



Dawn M. Pinnock
Commissioner

Beatrice Thuo
Executive Deputy Commissioner

New York City Council Committee on Civil Service and Labor
Introduction 877-A Hearing Testimony
Wednesday, May 31, 2023

Good morning, Chair De La Rosa and members of the Committee on Civil Service and Labor. I am Stella Xu, Assistant Commissioner for Human Capital at the Department of Citywide Administrative Services (DCAS). I am joined today by my colleagues Silvia Montalban, DCAS's Chief Citywide Equity and Inclusion (CEI) Officer as well as Brian Geller and Zachary Lider at the Office of Labor Relations (OLR).

On behalf of DCAS, I want to thank you for the opportunity to testify here today and delve into the important work that we have been doing to retain our city's most valuable asset: our municipal workforce.

At DCAS, we successfully launched our first exit survey eight years ago in 2015. The survey was then updated in 2018. The results are aggregated at the citywide level and if an agency has more than 30 responses, it receives an agency specific report.

While the surveys are voluntary for employees, DCAS works with their agencies to ensure participation. Those efforts include providing email templates for both initial notification about the survey and subsequent reminder to complete the questionnaire, discussions with agencies about the importance of their employees taking our workforce surveys during compliance meetings and sharing best practices.

In the analysis of survey results for FY22, we found that overall, nearly 80% of departing managers are satisfied with their experience working for the city, and some three-quarters of them are satisfied with their experience working for their respective agencies. The top two responses given as a reason for their departure were a better job opportunity (at 29%) and retirement (at 27%).

In the area of EEO, pursuant to Local Law 101 of 2018, DCAS is required to develop a Climate Survey to examine how familiar employees are with the City's EEO policy, including supervisors and managers; and gauge employees' awareness of their rights, responsibilities, and protections related to workplace discrimination, harassment, and retaliation, including the resources that are available to address these issues. The results also serve to further the planning and development of enhanced resources, trainings, programs, and initiatives. Participation in the survey is both voluntary and designed to preserve an employee's anonymity. Following the first release of this survey in 2018, CEI created a one-page document titled "*EEO Complaint Process at a Glance*" to provide information to all City employees on how to file an EEO complaint and make them aware of the EEO investigation process.

In 2020, the number of respondents who indicated they were familiar with the City's EEO Policy increased from 92% to 96%. DCAS will be conducting the next Climate Survey in July 2024, then every four years thereafter.

Additionally, every year, CEI submits a summary of complaints filed with City agencies for violations of the EEO policy to the Equal Employment Practices Commission.

With respect to Introduction 877-A, we look forward to discussing with the Council refinements to the text of the bill that will promote the effective use of exit surveys of City workers leaving their agencies.

The City remains committed to ensuring that we have a municipal workforce that is ready and eager to serve our fellow New Yorkers. Part of Mayor Adams' overall plan to fortify our workforce includes our NYC Government Hiring Halls, such as the one we co-hosted with Chair De La Rosa in her district last month. The Hiring Halls enable agencies to meet, screen, and interview job candidates, and potentially make conditional offers on the spot. To date, we have hosted 10 hiring halls, visited all five boroughs, and made almost 1,500 conditional offers. These Hiring Halls will continue to be hosted in various sites throughout the City on a weekly basis between now and the end of June. DCAS is also participating in an interagency working group tasked with reviewing the City's pre-hiring and onboarding processes to shorten cycle times experienced by candidates.

Please allow me to again thank the Council for the opportunity to testify today. We look forward to working in partnership with the Council and its Civil Service and Labor committee to accomplish these goals. I am happy to now take any questions the committee may have in relation to the role of DCAS in the exit survey process.

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□ **ALBANY OFFICE:**
946 Legislative Office Bldg.
Albany, NY 12247
Phone: (518) 455-2529
□ **DISTRICT OFFICE:**
74-09 37th Ave., Ste. 302
Jackson Heights, NY 11372
Phone: (718) 205-3881

To: New York City Council Members
From: State Senator Jessica Ramos, Chair of the Senate Labor Committee
RE: New York City Council's Nail Salon Minimum Standards Act Resolution at Civil Service
and Labor Committee Hearing
Date: 31 May 2023

My name is Jessica Ramos. As a New York State Senator, I represent the Queens neighborhoods of Corona, East Elmhurst, Jackson Heights, and parts of Elmhurst. As chair of the Senate Committee on Labor, I proudly prioritize the rights of my diverse working-class constituents, who are often forgotten yet continue to deliver essential services in all five boroughs of New York City.

Among the many industries in our state, the nail salon industry experiences inadequate standards set by low road employers. Employers who want to do the right thing by following the law and treating their workers with dignity and respect are put at a competitive disadvantage by those who care the least about their workers. A worthy example is the minimum wage. In 2020, the Department of Labor and Governor's Office decided to end the tipped minimum wage for nail salon workers, a step in the right direction. However, the New York Nail Salon Workers Association concluded in "One Fair Wage Denied: Chasing Compliance in NY's Nail Salon Industry" that in April 2021, 76% of workers surveyed were paid less than the minimum wage throughout the state. This amounts to an estimated loss of over \$6 million annually in unpaid wages for these workers. These numbers represent the livelihoods of hardworking New Yorkers who contribute to the growth and prosperity of the state.

Furthermore, the existing standards for worker protection in nail salons are insufficient to foster a safe workplace. Employees are often subjected to hazardous working conditions, including prolonged exposure to toxic chemicals, inadequate ventilation, and a lack of proper safety equipment. Conditions such as these pose serious health risks, not only for the workers but also for the customers who frequent nail salons.

My proposed bill, S1800, represents a crucial step towards rectifying these existing injustices. This legislation seeks to establish a clear framework of minimum standards that all nail salons must adhere to in pursuit of a more sustainable business model for employers and better

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standards for workers. A minimum standards council for the nail salon industry will negotiate minimum standards around health and safety, working conditions, scheduling, wages, and more. Along with this, a minimum pricing committee will be established to help recommend pricing model standards to eliminate wage theft and make it harder for low road employers to break minimum wage laws.

The implementation of the Nail Salon Minimum Standards Act is an investment in the well-being of our communities and the sustainability of the nail salon industry. Together, we can create an environment where workers' rights are protected and every worker is valued.

Sincerely,



Jessica Ramos
State Senator, SD 13



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Executive Vice President

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STUART SALLES
Legal Counsel

**“Exit Surveys For Resigning and Retiring Employees of City Agencies:
Int 0877-2023 Version A”**

**New York City Council
Civil Service and Labor Committee Hearing**

Wednesday, May 31, 2023

10:00 am

**Council Chambers
City Hall, New York, NY**

Good morning, Madam Chair Carmen De La Rosa, Committee Members and all attendees,

I am Darrell Sims, R.A., President of the New York City Managerial Employees Association (MEA) and with me is Alice Wong, the Executive Director of the MEA. We would like to thank the Committee for providing us with the opportunity to testify on behalf of the 16,000 NYC managerial and confidential employees which include MEA members.

After a 39-year tenure working at the Department of Housing Preservation and Development (HPD) and completion of the *HPD Retiree Exit Interview Questionnaire*, I retired on January 1, 2020. Elected as MEA President, I commenced my term on January 1, 2022. Based on my experience and from information expressed to me by the Executive Board and our members, the MEA supports Intro 0877-2023 Version A which requires exit surveys for resigning and retiring City agency employees.

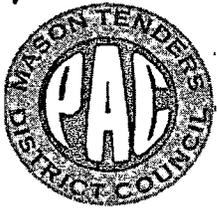
An exit survey would provide a forum for resigning and retiring employees to uninhibitedly express their perspectives and opinions regarding their employment at a particular agency. Adverse actions, unfair treatment and discrimination complaints could be revealed and detailed by departing employees in these surveys without the threat of repercussions and retaliation by supervisors and/or agencies. Information from exit surveys could be used by the Department of Citywide Administrative Services (DCAS) and the Commission on Human Rights to address detrimental actions and adversarial circumstances that have affected departing employees.

Additionally, positive and favorable employee remarks regarding particular subject matter in exit surveys could be shared through DCAS with agencies as examples to take into consideration for improving policies, operations and workplace conditions. It is anticipated that exit surveys will serve to identify conditions that require upgrades and improvements to make City government more attractive for those seeking employment and at the same time to enhance the work-life experience for the retention of the existing workforce.

Respectfully submitted,

Darrell L. Sims
President

Alice Wong
Executive Director



**MASON TENDERS' DISTRICT COUNCIL OF GREATER NEW YORK
POLITICAL ACTION COMMITTEE**

AFFILIATES

**MASON TENDERS
DISTRICT COUNCIL OF
GREATER NEW YORK
& LONG ISLAND**

**GENERAL BUILDING
LABORERS LOCAL 66**

**ASBESTOS, LEAD &
HAZARDOUS WASTE
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LABORERS LOCAL 79**

**LABORERS
INTERNATIONAL UNION
OF NORTH AMERICA**

**266 WEST 37TH STREET
7TH FLOOR
NEW YORK, NY 10018**

**TEL: (212) 452-9500
FAX: (212) 452-9599**

**E-MAIL:
MASONTENDERSPAC@GMAIL.COM**

Testimony of

Michael J. McGuire, Director

Mason Tenders' District Council of Greater New York PAC
before the Committee on Civil Service and Labor

RE: Res 0547-2023

***A Resolution calling upon the New York City School Construction Authority (SCA)
and the New York City Department of Design and Construction (DDC) to
reconsider their decision to substitute precast concrete wall panels in place of
traditional handset brick and block walls in public projects in New York City.***

Good morning Chairwoman de la Rosa and distinguished committee members. My name is Mike McGuire and I am the Director of the Mason Tenders District Council of Greater New York & Long Island Political Action Committee. The Mason Tenders' District Council represents 17,000 members of the Laborers' International Union of North America working as members of five local unions. These workers included highly-skilled Construction Craft Laborers; asbestos, lead and hazardous waste remediation specialists; recycling plant and private sanitation laborers; and high school teachers in the Brooklyn and Rockville Center dioceses.

In these difficult economic times, its hard to fathom the thought processes of some city agencies and state authorities. It often seems as if the left hand has no idea what the right hand is doing. Just five weeks ago, Mayor Adams' Executive budget revealed outyear gaps of \$4.2 billion, \$6 billion, and \$7 billion in fiscal years 2025 through 2027, respectively. And just four weeks ago, Bloomberg News reported that the city is spending \$8 million dollars each day on much needed relief for the asylum seekers we have so proudly embraced.

Yet, the state authority charged with building our schools and the New York City agency charged with constructing other public edifices seemingly have chosen to use construction methods that not only cost more in the construction phase, but also undermine local area standards on construction wages and benefits, potentially eliminate local manufacturing jobs in our communities, and have severely deleterious effects on the environment.

The use of pre-cast masonry panels does all of these terrible things in one fell swoop, but despite their harm, are seemingly lovingly embraced by the bureaucrats at the SCA and DDC. Studies have shown that the use of these panels cost the agencies between 1% and 3% more than traditionally handset brick and block. Deficiencies and inaccuracies in the manufacturing of the panels can cause major delays on projects. And these panels are generally manufactured out of state, or even outside the country, undermining wage standards of New York City construction workers.

First and foremost is job loss. The Bricklayers and Allied Trades have determined that the use of precast panels over hand-set brick and block eliminates about 40 bricklayer's jobs on each

school building. Using a 2-to-1 ratio of Mason Tenders to Bricklayers, that costs approximately 20 Laborer's jobs per school building as well. Those 60 tradeswomen and tradesmen are replaced by approximately 6 workers.

Despite the number of jobs being reduced to just 10% of the traditional workforce, as stated studies show that it still costs 1% to 3% *more* to use precast panels instead of hand-set brick and block. Part of this surprising near cost parity is the scale of construction. It may be cost effective to have a crane on site to install precast panels on a 10 or 20-story or even greater building, but most SCA and DDC projects are much smaller. 79.5% of all Department of Education buildings do *not* have elevators, speaking to the low-level nature of the structures. Economically, it just doesn't make sense to have a rented crane sitting on site for such low-level buildings with—due to their size—relatively few precast panels to install.

When it comes to the non-construction workforce, the effects can be equally disastrous. As hard as this may be to believe, there is one, and only one, block manufacturer left in New York City: Glenwood Masonry, located in East Flatbush. It's an honorable company that treats its workforce well and with respect. I've visited their plant several times over the last year and have spoken to quite a few of the workers, and they all seem happy and content to be working for Glenwood.

Glenwood is a certified MWBE (third-generation family owned, run by a woman). They employ about 80 people at middle-class wages. The vast majority of their employees are Black or brown. Since the SCA implemented their precast panel policy several years ago, Glenwood's sales have decreased approximately 30%. Glenwood may have to layoff dozens of their local employees. Such layoffs would lead to economic hardship in the Brooklyn neighborhood where the plant is located. A workforce of almost a hundred people earning middleclass wages adds a tremendous amount of support to the local businesses.

As far as the environmental impact, these panels can be highly problematic. The manufacturing process for Portland cement is a huge polluter. According to the United States Environmental Protection Agency, the cement industry is the third largest industrial source of pollution in America. Cement plants are a significant source of sulfur dioxide, nitrogen oxide and carbon monoxide, leading to such deleterious effects as lung diseases including asthma, bronchitis and emphysema; and adverse effects on the cardiovascular and central nervous systems; further, the manufacture of high-strength cement is also the primary contributor to acid rain. Unfortunately, in today's world, there is no viable alternative to concrete. We cannot eliminate the use of concrete, but we can minimize the impact by the promotion of smart policies.

Of course, we use plenty of Portland in the traditional processes, but the pre-cast masonry panels require a greater amount of cement, and that cement needs to be high-strength due to issues of axial and shear forces, tensile strength, et cetera. Precast masonry panels can be as large as 40' long and 20' high, which creates a massive flat plane for the forces of wind and weather to distort. This is what causes the requirement for higher-strength concrete. High-strength cement is more harmful to the environment to manufacture than standard Portland cement.

Further, these panels are being shipped hundreds—if not thousands—of miles to New York City from a handful of manufacturers in Pennsylvania, Ohio and Canada. Once they arrive on-site in New York City, a crane has to be on-site as well to fly them into place, causing massive traffic disruptions to the local communities.

Glenwood Masonry—the one remaining block manufacturer—is very proactive on the environmental front. Two major initiatives they have undertaken, at their own cost and without any kind of legal mandate, are they installed a carbon-sequestration system at their plant. The process begins when a carbon capture system is installed in the flues of buildings. The system captures the carbon before it is released into the atmosphere. The captured carbon is compressed and shipped to Glenwood, where it is then entrained into the concrete being used to manufacture the blocks, thus eliminating the carbon from the atmosphere forever.

The second big initiative is they use recycled glass, crushed into a powder, as some of the aggregate in the blocks. At Glenwood, up to 20% of the makeup of any particular block is recycled glass. As the political representative for Recycling Plant and General Industrial Laborers' Local 108 I can definitively state there are very few markets for recycled glass in the US due to prohibitive costs. According to The North American Insulation Manufacturers Association, only 3.3 million tons of glass get recycled in the US annually (and this number includes intact bottles returned for the bottle deposit), while two and half times as much, more than 7.5 million tons, end up in landfills.

From what we can tell, the two agencies began using more precast panels in 2018, and very rapidly expanded their use, to the point that more than 70% of SCA school buildings are constructed with them today, just five years later. This rapid expansion was seemingly done with no eye to cost, no eye to the environmental impacts, and no eye to the economic impact on the city as a whole. It's five years later and the agencies have not conducted any fiscal impact studies or studies into the efficacy or safety of the use of these panels. What these agencies don't seem to realize is they don't exist in a vacuum. Every decision they make results in an impact on other parts of New York City. Perhaps in this case, some petty bureaucrat realized he could go home thirty minutes earlier each day, or maybe it's something even more nefarious. We have to ask, why would agencies tasked with improving our infrastructure proactively and unilaterally choose processes that undermine workers and honest businesses and that are so harmful to our great city? It's almost as if the SCA and the DDC take delight in watching the economic dominoes of New York City fall one after another. Perhaps this should have been a joint hearing with Oversight and Investigations?

On behalf of the 17,000 members of the Mason Tenders District Council of Greater New York and Long Island, not the least of which are the hardworking men and women of Construction and General Building Laborers' Local 79—many of whom are employed as mason tenders on traditional hand-set brick and block work, we fully support Resolution 0547-2023. For more information, or to discuss this matter further, please contact me at 917-681-0401 at your convenience.

Respectfully submitted,
Michael J. McGuire
May 31, 2023



New York State Concrete Masonry Association

347 McKennan Road, Frankfort, N.Y. 13340

CMU Producer Members

Anchor, an Oldcastle Company
Barrasso & Sons, Inc.
Colonie Block
Cranesville Block Co., Inc.
Dagostino Building Blocks, Inc.
Glenwood Mason Supply Co. Inc.
& Superior Block Corporation
Kingston Block and Masonry
Montfort Bros., Inc.
Oneonta Block*Duke Concrete
Palumbo Block Company, Inc.
Phelps Cement Products, Inc.
Southern Tier Concrete Products, Inc.
Taylor Concrete Products, Inc.
Unilock, Inc.
Zappala Block Co.

Associate Members

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Advance Testing Company, Inc.
Besser Company
CarbonBuilt
Cargill
CH Insurance
Columbia Machine, Inc.
Concrete Block Insulating Systems
Empire Blended Distributors
Federal White Cement Company
Finger Lakes Webs
Hohmann & Barnard, Inc.
Lanxess
Heidelberg Materials
Holcim
Lovell Safety Management Co., LLC
Norlite Corporation
Northeast Solite, Inc.
Pathfinders Systems/Tiger Machine
Quikrete – Spec Mix, Syracuse
St. Mary's Cement, Inc.
Solomon Colors
Superior Clay Corporation
Wire-Bond

Professional Members

School of Applied Technology,
Alfred State College

May 25, 2023

New York City Council
250 Broadway
New York, NY 10007

Members of the City Council,

My name is Nicholas Carparelli, and I am the Executive Director of the New York State Concrete Masonry Association (NYSCMA). NYSCMA is a trade association representing 15 concrete block manufacturers located across the Empire State, including Glenwood Mason Supply Company, Inc./Superior Block Corporation in Brooklyn, as well as several other manufacturers that also service New York City. In addition, we represent 25 Associate member companies whose products and services support the concrete block manufacturing industry. The majority of these Associate member companies are also based in or operate distribution facilities within the State of New York.

On behalf of the members of NYSCMA, I am writing to encourage The NYC School Construction Authority (SCA) to reconsider its decision to replace time-tested, locally manufactured hand-set concrete block and brick construction with pre-cast concrete panels.

SCA's decision to eliminate the use of locally manufactured concrete blocks and substitute a product manufactured out of state, and sometimes out of the country, will negatively affect jobs not only in the NYC Metropolitan area, but in other areas of the state where companies that service the city are located. The ripple effect will be felt in companies found state-wide that supply raw materials necessary for the manufacture of concrete blocks, potentially resulting in further job loss.

The decision to utilize pre-cast concrete panels in lieu of concrete block and brick also appears contrary to Mayor Adam's Executive Order No. 22. At a time when the Mayor is encouraging job development in New York City, the decision to use pre-cast panels rather than locally manufactured concrete block is not only sending jobs out of New York City to other states and Canada, but in some cases out of other areas of the Empire State as well.

Given these circumstances, we respectfully request that the SCA re-evaluate its decision to substitute pre-cast panels for hand-set brick and block on its future construction projects.

Respectfully,

Nicholas F. Carparelli

Nicholas F. Carparelli

Executive Director
NYS Concrete Masonry Association
315-254-0518
ncarparelli@nys-cma.org

To: NYC Council - Committee on Labor and Civil Service

From: Innis Layne, Field Rep., Bricklayers & Allied Craftworkers Local Union No. 1, NY

Date: May 31, 2023

Re: Support for Resolution 547 - 2023

Good Morning Councilmembers. My name is Innis Layne and I'm representing Bricklayers & Allied Craftworkers Local Union No. 1, NY ("Local 1"). Thank you for having us here today to testify in support of Resolution 547 of 2023 which urges the NYC School Construction Authority ("SCA") and the NYC Department of Design and Construction ("DDC") to stop using precast concrete panels instead of handset brick and block on their various construction projects.

I'm currently the Local 1 Field Representative for Brooklyn. Local 1 represents about 5,000 members in the masonry crafts; roughly 65% of our members live in the 5 boroughs of New York City and about 68% percent are people of color.

I'm a 20-year member of Local 1. Over the course of my career, I've laid brick on dozens of SCA projects all over the city.

Currently, as a Field Representative, I send bricklayers to work on various projects in Brooklyn and help ensure that our union contractors have a sufficient number of bricklayers to execute the work. I visit project sites on a regular basis to see how the work is progressing, to check-in with the union shop stewards and the foreperson and to resolve any issues on the job site. When a large project first mobilizes, there may be as many as 40 bricklayers needed. As the work progresses towards completion over several months, the contractor will begin laying-off bricklayers or reassigning them to the next project. My job is to keep as many of our members working -- whether it's for this contractor or another contractor -- for as long as possible.

Over the course of my career as a bricklayer, the change from handset block and brick to precast concrete panels has been devastating for our segment of the construction industry. Many high rises - buildings over 20 stories - started using precast concrete panels decades ago. The panels are expensive, but on a high rise a developer already has a crane in place and with 20+ stories, the economies of scale made the panels cost efficient. The result has been that bricklayers have mostly been replaced on high rise construction by prefabricated concrete panels made to look like brick facades.

For low rise buildings, panels were generally considered too expensive, so that is where most of our bricklaying work continued. Up until 2018, NYC SCA's new construction work - new schools, new gyms, additions and annexes -- was a significant and recurring portion of our portfolio of work. In any given year, the SCA is managing between 15 and 25 new construction projects which, historically, required anywhere between 600 and 900 bricklayers, annually, to execute. However, since 2019, it's clear that the SCA has all but abandoned the use of handset brick and block and the DDC has followed suit with 3 new community centers and 4 new borough based jails in the works that will all be built with precast concrete panels just in the past year.

We surveyed all the SCA new construction projects that required an exterior wall system, called a "veneer," that were in process after January 2019 to date and found that of 72 projects we identified only 7 of them - less than 10% -- were handset brick and block; 52 of them -- 72% -- were precast concrete panels; and 13 or about 18% used another alternate veneer called "rainscreen."

This decision to abandon handset brick and block and substitute precast concrete panels is devastating for the bricklaying industry and for employment in NYC. As the phase-out of brick and block has occurred over the 5 or so years, we have lost hundreds of union members for whom we no longer have work.

The precast concrete panels being used on these SCA projects are purchased by the SCA from manufacturing companies in Pennsylvania, Connecticut, Ohio and Canada. The local, New York City workforce necessary to install these panels is only a skeleton crew of a couple of ironworkers and an operating engineer. So instead of a New York City crew of 40 bricklayers and 15 mason tenders necessary to build a new school or addition - 65% of whom live in the 5 boroughs and 68% of whom are people of color -- the local crew to install the panels is only 3 - 4 workers. In a city where the Mayor and the Council are striving to build good middle class careers for our local workforce -- and particularly for people of color -- why has the SCA and the DDC adopted a policy of outsourcing our construction workforce to Pennsylvania and Connecticut?

We've asked the SCA and the DDC directly about this issue and both have claimed that there was no internal policy decision to change materials and no internal analysis of the use of various wall systems in past projects. Instead, the SCA has asserted that the decision to use concrete panels instead of brick and block was based on an individualized engineering decision for the project. With less than 10% of the projects using block and brick over the last 4 year period, this makes no sense.

Cost

Cost does not appear to be a factor in this switch from brick and block to precast concrete panels. A national analysis by RS Means in 2021 found that precast concrete panels were significantly more expensive than brick and block wall systems. Here in NYC, where wages and benefits for labor are higher than most markets in the country, the difference between the costs of the wall systems narrows to about even. But that doesn't tell the whole story when you consider the broader economic impact of shipping our local brick and block construction jobs to other states.

The June 2022 Pinnacle Economics study measured the impact of the SCA's decision to spend \$1M on panels vs. \$1M on handset brick and block. The study found that the \$1M in brick and block produces a local economic impact of \$2.25M which was \$1.25M more than \$1M spent on panels. We estimate that the SCA has substituted precast panels for brick and block on at least 52 of 72 projects over 4 years. Although the exact cost and economic impact from the use of precast panels on these 52 jobs is difficult to precisely quantify since the actual cost the SCA paid for the panels on each project is not readily available, it's clear that we are not doing right by the city, our taxpayers and our workers. These are our tax dollars being spent by our public authorities and local agencies to outsource our work to other states and it is outrageous.

Efficiency

We have not conducted any formal study of the time and efficiency impact of using block and brick vs. precast concrete panels. Although, on the surface, the panels appear to shorten the construction schedule, each of the individual panels, along with the specific plans for the project for which the panels are custom-made and therefore need to be perfect. If the panels or the plans are flawed, the project could suffer weeks of delays to replace a panel or years of additional maintenance to correct a flawed panel. Most famously, in 2019 the panels installed on the Silver Line expansion of the DC Metro - 65 of which were flawed -- were partly responsible for at least a 2 year delay in completing the project and required a costly and cumbersome remediation plan.

Anecdotally, our masonry contractors have said that, by modifying the SCA protocol on executing the veneer, we can complete a wall system with brick and block much more efficiently. Essentially, by installing all the block first, we can enclose the building in the same amount of time it takes to attach the panels in the majority of projects thus making any possible efficiency differences negligible.

We urge the Council to pass Resolution 547 and send a message to the SCA and the DDC that the decision to replace bricklayers with precast concrete panels must be reconsidered. This decision is slowly brewing an economic disaster for New York City by eliminating nearly a 1,000 good, local middle class construction jobs for no legitimate reason.

Thank you for your consideration in this matter.

Innis Layne, Field Representative,

Bricklayers & Allied Craftworkers Local Union No. 1, NY



Good morning, my name is Daisy Chung, and I am the director of the NY Healthy Nail Salons Coalition. The coalition was created in 2014 to organize for improved working conditions in the nail salon industry, and our organizations collectively represent thousands of nail salon workers in New York City. Thank you for holding this important hearing on Resolution 393.

Resolution 393 would call on the NYS Legislature to pass the [Nail Salon Minimum Standards Council Act \(S1800/A378\)](#), which will establish an industry council of workers, small business owners, and government representatives to recommend new labor standards for nail salons across New York State. In addition, the bill would create a separate independent committee of experts to conduct an economic study of the industry and recommend fair minimum pricing for nail services. This is necessary to combat the race to the bottom among nail salons to offer the lowest prices - which often comes at the expense of worker safety and well-being.

New York's nail salon industry is part of a national multi-billion dollar sector, and is home to the highest concentration of nail technicians (e.g., manicurists and pedicurists) in the country. NYC has the highest number of workers and salons in the state. Nail salon work is overwhelmingly performed by immigrant women of color: 85% of nail techs identify as women and 88% were born outside of the U.S. Among these workers, 73% identify as Asian or Pacific Islander and 21% identify as Hispanic or Latinx. Despite nail techs' organizing successes in the last several years, they still face exploitative conditions on the job. Nail techs continue to earn low wages, with many experiencing wage and hour violations, are routinely misclassified as independent contractors, are denied lunch breaks, lack benefits and/or paid time off, contend with discrimination and harassment, and more.

There is an overwhelming lack of compliance with basic labor standards in the nail salon industry, and wage theft is pervasive and widespread. According to a 2022 research report by Cornell University's Worker Institute, the average hourly wage for nail technicians in New York is \$13.89, while the median wage is just \$10.58 per hour, both below the required minimum wage. In another report released in 2020 by the NY NJ Regional Joint Board of Workers United, 82% of nail salon worker respondents reported experiencing wage theft, with an average loss of \$9,412 per year per worker.

What is interesting to note is that the Workers United report also found that wage theft was more common at salons that charge low prices. "At salons where manicures are \$15 or less, workers experience an average of \$123 in wage theft per week. At salons where manicures are \$16 and higher, workers are paid an average of \$58 more than the required minimum wage." The average cost for nail salon services in the NYC metro area is \$13.71, much lower than the nationwide average, despite the higher costs of living and doing business in the region. Low prices, particularly in New York City, have created a race to the bottom in the industry, where

responsible salon owners are being outcompeted by those who are willing to cut corners at the expense of their workforce. Government policies must intervene in the marketplace when these kinds of unfair competition arise.

In addition, unsafe conditions are an everyday reality in nail salons, where exposure to toxic chemicals in glues, polishes, removers, and other products puts the largely women workforce at increased risk of harm to their reproductive health, as well as other illnesses like cancer and asthma. A 2022 survey conducted by the NY Committee for Occupational Safety and Health revealed disturbingly higher prevalence of reproductive health issues among nail techs, including severe pain with menstruation, complications during their pregnancy, and birth defects in their children. If New York wants to be a national leader in reproductive rights, we must also protect worker's reproductive health on the job. No worker should be unnecessarily exposed to harm in the workplace that infringes on their right to bodily autonomy and takes away their choice of whether or not to have healthy children.

While poor and illegal conditions in the nail salon industry remain a persistent problem, workers are often fearful of the consequences of reporting violations. Nail techs are typically immigrant women of color who are paid low wages, have limited alternative job opportunities, and lack social protections based on their immigration and/or employment status. This creates a precarious situation that heightens workers' fears of retaliation by their employers for speaking out about working conditions. Many of these impacted workers are single mothers or sole breadwinners for their households, and the devastating impact of low wages and poor working conditions cannot be overstated.

New York's nail salon industry needs a radical make-over - one that gives workers a seat at the table while ensuring that the industry's growth is sustainable. The Nail Salon Minimum Standards Council Act will bring together workers and salon owners to find solutions to the longstanding problems in their industry, and propose new standards that will improve the lives of tens of thousands of nail salon workers across New York. The New York Healthy Nail Salons Coalition urges the members of this committee to support Resolution 393.

Thank you for your time and attention to this important matter.



New York New Jersey Regional Joint Board

JULIE BRACERO-KELLY, *General Manager*

International Vice President

FRED J. KAPLAN, *Secretary-Treasurer*

June 2, 2023

Memo of Support

Res. 0393-2022 (De La Rosa)

The NY NJ Regional Joint Board of Workers United/SEIU represents thousands of workers in the retail, manufacturing, and garment industries. Our diverse membership reflects the vibrancy of the city and state, with members ranging in age from young workers still in high school to retirees enjoying the fruits of their long careers. We come from nearly every continent and speak many languages, but we are united in our struggle for justice in the workplace and in our communities. Our joint board is a proud member of the NY Healthy Nail Salons Coalition, which has been advocating for the [Nail Salon Minimum Standards Council Act \(S1800/A378\)](#).

This proposed legislation will establish an industry council of workers, small business owners, and government representatives to recommend new labor standards for nail salons across New York State. In addition, the bill creates a separate committee of experts to study the industry and recommend new fair minimum pricing for nail services in order to combat the race to the bottom among nail salons to offer the lowest prices - which often comes at the expense of worker safety and well-being.

New York's nail salon industry is part of a national multi-billion dollar sector with approximately 400,000 workers working in over 54,000 salons. Nail salon work is overwhelmingly performed by immigrant women of color, both in New York and around the nation. Nail technicians (e.g., manicurists and pedicurists) make up the vast majority of New York's nail salon industry workforce, with 85% identifying as women. Among these workers, 73% identify as Asian or Pacific Islander and 21% identify as Hispanic or Latinx. Despite nail techs' organizing successes in the last several years, they still face exploitative conditions on the job. Nail techs continue to earn low wages, with many experiencing minimum wage and overtime violations, are routinely misclassified as independent contractors, are denied lunch breaks, lack any benefits and/or paid time off, contend with discrimination and harassment, and more.

In addition, unsafe conditions are an everyday reality in nail salons, where exposure to known toxic chemicals in glues, polishes, removers, and other products puts the largely women workforce at increased risk of harm to their reproductive health, as well as other illnesses like cancer and asthma. A 2022 survey conducted by the New York Committee for Occupational Safety and Health revealed disturbingly higher prevalence of reproductive health issues among nail techs, including more likely to experience severe pain with menstruation, complications during their pregnancy, and birth defects in their children.

These kinds of exploitative and unsafe working conditions should never be the norm in any industry. Workers in the nail salon industry can't make ends meet when their wages are stolen or when they are denied paid time off when they fall ill. They are often single mothers and/or sole breadwinners for their families, who must regularly make tough financial choices between housing, food and other necessities,



New York New Jersey Regional Joint Board

JULIE BRACERO-KELLY, *General Manager*

International Vice President

FRED J. KAPLAN, *Secretary-Treasurer*

and cannot even imagine the possibility of retiring with dignity at the end of their careers. For communities of color — particularly the AAPI and Latina women who perform the overwhelming majority of work in our city and state’s nail salons — these issues threaten our ability to build healthy and thriving communities across the state of New York.

The nail salon industry must undergo systemic change, and its business model cannot depend on cutting corners on workers’ rights. New York State has the power to create a just and sustainable nail salon industry through the Nail Salon Minimum Standards Council Act. We thank Council Member De La Rosa for introducing this resolution and encourage the City Council to pass the resolution and urge the state legislature and governor to pass this bill so that we can improve the lives of tens of thousands of workers in the nail salon industry across New York State.

My name is Sascha Baxter, and I am a human services worker here in New York City working at CAMBA Family Solutions.

As a human service worker, I, along with my colleagues, provide essential services in our community. I am the program coordinator for my agency and I facilitate conferences between the agency and the families to ensure the family's voice is being heard and they are receiving the support that is conducive to the family's health. Despite the fact that human service providers help connect New Yorkers with lifesaving resources, employees at human services agencies receive low wages that barely cover the cost-of-living in a city like New York. Our work is necessary to New York City's economy and safety, and we deserve to be paid fairly under City contracts for my labor.

CAMBA Family Solutions, like so many, is funded by City contracts, and these contracts set the salaries for myself and my colleagues. A 6.5% COLA would raise the salaries of City-contracted human services workers to better align with inflation. This increase will allow us to adequately provide and support our own families while supporting New Yorkers in your district.

Because of the lack of a COLA, I have concerns about my workplace conditions and the outcome of programs with high staff turnover and vacancy rates which have resulted in heavy and unsustainable workloads. The costs of food, fuel, medicine and other commodities continue to rise, and with my low wages I will not be able to provide for my family and pay off my student loans which will continue to allow me to be in debt for most of my life.

CAMBA serves more than 64,000 individuals and families each year, citywide, including 10,000 youth. I love my job and the service that we provide to our community. If we closed many families in our communities wouldn't receive afterschool programs, summer camps, domestic violence/ family shelters and so much more services that provide a better quality of life. However, the City does not pay me

equitably for my work. Human services workers generally make about \$20,000 a year less than a public sector worker with a comparable education.

The lack of a COLA in the Mayor's Executive Budget means this budget does not fully represent a commitment to essential services and "working New Yorkers."

Human services workers keep our communities safe and functioning, and in return, the City gives them poverty wages that do not account for inflation. As a result, many human services workers need the same programs they provide, including SNAP and housing shelters. Our organization struggles to attract and retain workers - and communities suffer when we cannot fully staff programs. NYC would not be the same without human services workers, and it's time for their wages to reflect their essential role.

The City needs to start caring for the people who care for New York City. Please fund a full 6.5% cost-of-living adjustment (COLA) at an estimated \$200 million in the final budget!

Please support government-contracted human services workers by ensuring that the human services COLA is included in the upcoming budget at an estimated cost of \$200 million.

Regards,

Sascha Baxter
Facilitator, CAMBA Family Solutions
Livonia Ave
Brooklyn, NY 11207

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 0547

in favor in opposition

Date: May 31, 2023

(PLEASE PRINT)

Name: SILVIA MONTALBAN

Address: _____

I represent: DCAS - Chief Citywide Equity & Inclusion Officer

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 0547

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MIKE MCGUIRE

Address: 266 W 37th St, FL 7 10018

I represent: LABORERS UNION

Address: SAME

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 05/31/23

(PLEASE PRINT)

Name: Menika Singhada

Address: 47 St Woodside

I represent: 71-07 Woodside Adhikar

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0877 Res. No. Version A

in favor in opposition

Date: 31 MAY 2023

(PLEASE PRINT)

Name: ALICE WONG

Address: 47 BROADWAY, SUITE 1945 NYC 10004

I represent: NYC MEA

Address: (same)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/21/2023

(PLEASE PRINT)

Name: meera k dai

Address: 80st

I represent: adhikaar

Address: woodsid

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 547

in favor in opposition

Date: 5/21/23

(PLEASE PRINT)

Name: John BACHENSKI

Address: MONROE NY

I represent: Glenwood Mason Supply

Address: EAST FLATBUSH NYC

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/31/2023

(PLEASE PRINT)

Name: Paul Rivera

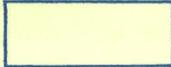
Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. 393

in favor in opposition

Date: 5/31/23

(PLEASE PRINT)

Name: Lara Maldjian

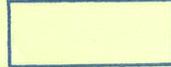
Address: 14 Wall St 5A

I represent: NYCOSH

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. 517

in favor in opposition

Date: 5/31/23

(PLEASE PRINT)

Name: Inniss Lopez

Address: 4 Court Square LIC NY 1101

I represent: International Brotherhood of Bricklayers & Allied Craft Workers BAC Local # 2 NY

Address: 4 Court Square LIC NY 1101

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Zachary Liller, Assistant Commissioner

Address: _____

I represent: Office of Labor Relations

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: May 31 2023

(PLEASE PRINT)

Name: Rabitra Dash

Address: 72 street Woodside

I represent: All Hands in Campaign (Adhikar)

Address: 7107 - Woodside

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Brian Geller, Assistant Commissioner

Address: _____

I represent: Office of Labor Relations

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 393

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Estorgia Moran

Address: 11223

I represent: _____

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 393

in favor in opposition

Date: 5/31/23

(PLEASE PRINT)

Name: Daisy Chung

Address: Woodside Ave

I represent: NY Healthy Nail Salons Coalition

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0877 Res. No. Version A

in favor in opposition

Date: 31 MAY 2023

(PLEASE PRINT)

Name: DARRELL SIMS
Address: 42 BROADWAY, SUITE 1945 NYC 10004
I represent: NYC MEA
Address: (same)

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Stella Xu, Assistant Commissioner
Address: Yellowstone Blvd
I represent: DCAS
Address: 1 Centre St

Please complete this card and return to the Sergeant-at-Arms