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COMMITTEE ON CIVIL SERVICE AND LABOR

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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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April 27, 2017
Start: 1:26 p.m.
Recess: 3:18 p.m.

HELD AT: Committee Room - City Hall

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

COUNCIL MEMBERS:
Danny Dromm
Robert Cornegy, Jr.
Costa Constantinides
Laurie A. Cumbo

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COMMITTEE ON CIVIL SERVICE AND LABOR 2

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

Paul Rodriguez
Acting Counsel to the Mayor

Fenimore Fisher
Chief Citywide Diversity, DCAS

Unidentified Female Speaker

Arthur Cheliotos
CWA Local 1180 President

Yetta Kurland, Esquire
Kurland Group

Beverly Newfield

Merble Reagon
Women's Center for Education and Career
Advancement

2 CHAIRPERON MILLER: Good afternoon, I
3 am Council Member I. Daneek Miller. I am the
4 Chair of the Committee on Civil Service and
5 Labor and I thank everyone for coming out this
6 afternoon. Today we will be hearing
7 introduction of Intro 1536 sponsored by Council
8 Member Laurie Cumbo and Public Advocate Letitia
9 James and myself. This law would mandate all
10 city agencies to provide pay employment equity
11 data to the Department of Citywide
12 Administrative Services. This data then would
13 be put together in an annual report that
14 includes current job title, how long the
15 individual has had that title, compensation at
16 hiring date and what it is currently, total
17 number of hours worked and gender and racial
18 group of employee. The report would aggregate
19 and disaggregate the data. Since I began my
20 tenure here at the Council, we have been educating
21 constituents from around the city with
22 opportunities of our municipal workforce so that
23 others can receive the opportunity that I've had
24 over my career. It is not by accident that the
25 district that I represent has the highest density

1 of public employees in the City of New York nor is
2 it an accident that we have the highest home
3 ownership amongst African-Americans in the city --
4 in the United States. It is certainly a direct
5 correlation between these jobs and building wealth
6 in communities of color. That is why I, like so
7 many of my colleagues, were dismayed to find that
8 there was an endemic problem in wage gap between
9 men and women in our economy. There is even a
10 problem with their city's own workforce which we
11 found problematic. We've heard stories and today's
12 hearing I think will drill down on that and kind of
13 figure out where we went wrong and how do we repair
14 it. Women are not being paid as much as men for
15 doing and performing the same jobs and not given
16 the same opportunities. In September 2015, the
17 Equal Opportunity Commission found that the city
18 was in violation of Equal Pay Act and Title 17,
19 finding discrimination patterns of wage suppression
20 subjective to promotions which disproportionately
21 impact women. This has occurred even though 57
22 percent of the city's workforce are female. The
23 fact remains that women earn just 79 cents for
24 every dollar by a man for the same -- from
25

1 performing the task they are not being compensated
2 equitably. Women of color in particular
3 disproportionately hurt by the wage gap, Hispanic,
4 black and Africa-American and Asian women
5 experiencing wage gap of 46 percent, 55 percent and
6 63 percent respectively related to white males in
7 New York City. When the Public Advocate recently
8 convened a roundtable discussing with organizations
9 around the city dedicated to advocating for women's
10 right in the workforce, many of the experts in the
11 room said it was difficult to prove wage
12 disparities because there was not data to point to
13 that would help their cases. Now with this
14 reporting requirement, we will be able to see who
15 is being paid and what calls out wage
16 discrimination that may be occurring. This has
17 been a long time in the making and we want to thank
18 our colleagues and advocates for making this
19 hearing possible. I would like to thank the
20 Committee counsel for putting this together and
21 Committee staff. We've been joined by Council
22 Member Costa Constantinides, also been joined by
23 Council Member Danny Dromm and Council Member
24 Robert Cornegy. This is not a new phenomenon. In

1
2 1963, President John Kennedy signed an Equal Pay
3 Act which made it illegal to pay woman less than
4 their male counterparts based on gender. At the
5 time it was 59 percent of what a man was earning.
6 In 2009, President Barrack Obama signed the Willie
7 Ledbetter Act that reversed US Supreme Court
8 decision which barred bringing salary
9 discrimination suits from within 180 days initial
10 discrimination occurred -- from the time the
11 initial discrimination occurred even if
12 discrimination continued. However, in 2016 the
13 wage gap had improve 77 percent. A 2016 study
14 found that white non-Hispanic women earned 83
15 percent of their male counterparts but black women
16 66 and Hispanic 60 cents per dollar. President
17 Obama also signed the Executive Order in 2014 which
18 barred businesses from being awarded federal
19 contracts if they had a history of violating wage
20 labor and workplace safety laws. However, we know
21 that that has been recently reversed by Executive
22 Order signed by 45. So we are here to hear
23 testimony from the city, the union representing
24 some workers and some of the advocates and we will
25 hopefully at the end of the day have some answers

2 and some resolve to something that has been an age
3 old problem. We certainly don't expect to fix what
4 is -- in a day what has occurred over generations
5 but we do expect that there will be accountability
6 between the municipal workforce here. Certainly we
7 are not -- that we here in government should be the
8 standard and we want to ensure we are the standard-
9 bearers when it comes to equity in the workforce so
10 I thank you again for everyone coming out and I'd
11 like to call our first panel: Paul Rodriguez,
12 Stella You and Fenimore Fisher.

13 [OATH ADMINISTERED]

14 CHAIRPERSON MILLER: You can start.

15 PAUL RODRIGUEZ: Thank you very much.

16 Good afternoon, Chairperson Miller and members of
17 the Committee on Civil Service and Labor. My name
18 is Paul Rodriguez. I am Acting Counsel to the
19 Mayor. I am pleased to be here today to testify
20 about Intro 1536. The proposed bill would amend
21 the city's administrative code to require the
22 Department of Citywide Administrative Services or
23 DCAS to issue an annual report containing specific
24 pay and employment data and to provide
25 recommendations to address problems associated with

1 pay and employment equity. The Mayor is committed
2 to improving equity throughout the city and we
3 applaud the work of the Council to address the
4 issues of pay and employment equity. The
5 Administration was pleased to work with City
6 Council recently on the development of Intro 1253A
7 which would extend th4e mandate of Executive Order
8 21 to the private sector and prohibit employers
9 from inquiring about or relying on a prospective
10 employee's salary history when determining the
11 compensation to offer that individual. Since 2014,
12 the administration has made tremendous strides in
13 improving workplace equity: 51 percent of the de
14 Blasio's Administration senior leadership are
15 women, 42 of the leadership positions are occupied
16 by people of color. These numbers highlight the
17 Administration's efforts to develop a diverse
18 workforce that reflects and represents our city.
19 In June 2015, Mayor de Blasio issued an Executive
20 Order 10 forming the first ever Commission on
21 Gender Equity which works to expand opportunities
22 for New Yorkers regardless of sex, gender or sexual
23 orientation. In January 2016, the Mayor enacted
24 Personnel Order 2016/1 which provided over 20,000
25

1 city employees with six weeks paid time off for
2 maternity, paternity, adoption and foster care
3 leave at 100 percent of salary. In March 2016,
4 Executive Order 16 was issued to ensure that city
5 agencies allow employees and the public to use
6 single sex facilities consistent with their gender
7 identity. Moreover the Administration has
8 consistently advocated for fair wages at the local,
9 state and national levels. The Mayor's 2014
10 expansion of the living wage law ensure that city
11 funded projects provide higher paying jobs. In
12 January 2016, the Mayor announced a minimum wage
13 increase to \$15 an hour for all city government
14 employees and for employees who provide contracted
15 work for the city and social service organizations.
16 Universal Pre-K and the newly announced 3K For All,
17 an initiative announced this week that expands
18 high-quality early childhood education are also
19 examples of this administration's steadfast
20 commitment to support working families. Helping
21 New Yorkers earn a living wage has been and will
22 always be a top priority for this Administration.
23 This Administration has consistently partnered with
24 City Council to pass legislation that promotes
25

equity and benefits for working New Yorkers.

Thanks to the support of City Council, we have given more New York City youth an opportunity to work for the city through the Summer Youth Employment Program. We have also created stronger employment protections for all New Yorkers via the expansion of paid sick leave and amendments to the New York City Human Rights Law. The Stop Credit Discrimination and Employment Act established under Human Rights Law amendment in May 2015 prohibits most employers from checking an applicant's credit history to make employment decisions. Likewise, the Fair Chance Act established June 2015 makes it illegal for most employers to ask about criminal records of job applicants before making an offer. Finally, the Caregiver Law established in January 2016, protects employees from termination, demotion or denial of promotion because of their status as a caregiver making it easier for New Yorkers caring for the 1.8 million children under age 18, the 1 million people age 65 and older and the roughly 900,000 new Yorkers with disabilities to file workplace discrimination claims. This week the Administration expressed its enthusiasm to work

1 with Council to pass an number of equity bills:
2 Intros 15, 1512 and 1520. The bills would require
3 some agencies to create and address the findings of
4 gender and racial equity assessment plans, provide
5 all employees with training on implicit bias,
6 discrimination and cultural competency, structural
7 integrity and codify the inclusion of gender and
8 racial equity measures in the social indicators
9 report. As my colleagues in city government have
10 stated, the Administration is proud to partner with
11 the Council to enact legislation that makes New
12 York City a better and fairer place to live and
13 work. Intro 1536 would require all city agencies
14 to provide DCAS with specific employee data: date
15 of hire, job category, job title category, as
16 determined by the Federal Department of Labor and
17 Employment Opportunity Commission, job title and
18 initial compensation, job title and current
19 compensation, including bonuses and overtime
20 compensation, start date of current position, total
21 number of hours worked and gender and race where
22 available. The bill also requires DCAS to issue a
23 report with disaggregated data from each agency and
24 to make recommendations to address problems
25

1 associated with pay and employment equity. DCAS,
2 who is sitting here with me today, is an
3 enthusiastic and willing partner of promoting the
4 Administration's equity agenda. DCAS supports city
5 agencies workforce needs in recruiting, hiring and
6 training to the employees and is committing to
7 recruiting, developing and retaining a diverse and
8 inclusive workforce. Through the city's EEO
9 policy, agencies are committed to protecting the
10 rights of our employees from discriminatory
11 practices. DCAS currently provides a number of
12 reports to City Council that include much of the
13 data requested by this bill, Intro 1536. The
14 city's EEO4 report provides an aggregated summary
15 of the workforce composition of 72 agencies and
16 elected official offices by race, gender, EEO
17 recognized job groups and salary ranges. The
18 citywide payroll and civil list reports provide
19 employee names, agency title, agency start date and
20 salaries and the workforce profile report contains
21 data for all agencies in the aggregate. We believe
22 that this data combined with any additional
23 reporting that may eventually be provided by Intro
24 1536 would assist the Council in evaluating the
25

2 demographic makeup of the city workforce. We look
3 forward to working with City Council to ensure that
4 such reporting protects the privacy and identity of
5 individual city employees as it pertains to their
6 disclosure of personal demographic information.

7 The Administration supports actions to address pay
8 and employment equity and therefore supports the
9 intent of this legislation. Again, this

10 Administration is excited to partner with you to
11 craft this legislation, regulations and agency
12 policies that positively impact the city workforce.

13 Thank you for the opportunity to testify before you
14 today. I look forward to answering any questions you
15 may have.

16 CHAIRPERSON MILLER: Is there any other
17 testimony? Is that it? Okay. Good. So we have
18 held several hearings in which the Department of
19 Citywide Administration Services has primarily
20 testified -- have testified primarily on behalf of
21 the Administration and we have asked for the data
22 that you just testified that we received. I would
23 disagree that we received that data on an annual
24 basis or have been -- from time to time, we have
25 had hearings and meetings in which that type of

1 data was provided but not in the manner that you
2 spoke of. So what would it take to ensure that
3 data is given specifically around this -- in a way
4 that this legislation requires? Is there -- are we
5 looking at a specific timeline, a cause, if we are
6 not doing it why we are not doing it in the past
7 and how soon before implementation can we see this
8 information up and running?
9

10 PAUL RODRIGUEZ: Well the legislation
11 provides a time period that speaks to agencies
12 providing data to DCAS within the calendar year
13 period of 2018 and then a formal report being
14 provided to the Speaker and to the Mayor by January
15 2019. We do believe that based upon the existing
16 data that are available that we can certainly be
17 compliant with that time period. We also want to
18 express that we will work extremely collaboratively
19 with the Council and with this Committee in
20 providing data but also working through an
21 appropriate protocol to where we provide the data
22 but based upon trying to protect the privacy rights
23 of our employees who have self-identified.

24 CHAIRPERSON MILLER: That is
25 interesting because what we find is that most of

1 these public employees that we're talking about
2 here, civil servants, merit based salary is public
3 -- I mean for all of us but in terms of if there is
4 information beyond compensation that needs to be
5 protected then that is a conversation we should
6 have but in terms of compensation it -- I think
7 that we are seeing that we are here today because
8 there was a case that the city was involved in in
9 which they failed to provide this information which
10 impeded or allowed continued perpetuation of this
11 wage disparity for those who brought the suit
12 forward. I am glad that we've got to the point --
13 I think what we're doing now is preempted so well
14 we don't see this again certainly. I am glad that
15 we have the commitment that we will see the
16 information being given in a forthright manner and
17 so that it will be compliance with legislation as
18 we move forward. Do you anticipate any of the
19 agencies not willfully providing this information
20 or do you have a mechanism in place? What is the
21 mechanism in place to ensure that you are getting
22 proper and timely data from these agencies?
23

24 PAUL RODRIGUEZ: So that is a great
25 question. One of the things that we want to ensure

1
2 in producing the reports is that we produce reports
3 that have the most valid data and concerning
4 compensation data, the human resources information
5 systems that house such data are actually
6 administered by DCAS and OPA FISA. And so it is a
7 part of our recommendation that in terms of
8 securing the data that those agencies actually be
9 the entities that work to produce a report for the
10 Council.

11 CHAIRPERSON MILLER: Would you also be
12 accessing EEOC information from the agencies as
13 well for those that in cases where there was
14 noncompliance or where there are cases or
15 complaints around the areas of wage disparities and
16 also opportunity disparities?

17 PAUL RODRIGUEZ: So I think specific to
18 opportunities, disparities and in I think what
19 speaks or what is referenced in the legislation
20 concerning overall [inaudible] practices, the
21 agencies do produce annually a diversity and EEO
22 plan and that is a plan that is provided to several
23 entities including the City Council so if we were
24 looking for, I think, items that could supplement
25

2 the compensation data, the existing diversity and
3 EEO plans directly from the agencies could do that.

4 CHAIRPERSON MILLER: Okay. That is --
5 I have been here for four years and I've yet to see
6 it and IO Chair Civil Service and Labor so if we
7 can make that happen that would actually be great.
8 It would greatly enhance any hearings that we have
9 in moving forward and quite frankly would probably
10 negate the need for these type of hearings if we
11 had the type of tools and resources to work with
12 there. So I think there is a number of issues and
13 concerns that we're dealing with here and so it is
14 certainly -- I think the real 800 pound elephant is
15 how do we get to those disparities and certainly
16 there are administrators, managers and particularly
17 those outside of the merit based system where or
18 those outside of organized labor bargaining units
19 with non-represented employees who certainly
20 receive the bulk of those disparities. How is it
21 or is it, I know we've had this conversation a few
22 times with the Deputy Commissioner about the salary
23 ranges of managerial employees with the City of New
24 York. Those disparities within that how is it that
25 folks with the same title performing the same job

2 receive different compensation, is that still the
3 case or can someone elaborate on how that salary
4 range works?

5 FEMALE: So I think one of the things
6 that we should focus on is the fact that the vast
7 majority of the city's workforce are there by civil
8 service examination, 88 percent of our positions
9 are filled competitively and these candidates have
10 demonstrated their merit and fitness for the job.
11 Where there are discretionary positions, even in
12 the managerial ranks, you are set by a range which
13 as Council Member Miller knows, we are talking
14 about discretion within the range. I think when it
15 comes to that there are number of different factors
16 you can look at such as the person's experience,
17 any promotional examination opportunities they
18 might have pursued, their career path, choices they
19 made in their career, educational obtainment and
20 one of the factors is previous salary. I think for
21 somebody who started with the city at an officially
22 lower salary, and as you said, this has accrued
23 over generations so if somebody started with the
24 city 20 years ago at an artificially lower rate
25 their movement through the city is hindered by a

1 consistent 10 percent raise and they don't ever
2 catch up. I think that is where EO21 goes a long
3 way into removing that barrier so that as a
4 person's previous salary has no bearing on their
5 ability to perform the next job so that they would
6 actually be paid what the job is worth rather than
7 what they were previously making.

9 CHAIRPERSON MILLER: Theoretically that
10 makes a lot of sense but we have cases, in fact I
11 have testimony here where, where managers who, who
12 have the exact same title started at the same time.
13 One is a white male and one is a black woman and
14 the white male earns \$11,000 more with the same
15 responsibility.

16 FEMALE: Again, there are a lot of
17 variables that we need to look at, different
18 agencies --

19 CHAIRPERSON MILLER: So and I failed to
20 mention that the black women has a Master's Degree
21 and the while male has a high school diploma.

22 FEMALE: Without reviewing that
23 specific case, there's nothing I can comment on
24 that except to say that different agencies perform
25 different functions.

2 CHAIRPERSON MILLER: In this case, they
3 work in the same department and they have the --
4 they perform the same tasks.

5 FEMALE: And again, without knowing the
6 specifics about that case there's nothing I can
7 comment on. I can only speak broadly to factors
8 that may contribute to apparent wage disparity.

9 CHAIRPERSON MILLER: Has, has DCAS ever
10 considered adopting another method of compensation
11 some more along with what the representative
12 bargaining units have wage progressions, they do it
13 in the state even amongst the managers as well and
14 where you -- everyone comes in at the same salary
15 because they pretty much have the same
16 qualifications and there is a wage progression
17 capping at a certain level?

18 FEMALE: Wage is decided in the
19 collaboration between DCAS, Office of Management
20 and Budget as well as the Office of Labor Relations
21 so that is something that all three oversight
22 agencies would have to work collaboratively on.

23 CHAIRPERSON MILLER: So that is a
24 possibility?
25

2 FEMALE: It is something that we can
3 look into.

4 CHAIRPERSON MILLER: Listen, I know
5 that we've had this conversation during other
6 hearings that we've had here and I, I, I at least
7 walked away thinking that DCAS thought that the
8 system the way it was currently constituted was,
9 was working and there was no need to address it any
10 further. Obviously it is not working and so
11 hopefully we can get something out of this that
12 would improve the situation that we have here and
13 we wouldn't see the type of disparities from
14 individuals who are performing the same tasks but
15 being compensated differently with the same
16 responsibilities mind you. Sometimes -- I've been
17 at this a long time in different capacities but
18 I've been at it here for the past nearly four years
19 and there's been -- I've seen a number of
20 complaints, counterparts with less
21 responsibilities, smaller responsibility in terms
22 of employees within their purview, far less in
23 being compensated much greater so certainly I would
24 hope that we have a commitment as we move forward
25 that we could put those agencies that are

1 responsible in the room and that we can really have
2 a conversation about transitioning to a more
3 equitable form of compensation as well as when it
4 comes to opportunities and promotional
5 opportunities as well and so obviously there is
6 data available or readily available and hopefully
7 we can use that as we move forward. As I said, I
8 think that it was -- we had as a city had
9 undermined the process by failing to relinquish the
10 data that was necessary that would address,
11 properly address, that problem and I'm glad that
12 we're all here today and committed to moving
13 forward in doing so. So we have been joined by
14 Council Member Laurie Cumbo, the sponsor of this
15 legislation, and certainly we're looking forward to
16 hearing from her. Any questions? Okay. And, I am
17 going to -- yes.

19 PAUL RODRIGUEZ: To respond to your
20 point, I just wanted to mention that while we don't
21 have evidence of systemic inequities and pay,
22 certainly we're concerned and willing to work with
23 you and City Council if there are individual
24 incidences that we should be looking into that
25 you're aware of. I will say that on a global

2 level, we are absolutely committed to working on
 3 addressing in inequities that might exist as a
 4 result of societal factors. We're very committed
 5 to working on addressing any inequity in
 6 opportunity. We are very committed to working on
 7 any systemic issues that we can address in
 8 collaboration with City Council. For example, we
 9 talked a little bit about the Administration's in
 10 building, you know, making sure we're not looking
 11 into salary history when that was something that
 12 was identified. The Committee of Gender Equity,
 13 for example, has put together a leveraging the
 14 paying field, public-private partnership
 15 established by the Commission to address potential
 16 gender-based wage gaps. Through the initiative the
 17 Commission not only advocated for Executive Order
 18 21 and the passage of 1253A, it has also been
 19 developing practice-based resources such as half-
 20 day training and implementation on Executive Order
 21 21, guides to employer best practices for
 22 implementing pay equity strategies in the
 23 workplace. DCAS has also worked on a number of --

24 CHAIRPERSON MILLER: So I am kind of --
 25 being a life-long civil servant myself and

1 [inaudible] so it's the institutional practices
2 that have occurred and sometimes when folks aren't
3 represented an individual who may complain about
4 inequities have been offered a bonus, give you a
5 ten percent bonus this year, we'll take a look at
6 it next year which still leaves them behind because
7 certainly that bonus is not attributed to that
8 salary nor is it pensionable. So many bad things
9 about that situation there so that is temporarily
10 pacifying a situation so is the institutional
11 practices that we see, how do we get around it, how
12 do we address it and how do you just kind of push
13 people to the side and address it there? These are
14 things that have been going on for a while. These
15 are the type of complaints that we have seen here
16 and unfortunately these are the complaints that
17 we've seen within city agencies. How do we -- how
18 does the Administration, how do we as a city really
19 wrap our hands around it and make sure that we have
20 the proper oversight and enforcement that this
21 doesn't occur and each agency, like every agency is
22 different, some agencies is you walk in the door
23 and it's glaring and whatever those services are
24 performed you see that often in particular when you
25

1
2 go into the managerial stage is no longer treat to
3 pull the rank and file or the communities that they
4 serve. How do we get better there when it in fact
5 becomes without appointments and relationships?
6 How do we transform that merit based reality at
7 least to the compensation portion?

8 PAUL RODRIGUEZ: I think to your point
9 about being standard-bearers in government, I think
10 you're absolutely right. We have a responsibility
11 in government to set the standard for the private
12 sector as well the public sector where our goals
13 are absolutely aligned here and I think our track
14 record in this Administration bears that out. We
15 are absolutely willing to and enthusiastic to work
16 with City Council to make as many changes as may be
17 needed to improve equity throughout the city's
18 workforce and in addition our hope is that this
19 bill in whatever form it ultimately takes will end
20 up giving more information in a way that will be
21 helpful to promote to equity in exactly the way the
22 Council hopes.

23 CHAIRPERSON MILLER: I certainly hope
24 that we'll be moving forward after today. I just
25 want to stop here and allow for Council Member

2 Cumbo to make an opening statement and ask
3 questions if she would like.

4 COUNCIL MEMBER CUMBO: Thank you, Chair
5 Miller. A lot of hearings today. That's why I'm
6 so appreciative of your ability to prioritize this
7 one today. Good afternoon. I am Council Member
8 Laurie A. Cumbo, Chair of the Committee on Women's
9 Issues and Co-Chair of the Women's Caucus. I would
10 like to thank Council Member Daneek Miller Chair of
11 the Committee on Civil Service and Labor for
12 providing us this opportunity to hear Intro 1536, a
13 bill that will report pay and employment equity
14 data. Debt, poverty and homelessness are the
15 realities faced by women living paycheck to
16 paycheck unable to meet the inflated cost of living
17 in this city. Women represent half of our city's
18 population and workforce and yet we have been
19 shortchanged by the very economic system that
20 would not flourish without our contributions. As
21 pop icon Rihanna once said, "Pay me what you owe
22 me." Women can no longer afford to be nickeled and
23 dimed when we earn 5.8 billion less than our male
24 counterparts annually who are still asking for us
25 to pay half when we go on a date. In New York

1 City, white women earn 84 percent per every one
2 dollar earned by men. For women of color, every
3 penny counts as Hispanic, black and Asian women
4 earn only 46 percent, 55 cent and 63 cents
5 respectively. We're certainly getting
6 shortchanged. The numbers just don't add up. Our
7 city's economy is stronger because of our growing
8 and diverse workforce. Equal employment
9 opportunity must also translate to equal pay for
10 equal work. That's all we're asking. The women
11 have outpaced men in education earning more
12 advanced degrees, many have been benched in their
13 career advancement. Moving forward, more must be
14 done to increase transparency when it comes to the
15 reporting of pay and employment data within city
16 agencies. Today's hearing, we will continue to
17 hear Intro 1536 which will make gender wage gap
18 data available and transparent for the public
19 sector. We are making herstory. This legislation
20 dates back two years and is proof that success does
21 not happen overnight. Thank you to the drafting
22 attorney, Amita Killawan (SP), for your continued
23 diligence in seeing this bill through and another
24 thanks to Terza Nassier (SP), Laura Popa (SP), Matt
25

1
2 Goyal (SP) for truly building a bill that we can
3 all be proud of. For the first time, we will have
4 access to data that will clearly show the
5 discriminatory pattern of wage suppression and
6 subjective promotions based on sex, gender and
7 race. If he can see the numbers then you can't
8 understand where you are having a wage gap. All of
9 these issues are faced by female civil service
10 workers every day. Women who have to fight for
11 equal pay are forced to borrow from their pensions,
12 if they have one, and worry about putting food on
13 the table for their families. They express
14 concerns over the rising cost of living and the
15 possibilities of becoming homeless. We know that
16 the vast majority of our homeless shelters are
17 comprised of women and children and those children
18 are usually between the ages of zero and five years
19 old. Some have serious illnesses and are unable to
20 pay for medication. Others have reached or passed
21 the age of retirement but cannot retire because
22 they are in debt. I would like to thank the
23 incredible workers of CWA and particularly Arthur
24 Cheliotas, who serves the President of Local 1180,
25 for continuing to lift up workers and advocating

1
2 for women. Together we must make sure that all
3 women in every sector can achieve equal pay for
4 equal work. I would like to congratulate the brave
5 and incredible women that continue to tell their
6 stories so others may come forward as well. This
7 is an opportunity for us on a citywide level to
8 make history nationally. Women of New York deserve
9 a transparent process when it comes to pay equality
10 and we will continue to organize and raise our
11 voices until our city pays them what they are
12 worth. From City Hall to Capitol Hill, we are here
13 to finish what they started demanding women's
14 economic equality and I am so pleased that there
15 have been so many men that have also joined this
16 incredible movement and I always say that when men
17 come together and they work with women, we can
18 build true equality. Men are so much more dynamic,
19 they are such stronger people, they are such better
20 contributors to society when they are led by women.
21 Thank you so very much.

22 CHAIRPERSON MILLER: [Inaudible] Who,
23 who at DCAS is responsible for reviewing and for
24 reviewing and oversight of this data?
25

2 FENIMORE FISHER: I am Fenimore Fisher
3 and I serve as Deputy Commissioner Citywide Chief
4 Diversity Officer at DCAS and I have
5 responsibility.

6 CHAIRPERSON MILLER: So have, have --
7 what have you seen thus far and since we have been
8 having this conversation over the past few years
9 have you seen that there is a disparity or
10 disparities that we've talked about exist and if so
11 where in particular?

12 FENIMORE FISHER: So as interim counsel
13 to the Mayor communicated from a citywide
14 perspective, it is our position that we don't see a
15 systemic pay disparity. However, there could be
16 instances in which there could be a disparity at
17 the individual agency level and title level. In
18 those instances, that pay disparity still could be
19 driven by factors other than gender. However, we
20 are communicating that in instances where there is
21 improper disparity, we will take full corrective
22 action in addressing it?

23 CHAIRPERSON MILLER: I do know that in
24 the past year or two, we had the school safety and
25 certainly based on the conclusion of that case

1 there was an acknowledgement that certainly that
2 people were performing the same task and not being
3 compensated consistently in their case and there
4 were obviously others out there as well which may
5 currently be arbitrated or litigated and you can or
6 may you can or cannot speak on it but there are
7 some agencies that obviously when you walk in the
8 door are not reflective of not just rank and file,
9 not reflective of our city and I am really glad
10 that we've had the support of the Administration
11 in, in kind of ensuring that we are diversifying
12 those agencies but this is really about pay equity
13 and how do we, you know, so when we examine that
14 data coming from those agencies and certainly I
15 would like to see it and would like to see the
16 report upon the conclusion of that and
17 justification either way everything is fine and
18 here's why it is fine or we can do some work in a
19 particular area in a particular agency and love to
20 work with you on that but certainly as things are
21 status quo and we can certainly do better than
22 where we are now. Obviously, we wouldn't be here
23 if in fact that were the case and I just want to
24 add because of the audience and the makeup of the
25

1 audience here pay equity, April 4th - April 7th is
2 obviously the day in which women have to work to
3 have equal pay to catchup and for women of color
4 they would still be working probably into July 2 to
5 have equal pay. So we certainly want to address
6 those inequities here today and looking forward to
7 hearing, to seeing the report for this year that
8 comes out legislation not associated with the
9 legislation but the reports that are annually put
10 out so and I have not seen it so if you can get it
11 over to the Council so we can examine that we would
12 love to do that in the meantime I am going to kick
13 it over to my partner here who makes me better,
14 Council Member Cumbo?

16 COUNCIL MEMBER CUMBO: Thank you. I'm
17 so glad you see things my way. So I wanted to get
18 right into what is the city doing to ensure that
19 companies that are also doing business with the
20 city are not engaging in discriminatory wage
21 practices? How do we also utilize this legislation
22 and the work we're all doing in order to address
23 that real key issue?

24 PAUL RODRIGUEZ: First of all, I want
25 to say on behalf of the Mayor that the Mayor could

1 not agree more that we need equal pay for equal
2 work. Your statement, opening statement, I think
3 very strongly reflect the views of this
4 Administration. It very strongly reflects the
5 values of this Administration that we need to do
6 everything we can to ensure equity across both in
7 the private sector and the public sector. To echo
8 something that the Chairperson said as well, we are
9 certainly not resting by any means on the status
10 quo even in the absence of specific evidence of
11 inequalities within the city workforce. We're
12 doing everything that we can both in the private
13 sector and in the public sector. To specifically
14 address your concern about the private sector as
15 well, there are -- I think the answer would be a
16 number of things existing and ongoing in process.
17 So for one thing, the Executive Order 21 that bans
18 the asking about pay history that we are now
19 working with City Council enthusiastically to pass
20 as legislation to expand it to the private sector I
21 think is a great start. Certainly, some of the
22 amendments that have been made to the City Human
23 Rights Law that protect also city workers for
24 things that may disproportionately affect women and
25

1
2 people of color are incredibly, incredibly powerful
3 tools and we are so lucky to be in city government
4 but also in a city where the Human Rights Law is by
5 far one of the most progressive in the nation to
6 protect people not only in government but in the
7 private sector as well.

8 COUNCIL MEMBER CUMBO: Because the main
9 thing we want to make sure is that it doesn't just
10 stop here and we also want to make sure that the
11 agencies that have been identified as part of this
12 original legislation of course that it doesn't stop
13 there and we expanded all across the City of New
14 York as well as anyone doing business with the City
15 of New York because that gives us an opportunity to
16 reach a broader aspect or segment of New York
17 City's workforce.

18 PAUL RODRIGUEZ: I could not agree
19 more. Through the Commission on Gender Equity in
20 partnership with the Mayor's Office, with DCAS, we
21 have been working on a number of initiatives
22 looking at best practices within the city and the
23 private sector. We've been working on
24 possibilities, figuring out ways in which we can
25

2 expand many of the protections and many of the best
3 practices to city contractors as well.

4 COUNCIL MEMBER CUMBO: Let me ask you
5 this. It says that in New York City the wage gap
6 is wider in job sectors with higher concentrations
7 of women such as education and health care or in
8 some incidences what people have termed pink collar
9 jobs. So even if you look at those industries, you
10 almost don't even need the data in the sense of who
11 has what title compared to their male counterparts.
12 It is just certain industries simply do not receive
13 the same amount of funding as their male
14 counterparts in other industries and other agencies
15 and that sort of dynamic. What has been done and
16 what will be done to address that disparity that is
17 so glaring on our faces right now when it comes to
18 issues of healthcare, child care, home attendance,
19 those that are caring for our young, industries
20 where women continue to dominate but certainly not
21 financially?

22 FENIMORE FISHER: I think we look to
23 several areas. The change to the Human Rights Law,
24 which created as a protective category caregivers,
25 I think is bound to make some significant impact.

1
2 I also, Council Member Cumbo, want to just echo
3 your remarks about this legislation being a
4 historic moment for the city. Across the country
5 and we have been doing outreach to some
6 jurisdictions but across the country there are only
7 a handful of jurisdictions who are moving forward
8 with this sort of work and it is going to be vital
9 that government take the lead and so I think with
10 this piece of legislation that we'll I think drive
11 a significant area of work in progress.

12 PAUL RODRIGUEZ: With regard to talking
13 about what the Administration can do in the private
14 sector, I think it is important to note the
15 incredible strides that we've been making on women
16 and minority owned businesses as well and trying to
17 -- in reference specifically to city contractors,
18 how much and how much work is being done to make
19 sure that the contractors that the city does
20 business with are given full opportunities to
21 MWBEs, that we are making sure that the contractors
22 the city does business with reflect, truly reflect
23 they city that they do business in.

24 COUNCIL MEMBER CUMBO: So let me ask
25 you. That sounds great in theory but in

1
2 implementation and enforcement and penalties, are
3 those bringing forward because if we don't enforce
4 this, if we don't back it, if we -- is there a
5 mechanism in place because with the answers that
6 you're giving I'm going to feel good leaving but
7 then once I start to get into its implementation
8 and practice I'm going to feel shortchanged again
9 in the sense of what is my recourse if these things
10 are carried through in that way?

11 PAUL RODRIGUEZ: You're absolutely
12 right that implementation is critical in any of
13 these measures that we're discussing specifically
14 when we're talking about the expansions to the City
15 Human Rights Law. I think that the City Commission
16 on Human Rights has been doing an incredible job in
17 being aggressive in a way that is truly historic in
18 pursuing and protecting the rights of New Yorkers.
19 Many of these protections, for example, [inaudible]
20 are protections that one could go to the Commission
21 on Human Rights for -- and Human Rights, as I
22 mentioned, has been a very aggressive agency in
23 protecting the rights of New Yorkers.

24 FEMALE: I also think we've come a long
25 way in making the workplace more friendly for

1 women. A little over a year now, the Mayor
2 introduced the Paid Parental Leave Law which gives
3 eligible city employees six weeks of paid parental
4 leave and if you look at who's taking the leave,
5 it's been about 50 percent new fathers and 50
6 percent new mothers. So in terms of making the
7 workplace more family friendly, I think the Paid
8 Parental Leave has certainly gone a long way into
9 making the place easier to transition for working
10 mothers.
11

12 COUNCIL MEMBER CUMBO: This is -- I am
13 getting the foundation of what you're saying. I
14 want to drill into this more. We can do that,
15 because we have a lot of people that are here to
16 testify, but I certainly don't want to let that
17 aspect of it go because we've certainly got to move
18 into the area of enforcement and penalties with
19 these subjects that we're discussing. Finally,
20 President Obama also signed an Executive Order in
21 2014 which barred businesses from being awarded
22 federal contracts if they had a history of
23 violating wage labor or workplace safety laws.
24 However, President Donald J. Trump rescinded this
25 order in March and I wanted to talk about that in

1 terms of understanding the progress that was made
2 under the Executive Order in 2014 under President
3 Obama and now what we're experiencing and facing
4 with President Trump, 45, rescinding this disorder
5 in March.

7 FENIMORE FISHER: Clearly this
8 Administration values equity at the core of the
9 mission of this Administration. What you have just
10 described is a very troublesome development. It
11 certainly goes against the values of this
12 Administration and certainly it is something that
13 is -- is certainly of concern to us as well.

14 COUNCIL MEMBER CUMBO: I will turn it
15 back over to Chair Miller as we certainly want to
16 make sure we hear from everybody here today.

17 CHAIRPERSON MILLER:. Thank you,
18 Council Member Cumbo. So I just want to stay with
19 that just a moment and talk about how we believe
20 that this bill will assist private companies and
21 not just the private companies and obviously we are
22 setting the standard and as Council Member Cumbo
23 said, we need to talk about enforcement and
24 oversight. The other night, I had the privilege of
25 doing a panel with Human Rights Commissioner and

1 Office of Labor, Policy and Standards and it was
2 absolutely phenomenal. I am so appreciative that
3 we are addressing these problems or less simply I
4 will say that we have not seen this in government
5 in this city ever before but we are here for a
6 reason today. And so how does that translate to
7 private sector but also not-for-profit that are
8 supplementing the services that are being provided
9 by the city, human services that are being provided
10 that are often women dominated. Early childcare
11 that is being dominated. We're still looking at
12 disparities there and these are directly contracted
13 with the city, are we compensating them in an
14 equitable way as well, how does this legislation
15 and just us being here today elevate our
16 consciousness around addressing those issues.

17
18 PAUL RODRIGUEZ: This particular piece
19 of legislation, as you know, presents a reporting
20 requirement on city workforce but I think to your
21 point what we do in city government matters and
22 what we are able to -- to the extent that we can be
23 a standard-bearer for the private sector, it
24 matters to not only New York City, we are looked at
25 across the nation and I think that we -- how we

2 treat our employees is an example that we can set
3 and is an incredible and important example that we
4 can set. To answer your question as well about
5 what we are doing particular with contractors and
6 this is something the Administration is actively
7 working, is figuring out ways to extend as many
8 protections and best practices that currently exist
9 in government and extend them certainly at the very
10 least to those who do business with a government if
11 not to the private sector as a whole.

12 CHAIRPERSON MILLER: Council Member, do
13 you have any further questions?

14 COUNCIL MEMBER CUMBO: I just want to -
15 - I just had one more question and then we
16 certainly want to hear from everyone that's here to
17 testify. It states in the testimony that no later
18 than January 15 annually thereafter, the department
19 would also be required to make such report
20 available to the public and so this data that is
21 going to be made available to the public, how will
22 it ultimately be made available to the public?
23 What does that look like? Where does the
24 information live? How can people access it and
25 once they are able to access it, how will they be

2 able to utilize this to make sure that fairness and
3 equality are happening in the workplace? Is this
4 going -- is the illness going to be left onto the
5 employee, is it going to be Administration? How,
6 once we see this information, where is the illness
7 in terms of correcting it?

8 FENIMORE FISHER: So in terms of
9 answering the initial question concerning how will
10 the reports be published and sort of what format, I
11 think that is for us to work through with the
12 Council in determining the best method of
13 publication. What we do feel that has to be a
14 point of consideration is again how we take steps
15 to ensure protecting the privacy of our employees
16 who have chosen to voluntarily self-identify their
17 demographic information specific to gender, race
18 and ethnicity and I think we have to be cognizant
19 that with the publication of such a report, we just
20 want to make sure that we don't create any
21 unintentional consequences of forms -- additional
22 forms of discrimination. An example would be
23 specific to a housing instance where basically
24 individuals would secure access to demographic data
25 that they normally would not have an ability to do

2 so under the law or specific to areas of predatory
3 lending where you would have potentially a lender
4 who would have access to all of our employees
5 demographic data and so we hope in terms of working
6 with the Council we can structure out the most
7 appropriate way to produce this data but at the
8 same time protect the rights of our employees.

9 COUNCIL MEMBER CUMBO: We heard in
10 previous testimony that there were cities that have
11 fortunately and unfortunately surpassed New York
12 City in areas around wage disparity and
13 transparency. We heard at the hearings that
14 Seattle was one such city that was leading the way
15 and have been doing so for some time, New Mexico as
16 well and I also believe Houston. Are there other
17 cities across the nation that made these type of
18 strides that we can continue to model in terms of
19 this work because if some cities have already
20 gotten to that level then there are other things we
21 can do.

22 PAUL RODRIGUEZ: So my understanding is
23 that you're referencing specifically equity and
24 equity assessment in the equity assessment space.
25 There are some bills that are currently before City

2 Council that the Administration has been very vocal
3 and effusive in our support. We are constantly
4 looking for ways to improve our operations here in
5 New York City. We're constantly looking at cities
6 and states and localities around the country for
7 best practices and in many instances we are leaving
8 those best practices but certainly where we're
9 seeing that other municipalities are doing
10 something we can use that would benefit the city,
11 very happy to emulate and build on those as well.

12 FENIMORE FISHER: I would just add to
13 that, last year DCAS hosted a diversity and
14 inclusion colloquium where we invited
15 municipalities from across the country to share
16 with diversity and EEO practitioners and best
17 practices and some of the cities that were a part
18 of that colloquium and are still working with us
19 today include Seattle, Philadelphia, Dallas,
20 Minneapolis as well as we have also done outreach
21 to the City of Boston. So additionally I just want
22 to add and contribute that concerning the direction
23 we're working in for securing best practices from
24 our sister jurisdictions.

2 COUNCIL MEMBER CUMBO: Thank you very
3 much. Thank you, Chair Miller.

4 CHAIRPERSON MILLER: Thank you so much,
5 Council Member. Go ahead.

6 FEMALE: I also want to add that there
7 are areas where New York is in the forefront of a
8 lot of things such as Executive Order 21, the
9 elimination of pay history when interviewing
10 someone for a new job. What we found when we
11 convened the agencies to say while you can no
12 longer use somebody's previous salary to determine
13 a job offer, well what can you use? So now we're
14 talking about proper job valuation, objective
15 standards on how much the job is worth and not who
16 the person performing it is worth and we have
17 identified a lot of best practices in agencies such
18 as having your EEO officer sit on the panel, having
19 structured interviewing, having a consistent bank
20 of questions in which to evaluate candidates and in
21 doing that we have identified even within the city
22 some city agencies who are doing some amazing
23 things in job valuation and removing unconscious
24 and subjective bias from the selection process.

2 CHAIRPERSON MILLER: That is
3 interesting. If we had more time, I would
4 certainly ask who those agencies were but what I
5 would ask is when you are convening these folks to
6 determine best practice, are you including those
7 who are represented by labor -- are unions included
8 or is it simply upper-level managers or -- that are
9 determining what are the best practices and what
10 pay scale should be in those cases?

11 FEMALE: Right now, we're just meeting
12 with the agencies to find out what the agencies are
13 doing so there will come a step where we will
14 welcome union to involvement.

15 CHAIRPERSON MILLER: Yeah. When it
16 comes to performing tasks, I think and -- what is
17 fair compensation they would probably be a worthy
18 entity to involve in that. Finally, before I let
19 you go, so we did hear at the Civil Service and
20 Labor Committee, legislation that would create an
21 online portal to be able to track -- that would
22 track exams and history of individual exams that
23 have taken where they are [inaudible] and also
24 where they have come from. Is it possible that we
25 could enhance that to the current workforce or do

2 we -- or would we look at creating something
3 totally separate and apart from that? We have been
4 at that problem for two years and it is not a
5 hundred percent up and running and I think that one
6 of the biggest impediments was accessing
7 information from agencies and we've seen that
8 there. How do we sure that we can access pertinent
9 information in this case from agencies that we have
10 not gotten it from in the past? What can we do
11 differently?

12 FEMALE: So every city employees'
13 personal information is housed in human resources
14 information system, which DCAS is a business owner,
15 so agencies, you know, they have their system but
16 the all enter into [inaudible] so that is NYCAS,
17 pay data from OPA and FISA are certainly
18 information that as a part of this bill we will be
19 happy to discuss further.

20 CHAIRPERSON MILLER: I think as Council
21 Member mentioned earlier, how do we enforce this
22 and certainly I don't want to be redundant but
23 there's been a problem with the online portal in
24 accessing information from these agencies, we need
25 to make sure that they are being timely given the

1 information that is needed so that we can put
2 together the reports necessary to resolve these
3 issues that we are looking at today. So I just
4 want to thank everybody for coming out. I know, it
5 can be rough at times but I have been working with
6 the Office of Labor Relations over the last few
7 decades and different administrations have not
8 really seen the type of progressions that we have
9 seen over the past three years, folks that are
10 willing to sit with you and become better and
11 engage workers in a way that we can assist some
12 of the things that are happening, the agencies and I
13 will tell you I was a little skeptical about some
14 of the things that were coming online but they are
15 doing really good work and for the sake of this
16 hearing and these women that are involved in these
17 pay equity disparities that we can really put our
18 heads together and resolve these issues sooner than
19 later. I look forward to working with Council
20 Member Cumbo to ensure that this happens and
21 certainly this bill is not a fix all. It is
22 certainly a tool in the toolbox and looking forward
23 to working with everybody here to -- and with the

Administration as well to ensure that we accomplish those goals so I think you for being here.

FEMALE: Thank you.

CHAIRPERSON MILLER: Okay. Next up at bat: Arthur Cheliotas, Beverly Newfield, Marble Regan and Yetta Kurland. Soon as we get these testimonies here, you can begin. Okay, we're ready. Start wherever you like.

ARTHUR CHELIOTES: Good afternoon.

Chairman Miller and Laurie Cumbo, Councilwoman who introduced this important legislation, Intro 1536. My name is Arthur Cheliotas. I am President of CWA Local 1180. I thank you and the is Committee for inviting me to testify on behalf of our membership in support of Intro 1536, a law to amend the administrative code of the City of New York in relation to reporting pay and employment equity data. Local 1180 has been on the journey for justice for women working for the City of New York for over 30 years, women who demand nothing more than to be paid with their male predecessors earned in real dollars. We have called pervasive, institutional discrimination to get them promoted out of the union to managerial positions as

1 administrative managers during a [inaudible]
2 administration but it was only with the help of
3 [inaudible] administration that the largest group
4 of women of color in the city's history were
5 promoted through competitive civil service
6 examinations to the top rank of their occupational
7 series administrative manager. It is the
8 equivalent of being a captain in the police force
9 or firefighter. It is the top of the series.
10 There are no further civil service examinations.
11 Their experience during the Giuliani and Bloomberg
12 Administrations was frustrating for these new women
13 managers. They were not treated fairly, they were
14 not respected and treated as managers -- and not
15 treated as managers. They were certainly not paid
16 the same as their male predecessors or colleagues.
17 These women managers needed a union to fight for
18 them and after a decade of hearings we were
19 certified as their union. We made sure our members
20 had the academic credentials to do well in these
21 high-level positions. We bartered with the Murphy
22 Institute of the City University of New York. They
23 earned bachelor degrees and master's degrees in
24 urban studies and public ministration. The union
25

1
2 paid the tuition for 24 undergraduates and then
3 again for 24 graduate [inaudible]. They earned
4 graduate and postgraduate certificates in public
5 administration and healthcare administration.
6 Despite their decades of experience in government,
7 scoring well on competitive examinations, academic
8 achievements, they were not paid as well as white
9 males doing the same or easier work. Previous
10 administration ignored our demands for equal pay
11 for these and stonewalled our efforts to gather
12 data at every turn. We spent many days in court
13 forcing the city's lawyers to give us the
14 information we needed to evaluate the nature and
15 scope of the inequality we perceived anecdotally
16 but could not quantify. Local 1182 took on the
17 cause and spent hundreds of thousands of dollars
18 doing the legal research, hiring the attorneys, the
19 statisticians, the psychometricians with the
20 expertise in regression analysis. We then had the
21 data we needed and the information we needed and we
22 went to the Federal EOC with our complaint against
23 the Bloomberg Administration. After repeated
24 stalling and stonewalling by the city's attorneys,
25 the Federal EEOC found violations of both the Equal

1 Pay Act and Title VII of the Civil Rights Act in
2 April of 2015. The Federal EEOC determination was
3 over 1000 administrative managers, women and people
4 of color, were paid much less than their male
5 predecessors. These women were being offered a
6 starting salary as low as \$53,373 to do the same
7 work their male predecessors had done for over
8 \$90,000 when you take inflation into account. The
9 Federal EEOC recommended front pay and back pay
10 totaling \$243 million plus damages and referred the
11 matter to the Department of Justice for
12 prosecution. Mayor de Blasio understood the bad
13 behavior of previous administrations and wanted to
14 end it and we began to work on reaching a
15 settlement last year. We are glad to report that
16 we have reached a settlement of the Federal EEOC
17 case which is now pending approval for the US
18 Department of Justice. However, there is still
19 much work to do and it is our hope that with the
20 legislation in Intro 1536, the city will continue
21 to engage in corrective actions that achieve the
22 equal pay we all seek. It is with affirmative
23 action that we meet the requirements of EPA. We
24 cannot stand still. While equal pay has been the
25

1 law of this land since John Kennedy signed the
2 Equal Pay Act in 1963, progress in achieving equal
3 pay has installed. Even women have better academic
4 credentials and experience, they continue to be
5 paid less than men doing the same work. Despite
6 the fact that the equal pay act was signed into law
7 in 1963, recent national data reflects in this
8 chart over here that over 50 years later we still
9 have not achieved anything near pay equity. To
10 better understand the implications of inequality
11 reflected in this chart consider this: if a white
12 man, a white woman, an African-American, an
13 Hispanic woman all began working on January 1 of
14 this year, the white man would be getting paid from
15 the first day of the year from January 1. However,
16 a white woman though she worked the same days as
17 the white man would have to wait to March 25 to
18 begin to get a paycheck, 84 days later. An
19 African-American woman, though she started working
20 the same day as the white man, would have to work,
21 wait 131 days until May 11 to begin getting paid.
22 A Hispanic woman, though she started working the
23 same day as the white man, would have to wait unil
24 June 10th of 2017, 161 days, to be getting paid the
25

1 same as the white man. And for an administrative
2 manager hired at the minimum of 2009, she would
3 have to wait 155 days until June 4 to begin getting
4 paid while her white male predecessors were paid
5 from January 1st. Obviously, people can't live
6 this way. Despite working just as hard or harder
7 than a man, a woman and her family would have to
8 convince their landlord not to collect rent for
9 three to six months. She would have to buy food
10 and clothing on credit or use food stamps even
11 though she went to work every day like a man. The
12 failure of our paid equity laws to achieve their
13 goals of equal pay for equal work is at the root of
14 the high rates poverty among families, many with
15 children, headed by women. We cannot solve the
16 inequality we see in this chart and sense around us
17 unless we quantify and analyze its scope and
18 nature. This analysis begins with collecting the
19 relevant data. It begins with recording the pay
20 and employment equity data proposed in this
21 legislation and then once we have a identified
22 where illegal inequality exists, take action to
23 eliminate it. I grew up in Jamaica Queens. I
24 remember the think smoggy air, especially in the
25

1 summer, when soot accumulated on the windowsill
2 from the apartment house incinerators and car and
3 bus admissions. The air is much cleaner now and
4 when I dust my windowsill, the soot is but a memory
5 of my mother complaining about how dirty these
6 windowsills got. We made great progress since the
7 Environmental Protection Act was passed in 1970.
8 We achieved better air quality and water quality by
9 collecting data on pollutants and taking action to
10 correct the causes of the pollution. So while our
11 air and water quality improved, because we
12 monitored air and water quality and established
13 directive action programs to reduce pollution. We
14 did not do the same for equal pay for equal women.
15 The result -- equal pay for women, excuse me. The
16 result is equal pay remains an abstractions rather
17 than a reality. This legislation can help change
18 equal pay for women from an abstraction into
19 reality. The progressive City Council and this
20 Administration can make the City of New York a
21 model employer in developing ways to remedy pay
22 inequality and in doing so reduce the great
23 financial liability of violating the Equal Pay Act
24 and the Civil Rights Act as well. It has been
25

1 established in our administrative manager's EEO
2 determination where the city is liable for \$243
3 million plus damages that there is a heavy physical
4 burden that requires a prudent responsible
5 intervention to mitigate further liability on the
6 part of the city. Continuing to ignore inequality
7 subjects our city to greater liability. We thank
8 Council Members Daneek Miller, Laurie Cumbo for
9 introducing this legislation that will work to make
10 the gender wage data for public sector and city
11 contractors available and transparent. This is the
12 first to ensure women working in city agencies are
13 receiving equal pay as required under the Equal Pay
14 Act. Obviously, women have waited long enough for
15 equal pay and if I have the indulgence of the
16 Chair, I would like to introduce you to some of the
17 women of Local 1180 who are administrative
18 managers. Could I ask them to stand up? Could you
19 please stand up ladies and gentleman? Thank you
20 very much. Please be seated. These women have
21 been working for the city for decades. They have
22 jumped through all the hoops, taken all the tests
23 and still they are not being paid the same as their
24
25

2 male colleagues. This must end. Thank you very
3 much.

4 CHAIRPERSON MILLER: Thank you,
5 President Cheliotos. Thank you for your testimony
6 but more importantly, obviously you talked about
7 the resolve of the case of the members of 1180 and
8 so you don't have to be here, right, you really
9 don't and it is the fact that you are here
10 advocating on those who will come behind you
11 ensuring that there is a process in place that
12 protects workers that protects women and ensure
13 equity in the workplace so I just want to say thank
14 you to you and all of your members that are here
15 today for the sacrifices that you've made for the
16 next generation who may not appreciate the gains
17 that you have made on their behalf but will
18 continue to engage and teach them on that. Right
19 now, I am going to kick it over to my Council
20 Member and let her start the questioning if you
21 have any questions at all? I'm sure you do.

22 COUNCIL MEMBER CUMBO: I just want to
23 thank you so much for your testimony. Just to see
24 the energy and to see us at this place today is
25 just so historical because this has been such a

1 long time coming in terms of our time in the
2 Council and Mr. Cheliotas, you have been a pioneer
3 amongst pioneers and you've been surrounded by so
4 many dynamic women who have been so courageous and
5 have put this information out in a way that is
6 going to change and revolutionize the workplace for
7 so many individuals and it is one of those moments
8 where you recognize that you are part of herstory.
9 You don't quite feel it but you know you're part of
10 something really special and something really
11 dynamic and I just thank you for the work that you
12 have done and getting us to this particular point.
13 You stated in your testimony you're waiting from
14 the US Department of Justice as far as how will
15 this legislation that I'm confident that we are
16 going to pass in the City Council, how will that
17 weight in on the US Department of Justice's
18 determination do you believe?

19
20 ARTHUR CHELIOTES: I must say I would
21 not know given the political dynamics at work with
22 the new Attorney General. I've seen some reports
23 of the federal budget virtually eliminating the
24 civil rights division in the Department of Justice,
25 some 700 jobs nationally. So this does not

2 certainly appear to be a priority for 45 or his
3 Attorney General.

4 COUNCIL MEMBER CUMBO: Many of the
5 women that you represent today, in their job title
6 and position without even having this information
7 available to us right now, if you look at managers
8 and other agencies and other sectors is it -- what
9 type of progress have you been able to make in
10 terms of similar title but different agency,
11 different industry within that particular agency?
12 We know that fields that are particularly dominated
13 by women, even in title, don't earn the same as
14 their male counterparts in other industries. Can
15 you talk a bit to that and some of the experiences
16 that you had there?

17 ARTHUR CHELIOTES: Well we represent a
18 number of titles and we're looking at the title
19 that promotes into administrative manager to see
20 how assignments are given out because there is
21 great latitude in the part of management as to how
22 assignments are made and we want to make sure that
23 those are made within a pretty broad span of
24 salary, appropriately and nondiscriminatory so it
25 is something we're looking at. This is yet another

2 step of our continuing effort to represent the
3 dynamic and talented women who were members of this
4 Local.

5 COUNCIL MEMBER CUMBO: Thank you. I
6 know we have other testimony to hear as well.

7 YETTA KURLAND: Thank you. Good
8 afternoon. My name is Yetta Kurland. I am an
9 attorney with the Kurland Group which serves as
10 lead counsel to CWA 1180 in its class action
11 lawsuit seeking to correct discriminatory pay
12 practices by the city towards non-managerial
13 administrative managers. The city of New York
14 employees 325,000 workers. That is more than
15 Google, Macy's, Facebook, Barnes and Nobles and
16 Goldman Sachs combined. As an employer, the city
17 has had a troubled history with regards to its pay
18 practices towards women and employees of color. To
19 be sure, this problem did not begin with the
20 current Administration but if not properly
21 addressed, it will get worse causing severe
22 hardship to city workers and exposing the city to
23 additional liability for breach of its obligations
24 under both federal and state laws including the
25 Equal Pay Act and Title VII of the Civil Rights Act

1 of 1964 as amended. To put a human face on this,
2 our clients, predominantly women of color, often
3 tell stories having worked for the city for 20 or
4 30 years after reaching the top position in their
5 field still not making enough money to survive,
6 worrying each month about whether or not they are
7 going to make rent, not being able to provide
8 educational opportunities for their children,
9 having to borrow from their pension if they have
10 one to put food on their table and so on. TO put
11 it in a statistical perspective, we analyzed the
12 pay practices for administrative managers and found
13 after adjusting for all variables other than race
14 and gender, including time and title and time
15 working for the city, et cetera, that in, for
16 example, 2015 women of color made approximately
17 \$14,000 less than their white male counterparts
18 doing the same job as administrative assistant.
19 Again, as Mr. Cheliotos testified this a position
20 where the starting salary is \$53,000 so \$14,000 is
21 a significant difference. When we looked at
22 similar job titles where there was significantly
23 more men and white employees, we found that white
24 men made approximately \$30,000 more than these
25

1 women. Now that we have the data we can begin to
2 address these injustices and create equal
3 employment opportunities for New York City's
4 workforce but the real setback for these workers
5 and for other city workers who face similar issues
6 is that aside from the pay differences they had to
7 endure, it took us more than three years of
8 protracted affirmative litigation to get that data
9 to be able to analyze the problem and I'd be happy
10 to answer questions or talk more if the panel is
11 interested about some of the difficulties and
12 challenges we faced in that process. Federal law
13 mandate that the city properly maintain the records
14 specifically for the purpose of addressing
15 discriminatory pay practices but not only did the
16 equal employment opportunity commission find in
17 favor of CWA 1180 in determining reasonable cause
18 that discriminatory pay practices listed, it also
19 found that the city had violated its obligations
20 under Title VII to maintain information with
21 regards to race and gender of its employees to
22 allow redress. That is why this bill is critically
23 important and I applaud the Council Member Miller,
24 Council Member Cumbo, Public Advocate and all the
25

1 council members who have spearheaded this
2 initiative. The bad news is that unfortunately the
3 issue of discriminatory pay practices does not
4 begin and end with administrative managers but the
5 good news is that armed with this statistical data,
6 we can begin to correct these unfair pay practices
7 and create what I hope will be a model employer in
8 the City of New York. Thank you.

10 BEVERLY NEWFIELD: Good afternoon. I
11 am Beverly Newfield. I am president of a network
12 of organizations, 120 groups, across new York State
13 that are committed to work together to accelerate
14 women's economic equality. We are the leaders of
15 the Equal Pay Campaign and have been working for
16 more than 10 years on this issue so it gives me
17 great joy to be here today to hear the conversation
18 and the seriousness and depth of understanding of
19 an issue that I pretty much wake up every day and
20 think about so it really is a very special hearing
21 for me. I want to also share that I am a member of
22 the Commission of Gender Equity for the City of New
23 York and I'm the organizer of Equal Pay Day every
24 year on the steps of City Hall and so many of you
25 have been there and appreciate that growing

1 movement that brings us here today. We've worked
2 to pass laws on New York State level including the
3 Women's Equality Act and particularly the Equal Pay
4 Act, Women's Workforce Act here in New York City,
5 very instrumental in working on the salary history
6 ban. So New York as counsel from the Mayor's
7 Office said, New York has been a progressive
8 leader. There's no question about that and I have
9 some other cities to talk about but today's step is
10 really critical in moving us forward and I think
11 ultimately moving the private sector forward as
12 well. So despite the laws, we've already talked
13 about it, and you have the numbers, the stats and
14 they are not good particularly for women of color.
15 New York actually is one of the top states in
16 closing the wage gap overall but we do just as
17 badly as the rest of the states when it looks at
18 women of color and I think that is really a
19 disgrace that needs to be addressed. But, the city
20 is the largest employer in the metropolitan area so
21 you're in a unique position to address the wage gap
22 and you affect so many employees and 1536 is an
23 excellent tool to do that. It will create
24 transparency, data collection, benchmarking,
25

1
2 problem-solving. These are all necessary to close
3 this wage gap. I think I can add to the comments
4 that have already been made and tell you that
5 leading US companies are already instituting these
6 practices and they are doing it to comply with the
7 Equal Pay Laws that's true but more importantly for
8 our conversation they are doing it because it is
9 good for business. They want to recruit and retain
10 the best talent and that's why equal pay is
11 important to them. It's good to build a team but
12 it's also good for the bottom line. The National
13 Women's Law Center has compiled best practices and
14 I offer that to the Chair and to the Committee to
15 look at. It is called Employer Leadership to
16 Advance Equal Pay, Examples of Promising Practices.
17 Just to share a few, they cover equal pay audit,
18 salary transparency, hiring practices and end
19 negotiations in hiring. So you asked the question
20 before what cities are doing it but first companies
21 are and I think that's what's really important to
22 know that you are in good company by doing this.
23 So Sales Force has been out there and Buffer, which
24 is a smaller tech firm, but Amazon, Apple, Cisco,
25 Delta, they are all analyzing their wage data and

1 they are looking at how to close the data. Of
2 course, it won't be as transparent to the rest of
3 us what their mechanisms because this is city
4 government but they are doing this. On the public
5 front: California, Alexandria, Virginia, you
6 mentioned Boston already, Seattle. Seattle started
7 in 2013 with a task force and that has allowed them
8 to progress quickly because it was a consistent way
9 moving forward analyzing data, looking for
10 solutions and I think that's what 1536 offers. So
11 just -- the city's gap is not in question. The
12 question is what do we do about it. The public
13 advocate has more information about the wage gap
14 and Controller Lou had the same -- had similar data
15 in 2011 and to our chagrin nothing was continued,
16 you know, we know there's a problem. The recent
17 lawsuits, another example of the problems and the
18 challenges that employees face. So what happens
19 moving forward and what happened moving forward is
20 1536. That's happens moving forward because it
21 will report and analyze data and then it is charged
22 with addressing the problems. If it's just data
23 analyzing that we already know but they go farther,
24 they benchmark and it is charged with saying what
25

1 do we do to close the problem. So if government in
2 New York City is obligated to use taxpayer funds in
3 compliance with Equal Pay Laws this is one way to
4 do that but also government should be a role model
5 as an employer and I think 1536 will help new York
6 City do that. I just want to add that we are in
7 very serious times and I think that there is
8 another reason to pass this bill and that is
9 because we are all resisting rollbacks in
10 Washington. That is our job. But, I think we have
11 to proudly push forward progress in New York and
12 1536 will help do that. Thank you so much.

14 CHAIRPERSON MILLER: Council Member
15 Cumbo?

16 COUNCIL MEMBER CUMBO: Thank you. I
17 want to thank all of you for your testimony today.
18 This has really been inspiring and when we look at
19 how dynamic and incredible women are, as I stated
20 in my opening statement, we have outpaced men in
21 education, earning more advanced degrees but yet we
22 have been benched in our career advancement and
23 when we look at that and look at the bulletin there
24 in terms of what our Latino women, African-
25 American, Caribbean and white women earn to their

1 white male counterparts with us out pacing men in
2 every area, we are really -- we set our benchmark a
3 bit too low when we look at white males as the
4 benchmark of what we're trying to exceed. We
5 should far exceed white males as our benchmark and
6 we should look out even further in terms of what we
7 are due and what we are worth and we can't allow
8 white males to be the benchmark for that. But in
9 that, we also know that women serve so many
10 different roles so personally we know that so many
11 women are the heads of their households, we know
12 that women are often tasked with the
13 responsibilities of raising families, of being
14 there for a sick child, picking up children back
15 and forth for daycare, after school, making it all
16 happen, also being that person that often has to
17 care for an aging adult, a grandmother,
18 grandfather, relative, there are so many. How do
19 we make sure that in all of this discussion with
20 all the roles that women play, having the advanced
21 degrees, having to be the head of the household,
22 caring for our young, caring for the old, and
23 having to look fabulous at the same time, how do we
24 make sure in the midst of all of that, that that
25

1
2 does not impact this type legislation negatively
3 because of all of the roles that women play.

4 BEVERLY NEWFIELD: It is going to take
5 a long time to change what has been in existence,
6 there's biblical reference to the wage gap so it is
7 going to take a while to change things. It is also
8 going to take a while for people to respect
9 caregivers. But in the meantime what companies
10 have done and what cities have done is they've said
11 okay, why is there a gap, why is there an
12 opportunity in wage gap and the reasons they find
13 in many is because of the lack of benefits and
14 flexibility in the workplace and the New York City
15 workforce will probably find that when they serve
16 employees that they need more flexibility and that
17 is how good companies are handling it and women are
18 able to work and come back and not be punished for
19 doing an important job that we all have to do which
20 is taking care of our families.

21 YETTA KURLAND: Council Member, if I
22 can make two tactile recommendations in terms of
23 the drafting. I just want to say the drafting has
24 been excellent as we've reviewed it. Just in
25 reference to our challenges in our process getting

1 this data through the courts, the city referenced
2 the issue of confidentiality and of course we all
3 take confidentiality very seriously. I would argue
4 that public employees don't have the most
5 confidentiality in the world generally. Most all
6 of your information is published online, literally
7 your name, your salary, other --

9 COUNCIL MEMBER CUMBO: It is for the
10 City Council.

11 YETTA KURLAND: Yeah, right, and
12 judges, all of public employees. To the extent
13 that the city's position is that discerning gender
14 and race in the world of social media is something
15 that is in fact even confidential which could be
16 argued but there certainly are ways in which this
17 information could be anonymized and still give us
18 the discrete information we need as to gender and
19 race to make the analysis to protect workers. The
20 second thing I would say is so confidentiality
21 shouldn't be an issue that stops us. The second
22 thing I will say is that as you go through the
23 permeations of the drafting of this bill, I just
24 want to say that the details about information is
25 imperative meaning those EEO reports that we've

1
2 been getting where there is just general
3 information, average statistic, that doesn't help
4 us. As Mr. Cheliotas testified, you have to be
5 able to do ration analysis with a statistician to
6 look at the actual specific employee data so just
7 mindful of making sure we are capturing the data
8 necessary to actually get the information that we
9 needed as I'm sure you all do.

10 CHAIRPERSON MILLER: So we do have one
11 more person to testify and I will call Mrs. Regan
12 one more time and feel free whenever you're ready.

13 MERBLE REAGON: Thank you very much and
14 I will never not repeat things that have been said
15 already. My name is Merble Reagon, I'm Executive
16 Director at the Women's Center for Education and
17 Career Advancement. I would like to thank the New
18 York City Council Civil Service and Labor Committee
19 for this opportunity to speak in favor of Bill
20 1536. The Women's Center has worked with more than
21 40,000 New York City women to prepare them for
22 education and employment that would enable them to
23 support their families and advance in their
24 careers. We realized early on that many women who
25 work full-time are not earning adequate income to

1 meet their families' basic expenses. In 2000, we
2 partnered with other New York City not-for-profit
3 organizations to determine exactly how much money
4 specific New York City families need to make ends
5 meet based on where they live, the number of people
6 in the family and the ages of their children. We
7 produced the first of four New York City self-
8 sufficiency standard reports that measure how much
9 income New York City working families needed to
10 meet all of their basic needs with no public or
11 private support from other sources. We will be
12 releasing the fifth report in early 2018. Along
13 the way, we also, excuse me, determined that many
14 low-wage working families headed by women in
15 particular are eligible for income supports and
16 public benefits that help them to survive until
17 they can obtain better pay and work. In our most
18 recent report, we calculated what it costs for 152
19 working family types living in seven different
20 geographic areas of New York City to meet all of
21 their necessary expensive. It also answers the
22 questions how many New York City households live
23 below the standard and what are the characteristics
24 of those households. Excuse me. In the
25

1 deliberation and development of this legislation,
2 we think that it is long past time to shift New
3 York City public policy deliberations from just
4 moving people above poverty to one that addresses
5 how to help working families achieve economic
6 stability and self-sufficiently based on a real and
7 comprehensive understanding of what they really
8 need to make ends meet. For a family with two
9 adults and two young children in New York City to
10 cover all their expenses, housing, food, childcare,
11 transportation, taxes and other miscellaneous
12 expenses such as phone and household expenses, the
13 basic need income needed in the Bronx is 80,000.
14 In northwest Brooklyn, it is 86,000. This is a
15 barebones budget covering all expenses with no
16 extras like saving for college and retirement, no
17 food eaten outside the home, no credit card or loan
18 payments, no vacations, et cetera. And so as the
19 information is gathered as a result of this and
20 other bills, we think that it is very important to
21 pay close attention to the salaries that are
22 determined equitable in all job categories. We
23 examine demographic characteristics in our report
24 to see which New York City groups bear
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1
2 disproportionate burden of inadequate income such
3 as race, gender and family composition. The first
4 two have been discussed at length today. These
5 findings will not come as a surprise to most of you
6 and following are just some of the findings from
7 our report that have informed our support of Bill
8 1536. Contrasted with the federal poverty measure,
9 which defines one in six New Yorkers as poor, our
10 self-sufficiency standard demonstrates that more
11 than four in ten working age household lacks
12 sufficient income to meet the minimum cost of
13 living in New York City. This represent nearly 1
14 million households. Moving from statistics to
15 people that translates to over 2.7 million men,
16 women and children struggling to make ends meet in
17 New York City. For many households, substantial
18 work ethic and effort have failed to yield
19 sufficient income to meet the even minimum cost of
20 basic needs. For many households with incomes
21 below the standards, it is not the occupation they
22 hold but rather the specific jobs within
23 occupations. It is largely inadequate wages not
24 inadequate work effort which characterizes the
25 great majority of New York City households below

1 the self-sufficiency standard. There is also a
2 racial wage gap with the median wage of nonwhite
3 householders being just 61 percent of the median
4 wage of white householders. Women and people of
5 color have -- must have considerably more education
6 than their male white counterparts to achieve the
7 same levels of self-sufficiency. For example,
8 women of color with a bachelor's degree or more
9 have only a slightly lower rate of inadequate
10 incomes than white male with only some college or
11 post-secondary training. Also, our research shows
12 that the returns as a result of work effort are
13 consistently lower for people of color and single
14 mothers resulting in higher levels of income
15 inadequacy despite their work ethic and work
16 effort. We are aware that there is a comprehensive
17 and wide range of factors that stand in the way of
18 women, people of color of LGBTQ individuals who
19 simply want and deserve equal access to workplace
20 advancement and pay equity, also known as better
21 jobs and fair wages. The bill will help to achieve
22 the transparency and data that will enable New York
23 City to work more effectively to eliminate the
24 racial, gender and sexual orientation biases that
25

2 today obstruct economic opportunity and career
3 advancement for many New York City agency
4 employees. So we applaud the leadership of this
5 Committee by introducing this bill and we commend
6 your commitment to workplace equity. Thank you
7 very much.

8 CHAIRPERSON MILLER: Thank you so much
9 to the entire panel for this insightful information
10 here. Last week we had a hearing on the impact on
11 45's policy on the New York City workforce and
12 obviously 1180 once again gave very critical
13 testimony at that point at that hearing as well and
14 so what we learned at that point was obvious that
15 the obvious from the Department of Labor the
16 policy, the retraction and the executive orders of
17 years of gains that created the labor standards
18 that we enjoy today, the rollbacks on safety
19 standards for workers and all of those things were
20 under siege and that we needed to do things here at
21 the very local level to secure those rights and
22 entitlements that we have fought so long for and we
23 begin to do whether through resolution or suring up
24 some of the handshake agreements that we've had in
25 this city over the years that's no longer okay to

2 just have a handshake agreement, right, that we
3 need concrete public policies supported by
4 legislation. That is what we are doing here today
5 so that can for generations protect workers so it
6 is so important that we are all here today and I
7 had a follow-up question in that you articulated so
8 very well and that was that as we look at this
9 legislation is there anything that we can add that
10 should be added to this legislation or any tweaks
11 or adjustments before its passing so that we ensure
12 that we're protecting workers in a way that we
13 intended. So anyone have anything to add?

14 YETTA: I think just to follow-up on
15 the two points I was making in terms of ensuring
16 that there's teeth in the bill so that at the end
17 of the day we're not getting generalities or
18 averages that don't get us --

19 CHAIRPERSON MILLER: Absolutely.

20 YETTA KURLAND: The other thing I think
21 has already been touched on by the Chair and
22 questions the city which is how do we make sure
23 that it is made available to the public. What we
24 ultimately had to do was serve a FOIL request which
25 was then -- and so most folks don't have the

1
2 resources nor the time to spend two or three years
3 in an Article 78 proceeding so, you know, my
4 suggestion would be just thinking through the
5 specifics of that type of both capturing both the
6 full information and then making sure that it truly
7 is available to the folks who need it.

8 MERBLE REAGON: I would just like to
9 echo what was just said about the issue of the
10 privacy of New York City agency workers. I think
11 we are in New York City. We are smart people in
12 this city. We have access to some of the best
13 minds on the planet. If we want to collect this
14 data in a way that genuinely protects the privacy
15 of the workers yet gives us the specificity that we
16 really need to make decisions, it is possible. So
17 I guess I would urge the Committee and the Council
18 in general not to be deterred by some of the, what
19 I might call, hand-wringing about privacy issues.

20 BEVERLY NEWFIELD: Yes, I do have a
21 couple thoughts. There is no goal here. The goal
22 of closing the gap within a certain amount of time.
23 What is the gap is okay. In New Mexico they are
24 saying contractors, it has to do with contractors.
25 They started with you can't have a gap larger than

1
2 10 percent. Now they are reducing that as you go
3 along in time. So I think that that in a way is
4 missing. I'm not sure how to put it in. The other
5 thing is equal pay for equal work is a little
6 tricky because it means that you need to have men
7 and women in the same jobs and what you see from
8 the graphs is that men and women are not in the
9 same jobs so there is an analysis that could be
10 done. It's just called equal pay for work of
11 equivalent value and it is something we should
12 definitely deal with whether it's in this bill or
13 becomes a next step that is recommended. It is
14 critical to respecting the work that women
15 typically do and feel comfortable starting with so
16 I think that is just something for the end game. I
17 am not exactly sure if that could be put but it
18 could be part of recommendation certainly.

19 CHAIRPERSON MILLER: Certainly. And if
20 I have anything to do with the evaluation of that
21 information certainly I think that we have the
22 tools and experience to be able to see it is for
23 what it is and I know Arthur mentioned earlier
24 about the opportunities, how people are placed in
25 areas which had been historical paid less or jobs

1
2 have less of a demand so as we come to -- as we
3 evaluate and assess that information and kind of
4 put it on the scale we have to have the tools to
5 determine whether or not they are equal and so
6 forth but to get to the point where we have the
7 opportunity to have equal opportunity is really
8 what this is about as well.

9 BEVERLY NEWFIELD: Having one captain,
10 female captain, being paid equivalent to many male
11 captains, you know, is a little -- that's not --
12 that's not only -- the only point is to have many
13 females and many men and be able to make sure that
14 they are all being paid fairly so.

15 ARTHUR CHELIOTES: I think one valuable
16 tool that might be considered is what the
17 controller does for minority and women owned
18 businesses is issue an annual report card for each
19 city agency. What are they doing to achieve
20 equality in pay? How big is the gap? What have
21 they done in the last year to achieve the gap?
22 When these things are put out as a goal as
23 mentioned before as a target then things begin to
24 change because now it becomes the policy of the
25 city upon which managers are measured? Are they

1 meeting the targets that the administration has set
2 as important targets in achieving income inequality
3 in the city? So annual report card that evaluates
4 each agency as to how it's doing, I think would be
5 a very valuable tool to make it clear to managers
6 who might not have gotten the message that this is
7 important, needs to be addressed. I think that is
8 one element that should be considered.

10 CHAIRPERSON MILLER: Again, I want to
11 thank the panel for coming out. This is very, very
12 important hearing. I want to take my colleague,
13 Council Member Cumbo, for introducing this
14 legislation along with Public Advocate Letitia
15 James. I look forward to working with all the
16 advocates and obviously CWA as well in passing this
17 legislation but also once again and I am sure that
18 we will be here for the signing of this legislation
19 in the very near future but continuing to work to
20 make sure that this is really put into real use and
21 that we are changing lives with this legislation.
22 I thank you for coming out. I thank everyone for
23 participating today. With that, hearing is
24 adjourned.

25 [gavel]

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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date May 25, 2017