salaries make a difference in the lives of people in communities throughout this city. When you're talking about a city that is concerned about giving children Pre-K educations, if you don't pay their mothers and their grandmothers and their aunts a living--a decent living wage, a wage commensurate with the duties that they hold, you deny the economic stability that household needs to provide for the additional opportunities that might be available. And so there is a link, there is a connection to that that we think is very strong, and I think that we have seen in other sectors, vigorous projects put together by the building trades to bring women and minorities into their ranks. And to not pay them a lesser wage, but to pay them the same wage. We think

that's the model. We think that needs to be done in the City of New York, and we're hopeful that with the person who previously sat in this seat, Mr. Linn, there will be a desire to negotiate and work that out, but I thank you for raising the issue.

CHAIRPERSON MILLER: Thank you. So, my question would be in those increased numbers in terms of female union member participation, do you anticipate--do--do the non-traditional--do--do females or persons of the same gender or ethnicity fare better in--in non-traditional roles--in--in the construction trades in the non-traditional industries, the transportations, the--the--the public safety and--and other--and is--is that where we see that a greater segue to the middle-class as opposed to what you--what--what you are describing there, the situation where wages--when--when the industry has transitioned the wages hasn't transitioned--

ARTHUR CHELIOTES: [interposing] They haven't kept pace.

CHAIRPERSON MILLER: --along with it.

ARTHUR CHELIOTES: Yeah.

CHAIRPERSON MILLER: Yeah.

ARTHUR CHELIOTES: I—I can't speak to those details. I—I know we, uh, the information that I've received from the building trades on this issue in response to claims otherwise showing the fact that they have made great in—with respect to that, the degree that perhaps Ruth would like to come in here.

RUTH MILKMAN: [off mic] We haven't looked at that and we come here—[on mic] It's on. We haven't looked at that in detail here, but what I can tell you is this, that the—the labor force as a whole remains highly segregated by both gender and race, and the numbers that you see in the report in terms of unionization rates by gender and race really reflect that. The labor movement organizes who the boss hires essentially.

CHAIRPERSON MILLER: Right.

RUTH MILKMAN: So construction is a little more complicated because sometimes unions do have a role in hiring, and can influence that. It's definitely true that women who are employed in so-called non-traditional jobs meaning traditionally male jobs on the whole, you know, are better off because those jobs historically have paid better, although there is the—there's a famous article called

2 *Women Get a Ticket to Ride After the Gravy Train Has*  
3 *Left the Station--*

4 ARTHUR CHELIOTES: [interposing] Please.

5 RUTH MILKMAN: --which I was thinking of  
6 when Arthur was talking before because that happens a  
7 lot. Women become dominant in a job and, you know,  
8 it starts to decline in pay and status. You know,  
9 that's happening in my field actually.

10 CHAIRPERSON MILLER: Right.

11 RUTH MILKMAN: [laughs] I mean I could  
12 give you-- So, and also in the medicine, you know, in  
13 medicine. So, but--and I guess in--

14 CHAIRPERSON MILLER: [interposing] Well,  
15 that's something we could further take a look at as  
16 industries--

17 RUTH MILKMAN: [interposing] Maybe in the  
18 future we could look into that in another report.

19 CHAIRPERSON MILLER: [interposing] Yeah,  
20 and women's chances.

21 RUTH MILKMAN: --but anyway that's not in  
22 here.

23 CHAIRPERSON MILLER: [interposing] So can  
24 come back, but that--that is certainly something  
25 concerning because obviously take for instance the

district that I represent has the highest number of public employees and union density in--in the city here, which also translates into the highest African-American homeownership in--throughout the country. So obviously there's a direct correlation--

RUTH MILKMAN: [interposing] Absolutely.

CHAIRPERSON MILLER: --between the two.

In order for us to--you know, we have to sustain union membership in order to sustain wealth and homes through home ownership. So that's very important, but it's also important to the immigrant population and all these other things and--and clearly you mentioned the immigrant population that the natural born citizens and those who are here long enough to--usually, that second generation kind of enter the--the unionized workforce more so than--than the first generation, and--and we see that. I've seen it even in--in--in the public sector as well, so--

RUTH MILKMAN: [interposing] Uh-huh.

CHAIRPERSON MILLER: But its impact on communities is--is--is really profound and--and so I've--I've seen that in here, and want to talk about that. And lastly, I--I would want to talk about organized labor's role in campaigns such as \$15 an hour and

paid sick and stuff like that. It did not just happen, and obviously there were advocates out there and that had worked on these issues for a really long time, and I know that in the past two or three years, and probably a little greater than that because even in my--during my tenure as a union president we were getting to work on that issue nationally. But it really didn't get legs in my opinion until organized labor kind of put its--its--its voice and its resources behind it.

RUTH MILKMAN: That's absolutely the case.

CHAIRPERSON MILLER: Is that--

RUTH MILKMAN: [interposing] I've--I've actually studied--

CHAIRPERSON MILLER: --true?

RUTH MILKMAN: --the paid leave stuff extensively. I--like I mentioned before, I used to live in California, which passed the first paid family leave law in the United States in 2002, and it was done--organized labor did all the heavy lifting in Sacramento to make that happen, and I think what you said is absolutely accurate generally in the other

2 states where it's happened as well, and as well as  
3 the paid sick laws around the country--

4 CHAIRPERSON MILLER: [interposing] Sure.

5 RUTH MILKMAN: --which are, you know,  
6 very popular with the general public, but the general  
7 public does not have the ability to get them passed.

8 CHAIRPERSON MILLER: Right, so-so is it--  
9 is-is it safe to say that, you know, that organized  
10 labor is responsible, has-has played a substantial  
11 role--

12 RUTH MILKMAN: [interposing] A major  
13 role.

14 CHAIRPERSON MILLER: --making that happen  
15 here in-in New York State as well.

16 RUTH MILKMAN: Absolute.

17 ARTHUR CHELIOTES: Certainly, certainly.

18 CHAIRPERSON MILLER: I know obviously  
19 the-the wages that we see and the benefits that folks  
20 enjoy within this New York City region obviously  
21 there is a residual effect or organized on that and--  
22 and generally. I know back in the days it was fear  
23 of being organized forcing to pay decent wages so  
24 they didn't have to kind of pay a full package. Do  
25 you find that still to be the case?

RUTH MILKMAN: Absolutely, and I would tell you it's also a testimony to the dedication of organized labor, not just with membership, most of whom already have paid sick days and paid family leave but to helping working people generally. So even in a period where the majority of workers are not union members any more, this really benefits everybody, and, you know, it's a little known fact, and maybe not in this room. I think people do know, but many people have seen that unions only fight for their own membership and this is a counter example that's very important.

CHAIRPERSON MILLER: Right, and--and so final--my final question is--is I'd like to talk about our pensioners. (sic)

RUTH MILKMAN: Say that again.

CHAIRPERSON MILLER: Our pensioners.

ARTHUR CHELIOTES: Pensioners.

CHAIRPERSON MILLER: We talk about them obviously. This is something we'd like to think that this committee is on the cutting edge of--of issues concerning working families and--and certainly we did. We had a hearing on the creation of a private pension system as well, but obviously those, um, retirees who



2 have not--did not belong to unions aren't faring as  
3 well. There's a data support that--

4 RUTH MILKMAN: [interposing] That's  
5 absolutely the case. This report doesn't address  
6 that issue, but it's funny you should mention it  
7 because together Ed Ott (sic) who may many of you  
8 know, he and I have worked on a project. That will  
9 be our next actually on unions and the aging  
10 workforce. We interviewed Arthur among other people,  
11 so we haven't had a chance to--

12 ARTHUR CHELIOTES: [interposing] Yeah,  
13 I'll look at this.

14 RUTH MILKMAN: --write it up yet, but  
15 that's a coming--that's a coming attraction for  
16 Murphy. So we'll be looking to that a little--in a  
17 little more detail soon.

18 ARTHUR CHELIOTES: If I could--so--

19 CHAIRPERSON MILLER: [interposing]  
20 Because obviously that has an impact on the city's  
21 economy.

22 RUTH MILKMAN: Absolutely it does.

23 CHAIRPERSON MILLER: Right, so maybe you  
24 want to like--

ARTHUR CHELIOTES: Well, if you have a pension, if you have a pension that allows you to stay in your home, and shop in our neighborhood, you're going to impact the local economy. There is a multiplier effect that is clear that—and it's a link that I don't think we have done enough work in the labor movement about to show small businesses how our salaries and our pensions and our benefits ensure that those in the private sector be they the local merchant or the local dentist or the local doctor, that their incomes depend on our ability as unions to negotiate decent wages and a decent—decent benefit package for you because those things are all linked. They are—they are the—the core of the economy in—in that neighborhood. People can afford their mortgages. They can afford to live where they live, and—and continue to support the community, and participate in—in—in their houses of worship—worship if they, but it have the intent to support extensive. And so, all of these things come together and have—and have a rippling effect through the economy that require a strong middle-class wage that unions have effectively been able to get for their members. And when you look at, and I actually did a—an extensive

report on this not too long at the attack on public sector workers privatizing and doing whatever can be done by local governments. It is in larger part an attack on people of color and women who have begun to populate those jobs, and there are now, which I think was--was--was very telling in terms of the politics we see today in our society, and it all seems to converge here as--as--as--as we--as we look at the national political climate these days. And--and it's--it cannot be ignored. It really cannot be ignored.

CHAIRPERSON MILLER: So let--let me just finish and follow up with this, and it was mentioned earlier, and I think that panel was probably inappropriate to--to--to--to speak to it, but could you speak a little bit to the--first Art--Arthur you counterparts in the private sector side and their diminishing union membership, and--and I'm not going to ask you to speak to that or--

ARTHUR CHELIOTES: [interposing] Uh-huh.

CHAIRPERSON MILLER: --or--or why that happens but if you want to elaborate on it, we would appreciate it, but this--this so-called gig economy, and does that have an impact on that work that is being--the traditional work that is being done?

ARTHUR CHELIOTES: Well, labor laws are rigged against workers unionizing. Back when unionization in this country used to be over 30% they were about that in Canada as well. Pacto came along. We know what happened there, and we know what various administrations have done over time in the interpretations of our labor laws, and while the Canadian workforce has stayed at around 30%, ours has continued to decline because of the vicious attacks on anyone trying to organize. And up until recently an LRV that was not inclined to support those workers. So there's clearly a-a-a-an impact, as I stated before, on the middle class because of that--that inequality. Obviously if you don't have someone advocating for you, then you do not have the ability to earn a decent living a living wage, and I-I salute the efforts by the retail workers and the \$15 an hour campaign. It speaks to that issue and offers to the--to the otherwise neglected workforce an opportunity to organize and fight, and we fully support that I think as a labor movement because we realize that unless you bring the bottom up, there is no, there is no bottom. So there is certainly a-a-a self-interest also driving the labor movement in support of--of--of a

living wage, and I might add that when you look at MIT's analysis of--of what is a living wage. The City of New York when you look at--at--the members that I represent who are administrative managers with one-parent and two children, they're being paid less than what we consider a living wage in New York City based on MIT's analysis, and it's become an issue for us that we continue to negotiate with the City of New York.

CHAIRPERSON MILLER: In--in the industries the sort of administers and--and--and--and so forth that--that you may have traditionally represented. On the private sector side and--and now they maybe called consultants or independent contractors in this so-called new economy. What impact is that having on the overall economy that next generation of workers, and is there potential for unionization, as you said to lift up those who, and this is not at the bottom of it, this is also industries and jobs that have traditionally, had traditionally been unionized jobs?

RUTH MILKMAN: So the problem is this that under U.S. Labor Law, which the city has no jurisdiction over it's--you know that would be a pre-

2 emption issue, independent contractors and so-called  
3 self-employed folks--

4 CHAIRPERSON MILLER: [interposing] Uh-  
5 huh.

6 RUTH MILKMAN: --are not eligible for  
7 unionization. So your Uber driver, your independent  
8 consultant who works on a contract, unionization is  
9 illegal for them. I mean actually that's not quite  
10 true. If an employer were to voluntarily recognize  
11 the union, but they don't and all it would be is no  
12 jurisdiction over that. And so, it's not an accident  
13 that that's a growing sector of employment now, and  
14 as you probably know, there are some legal disputes  
15 underway in other parts of the country over whether  
16 say Uber drivers are employees or are they  
17 independent contractors?

18 CHAIRPERSON MILLER: Okay.

19 RUTH MILKMAN: That's still up in the  
20 air.

21 CHAIRPERSON MILLER: Yeah, that--that's a--

22 -

23 RUTH MILKMAN: [interposing] That might  
24 be something your committee--

25 CHAIRPERSON MILLER: a major concern.

2 RUTH MILKMAN: --to look into.

3 CHAIRPERSON MILLER: Absolutely a major  
4 concern. Council Member Crowley.

5 COUNCIL MEMBER CROWLEY: Thank you,  
6 Chairman. In that line of questions, as you  
7 mentioned, independent contractor are there certain  
8 trades where you cannot be an independent contractor?  
9 Can the--

10 RUTH MILKMAN: [interposing] Say that  
11 again?

12 COUNCIL MEMBER CROWLEY: Like are there  
13 certain trades that you cannot be an independent  
14 contractor? Can a--a waitress must not be an  
15 independent contractor?

16 RUTH MILKMAN: There are rules, there are  
17 laws that dictate the conditions under which someone  
18 can be an independent contractor and they have to--  
19 basically they have to have control over their own  
20 time and scheduling. So the argument for  
21 organizations like Uber would, you know, people drive  
22 when they want to drive. If they don't want to work  
23 that next Sunday they don't have to--

24 COUNCIL MEMBER CROWLEY: [interposing]  
25 Right, I could--I could see them--Uber as a--

2 RUTH MILKMAN: [interposing] Well, but  
3 even there because they get the job through the  
4 online platform, it's debated whether they really are  
5 employees even if they do control their time.

6 COUNCIL MEMBER CROWLEY: Right.

7 RUTH MILKMAN: But for—I can't imagine  
8 how a food server would be in that situation,  
9 thought. I—personally, um, maybe there is class for  
10 them. (sic)

11 COUNCIL MEMBER CROWLEY: [interposing] I  
12 just want to make sure that the city is doing as much  
13 as you can because you mentioned how we could be  
14 preempted by state and federal law. So it's—it's a  
15 question of both of you. How could we do more to  
16 monitor our own, not only the—the public employees  
17 that we hire and pay an—and employee, but also the  
18 private sector. So how could we do more to help--

19 RUTH MILKMAN: [interposing] That's a  
20 great question.

21 COUNCIL MEMBER CROWLEY: --when disparity  
22 and union versus non-union and what I had mentioned  
23 before, which I care more about, the—the employees  
24 that just get completely exploited and I think it's  
25 happening more than people realize, or certainly see



what's happening. How can we do more as a city? How can I be helpful to-to hold the administration accountable as a council member?

ARTHUR CHELIOTES: Wow, where do you start with that one? I think first of all exposing where it happens, making it an issue, letting people know what their rights are and how they're being exploited because sometimes people don't know how they're being exploited. It is an-it is an issue of educating people, and helping them overcome their fears. Hard-hard things to do. You know, union organizing is very tough, as you certainly know, and-and-and part of the problem is the fear of losing your job. And if an employer threatens that people-people cower under-under that-under that threat so--

RUTH MILKMAN: I think education is really important, but so is enforcement and so we heard about-- I think the DCA has done a pretty good job on enforcing the Paid Sick Law, but that's the kind of thing that, you know, would be enhanced further, and--

COUNCIL MEMBER CROWLEY: [interposing]  
Right. They were women who spoke about the Paid Sick

2 Law. They had two brochures that they do that, the  
3 Paid Sick Law and the Commuter--

4 RUTH MILKMAN: Right.

5 COUNCIL MEMBER CROWLEY: Right, so  
6 that's--

7 RUTH MILKMAN: [interposing] No, I'm sure  
8 there's more that could be done, but I mean  
9 enforcement is something government can do, right,  
10 and educating people what their rights are. Many  
11 workers don't even know what the minimum wage is. So  
12 there are--I can imagine a lot of things that could--  
13 you know, unfortunately here in New York City, the  
14 city has no jurisdiction of things like the minimum  
15 wage, as you know. They do for paid sick days. You  
16 can pass a city ordinance to create that, but you  
17 can't--it's the state that controls the city's minimum  
18 wage sadly. It's not true in other parts of the  
19 country.

20 CHAIRPERSON MILLER: [interposing] Very  
21 true.

22 RUTH MILKMAN: So that might be something  
23 to figure out as well. So there is limits to the  
24 jurisdiction that the city itself has, as I guess I'm  
25 trying to say, but within that I think better

enforcement of the laws we do have and, you know, making people aware of what rights exist for them would be some good steps. I'm sure there's much more that could be done. It's a great question.

COUNCIL MEMBER CROWLEY: Yeah, I know that I'm here. I know that there's been a big advocates for manicurists (sic) or manicurists or stuff like that by posting what their rights are.

RUTH MILKMAN: Uh-huh.

COUNCIL MEMBER CROWLEY: So tip employees often get exploited, too. I think that there needs to be other industries who need to do the same and-- and posting.

ARTHUR CHELIOTES: Well, look I'm going to confess something here. I grew up in the diner business. My father was Greek. He had a diner. Off the books created invisible workers, and that was part of what these cash businesses were about. And as long as you deal in cash businesses, to primarily avoid taxes and the other consequences associated with the-with-with employment requirements such as Social Security and so on. It's--it's very difficult to deal with. It's an invisible workforce and unless somehow you make them visible, and are able to, in

fact, then begin to record their wages and--and--and have some more transparency with regard to that. It becomes very hard to do, and as long--and--and their--I--I think it's--that whole underground economy that's there, and it is substantial, and the exploitation takes many forms. Certainly with the immigrant community with limited language skills, but even beyond that with people who don't want--who would prefer to be invisible for a variety of reasons. So it's--it's a complex issue. It's a cultural issue, and it will take a lot of effort to--to--to change that thinking and to bring people to realize it's better to be overboard. I--I--I wish I could say I--I--I can offer some suggestions, but--

COUNCIL MEMBER CROWLEY: No, I know, I think it's more of a state role because we pre updating because the state deals with payroll taxes--

ARTHUR CHELIOTES: [interposing] Right, right.

COUNCIL MEMBER CROWLEY: --as well as workers compensation, but just lastly, our administration sat here and sort of patted themselves on the back because of the number of the employees

that they have that are in that, but it's happening way before the administration got here.

ARTHUR CHELIOTES: Right.

COUNCIL MEMBER CROWLEY: And you brought up a great disparity amongst your workforce. I've even heard that some of your managers are making less than the people that are supervision--

ARTHUR CHELIOTES: [interposing] Uh-huh.

COUNCIL MEMBER CROWLEY: -and there certainly is a greater need for transparency. So, and I wish I had asked the administration earlier about this, but the Mayor said he was going to be the most transparent administration, but here we're trying to find information about your workforce, and-- and we're not getting that information.

ARTHUR CHELIOTES: It should be data the city collects under federal law. In fact, they've been cited for not providing data. Certainly claiming they didn't have it, which means they violated federal law.

COUNCIL MEMBER CROWLEY: So however I can be helpful, I'm going to write a letter in support of your members, and ask that the administration give us the Council, the Chairman and this committee that

information, and make it available to the public, and I just want to close because I have—I'm late for a 3 o'clock call, but I want to thank you for being here testifying for your work in the labor studies arena and academia, and overall your work for workers.

RUTH MILKMAN: Thank you so much.

ARTHUR CHELIOTES: If I—if I just might before you go, the issue—it is clear that discrimination is against the law, but if you don't provide the information that will allow you to see where discrimination exists, then how do you ever enforce a law? And it is the reluctance on the part of certain of the corporate counsel because of the potential liability to make that information available. That is at the core of the issue. If—if BLS did not provide this information, this report could not be issued or it would be very difficult to—to do it. In the same way, if you want to comply with laws that prohibit discrimination unless you have the information, you cannot determine where it exists or doesn't exist. See where claims are false and where claims are real, and then come forth with a plan to remedy it where it's real. That's—it shouldn't be a big deal.

2 COUNCIL MEMBER CROWLEY: Right and it's  
3 probably not the fault of this administration, but  
4 the review of the administration.

5 ARTHUR CHELIOTES: [interposing] Oh,  
6 there's a long history. Yes.

7 COUNCIL MEMBER CROWLEY: A long history,  
8 but what is right is that we get clarity--

9 ARTHUR CHELIOTES: [interposing] Uh-huh.

10 COUNCIL MEMBER CROWLEY: --and correct  
11 what has been wrong, and move forward and make sure  
12 that workers of the city aren't discriminated against  
13 based on their gender or their racial profile. So I  
14 thank you for what--what you're doing and we're  
15 committed to doing more with our chairman here.  
16 Thank you.

17 CHAIRPERSON MILLER: Thank you, Council  
18 Member Crowley and thank you for your advocacy. No  
19 one works harder or fighter harder for worming women--  
20 particularly working women in the city than Council  
21 Member Crowley. Thank you for your advocacy for  
22 sure, and before I let you go I guess this is for the  
23 next report, the next, next report.

24 ARTHUR CHELIOTES: [laughs]  
25

CHAIRPERSON MILLER: We—we—as I said, we—  
this committee tries to stay on the cutting edge of  
workers rights, and we did last year a hearing a  
hearing on the administering roles, the membership of  
white collar workers and roles of within the City of  
New York. I want to talk about that impact that they  
have had, not that they—that the jobs have gone.  
They're just no longer union jobs, right and whether—  
whether it's—it's technology or what happens there,  
but the diminishing union membership is—is at the—at  
the heart of it, and—and so we want to talk about  
that when we have more time, but we do have more  
panels, and—and I do want to mention and officially  
that we as a city are complicit because we talked  
about the—I think the panel talked about that earlier  
and—and the council member talked about that earlier.  
Actually Dromm mentioned it. It's some of the city  
contracts that are out there doing work that was once  
unionized civil service work will not—no longer be  
done—being done by the civil service workforce or the  
unionized workforce. Others that we are contracted  
with to provide services whether healthcare and  
others have diminished their unionized workforce  
tremendously, and on the backs of union workers, and



we are complicit. So hopefully--hopefully we can expand those reports and see how we can vote this movement, and one of the things that we do that we are currently doing that undermine the movement, and-- and does not allow it to go in the way that we would. So it's just food for thought, and I look forward to 2017 report. Thank you so much.

RUTH MILKMAN: Thank you.

CHAIRPERSON MILLER: And the final panel, we saved the best for last, Mr. David Mertz and, of course, Janella Hinds. [pause]

DAVID MERTZ: You--you've got that partially right. You've got the best for last, and someone else here.

CHAIRPERSON MILLER: I know, it's--no, no, we're talking--no, no, no--

JANELLA HINDS: [interposing] That's right.

CHAIRPERSON MILLER: --the panel. Thank you so much for--for your patience and--and more importantly for your testimony and being here.

[pause] Talk about this state of the lady. (sic)

[background comments]

JANELLA HINDS: Good afternoon, everyone. My name is Janella Hinds and I am the Vice President for Academic High Schools for the United Federation of Teachers. I also serve as Secretary-Treasurer of the New York City Central Labor Council. I'm very happy to be here this afternoon especially with the executive board members of the Central Labor Council, David Mertz and Arthur Cheliotos, and with representatives from DC-37, Mason Unions and the Carpenters and some other affiliates of the CLC. I'm thankful to Chairman Miller and the entire committee for the opportunity to present testimony today on behalf of our president, Michael Walker and our 200,000 members. I'm also speaking on behalf of Vinny Alvarez, the President of the New York City Central Labor Council. So we have extensive testimony that we have submitted, and I'm going to read the entire thing, but there are just a couple of points that I'd like to make. We are incredibly proud of our members and their invaluable contributions to this city, the dedication and commitment to making a difference in the lives of children and in the lives of New York city's residents. This is helping to strengthen not only

our schools, but our communities everyday. We are also very proud of our partnership with the City Council and we value your support and your advocacy. Our work would not be possible without your leadership and your hard work on behalf of our schools and community. [coughs] Sorry. New York city—thank you—New York City is fortunate to have the Joseph Murphy Institute for Worker Education and Labor Studies. We—thank you. We strongly support its work as well as the council's effort to formally establish the Murphy Institute as the City University of New York's School of Labor and Urban Studies. Our union is deeply committed to furthering labor studies [coughs] I'm so sorry—worker education programs and other professional learning, and you all heard about the Parent to Teacher Program. Thank you. The Parent to Teacher Program that Arthur mentioned earlier. That's been instrumental to so many of our—our members who are working in our schools most closely with our students of disabilities. According to the Murphy Institute's most recent report, educational service—services make up a significant portion of union membership, but as we've heard today, across the country the attacks on our union

brothers and sisters and the overall decline of organized labor has taken a toll on working families in the middle class. That unfortunate reality makes the work of the Murphy Institute all the more vital to the health of the City's economy. In the spirit of the Murphy Institute and our representation of educators who want to use our testimony today as a teachable moment to expand on the State of the Union's report, and to provide the Council with additional perspectives about the UFT. Since our inception 56 years ago, the UFT has always been progressive and forward thinking. Our mission: to lift all those who have never wavered (sic) and neither has our resolve. We work hard everybody to move our profession forward. Our national renown teacher center provide high quality training and mentoring to thousands of teachers every year and para professionals and guidance counselors. We are constantly looking for ways to support our members and to strengthen our school communities, and to improve educational outcomes for our students through community learning schools, pro schools and positive learning collaborative. Our award wining Dial-A-Teacher program averages nearly 1,000 calls a day

from students and parents looking for homework health-help. Our Albert Shanker Scholarship Fund awards a million dollars to deserving students everyday, and our Brave program provides students and educators with anti-bullying resources including an anonymous hotline. This has all been amazing work that we've done, and it's been a terrific start of the school year. We do hope that you will visit the schools in your district because our members have a lot on their minds this year, and they are thinking about how we continue to build as labor and as educators. And I want to talk a little more about the work of the Murphy Institute. Through cutting edge research and analysis as well as important instruction, the Murphy Institute supports a kind of meaningful collective bargaining that was discussed earlier this morning, and while that might be aspirational at this point, I do believe that the work of the Murphy Institute with activists and labor with management, with elected officials, can get us to a place where we can even build on where New York City and New York State are in their density. The focus on worker education and the focus on labor studies are essential because they distinguish New

York City from most other places in the nation, and when we think about education services, I think about the three populations that most greatly benefit from the work of the Murphy Institute. First, newer workers, the people who have been actively organized to join our labor movement. Many of them are lower income folks. Some of them are transitioning to the world of work. They may be newcomers to this country, but this kind of education provides an opportunity for these workers to grow professionally. The second group are the seasoned workers who know their craft, but they may lack a solid foothold in labor history. The third group, the emerging activists who want to advocate for themselves and their colleagues. They greatly benefit from a solid understanding of our past as well as an understanding of the networks, how we connect as labor and how we can influence elected officials, government, the society at large. The work of the Murphy Institute is critical to the support of our growing unionized workforce as well as those with whom we partner. And so, I'll wrap up by saying we are proud of our work with the Council. We deeply appreciate your commitment to our students and

to our school community. The UFT and the CLC look forward to working with all of you in the months ahead to make this a better city for our students. The commitment to a demonstrated respect for our past and the work that empowers our current workforce is what makes our work so meaningful, is what makes the Murphy Institute such an important element in the fiber of our city. And so, we are proud today to be a part of this labor movement that is supported and promoted by the Murphy Institute and proud of its ability to provide a collective and powerful—powerful voice on behalf of workers. Thank you.

DAVID MERTZ: Good afternoon, Mr. Chairman, and thank you for your attention and patience in—in hearing us through. My name is David Mertz and I'm the New York City Director of Retail, Wholesale and Department Store Union, of the UCW (sic) and I just want to start off by saying that I think it's—it is—it is vitally important recognize that you've got some real good news here in a way, right. I think Council Member Crowley asked a great questions: What more can we do? We should always be asking ourselves what more can we do because Lord knows there's a lot more that we need to do to make

this city the best city that it is or could be. But we're a special place, and I think this report points at one of the reasons why we are such a special place, and that's because of a relatively strong labor movement, and more importantly a growing labor movement. At this point in time, that is a crucial fact, and the fact that our labor movement is showing some signs of vibrancy and growth is really good for all New Yorkers not just union members. Higher unionization rates mean a higher standard of delivery for all workers. When union members do better, it tends to raise conditions for everyone. When union members get beat up before it falls out for everyone. Studies have shown that children living in highly unionized areas even if they are not members themselves, even if they have family members of-of the union households, they're much less likely to grow up in poverty. Unions raise standards across other industries both for the union and non-union workers and a strong labor movement means a stronger middle class, and this is going to be good news, a more stabilize tax base, which means we have more money available to provide the services that New Yorkers deserve and should have. So I-I think it's-



it's important to tie that together that a strong labor movement has been public policy, and a strong labor movement is not something that only benefits a few people. It actually has a much broader application than just the members of the union, and it is actually good for the people of the entire community. So my union is—we're a private sector union, which is we face some different circumstances than—that our brothers and sisters in—in the private sector and in the construction industry. And we are known for our advocacy and work amongst some of New York's lowest paid workers, and a lot of the folks who we—we work to organize are new immigrants who also face their—a raft of—of difficulties because of unscrupulous employers who seek to take advantage of—of their immigration status. But as other data has shown, immigrants and workers of color are much better off simply by working in New York because of the strength of the union movement. The work of our union not only makes up some of these numbers, but also brings about some broader socio-economic justice for other workers as well. So I'm just going to touch on couple of things real quick, and the group for—with respect to time, but this—our past year we

organized a thousand of our workers at all of the stores in Manhattan, and they now have greater protections at work against things like discrimination and as they work on a first contract they'll have higher wages, they'll have more stable and predictable hours and--and higher wages. In June of this year, after almost going out and having to be out on strike we reached a contract for 5,000 workers who worked at Macy's and these also include substantial wage increases, money that in turn goes back into the community. It helps create a stronger economy. It's a--they have the better and more affordable healthcare plan, which puts less strain on public services providing health, and the fair scheduling practices mean that we have people who then can--they take more of an active life in their--in public institutions in their schools, and in their communities. So the--the benefits are wide ranging. I'd like to also mention the car wash campaign and a lot of folks here maybe familiar with it. We've gotten some wonderful support from our friends and allies in--in the council, in city government, and we've been successful in organizing 11 car washes during the period of the campaign and substantially

raising conditions and wages for the folks who work under those contracts. We have also changed the industry, completely changed the industry, and so we're finding that the kind of violations that were rampant while they're still there and they're still egregious, and they're still heart wrenching to hear about, are not quite as frequent. And we're able to get help in the workers who are suffering both union and non-union alike, and—and we've been proud to work with New York Communities for Change and Make the Road New York in making that happen, but we're in pretty conditions throughout the industry because the pressure that we are putting on both in the—in the unionized sector and the non-union sector. And we can't do that without the help and support of the community, of—of faith leaders and our friends and allies in government. And that has made all the difference, and I think it will continue to make all the difference. You know, we've had some good movement I think and some policy and legislative victories. We've mentioned some of them around grocery worker retention, around Ban the Box prohibiting employers from considering criminal records in their hiring. Banning credit checks in

employment practices and also looking to expand the idea of labor piece requirements in subsidized developments. All of these things go to create a healthier environment for working people where they can actually succeed, and they happen as a result of the partnership between the labor movement and government and community and faith leaders who understand the important that we're all doing. So I think there are more things that we can be doing, and we should always be asking ourselves what we can do. I think we can work the ban in--in my particular, ban on-call schedule in retail. That's a practice where, you know, workers basically have to wait around up to the very last minute to find out if they are going to work that day. That means that they can't go to school and if they have, you know, taking care of their families. Having a second job becomes almost an impossibility. We need to absolutely do more to protect immigrant workers, and I think that we can try to look to be creative in our solutions to-to do that kind of work. And, of course, you know, now that we have the Office of Labor Standards, I think we have a real opportunity to really push the envelope for some of the protections that we can

offer workers. We were extraordinarily proud to pass the Car Wash Accountability Act, which was really groundbreaking legislation that would offer protection from car wash workers through a licensing bill. Unfortunately, industry has--has boxed up the implementation of that law through a legal challenge, which were confident that we will win, but I think this sort of points the path to some of the creative solutions that we can consider. When we ask ourselves what more can we do, I think there are some blueprints out there that provide some of those answers so that we can continue to make this city the best it can be, and continue to make the city an example to the rest of the country about how important it is to have a healthy, vibrant, equitable economy where everyone can succeed, and that means having a strong and vital labor movement. Thank you very much.

CHAIRPERSON MILLER: Thank you very much to both of you for--for your testimony and for your advocacy and--and--and as we--these two unions that are testifying now really exemplify some of the things that we were talking about earlier in the hearing, and--and really the organized labor impact on the

workforce throughout, not just the city but throughout the region, and—and its impact on some of the campaigns that we've seen at recent \$15 an hour level, things that don't necessarily impact the organized workforce, but how we have been what we—what labor has traditionally and historically been sort of the social conscience of—of the nation, and we're playing that role again, and I think both locals and certainly the CLC does that well, Janella. I—one of the things that while I have you here I—I want to speak to—I was actually when we were doing Labor Day with the editions of one of the local papers and—and the state of labor. And I spoke to leadership what we see now, and—and that next generation of leadership, and how it is transitioning and begins to reflect the demographics of local unions in the city of New York. And I had used you often as an example as a woman of color and a young woman of color, and that next generation of leadership and the impact that labor has had on you. Could you touch on that a little bit and--?

JANELLA HINDS: Absolutely. As I looked at these statistics and looked at the—the demographics in New York City, I just found it

fascinating. As a first generation American, my parents are both retirees of labor unions. They both have been coming from the Caribbean. My mother is from Barbados one of the highly dense places of origin. My father is Panama, not listed but also present, and so having the opportunity to grow up in a labor household really did give me a perspective on the work that we have to do together. It's interesting to see how New York City's labor movement is becoming much more diverse, and much more representative. Because diversity is one thing, but that we are more representative of our membership. So that we're following in the footsteps that have been laid out for us by previous leaders, but adding a different flavor based on our experiences, based on our perspectives whether that's being a woman, a person of color, first generation American or an immigrant, someone who is LGBTQ, we are—we are bringing all of that representation to the table so that we're able to truly reflect and advocate for what our members need.

CHAIRPERSON MILLER: And for the—the Millennials and—and—and our next generation how do we

relate, how do-how do we attract that next generation of union members and-and-and leadership?

JANELLA HINDS: I'm learning a lot about that group because--

DAVID MERTZ: [off mic] You're part of it. (sic)

JANELLA HINDS: Exactly, with Instagram and Facebook and Twitter and Snapchat, but I'm also learning that I have to listen, right, that-that-- because I'm not one of those young workers, and because my line of thinking doesn't always jibe with the way that they see the world. I've learned that I really have to take some time and listen to what their concerns are, what their experiences are, what their needs are so that we can really do some--we can have solutions through the unionism that's reflective of the membership that we serve. Our leadership can't separated from how the members feel and what the member say that they need.

CHAIRPERSON MILLER: That is it. So we-- we look forward to you keeping up the good work, and-- and David honestly your union has really been not just on the cutting edge but at the forefront of some of these campaigns and movements that don't know--they



may impact some of-of-of the membership that you represent, but for the most part they are raising the standards of living for those that-that aren't organized labor, and some of the campaigns that you talk about, that you may ultimately organize the-the car wash workers and others. But for the most part, it is really just raising-raising the standard of living that-that you're doing. Tell me about some of those campaigns and-and-and why you guys are so involved over there in doing such?

DAVID MERTZ: Yeah, I-I think it's-it's vitally important for the labor movement to see itself as part of like a broader effort and not just a narrow interest, and-and I think there-there were times that we had been portrayed that way, and I don't think it's necessarily always true. I mean our first responsibility is always to our members. But I think there has to be a recognition that our-our members can't thrive if the community around them is not thriving, and that we have to be part of a broader social progressive movement in order to make real lasting change in communities where-where we live and work. My union I-I think has felt very strongly that it's-it's important also to send a

powerful message to workers that they can win, and the Car Wash Campaign was a very good example of that since it was seen as a place where you couldn't win. That most of the workers were undocumented. A lot of them were completely, you know, being paid off the books and the owners felt they could get away with whatever they could do. These are privately owned companies, very little information was available. They had operated in the shadows for generations really, and there was a culture above non-compliance with any laws, and yet through the union, these workers were able to organize. They were able to win contracts. There was improvements for themselves. There was a change in the industry. They were able to influence public policy. They were able to have a voice, and they were able to have a presence in our public debate. And I think that sends a powerful message to all workers that it's like it is possible. If we work together, we can actually achieve great things, and I think in New York City it's, you know, really become part now of our culture whether it was the, you know, the Verizon strike which was, you know, an incredible moment for so many of us here. Or if it was, you know, smaller things like, you

know, things that we don't necessarily hear about getting a worker's job back, or-or, you know, winning someone some back pay. I think you're starting to see a new generation of younger people who have a feeling that maybe this labor movement thing can actually be something, and there's a desire and willingness to connect, and we just have to be willing to put in the energy and listen, and to pay attention and to not necessarily always try to lead but sometimes try to follow their-their energy.

CHAIRPERSON MILLER: Well, again, I want to thank you both for testifying. We could do this exchange forever, and-and I know it's getting late, and Janella particularly in your CLC hat because they're doing incredible work for the million and change workers that you guys represent over there, and perhaps we can get you back here. But certainly I know you have-going to send over some testimony, and we're going to highlight that as well. So, I-I really want to thank you for coming out, and staying late, and it's very important that we get this message out, you know, and this is part of that-our campaign to get the message out that labor is alive

and well here in New York City and that we're thriving. So thank you again.

JANELLA HINDS: And I just want to thank you for your constant leadership, for your advocacy, for always taking your vision as a union leader into your work in the Council. We are just grateful to have you and Council Member Dromm and others who have lived this work constantly partnering with us, and speaking for us, and making-making steps that will take us, New York City to a better, greater place. Thank you.

CHAIRPERSON MILLER: Thank you so much and [off mic] if it wasn't for you guys, none of this would happen. [off mic.] [background comments] [on mic] With that, this--this hearing is officially adjourned. [gavel] Thank you.

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date September 18, 2016