

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CIVIL SERVICE
AND LABOR

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November 30, 2021
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HELD AT: Remote Hearing, Virtual Room 4

B E F O R E: I. Daneek Miller
Chairperson

COUNCIL MEMBERS: I. Daneek Miller
Adrienne E. Adams
Eric Dinowitz
Farah N. Louis
Francisco P. Moya
Helen K. Rosenthal
Eric A. Ulrich
Daniel Dromm

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

Benjamin Holt
Deputy Commissioner for the Department of
Consumer and Worker Protection Office of
Labor Policy Standards

Steven Star
Deputy Director and General Counsel
New York City Office of Collective
Bargaining

Steven Ettannani
Executive Director for External Affairs
Department of Consumer and Worker
Protection

Robin Roach

Jonathan Taubes

Sussie Lozada

Maria Veramendi

John Papalaberious

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SERGEANT AT ARMS: PC recording done.

SERGEANT AT ARMS: Cloud done.

SERGEANT AT ARMS: OK, Sergeant Lugo, you may begin with your opening statement, please.

SERGEANT AT ARMS LUGO: Good morning, everyone. Welcome to today's remote New York City Council hearing of the Committee on Civil Service and Labor. At this time would all panelists please turn on your video. To minimize disruption, please place electronic devices to vibrate or silent. If you wish to submit testimony you may do so at testimony@council.nyc.gov. Again, that's testimony@council.nyc.gov. Thank you for your cooperation. Chair Miller, we are ready to begin.

CHAIRPERSON MILLER: Thank you so much, Sergeant Lugo. It is great to see everyone here this morning. Forgive the, um, technical mistake that, ah, has everyone now, ah, in the hearing remotely as opposed to, ah, in person. So I thank everyone for joining. Ah, good morning and welcome to today's legislative hearing. Today we'll be hearing two pieces of legislation, Intro 2452, of which I am the chief sponsor, and introduce 2325 at the request of the mayor. Beginning with 2320, 2454, this bill will

1 amend the New York City collective bargaining law to
2 allow nonmembers to proceed through the grievance and
3 arbitration process without union representation so
4 long as nonmembers assumes the costs. The bill would
5 account for the Supreme Court decisions [inaudible]
6 which declared that unions could no long collect
7 mandatory share fees so to recover the cost of
8 collective bargaining. In the aftermath of the
9 court's decision union leadership feared that more
10 public workers would withdraw from the unions,
11 withdraw from unions, magnifying the free riders
12 [inaudible] where employees can reap the benefits of
13 union bargaining without supporting them financially.
14 [inaudible] 2450, 2454, is to help ameliorate the
15 free rider effect by removing specific services and
16 benefits that the public sector unions are required
17 to provide to nonunion members. This would reduce
18 the unions' obligations and financial strain,
19 ultimately preserving the viability of, of, um,
20 unions' valuable public sector, um, services.
21 Turning to Intro 2325, this bill would provide job
22 protection for restaurant, food service workers,
23 airport workers displaced during COVID-19 pandemic.
24 Also know as the Right to Recall, as food service,

1 airport employees reopen post pandemic and employees
2 would be required to first offer a previously laid-
3 off worker their job back before hiring another
4 applicant. Often economic downturns force employees
5 to cut costs, causing older and more experienced
6 workers to be, to be terminated and replaced with
7 younger, cheaper labor. It's imperative to protect
8 workers across these essential industries so that
9 they are not undermined, undermined and exploited.
10 The pandemic has only reinforced the importance of
11 job, income, and security for the city's essential
12 workers. I look forward to hearing the feedback from
13 the administration, the city's unions, and concerned
14 advocates about today's legislation. I'd like to
15 thank my, my staff for putting this together, ah,
16 special advisor great Joe Goldbloom, [inaudible],
17 legislative, ah, director John Wanny, and of course
18 council staff, ah, counsel Bianca Vitale, ah,
19 Elizabeth Arts, and Nevin Singh. I'd also like to
20 thank the members that have joined this, this
21 morning, Council Members Adams, Moya, Rosenthal,
22 Dromm, Dinowitz, Louis, ah, and I, I guess we them
23 all. Ah, so I thank you and with that we can begin
24 our hearing, ah, today's testimony from the
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1 administration. Ah, if, if, if, ah, Bianca, if we
2 can swear them in that would be swell.
3

4 COMMITTEE COUNSEL: Sure. Good morning.
5 Thank you, Chair. My name is Bianca Vitale and I am
6 council to the Committee on Civil Service and Labor
7 for the New York City Council. Before we begin, I
8 want to remind everyone that you will be on mute
9 until you are called on to testify, when you will be
10 unmuted by the host. I will be calling on panelists
11 to testify. Please listen for your name to be
12 called. I will be periodically announcing who the
13 next panelists will be. For everyone testifying
14 today please note that there may be a few seconds of
15 delay before you are unmuted. And we thank you in
16 advance for your patience. All hearing participants
17 should submit written testimony to
18 testimony@council.nyc.gov. At today's hearing the
19 first panelist to give testimony will be
20 representatives from the administration, followed by
21 Council Member questions and then members of the
22 public will testify. Council members who have
23 questions for a particular panelist should use the
24 raise hand function in Zoom and I will call on you
25 after the panelist has completed their testimony. I

1
2 will now call on members of the administration to
3 testify. Testimony will be provided by Benjamin
4 Holt, Deputy Commissioner for the Department of
5 Consumer and Worker Protection, Steven Star, deputy
6 director and general counsel of the New York City
7 Office of Collective Bargaining. Additionally, the
8 following members of the admin will also be available
9 for answering questions after testimony is provided.
10 Steven Ettannani, executive director for external
11 affairs at the Department of Consumer and Worker
12 Protection. Before I begin, before we begin, I will
13 administer the oath. I will call on each of you
14 individually for a response. Please raise your right
15 hands. Do you affirm to tell the truth, the whole
16 truth, and nothing but the truth in your testimony
17 before this committee and to respond honestly to
18 council member questions? Deputy Commissioner Holt?

19 DEPUTY COMMISSIONER HOLT: I do.

20 COMMITTEE COUNSEL: Deputy Director
21 Steven Star?

22 DEPUTY DIRECTOR STEVEN STAR: I do.

23 COMMITTEE COUNSEL: Executive Director
24 Ettannani?

25 EXECUTIVE DIRECTOR ETTANNANI: I do.

COMMITTEE COUNSEL: Thank you. Deputy Commissioner Holt, you may begin when ready.

DEPUTY COMMISSIONER HOLT: Thank you very much. Good morning Chair Miller and members of the Committee on Civil Service and Labor. My name is Benjamin Holt, deputy commissioner from the Department of Consumer and Worker Protections, Office of Labor Policy and Standards. I am joined today by my colleague, Steven Ettannani, DCWP's executive director for external affairs. DCWP protects consumers and workers through enforcement of key consumer protection and work place laws. These include New York City's Paid Safe and Sick Leave Law, Fair Work Week laws, protections for freelance workers under the Freelance Isn't Free Act, and recently passed legislation for third-party food delivery workers. Our agency advocates for new policies, investigates complaints, conducts proactive investigations, and recovers restitution for workers. As Mayor de Blasio said earlier this summer, a recovery for all of us means New York City moves closer and closer to fully reopening our economy, restoring jobs, the jobs we lost, to ensuring equality in our comeback. DCWP promotes the city's

1 recovery by facilitating the reopening of businesses
2 and addressing the severe economic impact the
3 pandemic had and continues to have upon hundreds of
4 thousands of working New Yorkers. As the economic
5 impact of the pandemic came into focus since
6 businesses began reopening last summer, DCWP
7 advocated for policy and legislation to support
8 businesses and workers alike. We prioritized giving
9 small businesses the tools they needed for
10 compliance, worked with the council to cut burdensome
11 regulations for businesses, and have saved businesses
12 millions of dollars through 33,000 cure-eligible
13 violations. We also refunded more than 12 million
14 dollars to restaurants participating in the city's
15 sidewalk cafe program to alleviate business costs and
16 keep workers employed. That together with the
17 Department of Transportation's successful open
18 restaurants program has saved more than 100,000
19 restaurant jobs. We also took steps during the
20 pandemic in partnership with the council to enact
21 needed protections to support fast food, hotel, and
22 food delivery workers. Fast food workers now cannot
23 be arbitrarily fired from their jobs and have a right
24 to reclaim their former jobs. Hotel workers must be
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1 retained for 90 days when a hotel is transferred or
2 sold, and long-time employees are entitled to up to
3 30 weeks severance pay if they are laid off during
4 the pandemic. And third-party food delivery workers
5 have key new protections, giving them more control
6 over their work and a right to minimum pay. Most
7 recently DCWP partnered with the City Council to pass
8 legislation that provides additional paid leave time
9 to more than three million private sector employees
10 to get a child or dependent vaccinated. That
11 legislation will support the small business community
12 by ensuring our city's collective public health. The
13 more we can minimize the effects of the pandemic the
14 more children will be able avoid school closures, the
15 more workers will be able to go into work, and the
16 more businesses will benefit from a return to
17 normalcy. Whether promoting increased business
18 activity or by standing up protections that provide
19 workers with stable jobs and stable paychecks, the
20 administration and City Council have been steadfast
21 in supporting businesses and workers, and our message
22 has been clear, we are all in this recovery together.
23 Turning now to today's Introduction 2325, right to
24 recall. Intro 2325 continues the city's efforts to
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1 support an economic recovery for all. It provides
2 laid-off workers in airports, event centers, and
3 caterers with a right to right to recall when their
4 former jobs are once again available. These
5 industries represent tens of thousands of workers in
6 New York City and it is a critical step to the city's
7 economic recovery that we support their ability to
8 return to work. While businesses like retail stores
9 started more fully reopening and hiring as early as
10 June of 2020, workers in airports and event centers
11 are only now seeing increased opportunities to return
12 to work. Airlines and airports, despite being deemed
13 essential businesses, have endured reduced economic
14 activity due to consumer hesitancy to travel and
15 fluctuations in the public health situation. As a
16 result, many workers who work in airports, including
17 in food and beverage establishments and other
18 customer-facing services, were laid off without
19 knowing when they would return to work. In the case
20 of event centers, these venues were shuttered
21 completely to the public in March of 2020 and only
22 began reopening this past April. That meant the
23 working people supporting concessions and other
24 operations for event venues were still losing
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1 opportunities for work almost a year after many other
2 industries were permitted to reopen. Airport and
3 event center workers, many of whom are low-wage
4 workers and people of color, were laid off through no
5 fault of their own. As these sectors reopen more
6 fully we need to insure that they have an opportunity
7 to go back to those jobs that were interrupted by the
8 pandemic. These individuals are qualified, trained,
9 and experienced workers, eager to join the city's
10 economic recovery. Ensuring these workers' right to
11 recall is a key tool to promote a strong recovery for
12 their communities and for the city. DCWP's
13 partnership with the city council is critical to
14 delivering protections for workers. Intro 2325
15 promotes economic stability that is needed to combat
16 the ongoing and lingering impacts of the pandemic.
17 We urge this legislation's immediate passage. Thank
18 you for the opportunity to testify today, and I look
19 forward to any questions that you may have. Thank
20 you.

22 COMMITTEE COUNSEL: Thank you so much.

23 Deputy Director Star, you may begin when ready.

24 DEPUTY DIRECTOR STEVEN STAR: Thank you.

25 Good morning, Chair Miller and members of the Civil

1 Service and Labor Committee. My name is Steven Star
2 and I'm the deputy director and general counsel of
3 the New York City Office of Collective Bargaining,
4 which I'll refer to as OCB. OCB is the impartial,
5 non-mayoral administrative agency charged with
6 administering and enforcing the provisions of the New
7 York City Collective Bargaining Law, the NYCCBL. The
8 board is a neutral tripartite body made up of two
9 city representatives appointed by the mayor, two
10 labor representatives appointed by the municipal
11 labor unions, and three impartial members who are
12 elected by a unanimous vote of the city and labor
13 members. The NYCCBL itself was drafted by a
14 tripartite CompStat 2.0 and enacted simultaneously
15 with the Taylor Law in 1967. The amendments you are
16 considering today and proposed bill 2454 were
17 developed in that same tradition - as a collaboration
18 between our office, the Mayor's Office of Labor
19 Relations, and the municipal labor committee. I am
20 here to speak in support of the proposed bill and to
21 inform the council of the agency's view of the
22 importance of the proposed changes in the council,
23 that the council is considering. The primary
24 statutory functions of OCB are to certify employer
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1 organizations, adjudicate improper practice
2 petitions, and administer the grievance arbitration
3 procedures that are found in the collective
4 bargaining agreements that exist between the city and
5 most of the municipal unions. The NYCCBL contains a
6 statement of policy, which declares it to be the
7 policy of the city to favor and encourage the right
8 of municipal employees to organize and be
9 represented, to enter into written collective
10 bargaining agreements, to utilize impartial,
11 independent tribunals to assist in resolving impasses
12 in contract negotiations, and to utilize final
13 impartial arbitration of grievances between municipal
14 agencies and certified employee organizations. It
15 has long been recognized that the rights of
16 collective bargaining is essential to sound and
17 stable labor relations, which benefits the city, its
18 employees, and the public. An essential part of the
19 NYCCBL provided for the payment of dues or fees to
20 employee organizations. These funds are used for the
21 bargaining enforcement and administration of
22 collective bargaining agreements and other member
23 benefits. Unions have a duty to a fair
24 representation with respect to its members and
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1 nonmembers covered by their agreements. Until
2 recently, employees that did not become members of an
3 employee organization would pay agency fees instead
4 of dues to cover the cost of that representation. In
5 2018 the Supreme Court prohibited agency fees for
6 public employees in the significant case Janus v.
7 AFSCME. As a result, public employee unions retain
8 the statutory duty of fair representation for
9 nonmembers, but could no longer collect agency fees
10 to offset the costs. In 2018 in anticipation of the
11 Janus decision, New York State amended the Taylor Law
12 to account for the elimination of agency fees and to
13 balance that against the unions' duty of fair
14 representation. These amendments, among other
15 things, limit a union's obligation to represent
16 nonmembers to the negotiation and enforcement of the
17 terms of a collective bargaining agreement, allows a
18 union to decline to represent nonmembers when being
19 questioned by an employer in statutory or
20 administrative proceedings, or in grievance or
21 arbitration matters concerning evaluation or
22 discipline provided the nonmember is permitted to
23 proceed on their own, and allows a union to provide
24 legal, economic, or job-related services or benefits
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1 beyond those provided in the collective bargaining
2 agreement to only its members. The NYCCBL is a local
3 law in accordance with the, and in accordance with
4 the Taylor Law it must be substantially equivalent to
5 the Taylor Law. For this reason, the proposed
6 amendments to the 12-306 B1 and B3, reflecting
7 amendments to the Taylor Law that limited unions'
8 obligations to represent nonmembers and provides that
9 if a union does so in accordance with the law it does
10 not violate its duty of fair representation, nor
11 interferes with, restrains, or coerces public
12 employees in exercising their rights under the
13 NYCCBL. Unlike the Taylor Law, the NYCCBL has a
14 number of provisions regarding grievance and
15 arbitration procedures. The proposed amendments are
16 necessary to provide unions with the authority to
17 allow nonmembers to proceed to arbitration on their
18 own, at their own expense. It also ensure that where
19 an employee does pursue a grievance or arbitration on
20 their own the union may participate in those
21 proceedings to protect its interests and those of its
22 members. I will be pleased to answer any questions
23 that the members of the committee may have about the
24 proposed changes to the NYCCBL and look forward to
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1 working with the council to pass this legislation.

2 Thank you.

3
4 COMMITTEE COUNSEL: Thank you so much. I
5 will now turn it over to questions from Chair Miller,
6 followed by council member questions. Panelists,
7 please stay unmuted if possible during this question
8 and answer period. Thank you. Chair Miller, please
9 begin.

10 CHAIRPERSON MILLER: Thank you again,
11 counselor. Um, to, ah, on 2325, as, as, as the
12 workforce, ah, begins to return to work and we've
13 seen some of, ah, ah, some, some folks that, that
14 have had difficulty in the desire to return to work.
15 Have, have we found, um, right to work and similar
16 legislation, ah, locally, ah, and, and nationally,
17 ah, a viable tool in securing, ah, job security and
18 the right to work?

19 DEPUTY COMMISSIONER HOLT: Thank you for
20 the question, Chair Miller. Um, you know, with
21 respect to what's happening nationally on, ah, Right
22 to Recall legislation, we are aware that there are
23 models from other states where similar laws have been
24 passed. Um, to this point we have not had direct
25 conversations with those jurisdictions about their

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2 experience, um, though I will say that we are not
3 aware of any adverse or unintended impacts coming out
4 of that legislation. Um, so we do think that Right
5 to Recall, um, can be an effective tool, ah, and
6 obviously, um, this is a mayoral priority and
7 something that we think can, you know, serve as an
8 important step for workers in these targeted
9 industries that are covered by Introduction 2325.

10 CHAIRPERSON MILLER: OK. Um, in your
11 testimony, ah, earlier, um, you, you spoke
12 specifically, ah, about the tools, resources, and the
13 support that the city and, and administration had
14 given to, ah, small businesses and, and other
15 employees throughout the city. Um, that support, has
16 it willfully translated into support for workers, or
17 do we find Right to Recall necessary legislation in
18 order for to, for, ah, workers to be, ah, returned to
19 work, ah, in a just manner?

20 DEPUTY COMMISSIONER HOLT: So we have
21 throughout the pandemic continued obviously to
22 enforce existing workplace laws in New York City.
23 Um, the administration also has had the opportunity
24 to work together with the council to pass several new
25 laws, ah, to protect both essential workers and other

1 vulnerable workers who have hit very hard by the
2 pandemic. Ah, just to, to list some examples of
3 that, um, we have passed protections for displaced,
4 ah, hotel service workers to ensure a transitional
5 employment period of 90 days when a hotel is, ah,
6 sold or transferred to a new owner. Um, we have
7 together, ah, worked on and passed Just Cause
8 protections for fast food workers, um, again,
9 essential workers in New York City to ensure that
10 they are protected from arbitrary firings. Ah, we
11 have also worked together on a hotel worker severance
12 law for certain hotel workers, um, to ensure that
13 tenured hotel workers, um, can have a stable income
14 in the form of severance up to and until they do have
15 a chance to be recalled back to their former jobs.

17 CHAIRPERSON MILLER: So, so are, are you
18 saying that are industry that may or may not have
19 been defined in terms of, of, of a just return to
20 work, ah, for, for their employees that, that they,
21 ah, tend to lean towards, ah, younger, ah, less
22 expensive, ah, workforce as opposed to a more
23 traditional and experienced. Or those who just quite
24 frankly have taken the fruits of, of the, the city's,
25 ah, resources and, and, and used it as a benefit and

1 not necessarily, ah, according to the workforce, ah,
2 as intended?
3

4 DEPUTY COMMISSIONER HOLT: What I would
5 say in response to that, Chair Miller, is that these
6 are examples of steps that we have taken together to
7 protect workers during the pandemic. Um, we think a
8 Right to Recall bill here is important because our
9 city's recovery has to work for everyone. The way
10 that this has been put together is to try and balance
11 the needs of workers get back to work, um, with
12 employers who are staffing back up. We don't think
13 that those have to be at odds. We think there are
14 benefits to businesses to bringing back trained,
15 experienced workers who have done those jobs before
16 and really is a matter of fairness and a matter of
17 equity. We believe that workers who lost their jobs
18 through no fault of their own, either young workers,
19 older workers, longer-tenured workers, unionized or
20 not, if they were displaced because of the pandemic
21 we believe they should have an opportunity to go back
22 to their jobs when those jobs are back up and running
23 again.

24 CHAIRPERSON MILLER: And, and, and for
25 those opponents of, of, ah, of, of 2325, ah, state

1 that that this creates, ah, ah, operational burdens
2 and, and, ah, ah, and hardships for them. Ah, how do
3 we respond?
4

5 DEPUTY COMMISSIONER HOLT: We are, as, as
6 I said, you know, in working on this legislation we
7 had tried to balance, um, the operational realities
8 of employers, ah, with creating meaningful
9 protections for workers. Um, the industries that are
10 covered by Introduction 2325 will tend to have a
11 higher concentration of larger employers who we do
12 think, ah, will have the resources and existing
13 infrastructure to be able to effectively implement
14 and operationalize these protections. You know,
15 notably, I would also say that this bill will not
16 impose any new monetary costs on covered employers.
17 Um, there is not a new benefit that needs to be
18 funded and paid for here. Um, this is really about
19 creating a process for workers to get back home to
20 their jobs. And, again, we think in the long run
21 that will lead to great benefits for these employers.
22 They will be getting trained, qualified workers back
23 into jobs that they've done before, without having to
24 go and find and train new workers. Um, so we think
25 in, in the long run, ah, this is good policy for our

1
2 city, um, and this is going to create a just recovery
3 that will have benefits for all sides.

4 CHAIRPERSON MILLER: OK. Um, does any of
5 the members have any questions? I don't see any
6 hands raised. Ah, does anyone have a question for
7 the panel on, ah, 2325 or, or, or, ah, 2454 as well?

8 COMMITTEE COUNSEL: I'm gonna do the,
9 like a, just give the little overview, 'cause, um,
10 council members, um, if you have questions, ah, for
11 the panelists please use the Zoom raise hand
12 function. Um, if you would like to ask a question
13 and you have not yet used the Zoom raise hand
14 function please do so now. Council members, please
15 keep your questions to five minutes. The Sergeant at
16 Arms will keep a timer and when let you know when our
17 time is up. You should begin once I have called on
18 you and the sergeant has announced that you may
19 begin. Let's just give a few seconds to see if any,
20 um, of the committee members, um, have questions.

21 CHAIRPERSON MILLER: Good morning,
22 Council Member Ulrich. We have been joined by
23 Council Member Ulrich, my good friend. Ah, how are
24 you, sir? Do you have a question?

1
2 COUNCIL MEMBER ULRICH: Ah, good morning,
3 Mr. Chair. No questions here, but it's always good
4 to see you.

5 CHAIRPERSON MILLER: Ah, it's always good
6 to be in the room with my friend from the, ah, south
7 end of the borough. Thank you. Are, are there any
8 other questions on, and particularly on, ah, 2325,
9 Right to Recall?

10 COMMITTEE COUNSEL: Chair, I don't see
11 any hands raised. Do you have any follow-up
12 questions, additional questions for the panelists?

13 CHAIRPERSON MILLER: No, honestly we
14 could, we could, we could talk about this, ah, all
15 morning. But, um, I, I think that we really, ah,
16 this is not about the debates and the merit of, of
17 this legislation. Clearly, ah, we've demonstrated
18 time and time again, pre-pandemic, over the years the
19 value of, of experienced workforce and, and what
20 happens, ah, when those workers aren't protected,
21 when, when there's either a, a, ah, unfortunate
22 pandemic situation like this or when businesses
23 change hands. We've done it in, you know, obviously,
24 in, ah, in the service industry, building service
25 industry and, and grocery store worker retention.

1 Ah, this legislation has worked. It is fair, it is
2 just, and, and so, ah, we think certainly that is
3 applicable, um, in this instance here and we look
4 forward to the passage of this legislation. So, ah,
5 I do, yep.

7 COMMITTEE COUNSEL: I was gonna turn it
8 over to public testimony, but you can, ah, finish
9 your remarks, Chair Miller.

10 CHAIRPERSON MILLER: No, you, you have
11 two [inaudible] here.

12 COMMITTEE COUNSEL: Awesome, thank you.
13 We've concluded administration testimony and we will
14 now turn to public testimony. I'd like to remind
15 everyone that we will be calling on individuals one
16 by one to testify. Each panelist will be given two
17 minutes to speak. After I call your name a member,
18 this is for the panelists. Um, after I call your
19 name a member of our staff will unmute you. There
20 may be a few seconds of delay before you are unmuted.
21 And, again, we thank you in advance for your
22 patience. Please wait a brief moment for the
23 Sergeant at Arms to announce that you may begin
24 before testifying.

2 CHAIRPERSON MILLER: I, I'm sorry. Um,
3 Counselor, before we, ah, ah, before public testimony
4 is there others, ah, unions or others that will be
5 testifying, who have signed, signed up to testify on
6 this?

7 COMMITTEE COUNSEL: Yes, we actually have
8 Robin Roach who is general counsel that she'll,
9 she'll be testifying on behalf of DC37. We also have
10 Jonathan Taubes, um, from the Workers Circle, and
11 those are two public panelists. We have others that
12 have registered, but they are not on yet, so...

13 CHAIRPERSON MILLER: OK, anything...

14 COMMITTEE COUNSEL: ...we're gonna go to
15 those two first and then if there are additional
16 registrants that we have not called on we're gonna do
17 that, um, and give them an opportunity. Does that
18 sound fair?

19 CHAIRPERSON MILLER: Excellent.

20 COMMITTEE COUNSEL: OK, great. So back
21 to our regular scheduled programming, um, so the
22 panelists, I went through that. Um, council members,
23 if you have questions for a particular panelist
24 please use the Zoom raise hand function. I will call
25 on you after the panel has completed their testimony

1 in the order in which you raise your hand. Um, so
2 for our first public panel I would like to now
3 welcome Robin Roach to testify. After Robin Roach
4 we'll be hearing from Jonathan Taubes. Um, Robin
5 Roach, you may begin to testify when the Sergeant at
6 Arms starts the time. Thanks.

8 SERGEANT AT ARMS: TIME STARTS NOW.

9 ROBIN ROACH: Um, good morning, Mr.
10 Chairman and members of the New York City Council
11 Civil Service Committee, Civil Service and Labor
12 Committee. I am Robin Roach, general counsel to
13 DC37. I'm here on behalf our executive director,
14 Henry Garrido. Ah, we thank you for this opportunity
15 to, ah, stand in support of Intro 2454, um, which,
16 um, as you heard from, um, Steven Star, um, who is
17 the, um, general counsel of the OCB, is in particular
18 addresses concerns with respect to what happened
19 after the US Supreme Court, um, ruled in the Janus
20 matter, and if I may go to our, um, testimony, um,
21 District Council 37 is the duly certified collective
22 bargaining representative of some 125,000 public
23 sector employees in the various agencies,
24 authorities, boards, and corporations in the City of
25 New York. In addition to these, um, public sector

1 employees, we represent another 25,000 employees in
2 the nonprofit sector. We are here today in support
3 of Intro 2454, ah, which, um, has been introduced
4 here. The amendments set forth in Intro 2454 would,
5 of course, bring the New York City collective
6 bargaining law in compliance with the statutory
7 amendments that the New York State Legislature
8 enacted to the Taylor Law in 2018. Of course the
9 Taylor Law mandates that provisions of the municipal
10 and local collective bargaining laws be in compliance
11 with the Taylor Law itself. Intro...

12 SERGEANT AT ARMS: Time expired.

13 COMMITTEE COUNSEL: You may finish.

14 ROBIN ROACH: OK. Thank you very much.

15 Intro 2454 addresses several major items in light of
16 the United States Supreme Court's ruling in Janus
17 versus AFSCME, um, which invalidated, of course, um,
18 statutes and collective bargaining agreements
19 allowing unions to collect agency fees or fair share
20 from nonmembers without their written consent. Um,
21 for example, ah, in, in this instance, um, except for
22 political and ideological activities, the unions were
23 able to collect these matters that benefit all those
24 in the collective bargaining unit. Um, Intro 2454
25

1 limits the circumstances under which a union could be
2 held responsible for the breach of duty of fair
3 representation by declining to provide representation
4 to nonmembers. It would make, it makes clear that
5 the union would not be in breach of the duty of fair
6 representation by not representing a nonmember when
7 the employee is being questioned by the employer, nor
8 is the union in breach of duty of the fair
9 representation by declining to represent a nonmember
10 in statutory, regulatory, or administrative
11 proceedings, such as due process, disciplinary
12 matters pursuant to civil service law, due process
13 appeals of involuntary liens, actions taken under the
14 Fair Labor Standards Act, Family Medical Leave Act,
15 federal, state, or local antidiscrimination laws,
16 including the very NYCCBL. We also note that the
17 amendment would not impute the duty of fair
18 representation where the union permits nonmembers to
19 proceed at their own expense in the grievance
20 arbitration process regarding matters of discipline
21 and performance evaluations only. Here the nonmember
22 would also be responsible for paying the union's
23 share of the cost of such proceedings. Finally, we
24 do not overlook the fact that the amendment allows
25

1
2 the unions to provide extra-contractual benefits to
3 members only. And we thank you very much for, um,
4 allowing us to, um, appear before you and give
5 testimony. We look forward to working with you in
6 the passage of this act.

7 CHAIRPERSON MILLER: Thank you, Robin.
8 Thank you very much, Counselor.

9 COMMITTEE COUNSEL: Thank you so much,
10 Robin. We are now gonna turn to Jonathan Taubes.
11 You may begin. I just want to say that we're gonna
12 actually give, um, this public panel, since we have a
13 limited number of registrants, we're gonna allow you
14 all to speak for five minutes. So, Jonathan, you may
15 begin when the time is set.

16 JONATHAN TAUBES: OK, thank you very
17 much, and hopefully I won't even need that long.
18 I'll, I'll try to be brief.

19 COMMITTEE COUNSEL: You can start.

20 JONATHAN TAUBES: OK, thank you so much,
21 and greetings, council members. I'm grateful for the
22 opportunity to share a few words. My name is
23 Jonathan Taubes. I live in central Brooklyn and I am
24 the social justice organizer at the Workers' Circle.
25 The Workers' Circle is 121-year-old Jewish social

1 justice organization. It was formed by Eastern
2 European Jewish immigrants who fled persecution, fled
3 pogroms, and brought with them a stalwart commitment
4 to participatory democracy, the fundamental equality
5 of every person, and bold activism to advance and
6 protect workers' rights in particular. I'm here
7 today as part of a broader coalition supporting the
8 CIW, the Coalition of Immokalee Workers, an award-
9 winning human rights organization that works to
10 protect farm workers from abusive conditions in
11 agricultural fields across the east coast. I'm here
12 to ask that this committee and Chair Miller set a
13 hearing and a vote on Resolution 1156, a resolution
14 calling on Wendy's to join the Fair Food Program and
15 support farm workers' human rights that currently now
16 has 28 cosponsors in the city and this committee.
17 When I was planning to attend this meeting I was very
18 happy to see the committee would be discussing
19 amendments to the City Code in relation to
20 protections for restaurant, food service, airport
21 workers who have all been displaced due to COVID-19.
22 I want to bring your attention to another group of
23 essential workers that have been drastically impacted
24 by COVID-19, namely the essential farm workers who
25

1
2 have also toiled throughout this pandemic to keep
3 food on all of our tables, including about 100,000
4 agricultural workers in the State of New York alone,
5 and this is something that's becoming even more
6 urgent with the emergence of the Omicron variant.
7 Resolution 1156 has already gained monumental support
8 from a broad cross section of New Yorkers, including,
9 but not limited to, students, religious, political,
10 and financial community leaders. In December 2019
11 the Women's Caucus wrote a very powerful letter to
12 Wendy's in support of this resolution. Most
13 recently, former Manhattan Borough President Ruth
14 Messinger penned an op ed in the *Gotham Gazette*
15 calling on the City Council to "act swiftly to send a
16 message to Wendy's about how much New York values
17 human dignity and worth." And when investors
18 representing over 1 trillion dollars in assets
19 managed sent a letter to Wendy's in April of 2021 of
20 this year, urging the company to join the Fair Food
21 program to address "the dire consequences of COVID-19
22 and of systemic racism." And to combat widespread
23 abuses in its supply chain, the office of the New
24 York City comptroller was among those who signed up.
25 So just to wrap up, the time is more urgent than

1
2 ever. In the coming days, supporters of this
3 resolution will urge its passage through online
4 testimony. Again, the resolution currently has 28
5 cosponsors, including the majority of this committee.
6 Council Member Adams, Council Member Dinowitz,
7 Council Member Louis, Council Member Rosenthal, and
8 Chair Miller are all cosponsors. My fellow New
9 Yorkers and I are doing our part. We've been making
10 calls, sending emails showing our support for this
11 resolution and for farm worker rights. Now we ask
12 that Civil Service and Labor Committee do its part
13 and bring this resolution to a hearing so that we can
14 ensure protections and dignity for all essential
15 workers. Thank you very much.

16 COMMITTEE COUNSEL: Thank you so much. I
17 will now turn it over to Chair Miller for questions.

18 CHAIRPERSON MILLER: Thank you so much,
19 Jonathan and, and, and I assure you that this
20 committee has for over the past eight years stood
21 with farm workers, really, ah, leading the charge on,
22 on resolutions that, that, quite frankly, um, took a
23 number of years to get passed to be read, for farm
24 workers to be recognized and, and we understand that,
25 that was merely the foundation, ah, ah, and making

1
2 sure that farm workers retain the dignity and respect
3 that they deserve, ah, within the workforce. So
4 we'll continue to work with you on that issue. Um,
5 so, ah, Counselor, on, ah, 2454, I have a couple of
6 questions and as well as, ah, for Steven Star. I, I,
7 I am glad that, ah, Office of Collective Bargaining
8 is, is, stands with, ah, DC37 and its other
9 bargaining units to, ah, ah, in support of 2454. I,
10 I think that one thing that we've espoused to do here
11 at this Committee on Civil Service and Labor, you
12 know, our, our mantra has been that we support, ah,
13 the right, ah, to organize and we support the right
14 to collective bargaining. Um, what happens after
15 that is, is up to the experts and the pros, ah, that
16 sit on, on the other side there and, and I, I thank
17 you, ah, for doing the job. Ah, so, to sort of the
18 first question is, is about, and, and I'm totally,
19 ah, Counselor and, and I know you, you guys draw up
20 these questions and, and I just go off script, right,
21 so, um, I'm, I'm, I'm gonna deal with, with some of
22 my experience and, and, you know, as my time as the
23 president and business agent, ah, I did not have to
24 deal with the Janus decision, that we dealt with in
25 seat here, but certainly we had folks that were, ah,

1
2 ah, ah, paying agency shop fees and, and, and very
3 specific about the benefits that were received or, or
4 not received, um, ah, by virtue of the agency shop
5 fee. Um, now that the agency shop fee has
6 disappeared, ah, and, and, I, and, and I know,
7 Counselor, that you, that you had spoke of in your
8 testimony some specific benefits that were, ah, being
9 received. Um, could, could you, could you, ah,
10 explain to the committee, um, specifically, ah, what
11 that means and what benefits would they, would a, a
12 nonunion member, a non-agency shop fee payer, ah, be
13 entitled to under the current Janus decision that we
14 are seeking to amend? And, and, I'm sorry, and also
15 bring a consistency with the state, ah, ah, law, um,
16 ah, ah, and the amendments to the Taylor Law.

17 DEPUTY DIRECTOR STEVEN STAR: So under
18 the, ah, under the amendments, ah, a union would
19 still be obligated to, ah, bargain and enforce
20 contracts on behalf of members and nonmembers alike.

21 CHAIRPERSON MILLER: Um-hmm.

22 DEPUTY DIRECTOR STEVEN STAR: But a
23 union would also be permitted to limit its
24 representation of nonmembers in disciplinary matters,
25 in statutory hearings, um, and things that do not

1
2 arise under the contract. Like, for example, a
3 Section 75 civil service, ah, disciplinary hearing, a
4 union could decline to represent a nonmember, ah, in
5 such a hearing, and the nonmember would not have, ah,
6 the right to charge the union with violating its duty
7 of fair representation. Ah, a union could also
8 provide, ah, non-contractual benefits, ah, to its
9 members only. For example, unions will sometimes
10 have, um, legal services programs, ah, for its
11 members that it funds out of its dues and so it can
12 decline to provide those same services, ah, ah, to
13 nonmembers, because those are not contractual
14 services, those are services provided by the union
15 itself.

16 CHAIRPERSON MILLER: And, and, and what
17 about that, what about benefits, ah, that, that may
18 come about through some form of negotiation based on,
19 say for instance, ah, ah, what has, ah, taken place
20 over the, ah, maybe that's not a good example, over
21 the past two years and, and, ah, obviously the
22 pandemic and, and, and, ah, um, work rules and, and
23 other provisions that may have been negotiated
24 outside of the, the standard collective bargaining
25 agreement, um, [inaudible].

2 DEPUTY DIRECTOR STEVEN STAR: Do you mean
3 for like overtime?

4 CHAIRPERSON MILLER: Well, I, I, I mean
5 overtime, but, you know, there, there may be other
6 compensations, ah, involved as well, um, that has to
7 do with some, some, ah, [inaudible].

8 DEPUTY DIRECTOR STEVEN STAR:
9 Contractual wages and benefits, like, if you're
10 talking about contractual wages and benefits then
11 those would apply to both members and nonmembers.
12 And the union, um, you know, would bring grievances
13 to enforce to the entire bargaining unit.

14 CHAIRPERSON MILLER: Right. Now there,
15 it, it, there are, there are agreements outside
16 standing agreements, would, would they apply there as
17 well, like, you know...

18 DEPUTY DIRECTOR STEVEN STAR: Like
19 memorandum of understanding and...

20 CHAIRPERSON MILLER: Yeah, yeah
21 [inaudible].

22 DEPUTY DIRECTOR STEVEN STAR: Those would
23 apply to both.

24 CHAIRPERSON MILLER: Yeah, given the
25 special circumstances that, that we've seen of late,

1 um, anything, any, ah, benefits that has, that has
2 derived from those special, ah, um, circumstances
3 that, that we've seen over the past few years. Ah,
4 would that be applicable as well?

5
6 DEPUTY DIRECTOR STEVEN STAR: Yes. Those
7 are collective bargaining agreements like any other.
8 They're just not complete...

9 CHAIRPERSON MILLER: [inaudible] at the
10 moment, yeah, ahah. OK. Um, so are, are, are you
11 convinced that, that 2454 would, would bring, ah, the
12 city's workforce into compliance with, with the
13 Taylor Law amendments, ah, of 2018?

14 DEPUTY DIRECTOR STEVEN STAR: Yes, I am.

15 CHAIRPERSON MILLER: Ah, is there
16 anything that you would add, ah, that is not, ah, a
17 part of this legislation, or is, is it something that
18 you, ah, sat down, ah, perhaps with the MLC or DC37
19 and, and, and collectively figured out that, that,
20 we're, we're in good space because I would suspect
21 that if DC37 or some other union within the MLC is
22 legal, legally, ah, accountable that would make the
23 employer legally accountable as well to some design.
24 So was there some type of, ah, ah, ah, collaboration
25 on, on, ah, looking over this legislation?

1
2 DEPUTY DIRECTOR STEVEN STAR: Yes, there
3 was. The, ah, Office of Collective Bargaining has a
4 history of, um, working in collaboration with the MLC
5 and the Office of Labor Relations in, ah, developing,
6 um, ah, amendments. We amended our rules in, ah, ah,
7 2018, um, and, ah, and in, in that situation we
8 worked with the, with OLR and, ah, and the MLC, and
9 we did the same here. Um, as an agency we met, um,
10 together with the executive staff and then, um, and
11 then we met, ah, and collaborated with both the MLC
12 and OLR in, ah, coming up with the amendments that,
13 ah, you have before you today. And, um, I think I
14 speak with, for all, ah, three of us in saying that
15 we think that the amendments that we've come up with
16 address, um, the issues that, ah, that we need to,
17 with respect to the Janus decision and the Taylor Law
18 amendments.

19 CHAIRPERSON MILLER: Thank you so much.
20 And, and, and Counselor Roach, um, could you speak
21 specifically to the number of members, ah, that were
22 lost, um, throughout the district council, um,
23 because of the Janus decision? Do you have a
24 specific number?
25

1
2 ROBIN ROACH: Ah, well, well, well, Mr.
3 Chairman, I can. Um, with regard to that, in June
4 2018 when the Supreme Court decision came down we had
5 in our records, um, some 7000 or so agency fee shop
6 payers. So that was a, a new immediate, ah, hit to,
7 um, the union on that day, that, that fateful day.

8 CHAIRPERSON MILLER: Right.

9 ROBIN ROACH: So that, that's the number.
10 But we have worked very much to reduce that number.
11 Um, of course with new employees coming in, um, we do
12 not get, if we don't get the opportunity to address
13 those employees they're not able to be resigned. So,
14 you know, it fluctuates. But I can tell you on that
15 very day it was around 7000.

16 CHAIRPERSON MILLER: So I, I would
17 suspect that during, obviously, ah, COVID, ah, the
18 normal, ah, introduction, ah, the, the normal, ah,
19 new member orientation process does not occur. Ah,
20 so how, how, how does the union then, um, coordinate,
21 um, with the new member and, and, and, and really
22 have an opportunity to espouse the virtues, ah,
23 belonging to the district council and belonging to a
24 union?
25

1
2 ROBIN ROACH: So in 2018, um, the
3 legislature also included a provision that required
4 employers to immediately, um, notify the union of the
5 new employees that are coming on board. And, yes,
6 the onboarding process through COVID, ah, 19 has been
7 difficult. However, we've had our successes at the
8 larger agencies where they're able to coordinate, um,
9 matters, or coordinate the onboarding of employees
10 and have been given the union the opportunity to
11 orient, ah, employees as to the benefits of joining
12 the union. Um, it is at the smaller agencies where
13 there have been difficulties and there are quite a
14 number of them. And, of course, um, we're not 100%,
15 ah, successful at the larger agencies where, um,
16 [inaudible] orientation is more structured.

17 CHAIRPERSON MILLER: Um-hmm.

18 ROBIN ROACH: So we've had that
19 opportunity. And I also want to mention that we were
20 able to, um, in collective bargaining address that as
21 well. So we have kind of the belt and suspenders
22 model here. Ah, the, the law, ah, the new civil
23 service law, as well as in our own, ah, collective
24 bargaining agreement, where an employer, um, has
25 agreed to provide us with information in, in a

1 certain, in a more timely fashion than they did
2 prior.

4 CHAIRPERSON MILLER: That's, that's good.

5 Ah, I'm, I'm glad that the, the admin at the city
6 sees the value in an organized workforce. Um, have,
7 have, have those members that have not, ah, joined
8 the union and, and those who perhaps, ah, were a part
9 of the union that are no longer, ah, dues-paying
10 members of the union, has, has that had an impact on,
11 on the diminishment of, of, of benefits or, and let's
12 say when you, ah, um, ah, in negotiations at, at
13 whatever level, whether it's the city, whether it's a
14 benefit provider or, or whatever, um, do you take
15 into account, ah, services delivered for, for each
16 member? Obviously in this case, um, ah, they are,
17 they are included in, in doing so. But is there a
18 way where, ah, and during collective bargaining, um,
19 and, and, and the regular benefit package, but is
20 there a way to, ah, ah, quantify, um, the exact
21 course, um, that is being launched and/or is, does
22 that somehow diminish the value of benefits being
23 received or delivered on behalf of the union, because
24 of the loss of, of revenue generated, ah, through
25 dues collection?

1 ROBIN ROACH: Ah, well, of course there's
2 been a financial, um, hit. Um, however, in terms of
3 diminution of benefits provided and our ability, ah,
4 our force at the bargaining table, that has not
5 diminished because we're still representing 125,000.
6 That, that, you know, we're still speaking on behalf
7 of 125,000 workers. And we view them as workers.
8 And, and people that, if we are able to garner the
9 benefits we can demonstrate to them the benefit of
10 being in the union, what is the value that the unions
11 adds to, to, um, any given employee. Ah, we have
12 done a number of things, though, ah, Mr. Chairman.
13 We've not stayed flat-footed. We do have, you know,
14 union Thursdays, for example, where we go out to a
15 particular employer. It could be, ah, one of the H&H
16 facilities and we announce that we're coming this
17 Thursday, [inaudible] and, you know, come talk to us.
18 Ah, we have members who brought their friends in.
19 And, and I remember, ah, before we left 125
20 [inaudible] Street for its, um, refurbishing I, we
21 had brought in some people who were in administrative
22 titles and I saw a member walking in, like five of
23 his colleagues, to say, here, join the union, hear
24 what we have to say, hear what we do. So we do a lot
25

1 of that. We do a lot of member surveys. We
2 encourage members, do member-to-member sign-ups, so
3 that we've been very proactive with that, and it's
4 been very beneficial, especially when we put the
5 pedal to the metal. Of course it's been, um,
6 affected, um, by COVID-19 and our ability to move
7 around, but nevertheless we are making strides.

9 CHAIRPERSON MILLER: Have you, have you,
10 from, from a council, ah, committee standpoint, we've
11 seen, ah, the growth in, at least in the interest of
12 unions and, and, and organizing over the past two
13 years, considering, ah, the pandemic and, and, and
14 some of the treatment to, to the workforce that, that
15 folks founded [inaudible] that they, ah, organize
16 and, and become a union member to, to guarantee, ah,
17 some of the benefits that, that they weren't
18 enjoying. Um, was there a benefit, ah, ah, was there
19 an increase, ah, in at least interest, ah, over the
20 past two years by virtue of COVID-19?

21 ROBIN ROACH: Um, I couldn't necessarily
22 say that there's been an interest. I, I would say
23 that where we have had the opportunity to speak to
24 people, because they don't know, and even with a lot
25 of the people who came off of the payroll as agency

1 fee shop they were unaware what that meant. For a
2 lot of people it was, it says union, they don't know
3 A means agency fee or zero means you're a member.
4 They didn't know the difference. But when spoken to,
5 ah, by our, our, um, addressed by the unions, you
6 know, people, their interest was, you know, keen.
7 Ah, we didn't have, we do have people who are
8 interested in being a part of this, this organization
9 called a union.

11 CHAIRPERSON MILLER: OK. And, and, and
12 obviously specifically this, this addressed issues
13 like, ah, ah, arbitration, ah, um, representation,
14 and, and, and otherwise. Obviously that's
15 significant cost, ah, in legal services. Um, could
16 you speak to how, how this impacts that, ah, um, in
17 terms of having to represent or not represent, non-
18 represent, non-represented members, ah, during these
19 procedures?

20 ROBIN ROACH: Well, as Counsel Star, ah,
21 explained, um, for negotiated benefits, um, the union
22 owes a duty of fair representation to members,
23 nonmembers alike. Um, this particular legislations,
24 um, would give them, nonmembers, um, a benefit or,
25 um, looking at the, give them a little like

1 [inaudible] in the sense that if the unions, not
2 necessarily District Council 37, ah, because we do
3 have a very robust way of how we, um, determine
4 whether a case is meritorious and should go to
5 arbitration. And it isn't because of money, it is
6 really the way we view it. We negotiated this
7 contract and we look at it that every bad decision
8 takes away from the meaning of the language in the
9 contract. And every good decision heightens or
10 strengthens the language in the contract. So that's
11 where we believe in the exclusivity of the union and
12 our ability to determine whether something, whether a
13 matter should proceed to arbitration. But as he
14 explained, there, it's really only two finite areas,
15 areas, ah, in collective bargaining that is carved
16 out that would give a lot of leeway to, um, a
17 nonmember. And that is in, in the disciplinary
18 grievance process, ah, which, by the way, right now
19 any member of the bargaining unit could go from steps
20 one through three which are the intermediate steps
21 before you get to arbitration, the ultimate stop,
22 without the union. However, we have a right to be
23 present during those proceedings and to, um, give our
24 take on what the contract says and protect our
25

1 interests. These two positions that I'm talking
2 about are in disciplinary matters, where an
3 individual would have more at stake, let's face it,
4 and evaluation process, where the individual again
5 has a lot more at stake than, say, the union would in
6 such matters. And so I, I believe then this
7 legislation looks at it in a fair manner, fair to the
8 union and fair to the employee.

10 CHAIRPERSON MILLER: OK, thank you. And,
11 and, and that would be, for, for my colleagues and,
12 you know, and, and some of the lay folks in the
13 audience that, that, perhaps, ah, were saying that
14 where it would have unintended and, ah, ah,
15 consequences on the, on the larger bargaining unit,
16 ah, that, that the union deems it necessary for them
17 to participate, um, in the proceedings, ah, because
18 the decision could have dire consequences one way or
19 the other, want to make sure that it, ah, that their
20 resources are behind to make sure that it has a
21 positive, ah, influence. With, with, with that being
22 the situation, ah, kind of not necessarily et al but
23 it, it's something that is not just, it, it, it may
24 be about the individual, but the consequences are far
25 greater. The decision could be far greater than the

1 individual with the, the union then, ah, find its way
2 involved in, ah, that process as well.

3
4 ROBIN ROACH: Ah, yeah, that, that is
5 true, Mr. Chairman. We would, we would, um, of
6 course, um, again, protecting the contract, um, be
7 involved in any kind of process. But more, more than
8 likely, ah, this particular union does review a, a
9 matter to determine whether it should, ah, proceed to
10 arbitration or not, and we're, we don't believe that
11 this, this provision requires us to give up our
12 exclusivity.

13 CHAIRPERSON MILLER: Ah, that, that's
14 important. Thank you. Um, the colleagues, I, I
15 don't see any hands raised. Ah, Bianca, could you...

16 COMMITTEE COUNSEL: Yeah, got it. I got
17 this, yeah. Thank you so much for everyone for your
18 testimony in the first public panel. We're gonna
19 turn it over to council member questions. Um, I will
20 now ask if there are any more questions from council
21 members. As a reminder, if council members have
22 questions for a particular panelist please use the
23 raise hand function in Zoom at this time. OK. Let
24 me see. I don't see any. OK, seeing as there are no
25

1 questions, we're, I'm now gonna turn to our second
2 public panel. Oh, Steven Star, you had a question?

3 CHAIRPERSON MILLER: Yes.

4 COMMITTEE COUNSEL: OK, sure.

5 DEPUTY DIRECTOR STEVEN STAR: Not, not a
6 question, I just wanted to, um, make a point about,
7 um, a nonmember's right to proceed to arbitration or,
8 or through a grievance. Um, in our view we don't
9 think that this legislation gives them any greater
10 rights than anyone else. Um, in order for a
11 nonmember to proceed to arbitration, ah, that, the
12 individual would need the permission of the union,
13 and if the union did not give them that permission
14 then they could not proceed to arbitration on their
15 own. Um, the outcome in that sense is if the union
16 declined to proceed to arbitration that person could
17 bring a duty of fair representation case against the
18 union, like any member. But, um, but the person
19 could not go to arbitration unless the union
20 permitted them to do it. And so, um, so in our view
21 this doesn't give them any greater rights than any of
22 the existing members.
23

24 CHAIRPERSON MILLER: And, and, and for
25 you or, ah, Counselor Roach, if, if, if that

1
2 nonmember proceeded to arbitration who would incur
3 the cost?

4 ROBIN ROACH: Well, um, we, I think if a
5 member, or, I'm sorry, a nonmember wanted to proceed
6 to arbitration and bear his or her own costs, for
7 example, we have cases where a member where, where we
8 assign, the union assigns counsel to a matter, just
9 about any case that goes to arbitration for us,
10 counsel is assigned to represent the union, because
11 the party is the union. If we were to, ah, designate
12 or to assign, ah, our interests in a matter to a
13 nonmember that nonmember, this legislation allows the
14 union to, um, have the nonmember bear the cost of
15 such, of such an arbitration.

16 DEPUTY DIRECTOR STEVEN STAR: That's
17 correct. If the union elects to proceed, then the
18 union can pay for it. If the union, ah, gives the
19 member the ability to proceed on their own, then the
20 member would pay for it.

21 CHAIRPERSON MILLER: OK. Thank you. Um,
22 and, and, and I'm glad to see that, ah, that labor
23 and management are, are working cohesively on this
24 important issue 'cause clearly there's a lot to, ah,
25 agree to disagree about. But this is certainly not

1 one of them, that, you know, a strong organized
2 workforce is, is, is to the benefit of the city. We,
3 we normally preface it every, um, hearing that we do
4 here in Civil Service and Labor by saying that it is,
5 it is not, the, the members of the City Council, the
6 mayor, speaker, or any of the elected officials that,
7 that, ah, causes the 65 million, ah, tourist to come
8 in to New York City, but it is the New York City's
9 valuable workforce that keep us healthy, safe, clean,
10 and all of those things that the, the New York City
11 workforce does, ah, ah, that gives value to the city.
12 So I want to thank you both, ah, for your testimony,
13 um, and....

15 ROBIN ROACH: Thank you.

16 CHAIRPERSON MILLER: ...ah, and, and ask
17 that you hang around, 'cause we do have, ah, another
18 panel and some other questions coming up. Are there
19 any other questions, ah, Bianca? Otherwise, I see,
20 ah, the great Susie Lozada and, and others.

21 COMMITTEE COUNSEL: Um-hmm, yeah, United
22 100 members are here strong on the second panel. Um,
23 I don't see anymore council member questions. Um, so
24 we're gonna just move on to the second public panel,
25 if that's OK with you, Chair.

2 CHAIRPERSON MILLER: Absolutely.

3 COMMITTEE COUNSEL: OK. I would like to
4 now welcome Sussie Lozada to testify. After Sussie I
5 will be calling on Maria Veramendi, and then John,
6 John, I'm gonna apologize in advance. If you want to
7 just, ah, give us the pronunciation of your name, I
8 really am gonna botch this. So, John, can you just,
9 ah, pronounce your name for me?

10 JOHN PAPALABERIOUS: Ah, Papalaberious.

11 COMMITTEE COUNSEL: OK, John
12 Papalaberious.

13 JOHN PAPALABERIOUS: John Papalaberious.

14 COMMITTEE COUNSEL: Awesome, thanks so
15 much.

16 JOHN PAPALABERIOUS: [inaudible] that's
17 why [laughs].

18 COMMITTEE COUNSEL: Beautiful. Ah, OK,
19 Sussie, you may begin.

20 SERGEANT AT ARMS: Starting time.

21 SUSSIE LOZADA: Thank you so much. Um,
22 good morning Committee on Civil Service and Labor
23 Chair Daneek Miller, and all the City Council
24 members. Um, my name is Sussie Lozada and I'm the
25 secretary treasurer for United Here Local 100, New

1
2 York Food Service Workers Union. I'm excited to be
3 here today. With the background of food service
4 workers across New York City to testify in support of
5 Intro 2325. More than anything, COVID-19 have
6 brought home for each of us the sanctuary of live in
7 our collective. Responsibility for one another,
8 worker need this bill because the pandemic had kept
9 them out of work for longer than most of us had
10 predicted, predicting this. Many, however, already
11 faces or will soon face deadlines on the Right to
12 Recall to their jobs. With the rise of the recent
13 Omicron, [inaudible] variants of COVID-19 it seems
14 that the recovery will continue as long and uncertain
15 [inaudible] so we are not sure what will be
16 happening. As a city we need to reevaluate to what a
17 fair and just recovery look like. We must join over
18 a dozen city across the country that have already
19 passed hospitality worker recovery legislation.
20 Since at the start of the pandemic such bill have
21 passes in Los Angeles, Chicago, Washington, D.C.,
22 [inaudible], Philadelphia, and New Havens, among
23 others. We call for the passage of Intro 2325 and an
24 expansion of worker rights to include all full
25 service workers in New York City. The reason is

1 simple. Full service workers must be able to return
2 to their job when those job return. This is raising
3 an essential protection for thousand of workers most
4 of whom are black and brown New Yorkers, and the
5 majority of whom are women. United Here Local 100
6 members believe the [inaudible] justice is at the
7 hear of this issue. At a national level workers'
8 goals face higher rates of unemployment than white
9 workers. Black workers are twice as likely to be
10 unemployment as white workers. And Latino workers
11 are about one-and-a-half time as likely [inaudible].
12 The state with the highest rates of unemployment for
13 AAPI populations as 7.9% and Latino population at
14 10.7%. Working in hospitality industry has by far
15 faces the most job lost as any sector. Women and
16 people of color hospitality [inaudible] think to face
17 a compassionate segregation that keeps them in
18 service positions rather than managements or
19 financial jobs in the industry. This in-person for
20 service position represent two-thirds of pre-pandemic
21 in hospitality jobs, with nearly three-quarter of the
22 jobs lost during the pandemic, lost wages, lost hour
23 workers, laundry women, and people of color has been
24 continuing to [inaudible] in this difficult time. In
25

2 person, in food service has been slow to return and
3 many people continue to work from home.

4 SERGEANT AT ARMS: Time expired.

5 SUSSIE LOZADA: Most of the workers
6 cannot work from home. We make sure we do not allow
7 the pandemic to move us backwards and [inaudible] of
8 much of our hard-won progress. Please support Intro
9 2325. You will help us to move forward as we
10 continue to recover from the pandemic and continue to
11 struggle for the justice we all deserve. Thank you.

12 COMMITTEE COUNSEL: Thank you so much,
13 Sussie.

14 CHAIRPERSON MILLER: Thank you, Susan.

15 COMMITTEE COUNSEL: Thank you so much.
16 I'm going to now turn it over to Maria. Maria, you
17 may begin when the clock starts.

18 SERGEANT AT ARMS: Starting time.

19 MARIA VERAMENDI: Hello. My name is
20 Maria Veramendi. I work at the 21 Club on 5th Avenue
21 in New York City. I've been with the 21 Club for 11
22 years. I'm also the first woman who was hired as a
23 banquet captain at the 21 Club. [inaudible]
24 affecting me a thousand percent. I used to be able
25 to budget my funds properly. This has not only

1 affected me but my younger daughter also. I used to
2 be able to pay for her afterschool programs. My
3 daughter is 12 and I want to do my best to keep her
4 out of the trouble and have her in programs after
5 school. Currently me and my daughter lost our
6 benefits due to the 21 being closed. I'm doing the
7 best, but I [inaudible]. A lot of [inaudible] sorry,
8 I'm working as much as I can and still it's not
9 enough. My bills are more than \$700. I cannot
10 afford to live where I'm staying anymore but I also
11 can't afford to move because I will need three months
12 worth of rent. All the money I saved up is gone due
13 to the pandemic. I work three jobs right now. I
14 work for the UPS [inaudible] I work for the job
15 pages, then often send me to the jobs, I'm also work
16 other [inaudible] New York. I travel between two or
17 three hours to get to work. Working three jobs is
18 simple [inaudible] enough. None of these jobs offer
19 benefits. There was benefits, that's why they only
20 gave me two days. One [inaudible] should be enough
21 and when the 21 opens I just have to go back to work
22 like I never left. Please pass this bill so me and
23 my coworkers who also be, they are long time, go back
24
25

1
2 to work. We just want piece of mind that we have our
3 job back when they open. Thank you.

4 COMMITTEE COUNSEL: Thank you so much,
5 Maria. We're gonna now turn to John. John, you may
6 begin when the clock starts.

7 SERGEANT AT ARMS: Starting time.

8 COMMITTEE COUNSEL: You can start, John.

9 JOHN PAPALABERIOUS: Hi. My name is John
10 Papalaberious. Good morning. I'm in the restaurant
11 business for 53 years and a member of United Here for
12 100 from the start. The last 29 years, working in 21
13 was the highlight of my career. It's the place I
14 want to stay until I finally retire. It was my dream
15 job, my final destination. I developed many
16 friendships through, through the year with the
17 customers. They still contact me, even today after
18 almost two years out of work. They meant everything
19 to me. The restaurant shut down on March 14, 2020.
20 I worked the final Saturday night. I even served the
21 last party in the dining room. I've heard the story
22 about spending almost 30 years of my, of my career
23 and my life at 21 Club, and all my coworkers are
24 suffering. Our medical insurance expires in
25 September. The COBRA plan expired through the, the

1
2 rescue plan. The people are filing for Medicaid.
3 They're looking for part-time jobs. Personally, I'm
4 a recovering [inaudible] me and my wife are in
5 remission for the last four years and my insurance
6 run out in September. I'm without insurance right
7 now. Unfortunately, this bill does not [inaudible]
8 the restaurants in the recall plans. We ask you to
9 please include all the restaurants in the recall
10 rights. It was the hardest hit industry during the
11 pandemic and [inaudible] they left them out. We want
12 to return back to work. Please say yes to Intro
13 2325. Thank you.

14 COMMITTEE COUNSEL: Thank you so much,
15 John. I'm now gonna turn it over to Chair Miller for
16 questions, ah, for the panelists. Chair Miller.

17 CHAIRPERSON MILLER: OK. Thank you.
18 Thank you, ah, to those that have testified, ah, here
19 this morning. Um, ah, Sussie, ah, do you know how,
20 how many union members, ah, in the airport,
21 hospitality, and service workers, ah, were out? How
22 many by virtue of the pandemic? How many remain out
23 today, ah, that have not gone back to work?

24 SUSSIE LOZADA: So, um, as you know, we
25 represent New York and New Jersey. We represent

1 18,000 [inaudible] workers and right now we have, ah,
2 6000 [inaudible], ah, members working. Ah, in our
3 industry we have, and especially restaurant and food
4 service in New York City area, 8000-plus workers, um,
5 used to work in the area and right now, ah, it's only
6 6000.
7

8 CHAIRPERSON MILLER: OK.

9 SUSSIE LOZADA: But the fear is that we
10 have restaurants that opens, we have locations that
11 opens, but locations are not open at full capacity
12 and our members are highly concerned and not to be
13 recalled back to work.

14 CHAIRPERSON MILLER: So what, are, are
15 you saying that, that some restaurants have opened in
16 full capacity and, and they have not brought your
17 members back? They may have in some cases brought
18 back, ah, ah, new workers that are not, ah, organized
19 and/or, ah, who, who, ah, quite frankly cost less?

20 SUSSIE LOZADA: No, I'm not saying that.
21 I think that circumstances right now with COVID-19,
22 ah, have not been permitted restaurant and companies
23 to call the workers. [inaudible] we see is that the
24 few workers that they have been called has been doing
25 one, eh, the job for one or two people.

1
2 CHAIRPERSON MILLER: Of course, yeah.
3 Yeah, so, so, so, um, in your estimation, should they
4 have, ah, called back more than the amount of persons
5 that they have called back on the requirements of the
6 job, not just the fact that historically, as you
7 said, that this may be a job or a task performed by
8 multiple persons, more than one persons, ah, ah, but
9 from a health and safety standpoint, ah,
10 specifically, um, do you believe, ah, that they
11 should have and can, ah, have the ability and
12 capacity, ah, to call back more folk?

13 MARIA VERAMENDI: I certainly believe it.
14 Um, I think that all the [inaudible] experience of
15 our members would be very valuable for the companies.
16 So we have members that been, um, at work for 20, 10,
17 10, 20, even 30 years. Um, I understand the
18 circumstances that that's why we're saying as soon
19 the locations are open they should recall the
20 members. So it's, we, we need security for our
21 members, right? Ah, we need the workers who really
22 keep the economy going in New York City to have the
23 opportunity to return to work when, ah, the locations
24 are open at full capacity, all at the, at the time
25 that they've been opening.

1
2 CHAIRPERSON MILLER: Well, you, you, you
3 heard testimony from the administration about all the
4 work that they have done on behalf of small business,
5 in particular the restaurant, ah, and, ah, ah, and
6 other tourist industries here in, in, ah, New York
7 City, ah, to support them in a plethora of different
8 ways. Um, do you believe that that, that that has
9 been sufficient, ah, that there is more that the
10 admin can do, or partially as there's, you know, ah,
11 ah, folks kind of reaping the benefits of, of, of all
12 of the governmental, ah, support and services and not
13 necessarily reopening fully and not necessarily
14 supporting workers in the manner that they were
15 supported.

16 SUSSIE LOZADA: So what I believe is the
17 demonstration has been doing, ah, a good job in term
18 of helping to move the economic in New York City and
19 that demonstration taken in a step is supporting in a
20 certain way, ah, the workers, ah, through supporting
21 this, um, Intro 2325. And I'm sure that all the City
22 Council members who are part of the labor committee
23 and the whole City Council and [inaudible] because we
24 time to time go to restaurant and this our neighbors
25 and this, this worker [inaudible] the economic in our

2 neighborhood, so the morning that they [inaudible]
3 our neighborhood, within the district that City
4 Council member represent.

5 CHAIRPERSON MILLER: Agreed, agreed. Um,
6 are there any, ah, counselor, are there any questions
7 from the, ah, committee members.

8 COMMITTEE COUNSEL: I do not see any hand
9 raised, but I will remind council members if you have
10 questions for a particular panelist please use the
11 Zoom raise hand function. OK, seeing as there are no
12 question we are now concluding, um, our second panel
13 of testimony. But do you have any further questions
14 for the panelist, Chair, before we move on?

15 CHAIRPERSON MILLER: Ah, no, but Mr.,
16 where is Mr. Papalaberious?

17 JOHN PAPALABERIOUS: Yes.

18 CHAIRPERSON MILLER: I, I just wanted to
19 say it 'cause I knew I was gonna get it right,
20 Papalaberious, right? So, um, you said that you
21 spent more than 21 years at, at, at, at, ah, at 21?

22 JOHN PAPALABERIOUS: 29 years.

23 CHAIRPERSON MILLER: 29 years, wow.
24 That, that's, that's an, an, an, an entire career,
25 ah, that, that most folks would have had.

2 JOHN PAPALABERIOUS: I'm only 53 years.

3 CHAIRPERSON MILLER: And, wow, more, more
4 than half of your, significantly more than the half
5 of your adult life, ah, your life. Um, and, and,
6 and, and so all of your, ah, your benefits, ah, have
7 expired to this point here, including the health
8 care.

9 JOHN PAPALABERIOUS: Yes.

10 CHAIRPERSON MILLER: Ah, unemployment
11 insurance.

12 JOHN PAPALABERIOUS: Yes.

13 CHAIRPERSON MILLER: Ah, ah, and, and...

14 JOHN PAPALABERIOUS: But we are
15 [inaudible] we haven't received a penny from, ah, 21
16 Club money at all. We haven't received any help at
17 all whatsoever.

18 CHAIRPERSON MILLER: Not, not, nothing
19 from the, from, from the employer at all?

20 JOHN PAPALABERIOUS: No.

21 CHAIRPERSON MILLER: So all your benefits
22 came from the government...

23 JOHN PAPALABERIOUS: Yes, from the rescue
24 funds.

2 CHAIRPERSON MILLER: ...[inaudible] yeah,
3 and, and you obviously, ah, you, you talked about
4 your health insurance, um, which has expired, ah,
5 ah...

6 JOHN PAPALABERIOUS: [inaudible]
7 recovery, ah, recovered the tax [inaudible] right now
8 so...

9 CHAIRPERSON MILLER: And, and...

10 JOHN PAPALABERIOUS: And even my wife
11 [inaudible].

12 CHAIRPERSON MILLER: Are you using COBRA
13 now, COBRA?

14 JOHN PAPALABERIOUS: No, we don't
15 [inaudible].

16 CHAIRPERSON MILLER: Or has COBRA expired
17 as well?

18 JOHN PAPALABERIOUS: It's expired, yeah.

19 CHAIRPERSON MILLER: That was, ah,
20 additional six months?

21 JOHN PAPALABERIOUS: September 30,
22 September 30.

23 CHAIRPERSON MILLER: And, and what are
24 your next steps in turn, obviously you need health
25 insurance.

1 JOHN PAPALABERIOUS: Yes. I was, I was
2 hoping that with the call back to work, you know.

3 CHAIRPERSON MILLER: Yeah. Ah, but
4 because you had these pre-existing conditions and,
5 and obviously find yourself particularly vulnerable
6 during the pandemics, um, you know, we, we have to
7 make sure that, that, that you have health insurance.
8 That's important. Obviously the city, ah, has, has,
9 has really done its due diligence in, in making sure
10 the we are providing, ah, health insurance to those,
11 ah, who, who are most vulnerable, those who, ah, who
12 need it most. So, um, ah, offline, ah, I'm sure
13 whether it's, it's your member or my office can
14 assist that, can assist there, ah, as well, so, ah,
15 please keep it in mind.

16 JOHN PAPALABERIOUS: [inaudible].

17 CHAIRPERSON MILLER: You know, that, that
18 we can reach out as, as well. Um, I want to...

19 JOHN PAPALABERIOUS: That's why, that's
20 why I [inaudible] for us, you know, for the, for the
21 Intro 2325 to pass, you know...

22 CHAIRPERSON MILLER: Yes.

23 JOHN PAPALABERIOUS: ...because it's
24 affecting not all the members, ah, a lot of the
25

1
2 members are fighting for Medicaid and are looking for
3 part-times jobs, and I tried to work part-time jobs
4 to, to helping pay for the bills, you know.

5 CHAIRPERSON MILLER: Absolutely.

6 JOHN PAPALABERIOUS: So it's very
7 important to us for, for the plan to go through, you
8 know, because the restaurants are most affected by
9 the, in the industry, like any other industry, you
10 know. We're in the pandemic [inaudible] industry.

11 CHAIRPERSON MILLER: Absolutely.

12 JOHN PAPALABERIOUS: So it's extremely
13 important for us for this law to pass.

14 CHAIRPERSON MILLER: So the question is,
15 is your restaurant is, is not open at all, has it?

16 JOHN PAPALABERIOUS: No, no, they haven't
17 reopened.

18 CHAIRPERSON MILLER: OK.

19 JOHN PAPALABERIOUS: They, they never
20 reopened in any level, you know, ah, the 25%, the
21 75%, they never opened.

22 CHAIRPERSON MILLER: Yeah. Do, do we, do
23 we know from the union perspective if they have any
24 intent to reopen and, and what would be the process
25 in terms of the union? Do you have a, ah, employment

1 roll based on seniority or whatever that you can send
2 them to some other, ah, restaurants?

3
4 SUSSIE LOZADA: We...

5 JOHN PAPALABERIOUS: They haven't
6 responded to us.

7 SUSSIE LOZADA: We have...

8 JOHN PAPALABERIOUS: They haven't
9 responded to us at all.

10 SUSSIE LOZADA: So we, we are not when
11 they will be opening. That's why we don't know when
12 the rest of the restaurant will be opening. That's
13 why we're saying that the restaurants and the
14 different company open they should recall the
15 workers.

16 CHAIRPERSON MILLER: Agree, ah, agree.

17 So we, we have to figure who gets back to work and,
18 and in the interim so is, is, is the procedure, ah,
19 those, whatever company you were working with you,
20 you go back there. If there's any new companies come
21 on line, that come on line, is the a procedure for,
22 ah, displaced workers within the union to, to man
23 those new positions?

24 SUSSIE LOZADA: Well, remember that we
25 passed the, ah, worker retention...

2 CHAIRPERSON MILLER: [inaudible]

3 SUSSIE LOZADA: ...[inaudible], ah, that
4 will apply, but in this situation which is
5 [inaudible] the pandemic...

6 CHAIRPERSON MILLER: Right.

7 SUSSIE LOZADA: It's, ah, different,
8 [inaudible] bargaining, yes, we have, ah, one year,
9 six month in some places, three months in other
10 places by bargaining, ah, to Right to Recall, right?

11 CHAIRPERSON MILLER: Right.

12 SUSSIE LOZADA: But let me [inaudible]
13 over a year.

14 CHAIRPERSON MILLER: Yeah.

15 SUSSIE LOZADA: And that's why we need to
16 have some security for the workers that go beyond,
17 um, bargaining.

18 CHAIRPERSON MILLER: OK.

19 SUSSIE LOZADA: [inaudible] it, trying
20 to, to bargaining with different companies which
21 [inaudible] extensions, ah, [inaudible].

22 CHAIRPERSON MILLER: Ah, Sussie, ah, do
23 you representing workers in the airport industry, any
24 workers in the airport industry?

25

1
2 SUSSIE LOZADA: [inaudible] we represent,
3 ah, the concession workers at the airport, and we
4 also represent the, ah, airline Kennedy workers.

5 CHAIRPERSON MILLER: Ahah.

6 SUSSIE LOZADA: Yes.

7 CHAIRPERSON MILLER: Have they returned
8 to work?

9 SUSSIE LOZADA: They have been slowly
10 returning to work. There are not at full capacity.
11 Um, so [inaudible] have a bigger number back to work
12 and it's [inaudible] has been rehiring the workers as
13 new because, um, based on bargaining they have only
14 30 or 60 days...

15 CHAIRPERSON MILLER: Ahah.

16 SUSSIE LOZADA: Ah, so that's why it's,
17 again, really important that Intro 2325 pass.

18 CHAIRPERSON MILLER: So industries such
19 as the airport and airline industry that has
20 significantly benefitted from government dollars
21 have, have, not necessarily, ah, ah, done right by
22 workers and, and it is important that, ah, this
23 legislation supports workers, um, getting back to
24 work, because industry in some cases aren't doing the
25

1 right thing. Ah, thank you, Sussie. Thank you,
2 John. Thank you, Maria.

3 JOHN PAPALABERIOUS: Thank you.

4 UNIDENTIFIED: Thank you.

5 JOHN PAPALABERIOUS: A big thank you.

6 CHAIRPERSON MILLER: Your testimony...

7 UNIDENTIFIED: Thank you.

8 CHAIRPERSON MILLER: Do we have another
9 panel?
10

11 COMMITTEE COUNSEL: Chair, I'm now going
12 to, um, make an announcement. Um, specifically I'm
13 going to call on Joel Herrera. Joel, I'm not sure if
14 you have registered to give testimony, and if you
15 would like to now, um, we can, I'm gonna allow you to
16 talk if you want to let us know if you want to
17 provide testimony. Can you unmute yourself? OK, I
18 guess Joel does not want to give testimony. All
19 right. Um, if I have inadvertently missed anyone
20 that has registered to testify today and has yet to
21 have been called on, please use the Zoom raise hand
22 function now and you will be called in the order that
23 your hand has been raised. So, Joel, if you want to
24 give testimony please use the raise hand function.
25 If you don't raise your hand then I'm assuming you

1 don't want to give testimony. All right. Assuming
2 there is no more testimony I'm going to turn it over
3 to, ah, Chair Miller, for closing remarks. Chair
4 Miller?
5

6 CHAIRPERSON MILLER: Thank you. Thank
7 you so much, Bianca. I want to thank the members of
8 the committee for their indulgence in this important
9 hearing. Ah, we have worked really hard to ensure
10 that workers are retained, that they get back to
11 work. As we said before, it is the workforce in New
12 York City whether it is our municipal workforce or it
13 is our private workforce that gives the city value
14 and makes 65 million out-of-towners want to come to
15 New York and relocate in New York and spend that
16 dollars in New York City because of the work that you
17 do, the value that you add to the city is incumbent
18 upon us to ensure that we recognize those critical
19 services that are being delivered by New York City's
20 workforce and that we support this workforce with,
21 ah, whatever resources that we have and that we can
22 within our, ah, legal and, and, ah, ah, and other
23 responsibilities to ensure that we're protecting
24 workers. I hope that we have done so. I look
25 forward to the passage of 2325 and, and certainly,

1
2 ah, ah, my legislation, 2454, and as well, ah,
3 excited about supporting workers. I want to thank
4 those who testified, ah, from the administration,
5 from the union, ah, look forward to working with you
6 all, ah, and the very short period that, time that we
7 have left in this legislation, legislative session
8 and my tenure here, ah, also I believe that we have
9 one more upcoming hearing. Ah, I want to say that,
10 ah, with my, ah, eight years as the chair of the
11 Committee on Civil Service and Labor it has been my
12 honor and pleasure and, and privilege, um, to sit as
13 chair and support workers. Um, had the honor and
14 pleasure working with many of, of you over those past
15 eight years and I know that you all know that, that,
16 ah, our work continues, whether we're sitting here or
17 someone else that's a struggle on behalf of workers
18 continuing and I will stay here with you. So with
19 that, ah, once again, thank you to the members of the
20 Committee on Civil Service and Labor who were here
21 this morning. Thank you all for joining us, and this
22 hearing is now adjourned. [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 December 17, 2021