

COMMITTEE ON CIVIL SERVICE AND LABOR  
JOINTLY WITH THE COMMITTEE ON CIVIL  
AND HUMAN RIGHTS  
CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR  
JOINTLY WITH THE COMMITTEE ON CIVIL  
AND HUMAN RIGHTS

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Thursday, September 22, 2022

Start: 1:19 P.M.

Recess: 4:40 P.M.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: HONORABLE CARMEN N. DE LA ROSA,  
CHAIRPERSON

COUNCIL MEMBERS:

Erik D. Bottcher  
Tiffany Cabán  
Eric Dinowitz  
Oswald Feliz  
Kamillah Hanks  
Rita C. Joseph  
Julie Menin  
Francisco P. Moya  
Sandy Nurse

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

Aldrin Bonilla  
Chair  
Equal Employment Practices Commission

Jeanne M Victor  
Executive Director  
Equal Employment Practices Commission

Barbara Dannenberg  
Deputy Commissioner of Human Capital  
Department of Citywide Administrative Services

Sylvia Montalban  
Chief Citywide Equity and Inclusion Officer  
Department of Citywide Administrative Services

Daniel Pollak  
First Deputy Commissioner  
Office of Labor Relations

Gloria Middleton  
President  
CWA, Local 1180

Henry Garrido  
Executive Director  
DC37

Greg Mancios  
Dean  
CUNY School of Labor and Urban Studies

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

Dalvanie Powell  
President  
United Probation Officers Association

M Celeste Carballo  
Exhibition Preparator  
American Museum of Natural History and  
Executive Board Member  
Local 1559, DC37

Kyle Simmons  
President  
Local 924, DC37 Laborers

Kathleen Knuth  
President  
EMS Superior Officers Association

Oren Barzilay  
President  
Local 2507, DC 37 FDNY EMS

Anthony Almojera  
Vice President  
Local 3621, EMS Lieutenants and Captains

Laura Morand  
President  
Local 2627, DC37 IT Workers

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2 SERGEANT WONG: This is a sound check, Committee  
3 on Civil Service and Labor jointly with the Committee  
4 on Civil and Human Rights. Today's date is September  
5 22, 2022, being recorded by Danny Wong in the  
6 Committee Room.

7 SERGEANT AT ARMS: Good afternoon, everyone. If  
8 everyone could please find seats. Once again, please  
9 silence all electronic devices. I would like to  
10 welcome everyone to today's hybrid New York City  
11 Council hearing for the Committees on Civil Service  
12 and Labor jointly with Civil and Human Rights.

13 For all folks on Zoom, please silence all  
14 electronic devices or set to vibrate or silent mode.  
15 If you'd like to submit testimony, please send via  
16 email to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is  
17 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Just confirming the  
18 stream. And Chairs, we are ready to begin.

19 CHAIRPERSON DE LA ROSA: Thank you so much. Um,  
20 good afternoon and welcome to today's, oh. I should  
21 probably gavel in, right?

22 [GAVEL]

23 Alright. Good afternoon, and welcome to today's  
24 joint hearing on the Committees of Civil Service and  
25 Labor and Civil and Human Rights on the equity in the

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1  
2 municipal workforce. I am Council Member De La Rosa,  
3 Chair of the Civil Service and Labor Committee.

4 While pay inequity is not a new problem, it is  
5 one that evolved over, over time and one that has  
6 become more difficult to identify as instances of  
7 direct wage discrimination have subsided. However, we  
8 can only begin to address these disparities if we  
9 know they exist. The aim of today's hearing is to  
10 identify the factors driving the entrenched gender  
11 and racial wage gaps so we can correct these bases  
12 and ultimately strengthen the New York City's  
13 workforce.

14 Today we will be questioning the administration  
15 about the City Council's second round of findings  
16 from local law 18 of 2019, which analyzes pay  
17 disparities based on race, ethnicity and other  
18 protected classes among municipal employees. The City  
19 Council's analysis found that occupational  
20 segregation which, which is the funneling of  
21 employees into certain jobs along gender and racial  
22 lines is a key factor driving pay inequity in the  
23 City's workforce.

24 I am eager to hear the administration's plans to  
25 reverse occupational segregation and expand

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1 recruitment efforts. We are also hearing three bills  
2 that will increase transparency of the City's pay  
3 structure to help us evaluate the root causes of pay  
4 disparities. Intro 515, sponsored by Speaker Adams,  
5 would require that agencies conduct an analysis of  
6 compensation data and measures to address pay  
7 disparity and occupational segregation and more.  
8 Intro 541, sponsored by Council Member Louis and  
9 myself, would amend local law 18 on the reporting of  
10 pay and employment equity data. And Intro 527,  
11 sponsored by me, would require each City agency that  
12 requires applicants to take civil service exams to  
13 report on the metrics related to those examinations  
14 and evaluate and expand diverse recruitment and  
15 retention while, while within City government.

17 Public sector employment has long been a source  
18 of economic security of women and people of color.  
19 Prior to the pandemic, people of color comprised 62%  
20 of the City's workforce and women comprised 59%.  
21 Public service jobs were coveted because they are  
22 most likely to be unionized, well-paid, with benefits  
23 and protections for workers experiencing compounded  
24 racial and gender income gaps. We must work to  
25 safeguard these jobs so that they supply family-

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sustaining wages that provide economic security to  
the, to New Yorkers. City employees work hard to keep  
New York running smoothly and it is only right that  
they be compensated fairly.

I want to take this opportunity to thank Speaker  
Adams for her leadership on this issue and the  
Committee Staff for their hard work in preparing this  
hearing, Senior Counsel Nick Connell, Senior Counsel  
Malcom Butehorn who has been following these issues  
for many years, Policy Analyst Elizabeth Arnst (SP?),  
as well as my Chief of Staff and, and Legislative  
Staff James Burke and Kiana Diaz and Communications  
Director, Ray Familia. I would also like to give a  
special thanks to the City Council's data operations  
unit for their important work analyzing the City's  
workforce data and contributing to the publication of  
the Council's second report. I would like to thank  
Alaa Moussawi, Rose Martinez, Brooke Frye, Melissa  
Nuñez. I now turn it to Chair Williams for her  
opening statement.

CHAIR WILLIAMS: Thank you, Chair De La Rosa, and  
good afternoon, everybody. I am Council Member  
Nantasha Williams, Chair of the Committee on Civil  
and Human Rights. Thank you, everyone who is joining

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1  
2 us for this very important hearing on pay equity in  
3 the municipal workforce.

4 On the heels of Black Women's Equal Pay Day,  
5 which happened yesterday, black women still face a  
6 pay gap of \$0.63 for every dollar earned by a white,  
7 non-Hispanic man. Today reminds us of our history  
8 fighting for racial and economic justice and the  
9 commitment it takes to make the change we need. This  
10 hearing is a critical part of the steps we are taking  
11 to combat salary inequity in the largest workforce in  
12 New York City, our municipal workforce. New York  
13 City's employees work hard to keep this City running.  
14 Yet women and people of color across our workforce  
15 continue to face the impacts of pay inequity. As the  
16 Council's analysis shows, on average, women and  
17 people of color are earning less than their white,  
18 and, less than their white, male counterparts. This  
19 problem is further exacerbated by occupational  
20 segregation. As we strive to achieve greater equity  
21 for all New Yorkers, it is incumbent on us as elected  
22 officials, to examine whether our government is a  
23 model of equity.

24 We must ask the question, how are we valuing our  
25 municipal workforce, the work of our City's women and



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1 people of color. Pay inequity is an insidious problem  
2 that we need to attack on multiple fronts. Local law  
3 18 of 2019 was a first step toward achieving our  
4 ideals of pay inequity. The data we received provided  
5 us important context to continue our efforts by  
6 highlighting the role of occupational segregation in  
7 driving pay disparity.  
8

9 Today we are taking another step down that road.  
10 The legislation we are hearing makes concerted  
11 efforts to analyze how we value work that is largely  
12 done by women and people of color and how we recruit  
13 and promote within agencies and strengthens our pay  
14 equity laws.

15 I look forward to working with eh administration  
16 and receiving their feedback on the long-term efforts  
17 we can undertake to achieve a more equitable New York  
18 City.

19 CHAIRPERSON DE LA ROSA: Thank you so much, Chair  
20 Williams. I'd like to take the opportunity to also  
21 recognize that we've been joined by Council Member  
22 Menin, Marte, Louis, Joseph, Salamanca, Nurse. Thank  
23 you all for coming, and I'll turn it over now. Oh,  
24 turn it over to Council Member Louis now for her  
25 opening statement. Council Member Louis.

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1  
2 COUNCIL MEMBER LOUIS: Thank you, Chair De La  
3 Rosa. Good afternoon, everyone. I want to thank  
4 Chairs De La Rosa and Williams for the opportunity to  
5 highlight these vitally important, uh, pieces of  
6 legislation.

7 The City of New York is purposely called the  
8 Capital of the World. It is a place where dreams are  
9 started or continued. It is a City of opportunity and  
10 second chances. I am excited to present these two  
11 vital bills, Intros 527 and Intro 541. The passing of  
12 these bills will give New Yorkers a greater chance to  
13 join the machinations that move the Capital, that  
14 open opportunity, and allow for dreams to become  
15 realities.

16 Yesterday, we acknowledged Black Women Equal Pay  
17 Day. It is a beautiful coincidence that, it is a  
18 beautiful coincidence to recognize raising the salary  
19 and per hour bars for black women. Five years ago,  
20 the watchdog called Open the books.com noted that  
21 1.5% of the top 200 earners, that is workers of New  
22 York city agencies, were women. Also, in agencies  
23 with a woman majority, the top earners were men. My  
24 legislation, Intro 541, aims to increase transparency  
25 within our municipal government in respect to

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1 analyzing and rectifying pay disparities between  
2 employees of the city of New York and to require data  
3 to be provided from agencies that historically have  
4 not been transparent with their employees' pay to  
5 report their data to the council so we can identify  
6 inequalities within our hiring practices and  
7 compensation.  
8

9 I am proud to co-prime Intro 527 with chair De La  
10 Rosa which, in concert with my legislation, will  
11 increase the diversity and inclusion of employment  
12 with eh City of New York to ensure that every new  
13 Yorker seeking to, seeking a career in civil service  
14 has a fair opportunity to serve the City.

15 Every year we promise change and opportunity, and  
16 these two pieces of legislation help to make that  
17 promise a reality. Intro 527 and Intro 541 will not  
18 be the final solutions, but they will move us close  
19 to a fair and just City government. This will be an  
20 example for other industries, public and private  
21 sectors, to increase their transparency to all. This  
22 will be a win for New York City. Thank you Chairs De  
23 La Rosa and Williams.

24 CHAIRPERSON DE LA ROSA: Thank you, Council  
25 Member Louis. I also want to acknowledge we've joined

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1  
2 by Council Member Moya. I will now turn it over to  
3 Committee Counsel to swear in the administration and  
4 review the hearing procedures as we are joined by,  
5 both by the public and in person, both, uh, by the  
6 public both in person and virtually.

7 COMMITTEE COUNSEL GANAPATHY: Thank you, Chairs De  
8 La Rosa and Williams. Good afternoon, everyone, and  
9 welcome. My name is Jayasri Ganapathy. I am Counsel  
10 to the Committee on Civil and Human Rights. Um,  
11 before we begin testimony, I want to remind everyone  
12 that, that is joining us via Zoom, that you will be  
13 on mute until you are called to testify. Uh, we will  
14 be calling public witnesses to testify in panels of  
15 four after the conclusion of the administration's  
16 testimony and Council Member questions. So, please  
17 listen carefully for your name. Council Members, you  
18 will be called on for questions after the full panel  
19 has completed testimony. We will be limiting Council  
20 Member questions to five minutes.

21 Please note, for the purposes of this virtual  
22 hearing, we will not be allowing a second round of  
23 questions. For public witnesses, once your name is  
24 called, if you are joining us via Zoom, a member of  
25 our staff will unmute you and the Sergeant at Arms

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1 will give you the go ahead to begin after setting the  
2 timer. So, please listen for the timer to be called.  
3

4 For fairness of all testifying today, the public  
5 testimony will be limited to five minutes per person.  
6 When the Sergeant announces your two minutes is, your  
7 five minutes is up, we ask that you wrap up your  
8 comments and we can move on to the next person. Of  
9 course, you can always submit testimony up to 72  
10 hours after the close of the hearing and we will  
11 review written testimony.

12 I will now turn to my Co-Counsel, Malcolm  
13 Butehorn to swear in the administration.

14 COMMITTEE COUNSEL BUTEHORN: Good afternoon, my  
15 name is Malcolm Butehorn, serving as Counsel to the  
16 Committee on Civil Service and Labor. I will now call  
17 on the following members of the administration to  
18 testify and/or answer questions.

19 From the Equal Employment Practices Commission,  
20 Aldrin Bonilla, Chair, and Jeanne M. Victor,  
21 Executive Director. From the Department of Citywide  
22 Administrative Services, DCAS, Deputy Commissioner of  
23 Human Capital, Barbara Dannenberg, and Chief Citywide  
24 Equity and Inclusion Officer, Sylvia Montalban, and  
25

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1  
2 from the Office of Labor Relations, First Deputy  
3 Commissioner, Daniel Pollak.

4 I will first read the oath and after I will call  
5 on each member from the administration individually  
6 to respond. Do you affirm to tell the truth, the  
7 whole truth, and nothing but the truth before these  
8 Committees and to respond honestly to Council Member  
9 questions? Chair Bonilla?

10 CHAIR BONILLA: [NO REPOSE]

11 COMMITTEE COUNSEL BUTEHORN: Uh, Executive  
12 Director Victor?

13 EXECUTIVE DIRECTOR VICTOR: [NO RESPONSE]

14 COMMITTEE COUNSEL BUTEHORN: Uh, Deputy  
15 Commissioner Dannenberg?

16 DEPUTY COMMISSIONER BANNENBERG: [NO RESPONSE]

17 COMMITTEE COUNSEL BUTEHORN: Chief Montalban?

18 CHIEF MONTALBAN: [NO RESPONSE]

19 COMMITTEE COUNSEL BUTEHORN: And First Deputy  
20 Commissioner Pollak?

21 FIRST DEPUTY COMMISSIONER POLLAK: [NO RESPONSE]

22 COMMITTEE COUNSEL BUTEHORN: Uh, uh, since Chair  
23 Bonilla is not here, whoever wants to start with  
24 testimony. And should just move the microphone to  
25 whoever's going to go first to.

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DEPUTY COMMISSIONER DANNENBERG: Good afternoon.

Good afternoon, Chair De La Rosa and Chair Williams and Members of the Committee on Civil Service and Labor and Committee on Civil and Human Rights. I'm Barbara Dannenberg, Deputy Commissioner for Human Capital at the Department of Citywide Administrative Service, DCAS. I am joined today by my colleague, Sylvia Montalban, DCAS's Chief Equity, Citywide Equity and Inclusion Officer, Jeanne Victor, Executive Director of the Equal Employment Practices Commission, and Danial Pollak, First Deputy Commissioner of the Office of Labor Relations.

We provided, uh, a fuller, longer testimony, but I'm just going to make brief, uh, remarks here. So, thank you for the opportunity to meet with you all and delve into the work that we are doing to enhance pay equity within the municipal workforce. In City government, it's our responsibility to ensure everyone has equitable access to opportunities. That includes fair compensation regardless of their sex, age, religion, disability, race, sexual orientation, and/or any other protected classification.

Among our agency's core values is our commitment to equity by way of providing services that help City

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1 government uplift and empower all New Yorkers. To  
2 achieve this goal, DCAS established the Office of  
3 Citywide Equity and Inclusion, known as DEI, helmed  
4 by my colleague, Sylvia Montalban. Together, CEI and  
5 Human Capital collaborate and provide guidance to  
6 Agency Equal, Equal Employment Opportunity Officers  
7 and Agency Personnel Officers to improve service  
8 delivery, increase compliance with EEO and Civil  
9 Service policies and increase access to employment  
10 and promotion opportunities. This work is central to  
11 our identity as an Agency and to the advancement of  
12 our City.  
13

14 In 2020, the City Council published its first  
15 report on pay equity. The report's findings revealed  
16 that when looking at gender, the adjusted pay gap is  
17 relatively small, with female employees earning 0.4%  
18 less than male counterparts. Similarly, when  
19 examining race and ethnicity, people of color make  
20 less than white employees, but the gap is  
21 progressively closing. In fact, black employees earn  
22 0.986 on the dollar compared to white employees.  
23 Hispanic or Latina employees earn 0.989 on the dollar  
24 compared to white employees, and Asian employees earn  
25



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0.993 on the dollar compared to white employees. New York City is faring better than the national average.

Our strongest tool to combat pay inequity is rooted in the continued reliance of our Civil Service system, where together with salary set through collective bargaining, we ensure that employees in the same title are treated equitably. This work happens in close collaboration with the Office of Labor Relations, as they represent the City in collective bargaining negotiations with municipal unions and work to reach agreements that are acceptable to both the City unions and their members.

In addition to pay equity, we are also addressing occupational segregation to enhance diverse recruitment in titles and EEO job categories that are highly paid but predominantly white and/or male. Over the past years, DCAS has developed a multi-pronged approach towards addressing these disparities.

Please allow me to thank you all for your time and for your commitment to increasing pay equity. We recognize that there are opportunities for improvement and to combat occupational segregation and look forward to working closely with the City Council to accomplish these goals. Thank you.

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1  
2 EXECUTIVE DIRECTOR VICTOR: Good afternoon. Thank  
3 you for, um, allowing us to come here today and be  
4 before you, um, Chair De La Rosa, Chair Williams,  
5 Committee Council and the Members of the Civil  
6 Service and Labor and Civil and Human Rights  
7 Committees. Thank you for allowing us to be here  
8 today. At the outset, I too want to thank you and  
9 applaud you as City Council for taking up the fight  
10 for equal and fair compensation for all City  
11 employees, particularly women and minorities and for  
12 the remediation of occupational segregation in the  
13 City's workforce. Uh, the EEPC will offer an abridge  
14 testimony today, um, but will submit its full  
15 statement for the record.

16 We are here today to present testimony on  
17 proposed bill number 515. Um, just to give you some  
18 background on the EEPC, our charter mandate obligates  
19 us to review, evaluate, and monitor the employment  
20 procedures, practices, and, and, um, progress of City  
21 Agencies. Local law 13 requires us to submit an  
22 annual report identifying the racial and ethnic  
23 groups underutilized in the City's workforce. It must  
24 be noted that local law 13 does not include women in  
25 its, in its language, minorities only. And, um, under

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1 the prior administration, we did request that women  
2 be included in this legislation. Um, we will be, uh,  
3 making a separate request again from this  
4 administration.  
5

6 So, as mentioned earlier, um, the EEPC, um,  
7 submits a report on, in accordance with local law 13.  
8 Um, we recently submitted our report and we found, we  
9 had four findings. One, that the job group  
10 availability estimates in the (INAUDIBLE)  
11 availability reports are, are somewhat aged and not  
12 consistently aligned with other availability  
13 estimates such as the US Census data and the Civil  
14 Services data. Availability estimates should be  
15 periodically reviewed to ensure that they are current  
16 and, and accurate. Number two, underutilization  
17 applies to job groups regardless of the number of  
18 entities that use the title, the size of the entity,  
19 or the number of employees in the title at a  
20 particular entity.

21 Number three, occupational segregation is present  
22 and varies my demographics in many titles. And four,  
23 in many instances, white male applicants pass Civil  
24 Service exams at higher rates than other applicants  
25 on Civil Service exams. In some instances, they were

1 also selected for higher in percentages that  
2 substantially exceeded their availability estimates  
3 even though considerable numbers of applicants from  
4 other demographics also passed exams.

5 So, I'd like to, um, continue with the definition  
6 of occupational segregation. It's defined as a  
7 concentration of racial groups and gender groups, or  
8 other demographic groups in certain occupations  
9 and/or job groups. With respect to occupational  
10 segregation, we found that in general, white workers  
11 tend to be more populous in those titles and job  
12 groups that are paid more than other titles and job  
13 groups that are predominantly comprised of black,  
14 Hispanic, and Asian individuals.

15 The EEPC recommended in its report that the City  
16 offer training and other opportunities for  
17 advancement for those workers in these job groups in  
18 order to offer opportunities for growth and  
19 advancement in their careers as well as access to  
20 jobs that are more highly compensated.

21 Consistent with our charter mandate, we recently  
22 formed and convened an Employment Advisory Committee.  
23 The purpose of the Committee is to collaborate with  
24 other Agencies to prioritize research topics,  
25

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1 cooperate with other Agencies to avoid the  
2 duplication of research efforts, leverage the  
3 collective expertise of the Committee, to help the  
4 EEPC in its own work, assist, if needed, in any  
5 Committee or Citywide research initiatives, and  
6 provide assistance to the EEPC with data collection  
7 efforts, if needed. Invited to participate were  
8 representatives from DCAS, New York City's Office of  
9 Labor Relations, the CUNY Community Colleges, the New  
10 York City Law Department, the New York City  
11 Commission on Human Rights, the Mayor's Office, and  
12 City Council's Committees on Women and Gender Equity  
13 and Civil and Human Rights.

14  
15 This Committee may be a good place to start the  
16 discussion on how best to address pay equity and  
17 occupational segregation, uh, in municipal  
18 government.

19 The remainder of my remarks will be on the  
20 particulars of the proposed legislation and how it  
21 relates to the EEPC. First, um, this, this  
22 legislation will amend section 815 of the City  
23 Charter which section concerns the powers and duties  
24 of Agency heads concerning personal management. It  
25 amends paragraph to specific, to specify that each

1 Agency must include in its plan to provide equal  
2 employment opportunity an analysis of the Agency's  
3 compensation and measures to address pay disparities  
4 and occupational segregation among other things.

5 Thus, if the Agencies are addressing these important  
6 issues on an annual basis, it's unclear how the  
7 EEPC's comparable work analysis as included in this  
8 legislation can add to the conversation.

9  
10 Secondly, the comparable worth analysis would  
11 require the EEPC to go to every Agency to determine  
12 the nature of the work required by each role in the  
13 Agency, the demands of the role, and the skills the  
14 worker utilizes in the role. It is unclear why the  
15 Agency who would be in the best position to make  
16 these assessments would not be asked to do so as part  
17 of their assessment of pay disparity and occupational  
18 segregation.

19 According to recent statements prepared by the  
20 Office of State Deputy Controller for the City of New  
21 York, the City's workforce comprises 129 distinct  
22 Agencies, including the Department of Education and  
23 the Offices of Elected Officials and 59 Community  
24 Boards. While the majority of these Agencies employ a  
25 small fraction of the City's full-time employees, the

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1  
2 38 largest Agencies with 250 or more full-time  
3 positions employ nearly all of the City's full-time  
4 workforce. The City's full-time staff numbers  
5 approximately 284,000 to 300,000 employees. The  
6 City's career and salary plan for its full-time  
7 employees contains more than 1,600 Civil Service  
8 titles, although many refer to the same type of  
9 occupation differentiated by factors such as  
10 assignment or level of experience.

11 Compensation for represented employees is handled  
12 by the Office of Labor Relations for 95% of City  
13 employees. Given the numbers of Agencies, titles, and  
14 employees, the kind of analysis contemplated by this  
15 legislation would be a huge endeavor for even expert  
16 consultants to undertake. For the EEPC, it would be  
17 nearly impossible given the EEPC's team of three City  
18 research scientists who must also fulfill our  
19 comprehensive local law 13 reporting  
20 responsibilities.

21 Moreover, even if the EEPC had the resources and  
22 expertise to undertake such an analysis, it is  
23 unclear what value this analysis will bring  
24 particularly since the Agency heads will be required  
25

1 to address compensation and occupational segregation  
2 in their workforces through their annual plans.

3  
4 Since DCAS already has plans to conduct a pay  
5 equity study, then perhaps the City's resources  
6 should not be used to create a comparable work  
7 analysis, but instead explore other less resource  
8 heavy alternatives that could provide greater value.

9 For example, focusing on those job groups where  
10 occupational segregation is found and conducting  
11 surveys to gauge employees' interest in preparing for  
12 other career growth opportunities that are better  
13 paying or conducting a pilot program to address  
14 occupational segregation on a more focused scale,  
15 and, um, reevaluating determinations of  
16 underutilization when a job group contains a majority  
17 of minority employees.

18 As an example of a difference that may be made  
19 within the City's control, that is within the City's  
20 control, if an Agency is determined to have  
21 underutilization of black women in its clerical job  
22 group and black women make up the majority of the  
23 clerical job group, aren't we just perpetuating  
24 occupational segregation of black women in the  
25 clerical job group? Perhaps we should look at our



1 current practices to see if such unintended  
2 consequences can be easily rectified.

3  
4 Again, I applaud the work of the council for  
5 their interest and willingness to address and rectify  
6 these issues. The EEPC is pleased to be a part of the  
7 solution and would be delighted to be part of a  
8 planning process and consulted on the proposed  
9 legislation, solutions, and remedies. But the EEPC is  
10 absolutely unable to perform either the comparable  
11 work analysis that is being proposed, or any other  
12 additional analyses with our current staffing levels  
13 and resources.

14 In fact, the EEPC with its current staff of 12  
15 split between the audit unit, the research unit, and  
16 the administrative team, is unable to take on  
17 additional work unless additional resources,  
18 staffing, and expertise is provided, or mandated  
19 requirements are amended.

20 Thank you for the opportunity to present our  
21 position on the proposed legislation. And this  
22 concludes my remarks.

23 CHAIR DE LA ROSA: Well, thank you all so much for  
24 testifying today. Um, and I want to thank  
25 specifically the staff that has been here over and

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1  
2 over again. We've had a lot of hearings, um, in the  
3 last two months. So, I want to thank you all for  
4 being here.

5 I want to just harp on an issue that I'm hearing,  
6 especially in your last testimony, um, and I want to  
7 say that I am concerned, as the Civil Service and  
8 Labor Chair about, um, the proposed budget cuts,  
9 right, across City Agencies and staffing levels. And  
10 I know this is not a budget hearing so I'm not going  
11 to put you all on the spot about that. But I want to  
12 make sure that I am saying clearly for the record, as  
13 most of our municipal unions go into contract  
14 negotiations, as our City Agencies are clearly  
15 stretched, as we have a crisis of asylum seekers, new  
16 neighbors that are coming into our City, the talk of  
17 a proposed 3% cut across the board will leave these  
18 Agencies, um, completely hollowed. And so, I just  
19 want to put that for the record. I'm going to  
20 continue to say that as we have, as these  
21 discussions.

22 I want to, um, first harp on the comparable work  
23 analysis. Um, a comparable worth analysis assigns  
24 value to the skills and responsibilities and the  
25 role, uh, responsibilities that roles add to an

1 employer. The evaluation can be used as a tool to  
2 address and prevent pay disparities, uh, based on  
3 gender, race, and ethnicity. Um, does the City  
4 already have a plan to conduct a pay, pay equity  
5 audit or comparable worth analysis of City Agencies?  
6 If so, could you please share the timeline for this  
7 work? If not, does the Agency support Intro 515 which  
8 would require City Agencies to conduct that? And I  
9 know we've heard some sprinkling opinions in the, in  
10 the, uh, testimony, but I'd like to see if the  
11 administration, uh, has a firm position on that.

12 EXECUTIVE DIRECTOR VICTOR: Well, as far as.

13 DEPUTY COMMISSIONER DANNENBERG: Good afternoon.

14 Thank you. Thank you for your question. Um, and thank  
15 you for the opportunity to talk about, um, our many  
16 multi-faceted plans for addressing pay inequity and  
17 occupational segregation. Um, to your point, uh, one  
18 of the items that, um, the City is working on with  
19 the Pay Equity Cabinet, is a job title evaluation  
20 study, uh, which is something similar to what, I  
21 think, you were talking about. Um, and this study,  
22 which we are hopefully going to kick off very soon,  
23 um, we are looking to identify a vendor, uh, in order  
24 to do this work. And this study will focus on looking  
25

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1 at, uh, uh, certain titles that are specified and,  
2 uh, within those titles, uh, what the qualification  
3 requirements are, what the job duties look like, and  
4 how that compensation is related to, to those skills  
5 and duties. Um, so we're hoping to kick that off very  
6 shortly.  
7

8 CHAIR DE LA ROSA: Okay. So, right now you don't  
9 have an official timeframe for the study? Just  
10 starting.

11 DEPUTY COMMISSIONER DANNENBERG: Right. We're  
12 searching for a vendor.

13 CHAIR DE LA ROSA: Okay. Um, I, I definitely want  
14 to have, uh, Chair Williams ask some questions about,  
15 um, some questions that she has as well. I do want to  
16 just ask about what measures are in place to ensure  
17 that a salary offer for a lateral hire and that a new  
18 hire is based on the candidate's qualifications and  
19 not controlled by supervisors making that salary  
20 offer.

21 DEPUTY COMMISSIONER DANNENBERG: Um, thank you.  
22 Uh, so, uh, depending on, uh, the, the type of title  
23 that it is, so, um, what my colleague expressed  
24 earlier, 95% of City employees are represented, uh,  
25 meaning that their salary is set, uh, through my, uh,

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1  
2 partners at OLR and Labor. Um, but, uh, for the 5%,  
3 I'll speak to the 5% who, whose salaries are  
4 discretionary. And, uh, one thing that we do to  
5 inform and educate Agencies as to how to make an  
6 appropriate valuation of the job, is to, um, through  
7 executive order 21 which, um, does not allow for  
8 basing a new employee's salary based on their  
9 previous salary, um, and this goes a long way towards  
10 valuating the job and not the person or what the,  
11 what the candidate looks like and how that salary is  
12 set. So that, um, that is something that we work very  
13 closely with the Agencies to ensure that they are  
14 following and if they need guidance or assistance,  
15 DCAS is here to assist those asks.

16 CHAIR DE LA ROSA: Great. I'm going to pass this  
17 to Chair Williams. I have some questions about  
18 collective bargaining, but I will have Chair Williams  
19 ask her questions and come back. Thank you.

20 CHAIR WILLIAMS: Thank you, Chair. So, speaking  
21 with occupational segregation, um, the Council's  
22 analysis of 2019 data found that non-white employees  
23 and female employees predominantly hold Civil Service  
24 titles with the lowest median titles and the same  
25 groups represent a much smaller proportion of

1 employees who hold Civil Service titles with the  
2 highest median salaries.  
3

4 Mayor Adams has repeatedly touted equal pay for  
5 equal work, yet the City Council concluded that  
6 occupational segregation remains a driving force of  
7 pay inequity within the City's workforce, as we all  
8 are discussing today.

9 Um, so, I just have a few questions about actual  
10 implementation because we do know that, um,  
11 recommendations have been made. So, does the  
12 administration believe occupational segregation harms  
13 the economic security of working women and their  
14 families?

15 DEPUTY COMMISSIONER DANNENBERG: Thank you for  
16 your question. Uh, so the City, uh, as I alluded to  
17 earlier, the City does have a multi-faceted approach  
18 to, um, uh, occupational segregation and, uh,  
19 eliminating pay inequity. So, one of the things that  
20 we are working on that is, and of course we are  
21 supported by the administration, um, I had mentioned  
22 the study that we are going to do. Um, but the DCAS,  
23 specifically, is responsible for working with  
24 Agencies, providing that guidance, providing training  
25 so we train both the EEO Officers and the Agency HR

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2 Officers who work in tandem, um, with their Agency  
3 head, uh, in order to ensure that, uh, their Agency  
4 has a responsible compensation plan. Uh, so we work  
5 very closely with them. We provide training, um, and  
6 we also provide assistance, um, as I said earlier, if  
7 they have any questions, or they're having a  
8 difficulty, um, with that information.

9       Something else that we worked on, um, uh, uh, as  
10 a result of our work with the Pay Equity Cabinet, is  
11 we developed a tool for Agency's to use. It's called  
12 the Salary Benchmarking Tool. And that's a tool that  
13 Agencies can utilize so that, uh, when they are  
14 trying to value a job, because again, we want  
15 Agencies to value jobs and not candidates, um, so  
16 when they're looking at the job, they can see how  
17 that job is compensated, um, across Agencies, across  
18 different, um, uh, municipal areas, and, uh, make a  
19 better decision as far as compensation.

20       CHAIR WILLIAMS: So, follow up, is that, do you  
21 have in addition, any other concrete actions? So, you  
22 mentioned training, you mentioned salary  
23 benchmarking. Are you doing anything else that's a  
24 concrete action? And does it also get to internal  
25 promotions because we've had existing employees come

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1 to us and talk about the lack of internal promotions  
2 within a particular agency?  
3

4 DEPUTY COMMISSIONER DANNENBERG: Um, so, uh, I'll  
5 speak to promotion opportunities, then I'm going to  
6 turn it over to my colleague to, uh, answer the rest  
7 of your question and talk about the other work that  
8 we are doing.

9 Uh, so, uh, DCAS is involved with promotions at  
10 the Agency level through the Civil Service system.  
11 So, DCAS develops and administers promotion  
12 examinations, uh, which are used by Agencies in order  
13 to fill these promotional roles and these vacancies.  
14 And again, the highlight of Civil Service, is that  
15 these promotions are then made based on merit and  
16 fitness and not on discretion as Agencies need to  
17 follow the Civil Service law when they're making  
18 these appointments. And DCAS will audit the, um,  
19 eligible list certification that they use in order to  
20 make those appointments to ensure that, um, the  
21 rules, the Civil Service rules were followed.

22 CHAIR WILLIAMS: So, you conduct an audit of the  
23 promotion? Do you guys run demographical data on that  
24 to kind of see who's being promoted, what kind of  
25 people are being promoted?



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2 DEPUTY COMMISSIONER DANNENBERG: Can you repeat  
3 your question? Sorry.

4 CHAIR WILLIAMS: So, you said you do an audit  
5 when, you do an audit of an Agency regarding their  
6 promotional practices to make sure they're complying  
7 with the law.

8 DEPUTY COMMISSIONER DANNENBERG: Correct, the  
9 Civil, based on the Civil Service list. So, only  
10 those Civil Service list appointments, correct.

11 CHAIR WILLIAMS: And so, the question was, do you  
12 have demographical data? Does it show what type of  
13 people are actually getting promoted?

14 DEPUTY COMMISSIONER DANNENBERG: So, that would  
15 reside at the Agency level, but that is something  
16 that we can certainly take a look at. Um, but again,  
17 I want to reiterate that with Civil Service,  
18 appointments are made based on merit and fitness and  
19 Agencies must follow, uh, the eligible list which  
20 results from an examination in score order. So, they  
21 can't hop around or, you know, pick someone that has  
22 more seniority or whatever. They have to follow the  
23 scores.

24 So, but, but to go back to your question, that is  
25 certainly information that we have.

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2 CHAIR WILLIAMS: And what about positions that are  
3 not Civil Service titles? So, for instance, let's say  
4 someone comes in a job, and they come in as a Civil  
5 Service employee, clerical, but they've gone on to  
6 get their Master's and they've been with the Agency  
7 for a while and maybe they want a different promotion  
8 that's not particularly in the Civil Service titles?  
9 So, I'm guessing that particular job posts wouldn't  
10 be held to the same standards as what you mentioned.  
11 So, how do you guys account and calculate for those  
12 positions?

13 DEPUTY COMMISSIONER DANNENBERG: Right. So, um,  
14 thank you for that question. Uh, Agencies are  
15 ultimately responsible for their own hiring promotion  
16 practices. So, an Agency head working with their HR  
17 Department and their EEO Officer, uh, would, uh,  
18 ensure that the Agency is equitably and fairly, um,  
19 promoting, uh, employees within that Agency for these  
20 discretionary positions.

21 CHAIRPERSON WILLIAMS: Okay. But DCAS doesn't have  
22 any oversight, or?

23 DEPUTY COMMISSIONER DANNENBERG: That's correct.

24 CHAIRPERSON WILLIAMS: Does any type of auditing  
25 of that practice?

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2 DEPUTY COMMISSIONER DANNENBERG: That's correct.

3 CHAIRPERSON WILLIAMS: Okay. Um, the other  
4 question I had was according, similar to the 2019  
5 data that we keep touting, um, what efforts are being  
6 undertaken to diversify the ranks in Agencies that  
7 are most acutely impacted by occupational segregation  
8 such as DSNY, FDNY, DOE, where management is largely  
9 white and male and I'm sure AS, you have seen or  
10 might have seen the held a hearing, uh, FDNY hearing,  
11 um, just this week. And so, those statistics are  
12 quite startling so, just wanted to know if you all  
13 have undertaken any efforts.

14 DEPUTY COMMISSIONER DANNENBERG: Sure, and I'll,  
15 I'll pick it up and then I'll, I'll turn it over to  
16 my colleague. Um, uh, one of the, the ways that DCAS  
17 helps with combatting that occupational segregation,  
18 um, is through targeted recruitment, um, and  
19 assisting Agencies with that targeted recruitment in  
20 order to fill positions, in order to provide  
21 information to job seekers so that they even know  
22 that these jobs exist, and what, what it entails in  
23 order to obtain the job because sometimes that's a  
24 mystery. Um, so, I'm going to turn it over to my  
25 colleague.

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1 EXECUTIVE DIRECTOR VICTOR: Uh, yes. I just want  
2 to provide some additional background information  
3 that might be helpful to assess, um, you know, those  
4 specific questions you have. But DCAS does provide,  
5 um, guidance and structure to the Agencies even  
6 though they're accountable to, um, for their own  
7 hiring and employment decisions. And some of the  
8 things that we do, for example, along the spirit of  
9 executive order 21 which we previously mentioned, is  
10 that we ensure, and we encourage Agencies to make  
11 sure that their hiring managers take very crucial  
12 training such as unconscious bias trainings,  
13 structured interview training. So, this is part of  
14 our efforts to sort of standardize the approach in  
15 Agencies to make these objective employment  
16 decisions.

17  
18 Um, this is really a layered process. Um, we make  
19 an effort, again, to provide the guidance and we  
20 continuously engage the Agencies (INAUDIBLE) of this  
21 monthly best practice meetings to reinforce these  
22 principles. Um, another thing I want to point out  
23 that has a pervasive impact in the City is our Office  
24 of Citywide recruitment. So, uh, they are a, a unit,  
25 a bureau that exists in the Office of Citywide Equity

1 and Inclusion and they have been functioning since  
2 2015. They have had, um, they actually do very broad  
3 outreach to do, um, extensive inclusive recruitment.  
4 Um, and I just want to point out that they've had,  
5 you know, almost 1,700 events since their inception.  
6 They have reached over almost 84,000 throughout the  
7 years and, um, even, you know, in these past years,  
8 they've become even more innovative in how they reach  
9 the public even nationwide to make opportunities  
10 available.  
11

12 So, one of the things that they do is that, um,  
13 they partner with agencies to give them, um,  
14 strategic inclusive recruitment practices. That means  
15 that they teach them to interpret their workforce  
16 data, to inform their recruitment efforts to, um,  
17 target hard to recruit titles. They collaborate with  
18 these agencies to make these opportunities known for  
19 the public. Um, they set up City Talk panels which,  
20 um, profile and show a lot of our City workforce, uh,  
21 working in these titles to show the public how, um,  
22 attractive it is to work for the City.

23 They also actually, um, conduct a lot of, uh,  
24 networking to build pipelines throughout the City.  
25 So, they speak to, um, a lot of academic

1 institutions, veterans' associations, LGBT community.

2 Uh, a lot of the demographics of the community that  
3 may be underrepresented and that we also want to  
4 increase the representation in our workforce.  
5

6 Um, they provide information on Civil Service  
7 Exams. They hold monthly 101, uh, Civil Service 101  
8 training sessions to actually inform the public and  
9 even the current workforce on how, um, they can  
10 improve their pathway, their career pathway within  
11 the City government. They demystify the Civil Service  
12 process because it can be a little bit confusing, um,  
13 and so, uh, making this information available, um,  
14 is, is crucial. They have monthly newsletters. Um,  
15 they host, um, a lot of other panels and events that  
16 they, um, that they, um, coordinate with the  
17 agencies. So, they're making a huge impact. But,  
18 again, as I said, it is a layered process and we all  
19 collaborate, um, to do all this.

20 CHAIRPERSON WILLIAMS: Thank you for, um, all of  
21 that. And as you were listing out all the things that  
22 are happening with your agency, I know FDNY also  
23 conducts their own outreach. Um, the, the thing that  
24 came to mind was are there any metrics of success,  
25 because it seems like there's a lot of attention and

1 energy going to recruitment, but the numbers have  
2 sort of stayed the same with some marginal increase  
3 with, um, the Fire Department. But folks argue a part  
4 of that increase was a lawsuit. So, nothing that we  
5 as a City proactively did, but in fact, something  
6 that was forced upon the City to address. So, have  
7 you established any metrics of success in terms of  
8 like your trainings or the recruitment to say, "Okay,  
9 this is effective because we saw an increase here."  
10 Or are we just kind of shooting in, in the dark with  
11 these approaches?  
12

13 DEPUTY COMMISSIONER DANNENBERG: So, we, we  
14 definitely, um, consider a lot of options and for  
15 example, we have plans to, um, get information about  
16 and polling the people that are reached, for example,  
17 through a lot of these information sessions, to see  
18 how many of those people have actually applied for  
19 Civil Service examinations or actually taken them.  
20 And that's information that we want to cross check  
21 with our, um, Bureau of Examinations to see the  
22 success rate there.

23 So, that's just one example of the things that we  
24 are exploring to do so that we can derive some kind  
25

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1  
2 of metrics that will inform more our targeted  
3 efforts.

4 CHAIRPERSON WILLIAMS: Thank you. Um, so I will  
5 now turn to one of the bills. Um, question for EEPC.  
6 Introduction 515 places requirements on the Equal  
7 Employment Practices Commission, which is an  
8 independent, non-Mayoral oversight entity tasked with  
9 auditing, reviewing, and monitoring the equal  
10 employment practices of the City of New York.

11 Um, for FY '23, the EEPC has an annual budget of  
12 \$1.3 million with 14 authorized positions, although  
13 we heard from you today that you have 12 of those 15.  
14 Um, this is a reduction from 15 positions due to the  
15 City's peg, which represents 7% of the EEPC's total  
16 workforce. Um, you know, I've been advocating  
17 strongly internally and externally about increasing,  
18 of course, your baseline. Uh, so just wanted to know,  
19 um, cause you did mention in your testimony that this  
20 would be pretty much impossible to do based off your  
21 current staffing. So, what resources does EEPC need  
22 to perform, um, the comparable worth analysis  
23 required by Intro 515? And if the Agency is unable to  
24 fulfill the mandate, which you've stated in your  
25



1 testimony, um, which Agency do you feel, uh, is  
2 better equipped to handle the task?  
3

4 EXECUTIVE DIRECTOR VICTOR: Uh, as far as the  
5 resources that would be needed, um, we would  
6 definitely need the expertise within the Agency. Um,  
7 we would need to, um, at least have someone who would  
8 be able to conduct or oversee this kind of, of an  
9 analysis. We would need the people to, to actually  
10 perform the analysis. So, um, we would be looking at  
11 an increase of staff of at least, um, at least, you  
12 know, a handful of people.

13 Um, we, um, we, we base, yeah, I'll, I'll just  
14 leave it at that. We, we would need at least a  
15 handful of people.

16 CHAIRPERSON WILLIAMS: I didn't hear the last  
17 thing you said.

18 EXECUTIVE DIRECTOR VICTOR: Yeah, we would, I  
19 would just leave it at we would need a handful of  
20 people.

21 CHAIRPERSON WILLIAMS: Okay. And so, do you have  
22 any suggestions on another Agency that you think  
23 could better handle the task, if it wasn't you?

24 EXECUTIVE DIRECTOR VICTOR: I, I, couldn't really  
25 say. Um, but I, as I said in my testimony, we do have

1 this advisory committee, and perhaps the advisory  
2 committee could look into it and help to kind of form  
3 what, you know, what the scope of that project would  
4 be, which, um, I think would be very huge. Um, it  
5 would probably, I would think, would take a lot of  
6 planning in terms of, um, working with the Agencies  
7 themselves and working with other Agencies that work  
8 in this area.  
9

10 CHAIRPERSON WILLIAMS: Right. And your testimony  
11 sort of mentioned that this analysis might not  
12 necessarily be needed. I forgot the language you  
13 used. You said that it's unclear what value the  
14 analysis would bring. And so, I'm just wondering, do  
15 you have any suggestions on. I think as Council  
16 Members we have intentions and then sometimes the  
17 bills have unintended consequences, so of course we  
18 want more data. We want to be able to assess the  
19 data. So, do you have any suggestions that can get us  
20 to our goal but is perhaps a little bit more  
21 reasonable to your particular commission? Maybe it's  
22 a narrower scope. So, do you have any suggestions on  
23 that particular piece, on the analysis itself and how  
24 it could be reworked to get us to what we want to  
25 see, but is a little more, um, doable on your end?

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2 EXECUTIVE DIRECTOR VICTOR: Right. Yeah, I think  
3 the words I used in my testimony were less resource  
4 heavy. Um, I was suggesting that perhaps, um, we  
5 start looking at some of the internal processes that  
6 we have already, uh, in place. You know, for example,  
7 I gave an example in my testimony where, um, Agencies  
8 are told that they may have underutilization of  
9 certain demographics within their workforce.

10 Um, so I gave the example of, um, if an Agency is  
11 told that there is underutilization of a black, black  
12 females, um, with, uh, clerical workers, um, and  
13 clerical workers are predominantly black female, then  
14 why are we looking to put more black female clerical  
15 workers in the workforce. And, um, that might be an  
16 area where we, we, we reevaluate and say, um, instead  
17 of, instead of having goals of underutilization  
18 filled within each, within these, um, job groups that  
19 are predominantly minority already, maybe, um, we, we  
20 don't do that. Um, instead of, you know, looking to  
21 fill other job groups where there is a lack of  
22 minorities and women.

23 CHAIRPERSON WILLIAMS: Okay. Thank you. Um, and I  
24 look forward to continuing conversations to get some  
25 more of your thoughts on this. Um, so the Mayor

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1 recently announced additional pegs, and so we also  
2 just kind of wanted to understand how, um, you will  
3 meet that mandate and how it'll affect the Agency's  
4 work as of course we're asking you to do more work.  
5 So, if you could share with us how the pegs will  
6 impact your Agency and how you plan to meet the  
7 mandate?  
8

9 EXECUTIVE DIRECTOR VICTOR: So, um, with the peg,  
10 um, we would have to, um, revert any discretionary  
11 funding that we have, which is really about, we have  
12 very little discretionary funding. It's, uh, mostly,  
13 um, our non-salaried funds really deal with, um,  
14 different things that we have to have like we have to  
15 pay for telephone service. So, we have to pay for  
16 computer licensees. Um, we don't really have that  
17 much money in terms of, um, free discretionary  
18 funding. We have, um, I believe it's \$2,000 for  
19 training, um, \$1,000 for internal training. Um, we're  
20 talking, you know, not much money here. And, um, and  
21 if we were to give up the training monies or, or any  
22 of the, um, the monies that deal with our, you know,  
23 the running of our workforce, then that could have an  
24 implication on our ability to fulfill a mandate.  
25

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2 CHAIRPERSON WILLIAMS: Thank you. Um, last  
3 question. Um, so the City's employment web portal,  
4 many senior positions have an expansive salary range.  
5 For example, for a Senior Counsel at DOED (SP?), a  
6 given salary range is \$65,000 to \$160,000. At the  
7 last Civil Service and Labor hearing, um, that Chair  
8 De La Rosa on municipal staffing crisis, OLR shared  
9 the current collective bargaining agreement that  
10 required the City to hire new personnel at what is  
11 called a new hire rate, example the lowest rate.

12 Using the Senior Counsel position at DOED as an  
13 example, if the Agency was considering a new hire who  
14 was a black woman, and a lateral hire who is a white  
15 man, the white man could receive the top of the pay  
16 range while the black woman would be stuck at the  
17 bottom of the pay range. Do existing requirements and  
18 wide salary ranges exacerbate racial and gender pay  
19 gaps?

20 FIRST DEPUTY COMMISSIONER POLLAK: Uh, thank you  
21 for that question, Council Member. I'll, I'll take  
22 that. So, um, I believe the Senior Counsel position,  
23 I'm not familiar with that particular position, but  
24 based on the broad pay range, it's likely a  
25 managerial position, which is subject to the pay plan

1 for managerial employees rather than a collective  
2 bargaining agreement. Um, collective bargaining  
3 agreements generally have narrower pay ranges than  
4 that, uh, not always but generally. Um, and the City  
5 does not require the managerial employees be paid,  
6 new hires, be paid at the low end of the pay range.

8 CHAIRPERSON WILLIAMS: Thank you.

9 CHAIRPERSON DE LA ROSA: Alright. I want to ask a  
10 few questions about collective bargaining, and we'll  
11 probably come back cause there's a lot of questions  
12 on that, but I want to make sure that our colleagues  
13 have an opportunity to ask. I do want to ask,  
14 however, so, the Council recently had the hearing on  
15 FDNY and, um, and we talked a little bit and in the  
16 last hearing about maintaining the municipal  
17 workforce. We also talked about EMS and Paramedics,  
18 and, um, you know, the low pay that they actually  
19 have, it's very difficult for them, um, to retain and  
20 recruit for EMS and Paramedics. And obviously, like  
21 we're still in the grips of a pandemic. We, they're  
22 an important, um, sector that must be, you know  
23 robust.

24 So, local law 19 of 20, uh, 2001 requires that  
25 EMS, First Responders, and their respective unions be

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1 allowed to collectively bargain as uniform status.

2 Why does OLR refuse to allow them to collectively

3 bargain, even though, even, after this body passed a

4 law directing them to do so, which was unsuccessfully

5 appealed by Mayor Bloomberg? Why are they not

6 allowed?

7  
8 FIRST DEPUTY COMMISSIONER POLLAK: Uh, thank you

9 for the question, um, Council Member. Um, so, um,

10 speaking about local law 19 and that legislation, so

11 what that legislation did is it, um, changed the

12 collective bargaining law which governs, have

13 collective bargaining is done in the City. the

14 collective bargaining law essentially, uh, two levels

15 of bargaining. One is a Citywide level where, uh,

16 employees who are under the Citywide collective

17 bargaining agreement have certain terms. they

18 negotiate some of their own terms with their own

19 union, but certain matters that are Citywide, for

20 example leave schedules, overtime provisions, um,

21 matters like that, are governed by the Citywide

22 collective bargaining agreement which is negotiated

23 by DC37.

24 What that legislation did is it placed, uh, the

25 EMS union in the uniform level of bargaining, which

1 allows them to bargain on their own behalf on all  
2 matters rather than, you know, having them covered by  
3 the Citywide agreement which covers certain matters.  
4 It did not mandate a particular result regarding  
5 bargaining. It didn't mandate certain wage increases  
6 by provided or certain benefits be provided. It just  
7 required that the EMS union be allowed to bargain on  
8 its own for all matters, all terms and conditions of  
9 employment.  
10

11 And since that legislation has passed, we've  
12 reached a number of agreements with the EMS union,  
13 where we bargained such matters including an  
14 agreement covering the last round of bargaining which  
15 was ratified overwhelmingly by the union's members.

16 So, you're saying that the EMS union has been  
17 allowed to engage in, in pattern bargaining. Um, and  
18 will be allowed in the next bargaining cycle?

19 Uh, we have engaged with the EMS union based on,  
20 uh, on pattern bargaining in the last, uh, I don't  
21 want to say how many rounds, but certainly the last  
22 round and the round before that, um, as far back as I  
23 can remember. Um, we obviously are not in bargaining  
24 with that union at this point, so I can't speak to  
25 what will happen in the neck round. But, you know,



1 we, uh, OLR generally engaged in pattern bargaining  
2 and anticipates continuing to do so.

3  
4 CHAIRPERSON DE LA ROSA: So, I'm hearing a yes.

5 FIRST DEPUTY COMMISSIONER POLLAK: We will  
6 continue to engage, we continue to engage in pattern  
7 bargaining at OLR, yes.

8 CHAIRPERSON DE LA ROSA: Okay. Probation officers  
9 are one of the few if only law enforcement, um,  
10 employed by the City of New York that is not entitled  
11 to a uniform collective bargaining. Is there a  
12 reason, uh, is there a reason you have excluded the  
13 probation officers, largely women and people of  
14 color, from the benefits of uniform status collective  
15 bargaining?

16 FIRST DEPUTY COMMISSIONER POLLAK: Um, I would,  
17 uh, again, I think similarly again, that's kind of  
18 um, you know, um, the, I think there's some nuance  
19 there. Um, probation officers much like EMS received  
20 in 2001 in a later local law, probation officers, as  
21 well as many other groups, special officers, school  
22 safety agents, um, deputy sheriffs, many others, who  
23 were granted the ability to bargain all terms and  
24 conditions of employment.

1           So, they're no longer covered by the Citywide  
2 agreement. If they want to bargain over, for example,  
3 their annual leave schedules, how much leave they  
4 receive, they can do that, in the past, they would be  
5 covered by the Citywide collective bargaining  
6 agreement and not permitted to do so. Um, and they  
7 are permitted to bargain all terms and conditions of  
8 employment as other uniformed, um, other union,  
9 designated uniform are. So, um, you know, I do think  
10 they have been permitted to, um, uh, to continue to  
11 do so and we will continue to bargain on the basis  
12 the law requires.

14           CHAIRPERSON DE LA ROSA: Well, I know you know how  
15 important collective bargaining is for these workers,  
16 especially, um, two workforce that are, um,  
17 predominantly of color, predominantly immigrant, um,  
18 and, and majority, um, you know, not being paid the  
19 best wages, um, especially when it comes to the EMS  
20 workers. So, we just want to make sure that that's on  
21 your, um, radar.

22           And then, let's see. We have a question here  
23 about the United Probation Officers Association. Uh,  
24 they, they retained an expert forensic labor  
25 economist to evaluate whether there is evidence of

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1  
2 pay and/or promotional disparities based on race and  
3 gender specific salary ranges, um, to the probation  
4 officers and supervising probation officers. The  
5 expert examined whether, um, the salary ranges stated  
6 for probation officers and supervisory probation  
7 officers are applied in practice. The report showed  
8 the amount of 1/3 of these officers are not even paid  
9 the minimum, minimum allowable salary, meaning that  
10 they are not even paid the least amount that they are  
11 obligated to be paid under the collective bargaining  
12 agreement.

13       What remedial steps is the Adams administration  
14 taking to correct this wrong both moving forward and  
15 providing relief for those persons not even being  
16 paid at least, the least minimum amount that they are  
17 obligated to be paid?

18       FIRST DEPUTY COMMISSIONER POLLAK: Um, thank you,  
19 Council Member. I'm not familiar with that particular  
20 report but, um, certainly if there's anyone being  
21 paid under what the collective bargaining agreement  
22 requires, I would encourage, uh, the union to contact  
23 our Office and we'll take steps to make sure the  
24 contract is complied with.

25

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4 CHAIRPERSON DE LA ROSA: Great. On behalf of the  
5 Committee, we are asking you to proactively look into  
6 this matter and get back to us with any information  
7 you may have.

8 FIRST DEPUTY COMMISSIONER POLLAK: Will do so,  
9 thank you.

10 CHAIRPERSON DE LA ROSA: Thank you. I'm going to  
11 pass it on to Chair Williams in case you have some  
12 questions. Okay. We'll pass it to.

13 COUNCIL MEMBER JOSEPH: Good afternoon, everyone.  
14 Um, my first question is before holding a, um, a  
15 competitive Civil Service exam, what is the outreach  
16 you do to make sure that you're getting the best  
17 candidates to apply for these jobs?

18 DEPUTY COMMISSIONER DANNENBERG: Good afternoon.  
19 Thank you for that question. Uh, so, um, there's a,  
20 so, before we administer a Civil Service exam, first  
21 we work with the Agencies just to ensure that there  
22 is an ability to hire. So, that means that they're  
23 looking to hire. Um, uh, so, we get that information  
24 directly from the Agency. Um, we work with Agencies  
25 so that we can schedule the examination or the  
application period for the examinations around their,  
if they have their own, around their recruitment

1 efforts so that they have the ability to recruit  
2 before we open the application period or give the  
3 exam, because if they recruit after that, those  
4 perspective employees will have missed out on the  
5 Civil Service exam. Um, do you want to add anything  
6 else about OTR?  
7

8 But also, we do, um, Citywide recruitment, our  
9 office of Citywide Recruitment also assists with  
10 Agencies and they also, especially with the exam  
11 schedule, if there is an upcoming examination where  
12 an Agency is seeking to hire, where we would like to  
13 have some targeted recruitment, they will go out into  
14 the field and hold those events, um, around the City  
15 as well as provide that Civil Service 101 that we had  
16 discussed earlier, giving people the tools and the  
17 information they need so that they can successfully  
18 navigate the Civil Service system.

19 COUNCIL MEMBER JOSEPH: So, you're going to the  
20 communities to do an outreach to make sure you're  
21 catching the best candidate?

22 DEPUTY COMMISSIONER DANNENBERG: Yes, that's  
23 correct.

24 COUNCIL MEMBER JOSEPH: Okay. Um, the entities,  
25 you collect the fee for this, uh, for the Civil

1 Service examinations. Um, what are those fees used  
2 for?  
3

4 DEPUTY COMMISSIONER DANNENBERG: So, yes, DCAS  
5 does charge a fee for Civil Service exams and those  
6 fees can be found in the general examination  
7 regulations. And the fees are based upon the salary  
8 of the job for which the examination is for. Um, and,  
9 uh, also I would like to just point out that, um,  
10 although DCAS does charge a fee for Civil Service  
11 examinations, we also offer fee waivers, for, um, for  
12 job seekers who are currently unemployed, receiving  
13 public assistance, US veterans, so, uh, so we do  
14 offer that opportunity for employment as well because  
15 our mission is to get as many people, um, who are  
16 interested in City jobs to be able to , uh, take  
17 those jobs.

18 Um, the, the, the, the fees that are collected go  
19 into the City's general fund. They don't go to DCAS.  
20 So, uh, you would have to, that's an, that's an OMB  
21 question as, as to what is done with those fees.

22 COUNCIL MEMBER JOSEPH: Thank you.

23 CHAIRPERSON WILLIAMS: Just wanted to acknowledge  
24 that we've been joined by Council member Erik  
25 Bottcher. Um, the question I have is pertaining to

1 the NYPD. So, the NYPD has used promotional lists as  
2 a tool to improve diversity in their ranks, for  
3 example, traffic and safety agents who are  
4 predominantly black and brown women were given the  
5 opportunity to take promotional exams to become  
6 police officers instead of taking an open,  
7 competitive exam. This encouraged career advancement  
8 for a historically underrepresented group and allowed  
9 the NYPD to retain institutional knowledge. What  
10 steps are being taken by Agencies to use the existing  
11 inter-Agency pipeline for promotional opportunities?

12 I know, again, in our hearing with FDNY they had  
13 something that was a little similar, but we heard  
14 reports that that exam has not been given for quite  
15 some time. But just wondering if you have any  
16 information on that.

17 DEPUTY COMMISSIONER DANNENBERG: Certainly. Thank  
18 you for your question. Uh, the, the, there is a  
19 similar pathway in the Fire Department, uh, um, that  
20 follows the police officer model where, um, EMS  
21 workers are offered that promotion opportunity, um,  
22 when we give the next round of examinations. So, yes,  
23 that will, that exam will be offered, uh, the next  
24 time we offer the fire fighter examinations.

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1  
2 Um, and then regarding other pathways, um, we  
3 continually look when we're giving examinations that  
4 are, that are at the promotional level or a higher  
5 level, um, within the, uh, promotional tree, we do,  
6 uh, speak to Agencies. We ask them, um, do you have  
7 folks in similar, similarly situated titles who may  
8 be eligible to take this exam who you think would be,  
9 um, a good fit for following this pathway. And we can  
10 either, we DCAS, can either permanently add those  
11 titles as a promotional eligible title to the pathway  
12 or we can do it, uh, per examination.

13 So, uh, if know that an Agency, for example,  
14 Agencies have a really great hiring need in a  
15 particular title, we can try to funnel more City  
16 employees, um, through that career pathway so that  
17 promotions can be made from within. Uh, because, yes,  
18 we agree with you, um, that our Agency is talent is  
19 best suited to fill those promotional roles.

20 CHAIRPERSON WILLIAMS: Um, so this question is in  
21 reference to gender pay gaps. So, we know during the  
22 pandemic, women experienced greater job losses which  
23 may have impacted pay equity between men and women in  
24 some sectors. Um, in addition, Morning star recently  
25 reported that during the pandemic, female C-Suite



1 executives' pay compared to male, compared to male  
2 counterparts, fell to a nine year low, and women  
3 would have to wait until 2060 to approach parity at  
4 the current rate of progress. Do you have any data on  
5 our own municipal workforce, whether or not we've  
6 seen greater job losses among women, especially women  
7 of color, and if so, what mitigating action has the  
8 administration taken to counter this?  
9

10 DEPUTY COMMISSIONER DANNENBERG: Thank you. Uh,  
11 so, yes, uh, looking back during the pandemic, um, it  
12 is true that across the country, um, we saw, uh, a  
13 larger increase in women leaving the workforce.  
14 However, within the City of New York, we did not see  
15 that. We actually saw a decrease in women leaving the  
16 workforce during the pandemic, a decrease of, about  
17 9%, so it went from 46% to about 37%, 36%. Um, sorry  
18 my math is. Uh, so we did notice that, and, uh, again  
19 we attribute that to, uh, this City's response to the  
20 COVID pandemic and our generous leave policies that  
21 we made available to our workforce. Um, and now that  
22 we are, uh, in a new fiscal year, we're seeing that,  
23 uh, the rates of women leaving the workforce are not  
24 as low as they were during the pandemic, but they  
25

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1 have not increased beyond what they were in 2019, for  
2 example.  
3

4 CHAIRPERSON WILLIAMS: Thank you.

5 CHAIRPERSON DE LA ROSA: Piggybacking on that  
6 question, um, as you know, we, we just heard, had the  
7 hearing on the staffing crisis and we learned that,  
8 um, the overall vacancy rate is 7.9 as of June of  
9 this year. Um, has DCAS observed any trends across  
10 race and gender for those employees, um, departing  
11 the City workforce?

12 DEPUTY COMMISSIONER DANNENBERG: Thank you. So,  
13 um, uh, due to the, the recency of that data, we have  
14 not yet seen any trends as far as, uh, what that  
15 composition is of employees. But, um, in general,  
16 what we, what we normally see is that people leave  
17 because they are retiring, so folks that are eligible  
18 for retiring, um, and folks leave, uh, who have  
19 between zero and four years of work experience. So,  
20 people with less experience are the ones who depart  
21 City service. And that is a trend that we've seen  
22 since we started tracking it in 2013.

23 CHAIRPERSON DE LA ROSA: And a related question,  
24 um, but a little not, non-related. The City, uh, the  
25 City contracts out many services that, that provide

1 the residents of the City, provides for the residents  
2 of the City. Does the City require that those  
3 contractor service providers, um, to analyze their  
4 own compensation practices and to help address and  
5 prevent pay disparities based on gender, race, or  
6 ethnicity? Um, so any contracted services, providers.  
7

8 DEPUTY COMMISSIONER DANNENBERG: Um, I can't speak  
9 for Citywide contracts or contracting services. But  
10 the City, I will say that the City is an Equal  
11 Opportunity Employer and I, uh, would suspect that  
12 the City encourages if any, anyone that contracts  
13 with it to follow those same regulations.

14 CHAIRPERSON DE LA ROSA: Thank you. And I do have  
15 one question for EEPC. Um, have you all advocated to  
16 the administration to not be included in the upcoming  
17 proposed pegs? Um, have you all advocated to the  
18 administration, given how small your budget is to do  
19 the mandated services, have you advocated to the  
20 administration to not be included in the proposed  
21 pegs? We will. Thank you. Bottcher.

22 FIRST DEPUTY COMMISSIONER POLLAK: Chair De La  
23 Rosa, if I could, I'd like to, I believe I misspoke  
24 earlier in one my answers and I'd just like to  
25 correct it, um, regarding probation officers and

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1  
2 uniform status. I apologize. Sometimes hard to keep  
3 track of the 150 bargaining units we have. Uh, they  
4 are in fact not covered by local law 56, so they  
5 maintain under the Citywide level of bargaining. Um,  
6 so, you know, in response to the question about why  
7 that is, I would just say that's what the collective  
8 bargaining, uh, law says. So, we follow the  
9 collective bargaining law, and we negotiate with them  
10 as we do other groups that fall within that Citywide  
11 group.

12 CHAIRPERSON DE LA ROSA: Okay. Um, I'll request  
13 those bands for consideration.

14 FIRST DEPUTY COMMISSIONER POLLAK: Of course.

15 CHAIRPERSON DE LA ROSA: And, um, let me just ask  
16 DCAS, um, about the Citywide learning and  
17 development, um, as a central source of training  
18 within New York City government for employees at all  
19 levels. Classes are taught by a mix of government,  
20 university, and private sector experts, and expansive  
21 portfolio areas including technology skills, personal  
22 development, management, supervision, professional  
23 practices, organization and executive development,  
24 certification and credit bearing courses, and any NY  
25 specific, and any NY specific classes. In 2021, how

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1 many municipal employees enrolled in the DCAS  
2 learning and development trainings?

3  
4 DEPUTY COMMISSIONER DANNENBERG: So, thank you.  
5 Um, in fiscal year '22, we had 337,000 municipal  
6 employees take our, partake of our training.

7 CHAIRPERSON DE LA ROSA: 300 and what? Say it  
8 again.

9 DEPUTY COMMISSIONER DANNENBERG: I'm sorry.

10 CHAIRPERSON DE LA ROSA: What was the number  
11 again?

12 DEPUTY COMMISSIONER DANNENBERG: 337,000.

13 CHAIRPERSON DE LA ROSA: Okay. How many municipal  
14 employees in the classes with each of the seven  
15 portfolios areas? Do you have that breakdown?

16 DEPUTY COMMISSIONER DANNENBERG: So, I have, um,  
17 the number for the, uh, managerial and professional  
18 development training and that is almost 55,000 in the  
19 last fiscal year who took those trainings. Um, I can  
20 certainly get you a breakdown of the other  
21 categories, if you, if you like.

22 Okay. Are there, thank you. And are there  
23 limitations on trainings that employees can access  
24 based on education, work experience, or focus area,  
25 or Agency?

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2 DEPUTY COMMISSIONER DANNENBERG: So, uh, it  
3 actually depends on the training. Uh, some trainings,  
4 you know, it's a part two and you need to have taken  
5 the earlier preliminary training to take that  
6 advanced level training. Um, some certification  
7 courses require that you have certain either work  
8 experience or experience in that area in order to  
9 take the certification course to be certified at the  
10 end. Uh, so it really, it depends on the courses.  
11 But, um, for those that are, you know, general  
12 professional development and general work, um, um,  
13 uh, uh, improving skills, uh, there, there aren't any  
14 other special requirements.

15 CHAIRPERSON DE LA ROSA: How many times per year  
16 and in what medium are municipal employees given  
17 information on the DCAS learning and development  
18 training? How do you get the word out?

19 DEPUTY COMMISSIONER DANNENBERG: Thank you. So, we  
20 put out a new training catalog three times a year.  
21 And so, that changes the portfolio, and what courses  
22 we are offering, what vendors we're procuring with so  
23 that City employees have an opportunity to constantly  
24 have a fresh, uh, group of trainings, um, and then of  
25 course, there's the, the core trainings that are

1 always available. And, uh, that catalog is put out as  
2 a catalog, in, you know, in hard copy. It's available  
3 online. It is shared with every single City Agency  
4 with their training liaisons. It's, it's shared with  
5 their HR partners so that City employees, we know  
6 that City employees will have access to those  
7 training courses.  
8

9 CHAIRPERSON DE LA ROSA: In the last hearing that  
10 we had about the municipal workforce, you mentioned  
11 that there was an attempt to make the exam more  
12 accessible, the Civil Service exam more accessible,  
13 by allowing for people to take an exam that opens a  
14 more broader, uh, range of positions. Can you speak  
15 to that, and, and, um, uh, tell us again what are  
16 some of those steps that are being taken?

17 DEPUTY COMMISSIONER DANNENBERG: Sure, so, um, I  
18 think that, uh, you were referring to our bridge exam  
19 where it's one examination, one application, and, for  
20 up to 10 jobs. Or I think it might be 11 jobs. Um,  
21 sure, so, we worked, we're very proud of this because  
22 this is something that's brand new to the City. Uh,  
23 we've never strayed from the, you know, model of one  
24 examination, one application. You sit and take the  
25

1 test and, you know, you hopefully will appear on that  
2 eligible list.  
3

4 So, we're trying to think of ways where we can  
5 offer more access to jobs without putting that burden  
6 on the job seeker. So, you know, anyone that's ever  
7 been seeking a job, it's a full, it's a full-time job  
8 looking for a job, right? So, anything that we can do  
9 as a City to showcase the wonderful opportunities  
10 that we have, and then remove some barriers and make  
11 it a more streamlined, simpler process, that's what,  
12 that's what we're looking to do.

13 So, this bridge exam, um, is a really great  
14 example. And I think it, actually the testing starts  
15 next week for that exam. Um, so very exciting.

16 CHAIRPERSON DE LA ROSA: Yes. Got to (INAUDIBLE)  
17 so we can spread the word. Um, do you think that that  
18 exam and that change is going to help with, um, you  
19 know, dealing with things like occupation  
20 segregation?

21 DEPUTY COMMISSIONER DANNENBERG: That, we are  
22 certainly very hopeful, um, and the fact that we  
23 received 4,000 applications for this exam, I feel  
24 like it's being received very well. Um, and, uh, we  
25 are hoping that it will do exactly that, is, you



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1 know, make more jobs accessible to more people and a  
2 broader group of people.  
3

4 CHAIRPERSON DE LA ROSA: Great. Thank you. My mic  
5 was off. Going back to the hiring. In, in the order  
6 of the list of who scores the highest and has to be  
7 hired first, please explain the one in three rule.

8 DEPUTY COMMISSIONER DANNENBERG: Thank you for  
9 that question. Um, uh, our, our folks at Citywide  
10 recruitment can probably do a better job since they  
11 do the all the time. But, but in a nutshell, uh, the,  
12 and this is Civil Service law that we are following.  
13 So, um, an, a hiring agency, when they receive a  
14 Civil Service list, let's say there's 100 people on  
15 that list, the people who scored the highest would be  
16 ranked number one and so on and so forth. And the  
17 person that scored the lowest would be 100.

18 Agencies when they are making hiring selections,  
19 would call in number one, two, and three. And they  
20 would, if they are filling a vacancy, they would need  
21 to select either number one, number two, or number  
22 three before they can move on through the rest of the  
23 list.

24 So, let's say the Agency selects number two. So,  
25 number two is selected. They are appointed to the

1  
2 job. However, that doesn't mean that person number  
3 one and person number three are out of luck. So, they  
4 will be considered again. So, the next round of  
5 interviews would be person number one, person number  
6 three, and person number four and so on and so forth  
7 until the list is exhausted.

8 CHAIRPERSON DE LA ROSA: So, they retain their  
9 number, their position.

10 DEPUTY COMMISSIONER DANNENBERG: That's correct.

11 CHAIRPERSON DE LA ROSA: As one and three for  
12 example.

13 DEPUTY COMMISSIONER DANNENBERG: That is correct.  
14 And they have three, uh, they will be considered  
15 three times before they are removed from the list.  
16 But then, if they are removed from the list, uh, they  
17 can petition to DCAS to, to ask us to put them back  
18 on the list. And when they're back on the list,  
19 again, they're back in the same score order that they  
20 were in before.

21 CHAIRPERSON DE LA ROSA: Thank you. Um, for OLR,  
22 to clarify for the record, is OLR going to allow the  
23 EMS to engage in uniformed patterned bargaining,  
24 meaning along with other uniformed officer positions?  
25

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2 FIRST DEPUTY COMMISSIONER POLLAK: So, as I  
3 mentioned, we are not in negotiations, uh, with that  
4 union at this point. We reached a, um, an agreement  
5 for the last round of bargaining based on the  
6 civilian pattern, um, and I wouldn't want to comment  
7 on, um, you know, positions we may or may not take in  
8 negotiations that haven't started yet.

9 CHAIRPERSON DE LA ROSA: Thank you. That's all.

10 CHAIRPERSON WILLIAMS: Hi again. Um, what model is  
11 used to predict individual compensation? Please  
12 explain in detail how that model works and why the  
13 City chooses this model.

14 DEPUTY COMMISSIONER DANNENBERG: Thank you for  
15 that question. Um, so, uh, again, just to circle back  
16 that, to what we had said before, 95% of City  
17 employees are in titles that are represented for  
18 collective bargaining, um, and my colleague can speak  
19 to that. For the 5% that in the discretionary titles,  
20 um, and, uh, that where salary is not set, um, we  
21 work with Agencies again, to educate them and ensure  
22 that they are valuating jobs based upon the  
23 knowledge, skills, and abilities that are necessary  
24 in order to perform that work successfully at the  
25 Agency. And that they're not setting salaries based

1 upon a particular candidate or a particular job  
2  
3 seeker. Um, because, again, uh, in accordance with EO  
4 21, Agencies cannot use prior salary when they are  
5 setting and making a job offer for a new salary.

6 CHAIRPERSON WILLIAMS: And could there be another  
7 model? Like, do you know why that model was chosen?  
8 Like, maybe, I know it's discretionary jobs, but  
9 could there be a better set salary versus individuals  
10 because I think it just leaves room for a lot of  
11 subjectivity around compensation.

12 DEPUTY COMMISSIONER DANNENBERG: Sure, and, um,  
13 the way that the City is administratively, um, set  
14 up, DCAS and OLR, we are oversight Agencies, so we do  
15 provide guidance, and we do provide, um, you know,  
16 policies and processes. However, the responsibility  
17 for hiring, uh, within a particular Agency rests with  
18 the Agency head. Um, and again, their HR, in  
19 accordance with their HR department and their EEO  
20 Officer. So, it's really, the way that the City is,  
21 um, um, uh, uh, the way the City operates, each  
22 Agency is responsible for that, and, uh, Oversight  
23 again just provides that guidance and assistance when  
24 necessary.

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1  
2 CHAIRPERSON WILLIAMS: Yeah. Sometimes when I hear  
3 oversight, I think, like, you have more of the  
4 authority to hold Agencies accountable. Is that how  
5 you? No, it's just kind of like guidance because you  
6 can provide guidance, but let's say DOT, which we've  
7 gotten complaints about that Agency, they don't heed  
8 the guidance. What is the recourse for that? And are  
9 you actually doing periodic, similar to how I asked  
10 about promotions, like, who is getting hired,  
11 reviewing the demographics, do you do, like,  
12 periodic, like, checks, reviews, or audits of what is  
13 actually taking place, whether it's individual  
14 compensation, internal promotion?

15 DEPUTY COMMISSIONER DANNENBERG: Thank you. Um,  
16 so, again, uh, going back to what you said, uh, the  
17 oversights Agencies are just that. We provide  
18 oversight and we provide, um, guidance. Enforcement,  
19 we don't really have that enforcement arm where we  
20 can, uh, you know, enforce any of these rules or  
21 regulations upon City Agencies. However, we do work  
22 collaboratively and cooperatively and if an issue is  
23 raised, we certainly will provide that guidance and  
24 assistance in order to rectify a situation like that.  
25 But we don't have a lens into what an individual

1  
2 Agency is particularly doing, how they're filling  
3 roles, or who they're filling the roles with. We  
4 don't really have that insight.

5 CHAIRPERSON WILLIAMS: Um, I wanted to offer EEPC  
6 to comment on like, just, just oversight and the  
7 like, cause I know we've had conversations. I don't  
8 know if you want to be on the record talking about  
9 just oversight and enforcement because, based on what  
10 you said, how do we actually like hold Agencies  
11 accountable if DCAS can't do it or if OLR isn't able  
12 to do it? I mean, there's so many Agencies. How are  
13 we supposed to really assess what is taking place at  
14 the Agency, and if they are really taking the  
15 recommendations from EEPC and/or the guidance from  
16 DCAS?

17 I don't know if you have any thought on how, or  
18 if you have any thoughts on how we can hold Agencies  
19 accountable?

20 FIRST DEPUTY COMMISSIONER POLLAK: To speak to  
21 OLR's role for a moment. Um, you know, I think OLR's  
22 role is ensuring that our contracts are followed. So,  
23 for the 95% of the workforce that's represented,  
24 ensuring the Agencies are abiding by the contract,  
25 which, you know, allows us to, uh, which contain pay

1 rates and rules that were worked out with the  
2 representatives of these employees. Um, so, that is  
3 our primary role and certainly, you know, if any  
4 issues at a particular Agency are brought to our  
5 attention, we will work with the union representative  
6 employees to, to see if they can be remedied.

8 CHAIRPERSON WILLIAMS: But that's, that's like  
9 reactive, cause you, you said, you, you only chime in  
10 if there was a complaint. There's no proactive work  
11 happening, right?

12 FIRST DEPUTY COMMISSIONER POLLAK: Um, in terms of  
13 OLR's work, it's, it's just ensure the contracts are  
14 followed, that we're complying with the agreements  
15 that we've reached.

16 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER  
17 MONTALBAN: Um, I just wanted to add quickly that also  
18 the charter doesn't really give us an enforcement  
19 power but we truly do do constant reinforcement to  
20 the Agencies. Um, again, um, Barbara's constituents  
21 and mine are the, um, Agency personnel officers and  
22 EEO Officers, respectively. And there is constant  
23 reinforcement of all the guidance and the best  
24 practice principles of these employment practices.  
25 Um, even at the Agency head level, when we can reach

1 them and do special presentations for them, we do  
2 that.

3  
4 So, we, it's incumbent upon them to heed that  
5 information and go back to their Agencies and apply  
6 it. Um, so, you know, that, that is always our hope.

7 The other that we're able to at least get some  
8 kind of feedback on whether our information is having  
9 an impact, is on the annual, um, EEO and diversity  
10 plans that these, um, Agencies produce. They do  
11 submit them to us, and we do assist them in reviewing  
12 the key components therein.

13 And as a matter of fact, with Initiative, um,  
14 515, we did want to tell you that a lot of, uh, what  
15 you're requesting in there, um, we do agree with the  
16 sprit of, of those components and actually, just so  
17 that we're not duplicating our efforts, we are, we  
18 are certainly willing to work with you to refine what  
19 can be modified in the template for that annual plan  
20 to include the, um, components that you are looking  
21 for, um, within the existing annual plan.

22 So, that's one way that we assess whether our  
23 feedback to them is working.

24 CHAIRPERSON WILLIAMS: Um, in cases that are  
25 egregious, which I'm sure there are Agencies that are



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1 really not doing the best they can to address this  
2 issue and other issues around discrimination, to be  
3 frank, um, when does it get escalated to the Mayor's  
4 Office, right? So, if your Agency, cause I get it,  
5 like, inter Agency, so how do you sort of enforce  
6 something on another sort of sister, brother Agency?  
7 So, when do certain matters get escalated to the  
8 Mayor's Office, if it rises to that? Like, if there  
9 has been a violation or the guidance wasn't taken,  
10 when does it, or, and/or does it get escalated to  
11 people?  
12

13 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

14 MONTALBAN: Um, yeah. So let me unpack that. I, I did  
15 hear you mention discrimination. So, when there are  
16 allegations of discrimination, um, so, we have the  
17 EEO Officers, there's one per every Agency. They have  
18 a staff. And they're the one's that actually follow  
19 the, um, Citywide EEO, the EEO policy which actually,  
20 we just updated, um, at the end of 2021, 23 protected  
21 classes. So, people raise a discrimination on the  
22 basis of any of those 23 protected statuses, then  
23 that falls to the EEO Officer to investigate that  
24 individualized complaint. EEO Officers are trained  
25 professional in doing these sensitive investigations.

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2 They arrive at a determination of findings, um,  
3 of this confidential investigation and they turn it  
4 over to their Agency head, who must assess those  
5 findings and make a determination about what, what to  
6 do with those findings. In other words, if it was  
7 substantiated and somebody violated the EEO policy,  
8 uh, engaged in some form of discrimination, then that  
9 Agency head has to take action, um, about that.  
10 That's really how the process works in terms of  
11 discrimination.

12 CHAIRPERSON WILLIAMS: Yeah, but if your Agency,  
13 cause you, you said you work with Agencies to set pay  
14 rates and you do trainings around bias and so.

15 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER  
16 MONTALBAN: Yes.

17 CHAIRPERSON WILLIAMS: In any of your  
18 conversations, whether preliminary or in hindsight,  
19 if you do discover an issue, how is that addressed?  
20 Is it escalated? Or do you just deal with it with the  
21 Agency?

22 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER  
23 MONTALBAN: Well, if.

24 CHAIRPERSON WILLIAMS: Or are there no issues? Are  
25 you saying there's never any issues, you never

1 discover anything, there's no need to do anything?

2 I'm just trying to understand like the accountability  
3 on the Agency.  
4

5 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

6 MONTALBAN: Well, of course, it would depend on the  
7 issue and how it's raised and discovered, right? But  
8 if a person is claiming that they are not compensated  
9 properly based on the fact that it is one of their  
10 protected statuses such as a disability or their  
11 gender or their race, the Agency has an obligation to  
12 specifically investigate that allegation. So,  
13 everybody is afforded that fair opportunity to be, to  
14 be heard of their specific claim.

15 CHAIRPERSON WILLIAMS: No, but, sorry, not to cut  
16 you off, but, yes, I understand if an individual  
17 employee has an issue, they can go through the EEO  
18 process, which tons of people report that the EEO  
19 Office is useless actually. In fact, (INAUDIBLE)  
20 that's suing the FDNY is on record saying.

21 SERGEANT AT ARMS: Test, test. Testing, testing.  
22 Testing, testing, test, test.

23 CHAIRPERSON WILLIAMS: Is on record saying that  
24 they have a vote of no confidence in the EEO Office.

25 SERGEANT AT ARMS: Test, test.

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1  
2 CHAIRPERSON WILLIAMS: At the FDNY. And so, I'm  
3 not talking specifically about like an individual  
4 complaint, but I'm just talking about if you, from  
5 your vantage point, seeing an Agency-wide issue,  
6 right, maybe you discover, and maybe these scenarios  
7 are not real. I'm learning, only nine months in the  
8 job. I have no idea. You guys are the expert. So, I'm  
9 asking, genuinely asking you.

10 Like, if you discover an Agency-wide issue, maybe  
11 their individual compensation rates look a little  
12 funny. I don't know. Maybe you have possibly  
13 ascertained that the way that they 've been doing  
14 promotions also looks odd because maybe only white  
15 males have been promoted, what then is, what does  
16 your Agency do if you see something like that? Is  
17 just more of a mediation, reconciliation that you do  
18 with the Agency? Or does it get escalated?

19 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

20 MONTALBAN: So, um, when there are general concerns,  
21 right, that something may be occurring, um, that may  
22 seem inequitable or Agencies express that to us from  
23 the Citywide vantage point, what we do and what we  
24 strongly recommend is for them to avail themselves of  
25 resources such as trainings that educate the segment

1 of their population that is making, possibly making  
2 decisions that need to be better informed. And I  
3 mentioned previously, things like the structured  
4 interview process, the unconscious bias process.  
5 We've, um, offered, made offerings of  
6 microaggressions trainings. So, all of those things  
7 do chip away at, um, you know, matters of equity and  
8 the way people with authority or without authority  
9 behave toward each other or make decisions.  
10

11 So, it can impact possibly compensation decisions  
12 at the hiring level. It can impact interpersonal  
13 issues among employees and employee relation issues.  
14 So, uh, we do recommend the resources that they have  
15 to take that affirmative effort to, to use to address  
16 that because we can't target anybody if there hasn't  
17 been a finding against them. So, at least we try to  
18 offer them preventative efforts to address maybe  
19 trends that they are seeing.

20 CHAIRPERSON WILLIAMS: So, DCAS does not  
21 (INAUDIBLE) at all. You don't review, audit, look at  
22 anything that the Agency is doing. You just provide  
23 training, you consult with them.

24 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER  
25 MONTALBAN: We don't have an audit power, but, um, as

1 I mentioned before, those annual plans are one of the  
2 best indicators for us of how they're doing because.

3 CHAIRPERSON WILLIAMS: The what plans?

4 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

5 MONTALBAN: The annual EEO and Diversity plans that I  
6 mentioned. Um, that is the best, um, source of  
7 indicators for us on how these Agencies are self-  
8 reporting on how they're doing regarding anything  
9 from recruitment to, um, diversity initiatives, um,  
10 et cetera. So, we, that is how we get the feedback  
11 and then we literally give them, um, feedback on  
12 things that they can address.

13 CHAIRPERSON WILLIAMS: EEPC, you get the annual  
14 plans, too, right? No? You don't get the annual, do  
15 you get the annual EEO plan? No, from other Agencies.  
16 You receive it from DCAS, or the Agencies give it to  
17 you directly? So, they, so there, Agencies are  
18 submitting it to DCAS and to EEPC? Yes?

19 CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

20 MONTALBAN: Yes.

21 CHAIRPERSON WILLIAMS: Okay. And so, what do you  
22 do with it versus what do you do with it? I mean, I  
23 know you guys do reports, but like, cause EEPC also  
24 has recommendations.  
25

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SERGEANT AT ARMS: Test, test.

CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

MONTALBAN: Uh, yes, so when we receive it, we review it as a draft and we help them, um, clarify a lot of points, um, and amplify a lot of points, um, so that it can be clear, even for, um, an entity like the EEPC to then see it, and I, and I'm sure they review it for other and more, other important purposes, but we give them guidance on how to clarify their trainings efforts, their recruitment efforts, their D, their diversity, equity, and inclusion efforts outlined therein. Um.

CHAIRPERSON WILLIAMS: I'm sorry. Just, no. I, I, I keep saying I'm going to start saying like explain things to me like I'm in kindergarten. You know, I'm slow, if that helps. So, you get it as a draft before EEPC gets it. You don't get it at the same time. You get like a raw copy. You work with them to fix it and then it goes to EEPC.

CHIEF CITYWIDE EQUITY AND INCLUSION OFFICER

MONTALBAN: We don't, we don't get it at the same time. They, uh, the Agencies, uh, we work with them to help them, uh, prepare it, to see the, and clarify things that they intend to say therein. So, in that

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1 way, we're just giving that Citywide guidance to  
2 them. After they finalize to, to their satisfaction  
3 as well, and to their, they submit to their Agency  
4 head. The Agency head finalizes it and then they send  
5 it to us as a final, final copy. And I believe that  
6 that is the one that the EEPIC receives as well.

8 CHAIRPERSON WILLIAMS: Okay.

9 EXECUTIVE DIRECTOR VICTOR: Right. And the  
10 Agencies send them, um, their plans annually but we  
11 review the plans when we receive it as part of the  
12 audit and that would be once every four years.

13 CHAIRPERSON WILLIAMS: Thank you.

14 CHAIRPERSON DE LA ROSA: Alright. Well, we thank  
15 you for coming and there will certainly be follow  
16 ups. Thank you for coming today.

17 COMMITTEE COUNSEL BUTEHORN: I want to thank the  
18 administration. We'll just, everyone bear with us.  
19 We're going to switch to our public panelists. Our  
20 first panel will be on Zoom, uh, and will feature  
21 Gloria Middleton, Henry Garrido, and Dean Mancios  
22 (SP?). So, give us just two minutes everyone.

23 Okay. Uh, thank you everyone for bearing with us  
24 as we just transitioned from the administration to  
25 the public. Um, so, we are now, um, our first panel



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1 will be on Zoom and then we will have in-person  
2 panelists and then we will go back to Zoom. Um, so,  
3 our first panel will be Gloria Middleton from CWA  
4 local 1180, Henry Garrido, Executive Director of DC  
5 37, and Dean Mantsios, the CUNY School of Labor and  
6 Urban Studies. But we will first turn to Gloria  
7 Middleton.  
8

9 SERGEANT AT ARMS: Starting time.

10 PRESIDENT MIDDLETON: Good afternoon, Committee  
11 Charis Williams and De La Rosa, Committee Members and  
12 all City Council Members in attendance. My name is  
13 Gloria Middleton. I am President of Communications  
14 Workers of America, Local 1180. CWA Local 1180  
15 represents almost 9,000 active City administrative  
16 and private sector workers and close to 6,000  
17 retirees. One of our main objectives as a union  
18 representing predominantly women and women of color  
19 has been to fight for equal salaries for all.

20 I am here in support of Intros 515, 527, and 541.  
21 I would like to thank the Speaker and all the  
22 sponsors for seeing the need to hold the City and its  
23 Agencies accountable to be more inclusive in their  
24 selections of higher salary employees and for finding  
25 ways within the Civil Service system to evaluate the

1 examination process that would recruit and retain  
2 more minorities.  
3

4 When CWA Local 1180 pursued and settled a multi-  
5 million-dollar lawsuit with the City of New York that  
6 specifically proved the inequities of salaries for  
7 women and minorities, we knew we needed to go a step  
8 further and create a long term solution for the  
9 enormous problem of pay disparity in the City's  
10 workforce.

11 Consulting with former City Council Members, some  
12 of whom are present Members of this great body, we  
13 knew that having the data to prove our point was the  
14 only way to go. Local law 18 was overwhelmingly  
15 passed by the former City Council and that data has  
16 us here today.

17 In 2022, we clearly see that the highest paying  
18 jobs are still reserved for white males in most  
19 Agencies that were reviewed. Most glaring, however,  
20 is that those Agencies will place a predominant women  
21 in top positions, paying them far less than other  
22 Agencies pay white men with similar qualifications in  
23 top management. These top-ranking males often make  
24 tens of thousands of dollars more than their female  
25 counterparts in the same titles. How wrong is this?

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4 CHAIRPERSON WILLIAMS: You muted, Ms. Middleton.  
5 You went on mute. Sorry. Can you unmute yourself?

6 COMMITTEE COUNSEL BUTEHORN: Give us a second,  
7 Gloria. There we go.

8 PRESIDENT MIDDLETON: Okay. I don't know where I  
9 got muted, but I'll just say this. I stand in unity  
10 with the sponsors of these bills and ask the full  
11 City Council to sign Intro 515, Intro 527, and Intro  
12 541, and then make sure that the Mayor wholeheartedly  
13 does the same. Thank you for allowing me to address  
14 you today.

15 COMMITTEE COUNSEL BUTEHORN: Thank you. And next  
16 we'll turn to Henry Garrido, Executive Director of  
17 DC37.

18 SERGEANT AT ARMS: Starting time.

19 EXECUTIVE DIRECTOR GARRIDO: Uh, good afternoon,  
20 everyone. Uh, my name is Henry Garrido. I'm the  
21 Executive Director of District Council 37, the  
22 largest municipal employer in New York City,  
23 representing 150,000, uh, members and approximately  
24 90,000 retirees. 100,000 of those workers are within  
25 City Agencies. The rest are, uh, in other Agencies.  
Uh, I'm going to submit written testimony for the  
record, but I want to, uh, echo my sister Gloria and

1 the support of DC37 to, uh, the, the bills that have  
2 been presented. And I want to put a little bit of  
3 context on it, so that, uh, give you an indication of  
4 what, uh, how this is affecting the workforce.  
5

6 Uh, in 2019, local law 13 that was passed,  
7 analyzed a report of the City on, on, on the City  
8 Council by citywide racial, ethnic classification and  
9 the underutilization of payment on City workers and  
10 prior to that, we have seen multiple cases where City  
11 workers, uh, are not being paid in the same equitable  
12 distribution. That is women of color, black and brown  
13 people who are working for the City of New York are  
14 not being paid enough.

15 Uh, and we understood as a City and as a union  
16 that it was important for us to do something about  
17 it. So, DC 37, in the last two rounds of collective  
18 bargaining have done two things that are really  
19 significant, and this should go on the record.

20 The first one was we negotiated a Citywide  
21 promotional opportunity that allowed people to go  
22 beyond particular Agencies and promote out, right, on  
23 a Citywide promotional basis. That was a key  
24 component to allow people of color to become more  
25 supervisors and managers, which was a critical

1 component of promoting people that were much more  
2 diversified.

3  
4 And secondly, in the last round of collective  
5 bargaining, we set aside money from the 2017-2021  
6 collective bargaining agreement, uh, from the  
7 collective bargaining agreement to create an equity  
8 fund. That equity fund, which was matched by the City  
9 of New York, uh, uh, aimed to adjust inequities that  
10 existed within the, the workforce. And it  
11 approximately addressed the inequity that existed  
12 within 6,000 individuals around 26 titles in the City  
13 of New York. The city matched the contribution so the  
14 union put it aside from the collective bargaining  
15 agreement and that helped us, you know, to deal with  
16 some of the issues that we saw with the nurses where  
17 there was an inequitable salary between the nurses  
18 represented by DC37 primarily in the Bronx and that  
19 of the (INAUDIBLE), but also psychologists that were  
20 being, uh, underpaid, and, uh, under, an inequitable  
21 distribution.

22 We looked at social workers and we tried to make  
23 adjustments to other titles like family paras in  
24 schools or who were working in the shelters who were  
25 receiving significantly less in equity and payment

1 where primarily women and, and people of color were  
2 being, uh, disenfranchised by it.  
3

4 So, we've done our part, but quite frankly, uh,  
5 I'd like to say it's not enough. So, I think that  
6 where we start, right, to make changes, is we need to  
7 see the transparency of the laws, of these laws being  
8 presented and we want to see a number of things that  
9 are recommend to this. So, we want to, you know,  
10 increase consequences for non-compliance. We want  
11 better mechanisms, or reporting mechanisms to  
12 identify where there are deficiencies, right, and  
13 where deficiencies exist.

14 And then finally, we believe the City Council  
15 needs to increase the accountability, right, for the  
16 Agencies that are not, uh, you know, doing the  
17 diversification plan or required action plans and  
18 oversights of hiring practices. So, we understand the  
19 Civil Service system is a path of equal mobility,  
20 right, that allows people to go into and take tests  
21 and move up according to State law. But if it's not  
22 being applied in a, in a, a, a, you know, a, a  
23 thorough way by DCAS, which is, I know it's doing an  
24 effort. Well, we'd like to see the City Council take  
25 more of an active role within this. So, with that, I

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1 want to thank you for listening. I know the time of a  
2 constraint. We will submit written testimony along  
3 these lines. And I will take any questions you might  
4 have at this time.  
5

6 Thank you, uh, Chair Rosa, for, uh, your work and  
7 your leadership, and Chairs Williams, uh, on the  
8 Civil Service for their continued support. Thank you.

9 COMMITTEE COUNSEL BUTEHORN: Thank you and we have  
10 one more panelist before we turn to questions. Uh,  
11 next, we'll turn to Dean Mantsios from the CUNY  
12 School of Labor and Urban Studies.

13 SERGEANT AT ARMS: Starting time.

14 DEAN MANTSIOS: Thank you and good afternoon. Um,  
15 I especially want to thank the Speaker and the  
16 Committee Chairs De La Rosa and Louis for addressing  
17 this, these issues that we have before us. Uh, my  
18 name is Greg Mantsios and I'm the founding Dean of  
19 the CUNY School of Labor and Urban Studies, the 25<sup>th</sup>  
20 the newest school of City University of New York and,  
21 uh, one of the, one of the schools that is  
22 specifically dedicated to public service and social  
23 justice.

24 Many Members of the City Council know SLU because  
25 the Council was so instrumental in establishing the

1 school. What you may not know, is the SLU's original  
2 incarnation as the lead program at Queens College  
3 which I, which I also founded, was established in  
4 1984 in partnership with DCW7 and CW1180, and that we  
5 have been serving New York City Civil Service  
6 employees ever since.  
7

8 So, I come here before you with 38 years of  
9 experience, not only with these two unions, but with  
10 the City workers that they represent. The students we  
11 serve are predominantly adult women, uh, and people  
12 of color. Uh, and, uh, all seeking a better pathway,  
13 um, a career path rather, better lives for themselves  
14 and their families.

15 Uh, and what do I hear from these worker  
16 students? Well, they tell me working for the City is  
17 a great job. Uh, you work serving the public, uh, and  
18 you're, it's a union job. You get decent wages and  
19 benefits and a level of economic security that you  
20 wouldn't otherwise have. And yet, there's a sense of  
21 injustice that sometimes boils over into frustration  
22 and anger. And it's not just simply about money. It's  
23 about opportunity, respect, and fairness.

24 So, when CW 1180 conducts a study that  
25 spotlights, uh, pay inequities as well as racial and



1 gender segregation in, in the City's workforce, and  
2 the City Council conducts similar research and comes  
3 to the same conclusions, it validates, uh, what city  
4 workers have been saying for decades and that is that  
5 the system isn't fair.

6  
7 Uh, it's in this context, um, I, I want to urge  
8 passage of all three legislative proposals under  
9 consideration by the Council. Each of these bills,  
10 541, 527, and 515 address occupational segregation  
11 and pay disparity and call for City Agencies to  
12 report data on compensation, recruitment, retention,  
13 promotions, and metrics that, uh, are used to hire  
14 and promote City employees.

15 Reports are not the solution to injustice, but we  
16 know from history that reports matter. They identify  
17 a, uh, problems and they suggest solutions. These  
18 bills identify very serious problems of inequity in  
19 the Civil Service system and provide a framework for  
20 finding a solution. Moreover, each of these proposed  
21 bills points to the issue of education and training  
22 and calls on City Agencies to report on opportunities  
23 they provide for employees to advance their careers.

24 And so, I go back to the worker students that we  
25 serve in CUNY, and, uh, what do they want? They want

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1  
2 better pathways and enhanced opportunities, uh, to  
3 improve conditions for themselves and their, their  
4 families. I'd like to suggest steps Agencies can  
5 adopt in, in the reporting process that would  
6 increase opportunities for City workers and would  
7 address the issues of equity and, uh, and  
8 occupational segregation.

9       Number one, provide simple and more clearly  
10 articulated pathways for career advancement,  
11 especially for those occupations that remain  
12 stubbornly segregated.

13       Be, two, provide workers or targeted categories  
14 of workers with paid tuition or even paid leave to  
15 complete training and education programs that would  
16 prepare them for promotion.

17       And three, upon completion of those programs,  
18 entitle employees to A, and immediate pay increase  
19 like the 30 plus increases given to the UFT and DOE,  
20 and B, award additional points on Civil Service exams  
21 to employees who complete certificates or degrees,  
22 similar to the points that are awarded to, uh, on  
23 exams to veterans. And see, you know, a combination  
24 of those, uh, two steps.

25

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1  
2 We at SLU are happy to collaborate with municipal  
3 Agencies on these and any proposals that would break  
4 down barriers for City workers and lead to a more  
5 fair and equitable Civil Service system for our great  
6 City. I want to thank you for inviting me to, uh,  
7 serve as a panelist.

8 : Thank you.

9 CHAIRPERSON DE LA ROSA: Thank you so much. I  
10 don't have a question. I just want to make sure that  
11 I am, um, recognizing Ms. Gloria Middleton and CWA as  
12 a pioneer in this fight for pay equity and thank  
13 Henry Garrido for his work for municipal workers as  
14 well as Dean Mantsios. Thank you so much for your  
15 partnership. I'll pass it over to Chair Williams.

16 CHAIRPERSON WILLIAMS: Yes, I want to associate  
17 myself with the remarks by, uh, Chair De La Rosa, and  
18 just had a question, um. I'm always asking like  
19 solutions and so, um, Dean, do you have any specific  
20 solutions? You've heard the testimony from the  
21 administration. I know you are well aware of these  
22 issues, um, and so, whether it's recruitment or the  
23 way the test is administered, for FDNY, I know there  
24 were conversations around the physical, um, component  
25 that's needed. So, do you have any suggestions on how

1 we could really solve the issue around occupational  
2 segregation?  
3

4 COMMITTEE COUNSEL BUTEHORN: Uh, Dean Manstios,  
5 one moment. We just have to unmute you. There we go.

6 DEAN MANSTIOS: Okay. Um, so, we've had  
7 conversations with DCAS in the past, uh, uh, with  
8 1180 and DC37, uh, at the table. And, um, you know,  
9 we've identified, uh, uh, areas that, uh, uh, could  
10 be, uh, improved. And we've identified, um, subject  
11 matter. We've, um, uh, talked about offering  
12 certificate programs in specific areas. Uh, we could  
13 do it at, at SLU in some circumstances. In other  
14 circumstances and area of expertise, uh, could better  
15 be handled by a better institution at CUNY.

16 But we at SLU have, as part of our mission, to  
17 align, um, the needs of, of, of workers and the needs  
18 of Agencies, uh, with, uh, areas of expertise that  
19 are available, uh, within the university. So, we, uh,  
20 and we support from the City Council to do that. We,  
21 that's part of our workforce development and worker  
22 education program. So, we're happy to, uh, develop  
23 curriculum, uh, to meet the needs of Agencies. Uh,  
24 if, if, if that's what they feel is needed, that we  
25 need, that workers need training in specific areas,

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1 we'll put together a package of courses and offer a  
2 certificate either at SLU or work in collaboration  
3 with our, uh, sister units at CUNY and develop it.  
4 And we'll do the, the, help with doing the recruiting  
5 and provide the academic, um, uh. And we'll do it  
6 with our resources that the City Council already  
7 provides us. And we'll provide that not only for  
8 students are enrolled at SLU but also, uh, at other  
9 units of the university.  
10

11 Um, I suggested also, um, you know, increased,  
12 increasing, um, uh, increased pay for, uh, employees  
13 who pursue education, that are making an attempt to,  
14 uh, develop the skills that are needed for promotion.  
15 Um, and I, the, the, uh, uh, UFT, uh, DOE, uh,  
16 example, I think, is a great one. You know, when  
17 teachers, uh, pursue additional credits, they get 30  
18 credits to get a bump in their pay. That increases,  
19 uh, uh, advancement within the ranks, uh, and  
20 encourages career mobility.

21 Um, uh, so, I think there, there are a number of,  
22 uh, solutions. The, uh, the, so, the idea of  
23 awarding, uh, additional points, uh, for, uh,  
24 employees who are already in the Civil Service  
25 system. This will help, uh, advance women and people

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1 of color that predominate in the, in the City  
2 workforce. So, um, we're happy to sit down and  
3 explore any proposal, uh, that, uh, that the Council  
4 pass or the Agencies have or any of the unions have.  
5

6 CHAIRPERSON WILLIAMS: Thank you. Um, I do see  
7 that Henry, your hand was raised. I don't know if you  
8 also had some thoughts on solutions form your vantage  
9 point.

10 EXECUTIVE DIRECTOR GARRIDO: Yeah, I do, Madam  
11 Chairman. Thankyou for the question cause I think  
12 there's a critical question there that needs to be  
13 explored. There are those that believe that pattern  
14 bargaining which has been the law of this land since  
15 at least about 60 years or so, uh, is responsible for  
16 perpetuating the inequities that exist within City  
17 government. In other words, this idea that everybody  
18 gets the same, uh, meaning that the City workers in,  
19 uh, the Fire Department get 3%, then everybody gets  
20 the same, then it's equitable.

21 The fact is that only means that if 40 years ago  
22 there was an inequity between, for instance, gender  
23 pay, between white males and, uh, uh, females of  
24 color, that as we apply the same principle, the same  
25 2%, 1% whatever the rates would be, that you just are

1 perpetuating the inequity. In fact, you are  
2 increasing that gap because it's based on a  
3 percentage of salaries that exist. So, if you start  
4 at \$10,000, \$20,000 less for male that, and a female  
5 that are in the same system being trained with the  
6 same qualifications, once you apply the percentage  
7 bargaining, you actually exacerbating if not  
8 increasing, you know, that gap.

10 And I think for that reason, we need to recognize  
11 the idea of equity payment aside from pattern  
12 bargaining. We not be able, we may not be able to  
13 eliminate pattern bargaining. That is, for that  
14 reason last year, right, when we did the DC37  
15 negotiated for instance, the equity fund for teachers  
16 that Greg mentioned, it was clear to us that if you  
17 had a \$25,000 difference between the UFT and a lot of  
18 the teachers in the, the, do a great job at DOE, and  
19 that and their counterparts for early childhood  
20 education or HeadStart, that there was that gap that  
21 at 2% or at 3% was not going to cut it.

22 And Gloria's lawsuit in the EEO proved that,  
23 right, in that you have to have significant  
24 investment in making those gaps and removing those  
25 gaps first, so that a percentage increase can have a

1 significance. We did that with nurses. Now, here  
2 nurses have the same qualifications of the UFT, so if  
3 you are a nurse in a private school, in a Catholic  
4 school, you were getting paid \$10,000 more than if  
5 you were a nurse represented by DC37 in a, you know,  
6 in a K through 8 regular school education, same  
7 qualifications, same deal. And then the difference  
8 was \$10,000.  
9

10 So, we fixed that gap, but to fix that gap, we  
11 had to set aside funds to be able to first recognize  
12 that there's a problem, which is why I think this  
13 legislation is, uh, or set of legislations will be so  
14 important. And second, you have to have a commitment  
15 to want to do something about the problem. And that  
16 cannot be by throwing the money to say, "well, we're  
17 going to do bargaining with the City unions and  
18 eventually it'll get fixed." It doesn't. perpetuating  
19 inequity is not something we should be about. And  
20 pattern bargaining may be the lay of the land. But if  
21 we don't make a real commitment to make that  
22 difference in that gap to solve it, then it continues  
23 to perpetuate. Thank you.

24 CHAIRPERSON WILLIAMS: Thank you. Um, Ms. Gloria,  
25 I saw your hand was raised as well.



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1  
2       PRESIDENT MIDDLETON: Um, what Henry and, um, Greg  
3 has said is so true. With our lawsuits, when we  
4 obtained this, um, title of administrative manager,  
5 we looked at the minimum pay and the maximum pay,  
6 there was a difference. The minimum pay, once women  
7 of color started passing the Civil Service test for  
8 administrative manager, the minimum pay became  
9 stagnant. It remained at \$53,000 while those who had  
10 been in the title for a while, which was before they  
11 became, before it became a Civil Service title, those  
12 who were in title, which were mostly white males  
13 before the test came, the range was from \$53,000 to  
14 \$150,000. There's something wrong with that, okay.

15       And we were able to prove that case. It took a  
16 long time to get the stats from the City. They didn't  
17 want to give it to us. They said it was private  
18 information. Everything that we do as public workers  
19 is online somewhere, so, we knew, you know, different  
20 administration, different way that they thought about  
21 things. So, we prevailed. We now have another title  
22 that we are pursuing, assistant directors in health  
23 and hospitals. They, we just acquired that title  
24 after 15 years in OCB trying to get that title. Um,  
25 and what we are finding is the pay range is \$40,000,

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1 40 something thousand, which is lower than the, the  
2 lowest title that we have had in H and H to somewhere  
3 to, um, \$110,000. They, you know, and certain  
4 Agencies look at DOT, um, we have the managers, um,  
5 in certain titles get paid a certain salary and they  
6 look at HRA. And the same managers in a different  
7 title, which are mostly women, are getting tens of  
8 thousands of dollars less.  
9

10 There has to be a way that we provide equity for  
11 our members, for our, for people of color, whether  
12 they are members are not. What needs to be looked at  
13 is, how do people get these upgrades of money. I know  
14 there's things at merit rates and you know what  
15 happens with merit rates. The union has never  
16 advocated for that because it's not done fairly. Um,  
17 there are steps that you can take as Greg said. If  
18 one obtains a degree, how we, uh, make them whole by  
19 making sure that they have now experience as well as  
20 the education to be able to do a job and to increase  
21 that salary so they are being paid fairly next to  
22 their counterpart.

23 Um, these are things that we have to look at. And  
24 I've heard, I heard DCAS and I heard the EEP. Um,  
25 they live in a different world from what we live and

1 I understand their, uh, obligation and their alliance  
2 to, to sort of say that the Agencies are doing what  
3 they're supposed to do and they do the best that they  
4 can. But they actually have no power over the  
5 Agencies. That's the reality.

7 EXECUTIVE DIRECTOR GARRIDO: That's correct.

8 PRESIDENT MIDDLETON: And we would be willing to  
9 work with this Council to see what we could come up  
10 with to, um, provide equity in our City workforce.

11 CHAIRPERSON WILLIAMS: Yeah, you actually like  
12 flagged what I was trying to get at, but, I think  
13 sometimes with these hearings, it becomes this weird  
14 back and forth where they don't really want to answer  
15 and anyway. But it's, it is what can we do to hold  
16 Agencies accountable and that's not really clear,  
17 because we have a lot of Commissions and Agencies  
18 like at DCAS or EEPD which does auditing. But once  
19 they audit and provide their recommendations outside  
20 of public shaming or just being incredibly annoying  
21 to the Agency there's really no accountability.

22 Um, and it, it's really clear to me that I don't  
23 even think they're doing any type of robust spot  
24 checks of what's actually happening within the  
25 Agencies. So, yeah, I would love to continue to work

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1 with you all and Chair De La Rosa to figure out ways  
2 to hold an Agency accountable. I don't know how you  
3 hold a government agency accountable. Perhaps you  
4 could fine them, but I know that's work.

5  
6 But anyway, I look forward to finding some  
7 solutions because it's something that has been  
8 flagged numerous times and I don't think that it is  
9 clear, um, again, on how we could really, um, have  
10 proper enforcement. Not just oversight but  
11 enforcement to make sure that they are, um, doing  
12 what they're supposed to be doing and more.

13 EXECUTIVE DIRECTOR GARRIDO: And, and can I just  
14 say, sorry. I'm going to praise the two of you for  
15 having the courage to take on what has been one of  
16 those things in government nobody wants to talk  
17 about, right. It's a fact that there's an inequity  
18 that exists, that it is pervasive, that it is Agency  
19 by Agency, that in fact when you have a manager that  
20 hires a person of color and exercises an option to  
21 pay that person \$10,000 lower than a counterpart with  
22 the same absolute qualifications, you are creating an  
23 inequity and every time that you, that you look the  
24 other way, you are, you know, you are continuing in  
25 making that, that inequity pervasive.

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1           So, I just want to say, I want to thank you two  
2  
3 for the courage of taking this on, not just through  
4 the legislation, but beginning to ask questions about  
5 how do we get out from this. And we are, remain  
6 committed to helping you and to helping the Council  
7 and continue to not only ask the questions, but hold  
8 people accountable.

9           CHAIRPERSON DE LA ROSA: Thank you all, um, and I  
10 think, uh, Chair Williams is absolutely right. You  
11 know today is kind of a celebratory day for us here  
12 in the Council, given that, um, through the Speaker's  
13 Office we've been able to put this pay equity report  
14 and continue on on this issue. This won't be the last  
15 of it. We'll certainly, we'll continue on, um,  
16 because Agency accountability is, is a big part of  
17 this puzzle. So, thank you all so much for coming  
18 today and testifying.

19           COMMITTEE COUNSEL BUTEHORN: Thank you. Uh, for  
20 this panel, our next will be in person. Uh, so we'll  
21 call up Dalvanie Powell of the United Probation  
22 Officers Association, uh, Beverly Neufeld, PowHer New  
23 York, M Celeste Carballo, exhibition, uh, preparator  
24 and executive board member, Local 1559, DC37, Irving  
25 Rivera, New York City Parks and Recreation Union,

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1 DC37, and Kyle Simmons, President, Local 924, DC37  
2 laborers. And we will first turn, uh, to the United  
3 Probation Officers Association and Dalvanie Powell.  
4

5 PRESIDENT POWELL: Thank you. Good afternoon,  
6 Committee Chairs Williams and De La Rosa, Committee  
7 Members and all City Council Members. My name is  
8 Dalvanie Powell. I am the president of the United  
9 Probation Officers Association, which represents  
10 almost 700 probation officers and supervising  
11 probation officers, the majority of whom are women of  
12 color working in the City of New York in all five  
13 Boroughs.

14 In the simplest form, probation is the  
15 alternative to incarceration. We serve the City  
16 faithfully as law enforcement officers. We carry  
17 guns, perform search and seizures, execute warrants,  
18 make arrests, remove guns and drugs from homes, and  
19 make (INAUDIBLE) in some of the City's most dangerous  
20 neighborhoods. Also, seriously similar to the work of  
21 police officers. We deal with the same individuals  
22 in the criminal justice systems as correctional  
23 officers making sure those on probation obey the  
24 rules, work toward rehabilitation, and are held  
25

1  
2 accountable in their actions, also seriously similar  
3 to the work of corrections officers.

4       There are, however, some substantial differences.  
5 Probation officers must have either a graduate degree  
6 or a bachelor's degree and two years of experience in  
7 counseling or casework, something correctional police  
8 officers do not need. We also prepare reports for the  
9 courts, conduct risk assessments, during the, during,  
10 and during the pandemic, we were ordered by the  
11 mayor's office to monitor inmates under correction's  
12 jurisdiction who were released on the (INAUDIBLE)  
13 margin program to minimize the spread of COVID.

14       Our case load has increases tremendously with the  
15 implementation of race and age, which now puts more  
16 New Yorkers under the age of 18 o probably rather  
17 than in prison. Yet, the number of probation officers  
18 has decreased tremendously because we are set, we are  
19 paid significantly less for our work than white man,  
20 substantially similar work in different Agencies.

21       If you don't already see the picture, let me  
22 explain. UP of A represents women and women of color  
23 struggling to make ends meet because of, of an  
24 outdated and unfair pay structures that ultimately  
25 acts like a paper cup with hoels at the bottom. No

1 matter how many new employees Probation puts into the  
2 cup, a significant portion drains out the bottom  
3 because they cannot make, they cannot make ends meet  
4 when the salary is significantly below par.  
5

6 The data is clear. The higher paying jobs are  
7 still reserved for white males. The problem is that  
8 probation is mostly black females. In fact, we have  
9 recently discovered that a, approximately 1/3 of our  
10 members are paid less than the legally allowable  
11 minimum salary under our contract.

12 As a City Council, and the first female dominated  
13 City Council, you have the power to change this. UP  
14 of A looks forward to working with to eliminate the  
15 segregated workforce of the City and replace with  
16 equal opportunity for all. I want to thank you for  
17 allowing me to address you today.

18 COMMITTEE COUNSEL BUTEHORN: Thank you. Uh, not  
19 seeing Ms. Neufeld here, we'll now turn to M Celeste  
20 Carballo, exhibition preparator and executive board  
21 member, Local 1559.

22 PREPARATOR CARBALLO: Good afternoon. My name is  
23 Celeste Carballo, and, as you said, I am on the  
24 executive board of Local 1559, which represents  
25 workers at the American Museum of Natural History. I



1 am an exhibition preparator there and I have worked  
2 there in various capacities for 10 years. The workers  
3 at the culturals, while DC37 members, are frequently  
4 not included in conversatiосn about New York City's  
5 municipal workforce. We share many similiaries with  
6 the City's workforce and I ask that the City Council  
7 members keep us mind when considering these three  
8 bills being discussed her today.  
9

10 When I became a full time preparator in 2018, I  
11 had attained my childhood dream job, which was to be  
12 an artist who works ont eh models and dioramas the  
13 Museum of Natural History. My starting salary in 2018  
14 was in the \$33,000 range, which is considered very  
15 low income in New York City. I lived with my parents  
16 for years to be able to keep the job that I had  
17 wanted for so long.

18 I grew up in Hell's Kitchen, the daughter of  
19 Argentine immigrants. My father has been a member of  
20 32BJ, SEIU for most of my life, so I have long  
21 understand the importance and benefits of being in a  
22 union. I have a BFA and an MFA and over \$100,000 in  
23 student debt with interest that keeps adding up. Were  
24 it not for the support of my husband, I would not be  
25 able to sustain myself on the preparator's salary,

1 which for me, is currently below \$54,000. This is  
2 still considered very low income in New York City.  
3

4 The archaic City pay orders are in great need of  
5 reevaluation and need to be adjusted to reflect the  
6 true cost of living in the City. I am hoping that the  
7 passage of these three bills examining pay equity and  
8 diversification in the municipal workforce, will help  
9 provide the data and the political will needed to  
10 amend these pay orders. I've witnessed multiple  
11 talented union members resign in the last few years  
12 because they could not make ends meet. One member of  
13 our scientific staff was working at Trader Joe's to  
14 supplement her income because she could not afford  
15 her rent. She ultimately resigned. An exhibition  
16 preparator had a side job teaching at FIT in order to  
17 supplement her income. She, too, eventually resigned.  
18 Several other, several other full time coworkers have  
19 side gigs to make ends meet.

20 This is a problem that existed long before COVID,  
21 and now with inflation, our meager paychecks are  
22 worth even less. The cost of living has gone up  
23 exponentially but our pay has not potentially  
24 increased over the years, leading to this current  
25 crisis in the City workforce.

1 My landlord refused to renew my lease last month  
2 and openly admitted that they intended to relist my  
3 apartment for \$1,200 more than what I currently pay.  
4 I will note that they are asking for far more than  
5 the apartment ever rented for pre-COVID. If the City  
6 cannot create rent caps for the majority of us living  
7 in non-regulated apartments, how are we supposed to  
8 live with such a lack of stability?  
9

10 I know that I'm not the only person who has  
11 experience this sort of upheaval in recent months.  
12 Our small paychecks do not support the cost of rising  
13 rents and day to day expenses, whether it's  
14 groceries, fuel, or other basic necessities. This  
15 makes it not only impossible to save money, but  
16 impossible to plan for the future. We also need to  
17 address the fact that these abysmally low salaries  
18 are a barrier for entry for anyone who does not have  
19 a financial cushion, whether that's a trust fund or  
20 family support. Low pay, in fact, prevents people  
21 from disadvantage communities from entering the  
22 workforce in the cultural arts.

23 Similar to the Civil Service jobs, our union  
24 members at the Museum, have jobs that require certain  
25 levels of education, training, and experience. Why do

1 we treat these jobs as they require no skills? For  
2 too long, City employers have banked on the fact that  
3 there are plenty of people who will line up to work  
4 for them and that alone justified the low wages  
5 because there is intrinsic value in being able to do  
6 work that is rewarding or prestigious. Well, as they  
7 say, you can't eat prestige.  
8

9       Decades of this practice has resulted in low  
10 morale, which in turn affects the quality of work and  
11 the number of people willing to do this kind of work.  
12 With low morale, comes diminished participation in  
13 government and democracy as people lose faith that  
14 the unions, politicians, and other institutions, have  
15 their best interests at heart. This is a downward  
16 spiral that we need to put an end to.

17       Some people complain that individuals should not  
18 go out and get expensive degrees if they can't pay  
19 off their student loans. But our jobs at the cultural  
20 institutions are part of what New York City the  
21 incredible place that it is. These institutions  
22 generate millions of dollars in revenue for the City  
23 each year, yet we can't pay their union employees a  
24 decent salary?  
25

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1  
2       Lastly, because our salaries are so low,  
3 institutions like the AMAH now have a chronic  
4 staffing and retention problem which places more  
5 burden on the existing staff. And with members  
6 juggling side jobs to make rent, how can we expect  
7 people to take on even more responsibility at their  
8 main jobs? People are leaving to take jobs in the  
9 private sector where the pay is better.

10       Increased diversification of the workforce is a  
11 noble goal, and I urge you to pass these three bills.  
12 But we are not going to get there without significant  
13 increases to the salaries paid to the municipal  
14 workforce including the culturals. The City needs to  
15 recognize that its workers make the city run. We are  
16 the heart and soul that may operate behind the scene,  
17 but without us the City cannot function. We did not  
18 accept these jobs because we set out to make a ton of  
19 money. We took these jobs because we care about what  
20 we do and we seek the stability and the protections  
21 that unions offer.

22       Like many of my colleagues, I love my job and  
23 truly value the unique community at the Museum. But  
24 to be clear, we are not asking for a luxury. We are  
25

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1 asking for respect in the form of living wages. Thank  
2 you.

3  
4 COMMITTEE COUNSEL BUTEHORN: Thank you. Uh, and  
5 not seeing Irving Rivera, we'll next turn to Kyle  
6 Simmons, President, Local 924, DC37 Laborers.

7 PRESIDENT SIMMONS: On, okay. Thank you. Good  
8 afternoon, all, and I want to thank you to the Chairs  
9 of these very necessary Committees for allowing me  
10 the time to voice my opinion. I also want to thank  
11 the City Council for putting this pay equity report  
12 together in August of 2021.

13 My name is Kyle Darrin Simmons and since December  
14 2001, I have been fighting the battles of these and  
15 other kind of minority inequities as President of the  
16 New York City Laborers Local 924, which is the only  
17 majority minority public service 220 construction  
18 prevailing rate title in the City of New York. I am  
19 angry. I am mad. I'm disappointed. But mostly, I feel  
20 violated because the City government that was  
21 supposed to help you, are the ones that are  
22 constantly screwing you with a straight face like  
23 they are not doing anything wrong. And most of all,  
24 nothing is changing.

25

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1  
2 I'm sorry for the very harsh word, but if the  
3 devil puts a mask on and portrays themselves as  
4 angels, but their actions say otherwise, what else  
5 can you think? I'm employed by the Department of  
6 Environmental Protection as a City Laborer. As a  
7 utility, as a utility company, private or public, in  
8 New York City, you are required by law to pay  
9 prevailing wages and benefits. Over the last five  
10 years, they have hired about 300 workers with the  
11 title of City, City Park Workers that are minority-  
12 based title. That are receive poverty wages to  
13 perform prevailing rate work.

14 You don't have to take my word for it. Ask the  
15 City Controller's Office to provide a survey on what  
16 they are actually doing, not only the what the City  
17 deceptively placed on paper for you to review.

18 Like DEP, the majority of City Agencies use these  
19 practices to perform unskilled laboring work that is  
20 prevailing wage. The City Laborer's title is the only  
21 unskilled title is the only title that can assist  
22 every or any skilled tradesman title that is employed  
23 by public service. That is not only including other  
24 work we do that are responsible for. So why is it  
25 that the City of New York employs more than 15,000,

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1 that includes Mayoral and non-Mayoral public service  
2 skilled trades title, yet there is only now about 500  
3 City Laborers. And that number is where it is because  
4 after more than 25 years of absence of, of laborers  
5 in NYCHA because of a federal oversight since July  
6 2018, they have hired over City Laborers to perform  
7 the unskilled prevailing wage work there.  
8

9 During their testimony, the, the City talked  
10 about bargaining. Since when, City or the unions are  
11 able to bargain away protected class of workers their  
12 rights for legal wages and to violate the laws and  
13 regulations?

14 New York seems to try and fool everyone into  
15 thinking that they are wonderful melting pot for  
16 everyone to live, which is false. They just want to  
17 get you here, at the same time makes themselves look  
18 good to the world, and then they abuse you. For  
19 example, if you don't have legal working papers,  
20 which is very time consuming, you still have to work.  
21 Too many businesses take advantage of that and pay  
22 them low wages or even cheat them out of what they  
23 have promised them. If these businesses get caught,  
24 they are allowed to plead out, pay a fine, and  
25 continue on with their lives and do it again. And



1 that is they, that is if they are caught, which is a  
2  
3 rarity.

4 On the other hadn, if these same employees steal  
5 \$100, a side of beef, or let's say even \$1,000, theya  
6 re processed as criminals. What's wrong with that  
7 picture? Yet we see the major problems in NYCHA, New  
8 York City Police Department, HRA, our educational  
9 systems that has devastating negative impact ont eh  
10 minorities' communities. Over the last 40 years in  
11 New York, I can stack laws, rules, and other City  
12 regulations to the moon, and we're still having this  
13 conversation in 2022.

14 These are the facts and the realities of what is  
15 going on. It is our truth, no matter how many  
16 explanations or excuses we try to give, this is what  
17 the City administration put forth. I believe the City  
18 Council should ask for federal government monitor to  
19 oversee not only the City hiring practices, but  
20 review existing wages and exact work duties that are  
21 performed by these minority workers. They need the  
22 review these so-called bargaining techniques and the  
23 impact it has on the minority workforce that also  
24 affects the next generation, which is their children  
25 that will not now continue disparaging impact.

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1  
2 SERGEANT AT ARMS: Time expired.

3 PRESIDENT SIMMONS: For future generations. As  
4 President, I can show you how they really do  
5 business, not the show they come with as a public  
6 relations campaign. And I thank you for allowing me  
7 to speak.

8 CHAIRPERSON DE LA ROSA: Thank you so much. I want  
9 to thank this panel for their pointed testimony. I  
10 think what you all have described today is the  
11 reality, right, increasing cost of living in our City  
12 and stagnant wages for workers, particularly workers  
13 of color, right. We're not going to mince words here.  
14 We have been saying throughout this hearing that  
15 Agency accountability is something that we got to  
16 figure. So, I just want to thank you all for coming,  
17 um, and for sharing, um, your, your thoughts on this.

18 I did want to ask one question of the United  
19 Probation Officers Association. Um, we asked the  
20 Agencies today about the report that was done by the  
21 forensic labor economist, um, about promotion  
22 disparities and they had no idea, um, about this  
23 report. Do you have any information about, uh, the  
24 report that was done that shows that almost 1/3 of  
25 officers are not even paid the minimum allowable

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1 salary, meaning that they're not even paid the least  
2 amount that they're obligated to be paid under  
3 collective bargaining. And like, any steps that have  
4 been done to your knowledge to remedy this issue.  
5

6 PRESIDENT POWELL: Can I tell you honestly? When  
7 I, um, if you could give me like a couple of minutes.

8 CHAIRPERSON DE LA ROSA: Yes, of course.

9 PRESIDENT POWELL: When I became the President of  
10 the, of the Probation Officers' union and I did my  
11 own assessment, um, and I pursued this EEO case that  
12 we have now, the things that it, was being revealed  
13 is a surprise to me. When that report came out about  
14 the third of my members not being, are being  
15 underpaid, I was astounded. Um, so, I'm, we going to,  
16 right now, we're at the stage trying to figure out  
17 the next steps to deal with the equity issue and that  
18 underpayment. So, that's what we, that's where we're  
19 at now. But I was, I was astounded. And as we  
20 continue to unpeel the layers of the banana, we keep  
21 finding more things. It's very, um, disturbing.

22 CHAIRPERSON DE LA ROSA: Yeah. I mean, it's, it's  
23 hard to argue that, you know, in a, in a industry  
24 where it's majority black women and this continues to  
25 happen, how is this being allowed?

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1           PRESIDENT POWELL: And Ms. De La Rosa, if you'll  
2  
3 allow me to add, another thing that's disturbing is  
4 that I don't understand when, when, when I heard the  
5 panel speak earlier about, um, EMS not being  
6 identified as Civil, as uniformed. Now, if we are the  
7 alternative to corrections, and I brought this up  
8 with Office of Labor Relations, if probation is the  
9 alternative to corrections, that means that we are  
10 community corrections, then how can we not be  
11 considered uniformed?

12           And that's another layer and that's another issue  
13 that we face. And I believe that, when you asked  
14 about solution, Ms. Williams, that I believe that one  
15 of the solutions for us, is that we need to somehow  
16 be, and this might be a different forum for that,  
17 that probation officers need to be acknowledged as  
18 uniformed law enforcement, um, officers because of  
19 all the things that I described that we do. It's  
20 impossible for us not to be.

21           And it think that if we can get over that hump,  
22 then we can starting looking at some of the issues  
23 that it's impacted. As far as promotional, um, issues  
24 that we have within the Department, that's another  
25 thing that I want to piggyback off of, um, Mr., um,

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1 Henry, and, and Gloria and other, and my other fellow  
2 union reps, that, um, the abuse of how these, these,  
3 how these, how these. I can say for a fact probation  
4 abuses the fact that, um, they pick and choose, um,  
5 Civil Service promotion positions and they abuse it  
6 where there was a point where they was hiring people  
7 from the outside for positions that, it's clearly in  
8 the DCAS rules and regulations how you're supposed to  
9 get promoted. So, those are the kind of things that  
10 we hope that you will look at. Um, we have a position  
11 that is, that's a administrative probation officer  
12 that I do not represent, but there hasn't been an  
13 exam since 2007.

14  
15 CHAIRPERSON WILLIAMS: Well.

16 PRESIDENT POWELL: And that's disturbing. So, I  
17 just wanted.

18 CHAIRPERSON WILLIAMS: Well, we will be, um,  
19 exploring Civil Service and the exam and everything  
20 else in future hearings, hopefully. And we hope that  
21 you can come back and speak to that.

22 PRESIDENT POWELL: And hopefully we can get a seat  
23 at the table and have some input. Because the fact  
24 that, and I'm going to say one thing, the fact that  
25 there was no clear oversight, it's like the Agencies'

1 word is being taken, is being taken for like, as god,  
2 as the word. But there's nothing else that's oversees  
3 that word that they're saying.  
4

5 So, they could be telling them anything. And I  
6 can tell you from my experience, I'm quite sure it's  
7 not being told the truth. I'm going to leave it at  
8 that.

9 CHAIRPERSON WILLIAMS: Um, just a quick question.  
10 Um, do you know if state probation officers are  
11 considered uniformed?

12 PRESIDENT POWELL: Excuse me?

13 CHAIRPERSON WILLIAMS: Officers? State, the state  
14 probation officers, are they considered uniformed?

15 PRESIDENT POWELL: Okay. So, the difference,  
16 there's probation officers are the City. Parole is  
17 the state.

18 CHAIRPERSON WILLIAMS: Oh, parole.

19 PRESIDENT POWELL: No, that's okay because we're  
20 all learning.

21 CHAIRPERSON WILLIAMS: Parole officers, yes.

22 PRESIDENT POWELL: But parole officers, I'm not  
23 sure. But probation officers are, are considered, but  
24 what's happening, and I know as I talked to my  
25 colleagues like in Suffolk County and other places,

1 that the profession is going more toward law  
2 enforcement. Um, so, I, and I think that the issues  
3 with probation officers, we have such a wide rate of  
4 responsibilities that many people don't seem to  
5 understand the role of probation officers. And that's  
6 why I've been out here advocating and trying to  
7 educate the role of probation officers.  
8

9 So, I know that one of my colleagues in Suffolk  
10 County, he's got himself under that role of civilians  
11 now they're under the uniform. But, um, parole is  
12 separate from us, but that's what we're trying to get  
13 to.

14 CHAIRPERSON WILLIAMS: Yeah. That's why I had  
15 inquired because I do know a parole officer.

16 PRESIDENT POWELL: That's the state.

17 CHAIRPERSON WILLIAMS: Yeah, yeah, the state. I  
18 know it's the state, but I was just trying to see  
19 what similarities or differences exist to your point  
20 about uniformed and sort of being respected as an  
21 officer. Just wanted to know if you had any insight  
22 on state parole officers, which is different, but  
23 serve similar roles.

24 PRESIDENT POWELL: Similar roles.  
25

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1  
2 CHAIRPERSON WILLIAMS: to parole officers, are  
3 also, like you said, an alternative to, uh, state  
4 facilities.

5 PRESIDENT POWELL: Right, cause they finish the  
6 rest of their time, right, right, yeah.

7 CHAIRPERSON DE LA ROSA: Yeah. Um, for the museum  
8 employees, we were just wondering like what leverage  
9 do we have for accountability, right, other than  
10 funding that the City Council has, um, most of the  
11 unionized workers, um, the benefits are done through  
12 collective bargaining, right. So, we were just  
13 wondering if you had any thoughts on that.

14 EXHIBITION PREPARATOR CABALLO: Um, well as I  
15 mentioned, I think that a lot of the problem also  
16 stems from the pay orders which are extremely out of  
17 date. I mean, when I started full time in 2018, I had  
18 been working at the Museum at that point for six and  
19 seven year and I was doing the same work that I was  
20 hired for full time. I was working at a, as a  
21 freelance, basically a contractor because, you know,  
22 because they refuse to hire full time staff, as they  
23 should.

24 And, um, they did not take into consideration,  
25 any of those years of experience doing the work that



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1 I was qualified to do and started me at the absolute  
2 bottom of the, you know, the pay order, the  
3 parameters. Um, so that was a problem. But also, that  
4 the bottom end of the parameter is so low that  
5 starting someone in 2018 with, for a job that  
6 requires a certain level of education, certain level  
7 of experience, and it's a very niche job. It should,  
8 like \$33,000 is just, it's not, you can't live in New  
9 York City in this day and age on that.  
10

11 CHAIRPERSON DE LA ROSA: Thank you so much.

12 COMMITTEE COUNSEL BUTEHORN: right. Thank you for  
13 the panel. And now we're going to turn to Zoom. Um,  
14 and we will hear from Kathleen Knuth, President, EMS  
15 Superior Officers Association, Oren Barzilay,  
16 President, Local 2507, DC37 FDNY EMS, Anthony  
17 Almojera, Vice President, Local 3621, EMS Lieutenants  
18 and Captains, Laura Morand, President, Local 2627, DC  
19 37 IT Workers, and Jose Hernandez. Uh, but we will  
20 first turn to Kathleen Knuth.

21 PRESIDENT KNUTH: Uh, good afternoon. Thank you,  
22 Chair Williams, Chair De la Rosa, and the Committee  
23 Members. As you heard, I'm Kathleen Knuth and I'm the  
24 President of the EMS Superior Officers Association at  
25 the FDNY. We represent the Deputy Chiefs and the

1  
2 Division Chiefs in the Bureau of EMS. Thank you for  
3 allowing me to speak today on pay equity in the  
4 municipal workforce and in support of Intros 515,  
5 527, and 541. I would also like to thank this body,  
6 especially the Speaker, for consistently showing up  
7 to support pay equity in the municipal workforce, in  
8 specific the FDNY.

9       The issue of pay equity could not be more  
10 relevant than at the FDNY, a department whose first  
11 responders are an integrated team providing cohesive  
12 emergency services, but which engages in a policy  
13 that separates and treats differently the two halves  
14 of this integrated teams of first responders.

15       There's an outdated mentality that our EMS first  
16 responders perform less important, different, and  
17 less dangerous work than the first responders within  
18 the Department's Bureau of Fire Operations. Without  
19 diminishing the heroic work of our colleagues in Fire  
20 Operation for which they should be commended, the  
21 work performed by our Bureau of EMS members is  
22 equally heroic and should be valued equally.

23       We really must ask ourselves, why isn't it? It  
24 does not go unnoticed, the extreme differences in  
25 demographics between the two Bureaus and the

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1  
2 respective titles they are in. this creates a vicious  
3 cycle causing several unintended consequences.

4 Obviously, being underpaid is demoralizing to our  
5 members and causes them the additional stress of  
6 trying to make ends meet in one of the most expensive  
7 cities in the world. A long-term impact of  
8 underpayment is the increased turnover of personnel  
9 which is not only costly to the City but puts the  
10 public at risk. It also discourages qualified  
11 applicants from applying, putting even more stress on  
12 the job.

13 In addition to segregating the workforce, the  
14 Department represses our salaries and does not, does  
15 not give our EMS members a chance to flourish in  
16 their careers. By way of example, as the City panel  
17 testified that all EMS had been under contract, that  
18 is not accurate. My local is still in negotiations  
19 because the salaries and patterns being proposed for  
20 our members who are the Deputy Chiefs and Division  
21 Chiefs is not only far less than our Fire Operations  
22 colleagues, but it's also even less than our  
23 subordinates in local 3621.

24 Unfortunately, the FDNY is an excellent example  
25 of what the City must not do to its municipal

1 workforce, by creating false differences that  
2 undervalue EMS that make them seem different or less  
3 than, the City justifies a two-tier system that  
4 perpetuates pay inequity to the great detriment to  
5 the Department as a whole.

6  
7 Fixing this will help us. As the saying goes, a  
8 rising tide raises all boats, and by ensuring fair  
9 pay for EMS first responders and the greater  
10 municipal workforce, we ensure better treatment for  
11 all New Yorkers.

12 Additionally, I would just like to add in  
13 rebuttal to what the City said. Uh, they're claiming  
14 that the titles are already equalized and hearing  
15 that they have 1,600 titles, I believe that they are  
16 using those to justify pay inequity by changing the  
17 titles so that comparable titles are being paid less  
18 than, um, their peers that are predominantly white  
19 and predominately male. Um, so we can argue that  
20 there is equality within a specific title, but not  
21 all qualities, but not all titles are being treated  
22 equally, especially when we continue to maintain the  
23 difference in a pay pattern between uniform and  
24 civilians.

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1  
2 Thank you again for your time and commitment to  
3 this important issue. And I appreciate all you hard  
4 work.

5 COMMITTEE COUNSEL BUTEHORN: Thank you. And next  
6 we'll turn to Oren Barzilay, President, Local 2507.

7 PRESIDENT BARZILAY: Good afternoon. Can you hear  
8 me.

9 COMMITTEE COUNSEL BUTEHORN: Yes.

10 PRESIDENT BARZILAY: Thank you. My name is Oren  
11 Barzilay. I am the President of Local 2507  
12 representing over 4,000 uniformed EMTs, paramedics,  
13 and fire inspectors serving in the FDNY. I want to  
14 thank the Committee Chair as well as the Speaker for  
15 your tireless efforts with this important issue.

16 To be honest, it very disappointing that DCAS and  
17 OLR are so unwilling to be part of the solution to  
18 this very serious problem that has had such a  
19 devastating impact on our members and the greater  
20 municipal workforce that serves the City every day.

21 This is not the first hearing we had on this  
22 matter. In fact, the disparity of pay in our  
23 Department is so staggering, that in 2020, this body  
24 passed a resolution calling on the City to remedy  
25 their pay inequity within the FDNY. Yet, here we are

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1 again with the same excuses, and no again. Equal  
2 Employment Opportunity is not a goal in the future.  
3 It is a right any municipal worker has today.  
4

5 Pay equity is not too expensive. What is  
6 expensive is the crippling effect of discrimination  
7 and suppressed wages. And it's not pay, it's respect,  
8 value, and benefits on the job. FDNY withholding  
9 benefits to EMS while contending they are civilians  
10 even though the law says otherwise, is just unlawful,  
11 it is inhumane. Let me try to put this face with this  
12 matter so much.

13 Crystal Cadet, a paramedic and a member of our  
14 union, was not able to be here but submitted a  
15 testimony detailing her experiences as an EMS first  
16 responder when she was injured in the line of duty by  
17 contracting COVID on the job in the early part of the  
18 pandemic before there were vaccines or medicines to  
19 protect her. Paramedic Cadet was a coma for a month,  
20 intubated and fighting for her life. By the grace of  
21 god she pulled through when many did not. Was she  
22 held up as a hero by the FDNY? Was she given the  
23 resources and benefits that many first responders in  
24 the FDNY should be given when they risk their lives  
25 to save others? No.

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1  
2 EMS first responders are not allowed unlimited  
3 sick leave, so she had to use up her vacation time,  
4 and then when she had no vacation time, she had to  
5 fight the bureaucracy of workers' compensation which  
6 pays a fraction of what she was making because as an  
7 EMS first responder, she is not recognized as  
8 uniformed by the City even though the law says she  
9 is. she is not entitled to disability benefits.  
10 instead, she has to go through a grueling process  
11 hiring an attorney to fight NISIS for disability she  
12 most likely will not get, all while trying to heal  
13 from a life-threatening illness.

14 The Department has not given her a reasonable  
15 accommodation like a desk job which they of course  
16 would give a fire fighter in this situation. The  
17 prognosis for Paramedic Cadet, is that once her  
18 workmen's' comp runs out, she will be forced out of  
19 the Department and lose her career. This is  
20 unacceptable. She risked her life for the City in its  
21 most vulnerable time in history. This is what pay  
22 inequity looks like.

23 I will give you another example. EMS first  
24 responders handle fire calls along with fire  
25 fighters. They work side by side with fire fighters,

1 even going onto the fire floor. At any fire scene,  
2 you can spot EMS first responders because they are  
3 FDNY members wearing the beige jackets. God forbid,  
4 as they are working together, a gas line explodes or  
5 the fire traps them and their lives are tragically  
6 lost. A fire fighter family gets a lifetime of death  
7 coverage where they receive the fire fighter's annual  
8 income for life and the spouse and children get  
9 lifetime health insurance along with many programs to  
10 cover their college, et cetera.  
11

12 Let's say that conservatively that first, that  
13 fire fighter's salary was \$100,000 for 20 plus years,  
14 health benefits, that's \$2 million. The spouse of  
15 first responders who happens to be in a beige uniform  
16 who happens to be an EMS, gets the value of three  
17 years of salary, which again, is significantly less  
18 than their fire fighter counterpart. And nothing  
19 more. No lifetime health insurance. No health  
20 insurance for children. No lifetime salary. Let's say  
21 their salary is \$50,000 a year for three years,  
22 that's \$150,000 and no benefits.

23 SERGEANT AT ARMS: Time is expired.

24 PRESIDENT BARZILAY: When are we going to start  
25 valuing the lives of these women and people of color



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1 who fight every day who fight to save the lives of  
2 others only to be treated with such indignity and  
3 disregard. This is what pay inequity looks like.

4 That's my testimony. But I would also like to say  
5 something to the panel about, um, uh, Chairman De La  
6 Rosa, I thank you so much for speaking about the  
7 uniform status. The panel that was in front of you  
8 today, as my colleagues have said, are blatant liars.  
9 Maybe somebody should look, um, at, at the, um, at  
10 the racial makeup of OLR.  
11

12 They are constantly putting blames on unions for  
13 accepting these pattern bargaining while they are  
14 refusing to acknowledge that it doesn't work. 2% of  
15 \$100,000 wage increase over any other uniforms, while  
16 making \$100,000 is different than an EMT who is  
17 making \$50,000. And these wage gaps keep increasing,  
18 as Henry mentioned earlier. It's a disgrace of how  
19 they are sitting in front of you and blatantly giving  
20 you false information.

21 I have been involved in this uniform status from  
22 its inception in 2001. And they are refusing to  
23 acknowledge us. All they did was separate us from  
24 DC37 and allow us to bargain as a civilian workforce.  
25 Uh, I have, I'll take any questions that you have.

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1  
2 COMMITTEE COUNSEL BUTEHORN: Uh, uh, actually,  
3 we'll, uh, continue our panelists first. Uh, next we  
4 will turn Anthony Almojera, Vice President, Local  
5 3621.

6 VICE PRESIDENT ALMOJERA: good afternoon. Thank  
7 you, Chairs Williams and De La Rosa and distinguished  
8 Committee Members. My name is Anthony Almojera and I  
9 am the Vice President of Local 3621, representing EMS  
10 Lieutenants and captains serving in the FDNY.

11 I want to follow up on the testimony of my  
12 colleague, Mr. Barzilay to first thank these  
13 Committees and the Speaker and express our support  
14 for Intros, 515, 527, and 541. The transparency these  
15 bills will bring is much needed. Anyone who has  
16 worked for the City or has basic familiarity with its  
17 workforce, understands that the problem with pay  
18 inequity is Citywide. We hear time and again that the  
19 titles are just too different, the disparity pay is  
20 reasonable, and the demographics are a coincidence or  
21 at least not the City's fault. As you heard today,  
22 the City admitted under oath that they are violating  
23 Local law 19, among others.

24 In the FDNY, you have fire fighters who are  
25 predominantly white male and EMS first responders who

1 are mostly of color with significantly more women.

2 You can guess which side is paid pennies to the  
3 dollar, the argument being the Fire side's work is  
4 substantially more challenging, justifying the pay  
5 difference. But when you actually look closer, the  
6 facts show something very different.

7  
8 Since 1996, due to a decline in structural fires  
9 and a change in the emergency needs of the City, the  
10 New York City Fire Department merged with the EMS and  
11 became an integrated Department of first responders  
12 providing life saving emergency services to protect  
13 the public. Both EMS and fire personnel are  
14 dispatched to the same emergencies, are trained at  
15 the same facilities to perform lifesaving skills, and  
16 put in the same hazardous environments in the field.

17 Some of the emergency services which both EMS and  
18 fire fighter train for and respond to together  
19 include, but are not limited to, active shooters,  
20 basic lifesaving and trauma events, bomb threats,  
21 building fires, car accidents, cardiac arrest,  
22 chemical leaks, electrical fires, exposure to  
23 contaminants, otherwise known as HAZTAC emergencies,  
24 hurricane response, respiratory distress calls,  
25 terrorist attacks, et cetera, et cetera.

1           In addition to this field work, the work  
2  
3 performed within FDNY operations such as dispatch,  
4 training, and general operations are fully  
5 integrated. As such, there is no difference in the  
6 work performed in these units, whether EMS or fire  
7 personnel perform them, with once exception, that EMS  
8 responds to three times the amount of call volume  
9 than fire fights, 1.6 million calls to approximately  
10 500,000 fire runs.

11           If the Department continues to perpetuate. I'm  
12 sorry. If the Department continue to perpetrate the  
13 myth that these titles are so different that it  
14 justifies paying the EMS first responders half what  
15 the fire fighters responding to these same  
16 emergencies are paid. And to be clear, the training  
17 and expertise of EMS first responders is highly  
18 intense and substantially more than a fire fighter.

19           By way of example, fire fighters are only  
20 training in minimal, basic lifesaving, less than that  
21 of an EMT, while a paramedic is trained in advanced  
22 lifesaving. What that means is that a fire fighter  
23 will five years' experience is paid \$96,000 a year to  
24 provide less basic lifesaving services than the same  
25 emergencies than an EMT with five years' experience

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1 who is paid \$59,000 a year to provide more advanced  
2 lifesaving services at the same emergency.  
3

4 There is no non-discriminatory explanation for  
5 that. While the environment and demands of FDNY first  
6 responders are similar, what is different is the  
7 racial and gender makeup.

8 Thank you for your time. I appreciate you being,  
9 uh, here to listen to all of us, and I remain open to  
10 any question the Council may have.

11 COMMITTEE COUNSEL BUTEHORN: Thank you. And our  
12 next panelist will be Laura Morand, President, Local  
13 2627. You're unmuted, Laura, you can go ahead.

14 SERGEANT AT ARMS: Please start when you are  
15 ready.

16 COMMITTEE COUNSEL BUTEHORN: Laura, you're  
17 unmuted. You can go ahead and start your testimony. I  
18 don't think she is here. Um, okay. Well, we're going  
19 to turn to the Chairs if they have any questions, um.

20 CHAIRPERSON DE LA ROSA: Well, um, I don't have  
21 any questions, but I just wanted to thank this panel  
22 again. We did have a line of questioning around the  
23 uniform status around the collective bargaining. And  
24 you're right. We didn't get answers. We got non-  
25 answers. And so, we can guarantee you this will not

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1 be the last time that we will bring this up and we  
2 thank you all for the courage to call out, um,  
3 something that is a disparity that is real.

4 PRESIDENT MORAND: Okay.

5 CHAIRPERSON DE LA ROSA: Thank you so much.

6 PRESIDENT MORAND: Yeah, I can't hear anything.  
7 Were you asking me to speak up? I can't hear  
8 anything.

9 COMMITTEE COUNSEL BUTEHORN: Okay. You may want to  
10 log out and log back in.

11 PRESIDENT MORAND: Okay. Alrighty. Greetings,  
12 distinguished Council Members and, and Committee  
13 Chairs. I am Laura Morand, President of Local 2627. I  
14 represent over 5,900 IT workers for the City of New  
15 York. I am also a Vice President of DC37, who without  
16 my members, nothing in the City would work, and the  
17 majority of my members are people of color. We have a  
18 large Asian population, a lot. We have a lot of  
19 Indians, as well as Chinese, as well as, um, African  
20 Americans and other, um, people from other African  
21 nations as well as a large Hispanic population. So,  
22 our members comprised mostly of people of color.

23 And they do suffer despair. They have issues with  
24 the EEO. They are bullied and they don't feel  
25

1 comfortable going to the, the Agency's EEO, EEO  
2 Officers because they feel that nothing's going to be  
3 resolved and that the EEO Office all, most, most of  
4 all, sides with the Agencies because they're, that's  
5 their coworkers and that's who they are there to  
6 protect. So, a lot of times when they file inside a  
7 particular Agency, an EEO complaint of harassment or  
8 discrimination, they is not founded at the Agency's  
9 EEO Office and they go outside, those same EEO, those  
10 same complaints are founded outside of the Agency.  
11 So, we need to recheck (INAUDIBLE) done within that  
12 area, cause I don't think that's a, a good place to  
13 have those places, to have EEO Office (INAUDIBLE) to  
14 management.  
15

16 And I want to also say that I am, and my members  
17 are, in support of Intro 541, 527, and 515. And it is  
18 good that these hearings are taking place and that  
19 these issues are being brought up. And I want to  
20 thank you all for bringing, bringing this up and  
21 being brave enough to put this forth to make sure  
22 that these issues are brought to daylight because  
23 (INAUDIBLE) taken way too long for, for many years  
24 that Agencies were allowed to hide in, in, and  
25 manipulate and only, only provide data that makes

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1 them look a certain way, which we all know that's not  
2 true.

3  
4 My members, too many times, they are not promoted  
5 and are passed over for raises. We have Agency  
6 jumpers and why is it that we have people who have to  
7 jump from Agency to Agency just to get a higher  
8 salary based off the skills that they have which are  
9 definitely in high demand. And it's sad that I have  
10 to tell my members at a meeting that when you look  
11 too comfortable, when you, when people in, when  
12 management see that you have stuffed animals, that  
13 you have, um, pictures of your family sitting on your  
14 desk, they know that you're not going anywhere, so  
15 they feel they don't need to do nothing for you cause  
16 you're too comfortable. And it's sad that I have to  
17 tell my members this that when you look comfortable,  
18 management gets to overlook you and not, and unless  
19 you're a pet or a favorite, they don't give you a  
20 raise. They save them, the merit raises, the  
21 promotions, for those they like. All too often, the  
22 Civil Service lists are, they use the one in three  
23 rules to overlook a lot of my members.

24 Not so long ago, there was a promotional list for  
25 computer, for computer specialist software out, and,



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1 and, and we found out at DSS that most of the people  
2 of that list were considered but not selected and was  
3 removed from the list and they didn't even know they  
4 were removed. How is that allowed? I had to file a  
5 complaint with the Agency's Office of Labor Relations  
6 because the Agency had every intention of going to  
7 the hiring pool for the opening competitive when they  
8 only picked up, and they had about 60 people on that  
9 list. And they was able to consider those people and  
10 not select them and those people were never notified.  
11

12 So, is it that this can happen, that you can be  
13 on a list and be considered for apposition, never be  
14 interviewed, and be, and subsequently be removed from  
15 that list and never be notified? So that needs to  
16 change because it is definitely not fair and I have to  
17 tell mymembers that they have to call and check on  
18 OASIS every week or two just to make sure that  
19 they're not removed without their knowledge. There's  
20 something, so there should be more disclosure. There  
21 needs to be more, there needs to be more visibility  
22 into this process. And DCAS does have the ability to  
23 make such changes.

24 And then when the City is not able to get and  
25 keep people, they want to go to consultants. There's,

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1 in IT, there's a large amount of consultants who  
2 really do not care about the City. they have no  
3 vested interest in making sure they provide a good  
4 service to the City. They have no interest in, um,  
5 besides creating more pay orders, more, more billable  
6 hours so that they can make as much money for their  
7 company to go into their pocket. And a lot of those  
8 companies have, uh, are not based, they have people  
9 from foreign countries that are working.  
10

11 SERGEANT AT ARMS: Time is expired.

12 PRESIDENT MORAND: And those workers and  
13 consultatns are allowed to telework whereas my  
14 members have to come in every day and work, for the  
15 most, for the majority of the part, because the Mayor  
16 is insisting (INAUDIBLE) that City workers be all,  
17 all be made to come in. whereas for my members,  
18 telework is real easy and it's the best way for the  
19 City to get and keep workers because they are losing  
20 workers at a high rate and that is a big problem. And  
21 we need to have that issue addressed because poeplea  
22 retiring. People are just leaving because they, they  
23 don't see it as being work that anymore, whwhereas a  
24 pension and, and City benefits used to keep them, but  
25 that's no long er the case.

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1           So, is, I'm thinking also there's training  
2  
3       disparity. Training is not offered to everyone, even  
4       though DCAS does put out the list, but it's usually  
5       hidden. I know when I, when I worked, I had to go  
6       look for it when it comes out and share it with my  
7       coworkers and even then, you still have to get  
8       approval from management. And management,  
9       oftentimes, if they, were not, if you're not, if you  
10      were not one of their pets, you would not be approved  
11      for that training. So, yes, training may be offered,  
12      but who is it being offered to and who is being  
13      allowed to, to participate and take advantage of it.  
14      So, that is also, um, being used and, and my members  
15      are discriminated for that. So, I just ask that you  
16      look into that.

17           And we may want to consider having automatic  
18      steps, because a lot, a lot of my members are, at the  
19      minimum, salary, and they never move up, they can sit  
20      there for 10, 15, or their whole career, without  
21      moving from level one. And a lot of titles have four,  
22      three or more levels. And we have like a set, a step  
23      system similar to what the state has, as least they  
24      would have an opportunity to get a little raise every  
25      year that they work for the City and it gives, and,

1 and gives them incentive to stay. It gives them an  
2 incentive to want to work harder. And with the state,  
3 if you had a higher degree, if you've got a higher  
4 degree, you can move through the steps faster. That's  
5 something that we could look into as well.  
6

7 So, that's my two, my, my, um, two pennies, my  
8 two cents. And thank you for this ability to be able  
9 to testify.

10 COMMITTEE COUSNEL BUTEHORN: Thank you, Ms.  
11 Morand. Um, and next on our list, we had had, um,  
12 Jose Hernandez, but I do not see him on the Zoom. And  
13 other people that have registered, I am not seeing in  
14 the Committee Room or the Zoom. If there is any  
15 member of the public that we inadvertently missed,  
16 please use the raise hand function on the Zoom now,  
17 if you have not testified. And not seeing any, I will  
18 turn to the Chairs for their closing remarks.

19 CHAIRPERSON DE LA ROSA: Thank you so much. I want  
20 to thank everyone who came today and offered  
21 testimony. This is, for sure, an important topic. I  
22 want to make note and thank our Speaker and the staff  
23 for putting together this report today. And I also  
24 want to read just the last part (INAUDIBLE)  
25 introduction which say, I think encapsulates what we,

1 uh, discussed today. It says, "Those will the  
2 authority, power, and voice to make a change, have  
3 the responsibility to ensure advancements. As the  
4 first women majority Council, we will not rest until  
5 women, particularly women of color, are valued  
6 equally for their crucial contributions to the City.  
7 More than 300,000 serve this City of nearly 8 million  
8 residents. Nearly 60% of that dedicated workforce  
9 consists of women, and more than half are black and  
10 brown women. They field our 911 emergency calls. They  
11 clean our parks. They reintegrate formerly  
12 incarcerated persons back into communities. And they  
13 provide care for the most vulnerable among us. They  
14 keep our City running."

16 "The devaluing of the work historically done by  
17 women must end. We will not stop until we are paid  
18 the equitable wages we deserve." Chair Williams?

19 CHAIRPERSON WILLIAMS: I echo the sentiments of  
20 Chair De La Rosa, um, and look forward to continuing  
21 to work on this issue and find real solution. I think  
22 today we heard from the administration, we heard from  
23 EEPC, uh, and it's clear that we have a long way to,  
24 although thankful that we're able to even put forth  
25 this report and demonstrate in transparent fashion

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1 what the pay inequities are. I do look forward to  
2 finding that tangible solution to address  
3 occupational segregation and, and address some of the  
4 issues that were raised today by all of the amazing  
5 people that testified. Thank you.  
6

7 We do see that Oren and Kathleen have your hands  
8 up. Do you have, I don't know, a question or comment?  
9 Yes, Oren?

10 PRESIDENT BARZILAY: Hi, we've all been waving our  
11 hands because we couldn't hear the past five minutes.

12 PRESIDENT KNUTH: Yeah. If you asked a question,  
13 we apologize that we were, um, the panel.

14 PRESIDENT BARZILAY: We are, yeah, we couldn't  
15 hear anything that was said in the last five minutes.

16 CHAIRPERSON DE LA ROSA: We were just thanking you  
17 all and, um, giving our closing.

18 PRESIDENT BARZILAY: Okay. We still can't hear.

19 CHAIRPERSON DE LA ROSA: Okay. Well, there, there  
20 might be a technical glitch here, um.

21 PRESIDENT KNUTH: I believe you're still muted.

22 PRESIDENT BARZILAY: Yeah, we can't hear you.

23 PRESIDENT KNUTH: I think it's the one called City  
24 Hall Committee Room.  
25

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1  
2 VICE PRESIDENT ALMOJERA: Alrighty. Can you hear  
3 or see me?

4 PRESIDENT BARZILAY: I can here you, Anthony,  
5 yeah.

6 PRESIDENT KNUTH: We can hear Anthony, yeah.

7 PRESIDENT BARZILAY: But we can't, but we can't  
8 hear the City Council panel.

9 PRESIDENT KNUTH: Right. I can see the little mute  
10 sign is on next to City Hall Committee Room.

11 VICE PRESIDENT ALMOJERA: Right.

12 COMMITTEE COUNSEL BUTEHORN: Okay.

13 CHAIRPERSON DE LA ROSA: Alright. So, we, can you  
14 hear us now, yes?

15 PRESIDENT BAZILAY: Yes.

16 PRESIDENT KNUTH: Yes.

17 CHAIRPERSON DE LA ROSA: So, we were just thanking  
18 you all for, um, being here and, um, rest assured  
19 that we will continue to tackle this important  
20 matter. Um, we wanted to also point to the, um, the  
21 report that we, that Council has put out today under  
22 the leadership of Speaker Adams. And just to say as  
23 the first women majority Council, we will not rest  
24 until women, particularly women of color, are valued  
25 equally for their critical contributions to the City.

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1  
2 we also, uh, will keep bringing up this issue. We  
3 know that the devaluing of the work historically done  
4 by women must end, and we will not stop until we are  
5 all paid equitable wages we deserve.

6 So, we thank you gain for coming today and we'll  
7 continue to follow up on this important issue. Thank  
8 you so much for being in attendance.

9 The hearing is now adjourned. Thank you.

10 [GAVEL]

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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 October 19, 2022