

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CIVIL SERVICE & LABOR

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November 15, 2010
Start: 11:43am
Recess: 12:20pm

HELD AT: 250 Broadway
Committee Room, 16th Fl.

B E F O R E:
JAMES SANDERS, JR.
Chairperson

COUNCIL MEMBERS:
James F. Gennaro
Melissa Mark-Viverito
Michael C. Nelson
Larry B. Seabrook

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2 CHAIRPERSON SANDERS: This hearing
3 will now come to order. Good morning and thank
4 you for coming. My name is Councilman James
5 Sanders, Jr., and I am the Chair of the Committee
6 on Civil Service and Labor. Today we are voting
7 on two important resolutions, which we held a
8 hearing on last week, both calling upon our
9 elected officials to pass legislation that will
10 help protect New York City's citizens,
11 particularly its workers.

12 As I said last week, both of these
13 resolutions and the legislation that they discuss,
14 are no-brainers. They were no-brainers then and
15 they are less today. The first resolution, which
16 is preconsidered, calls upon the United States
17 Senate to pass the James Zadroga 9/11 Health and
18 Compensation Act of 2009. This bill should not be
19 partisan, nor controversial. It would provide
20 many of the people exposed to toxins at Ground
21 Zero as a result of the 9/11 terrorist attack,
22 with the right to treatment for illnesses that
23 they have contracted because of their exposure.
24 It would also expand care to the whole community
25 exposed to toxins as a result of the attack,

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2 including those who came to New York City to help
3 with the rescue and recovery effort. Finally, it
4 would also provide compensation for those hurt
5 economically by the attack, by reopening the 9/11
6 Victims Compensation Fund.

7 I will pause for a moment and say
8 that I have a picture of one of the people
9 opposed, Kentucky Senator Mitch McConnell, who is
10 willing to vote for a very similar bill for his
11 nuclear workers, but when it comes to New York
12 City workers he believes that we're either not
13 Americans or not American enough. I would like
14 him to know that in the dreaded event, and may it
15 never happen, that Kentucky is ever attacked, we
16 New Yorkers will come to their defense, and we're
17 not going to ask how American are Kentuckians. So
18 we're going to be there. We understand that an
19 attack on one is an attack on all.

20 I have been told that all 56
21 democrats and both independent senators support
22 the bill, but because of senate rules, they
23 require 60 votes to pass. So it only needs two
24 republicans to support it. I don't see why all 40
25 republicans are not in support of this bill, which

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2 again is not a partisan issue. We urge the senate
3 to pass this bill during this lame duck session.
4 It seems to me that the Tea Party and others
5 should join in. Maybe they should stop long
6 enough to do something for all of America.

7 We are also hearing Proposed
8 Resolution 245-A, which will help New York City's
9 workers and, indeed, workers statewide. The Wage
10 Theft Protection Act would enhance criminal and
11 civil penalties against employers who violate
12 state wage laws. These are employers who don't
13 provide mandatory overtime and sometimes don't
14 even give their workers the minimum wage, among
15 other violations. The bill is also non-partisan
16 and non-controversial, and it has even passed both
17 houses of the state legislature, but with
18 different versions of the bill.

19 The resolution calls upon the
20 assembly and the state senate to reconcile these
21 bills and send it to Governor Patterson for his
22 signature. I want to call upon the sponsor of
23 245-A, my Council Member Mark-Viverito, to speak
24 more of this issue.

25 COUNCIL MEMBER MARK-VIVERITO:

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2 Thank you, Mr. Chair. And I think you've just
3 indicated that, obviously, this is of concern and
4 there have been reports that have come out with
5 regards to employers that, unfortunately, do steal
6 from their own workers. And is something that
7 it's basically just calling upon the state
8 legislature to exercise some level of leadership
9 in reconciling the two bills and making sure it
10 gets passed. So hopefully this is a strong
11 message that is coming from this body, the City of
12 New York, that we believe and support our workers.

13 And so, I thank you for the
14 hearing, I thank you for the support and obviously
15 I urge all my colleagues to vote in favor.

16 CHAIRPERSON SANDERS: I think that
17 it's shameful in the sense that we even have to
18 have at this day and age, where we're speaking at
19 something that seemingly was resolved in the last
20 century where we spoke of mandatory overtime and
21 we spoke of minimum wage. And we're still
22 battling this battle. So, I commend you for
23 pointing this out to the City Council, and I urge
24 my colleagues also to make sure that we bring
25 justice, help bring further justice to New York

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City.

We, of course, have been joined by Queens's best Councilperson, Eric Ulrich; and the Bronx's best, Larry Seabrook. And of course, Manhattan is always there, with her champion, Ms. Viverito. And I am Council Member Sanders.

I want to thank some of my staff people, and would you be kind enough to do so.

MATTHEW CARLIN: Yeah, this is Matthew Carlin, Counsel to the Civil Service and Labor Committee. The other staffers for the Committee are Eisha Wright, our Finance Analyst, and Kim Tai [phonetic], our Press Officer.

CHAIRPERSON SANDERS: I believe that--are there any--are we going to have a presentation on this, on either of these? Okay. Thrill me with sitting in the hot seat. Is there anyone in our committee that wants to speak on this issue?

[Pause]

CHAIRPERSON SANDERS: If that's the case, then I believe that we should call the rolls for--let's do yours first, Ms. Viverito. Let's do 245-A.

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2 KEVIN PIN: Kevin Pin [phonetic],
3 Committee Clerk. Roll call on the Committee on
4 Civil Service and Labor. Councilman Sanders?

5 CHAIRPERSON SANDERS: I vote very
6 much Aye.

7 KEVIN PIN: Seabrook?

8 COUNCIL MEMBER SEABROOK: I vote
9 Aye.

10 KEVIN PIN: Mark-Viverito.

11 COUNCIL MEMBER MARK-VIVERITO: I
12 vote Aye.

13 KEVIN PIN: Ulrich.

14 COUNCIL MEMBER ULRICH: Aye.

15 CHAIRPERSON SANDERS: We will leave
16 that vote open for a half an hour. Let's go to
17 the next one; you did so well on the first one.

18 KEVIN PIN: Kevin Pin, Committee
19 Clerk, Roll Call on the Committee on Civil Service
20 and Labor. Council Member Sanders?

21 CHAIRPERSON SANDERS: Absolutely
22 yes.

23 KEVIN PIN: Seabrook.

24 COUNCIL MEMBER SEABROOK: I vote
25 Aye.

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KEVIN PIN: Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO: I
vote Aye.

KEVIN PIN: Ulrich.

COUNCIL MEMBER ULRICH: Aye.

COUNCIL MEMBER SEABROOK: Would you
be kind enough to read that Reso, and the number
especially? Would you be kind enough, sir?

MATTHEW CARLIN: That last vote was
on Preconsidered Resolution, Resolution calling
upon the United States Senate to vote for and pass
the James Zadroga 9/11 Compensation Act--Health
and Compensation Act of 2009.


CHAIRPERSON SANDERS: We will leave
this vote open for a half an hour also. I want to
thank my colleagues who were here to vote on this.
This hearing will be left open for a half an hour
for further votes.

KEVIN PIN: Gennaro

COUNCIL MEMBER GENNARO: Yes.

C E R T I F I C A T E

I, Erika Swyler, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature_____

Date 11/30/2010_____