

COMMITTEE ON CIVIL SERVICE AND LABOR
CITY COUNCIL
CITY OF NEW YORK

1

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

----- X

February 28, 2025
Start: 10:30 a.m.
Recess: 12:10 p.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 14TH
FLOOR

B E F O R E: Carmen N. De La Rosa, Chairperson

COUNCIL MEMBERS:

Eric Dinowitz
Oswald Feliz
Julie Menin
Francisco P. Moya

OTHER COUNCIL MEMBERS ATTENDING:

Crystal Hudson

A P P E A R A N C E S

Laurie Cumbo, Commissioner at New York City
Department of Cultural Affairs

Lance Polivy, General Counsel at New York City
Department of Cultural Affairs

Henry Garrido, Executive Director of DC37

June Lei, Secretary DC37, Local 1502

Maida Rosenstein, Director of Organizing for
Local 2110 of the UAW

Ellen Nigro, Assistant Paintings Conservator at
the Brooklyn Museum

Elizabeth St. George, Unit Chair of the Brooklyn
Museum's local 2110 UAW shop

Brandon Mancilla, Director of UAW Region 9A

Vail Kohnert-Yount, Assistant Director of UAW
Region 9A

1 COMMITTEE ON CIVIL SERVICE AND LABOR

3

2 SERGEANT-AT-ARMS: Check, check. This is a
3 microphone check for the Committee on Civil Service
4 and Labor located in the 14th Floor on February 28,
5 2025, by Pat Kurzyna.

6 SERGEANT-AT-ARMS: Settle down, guys.
7 We're about to begin.

8 Good morning. Welcome to the New York
9 City Council hearing on the Committee on Civil
10 Service and Labor.

11 At this time, please silence all
12 electronics and do not approach the dais. I repeat,
13 please do not approach the dais.

14 If you are testifying today, make sure
15 you fill out a slip at the back of the room with the
16 Sergeant-at-Arms. You may submit one online at
17 testimony@council.nyc.gov. That is
18 testimony@council.nyc.gov.

19 Any further questions or concerns, please
20 contact the Sergeant.

21 Chair, you may begin.

22 CHAIRPERSON DE LA ROSA: [GAVEL] Good
23 morning, everyone. I'm Council Member Carmen De La
24 Rosa, Chair of the Committee on Civil Service and
25 Labor. Thank you for joining us at today's hearing on

pending layoffs at the Brooklyn Museum. The Brooklyn Museum is a cornerstone of New York City's cultural landscape, welcoming approximately 650,000 visitors each year and housing over 500,000 artifacts. Its diverse collections spanning from ancient Egyptian antiquities to the works of Norman Rockwell and Georgia O'Keeffe provide an invaluable educational and artistic experience for New Yorkers of all ages. Unfortunately, financial hardships have forced changes to the Museum's operation. Earlier this month, the Brooklyn Museum announced a series of cost-saving measures, including a hiring freeze, a reduction in exhibitions, and a cancellation of some weeknight events. Most notably, these budget cuts have resulted in the layoffs of 47 part-time and full-time staff. Shortly thereafter, the New York Times reported that DC 37, Local 1502, sent a cease-and-desist letter to the Museum, citing a contractual requirement for 30-day notice to employees prior to layoffs. The notice period expires in the first week of March, and negotiations remain ongoing.

Today, this Committee reaffirms our commitment to supporting arts and cultural institutions while also seeking to better understand

the circumstances surrounding these layoffs. We will examine the Museum's financial management, the role of public funding, the broader implications these cuts may have on employees, visitors, and the cultural sector at large. Our goal is to ensure that institutions like the Brooklyn Museum remain strong, accessible, equitable workplaces, while continuing to provide the public with valuable artistic and educational experiences.

I'd like to thank the Committee Staff, Senior Policy Analyst Elizabeth Arzt, Legislative Counsel Rie Ogasawara, and Extern Ravi Rosen (phonetic) from Brooklyn Law School for their hard work in preparing for this hearing. I'd also like to thank my Chief-of-Staff James Burke, Deputy Chief-of-Staff Kiana Diaz, and Communications Director Fray Familia, and our Legislative Fellow Hiba Imad (phonetic).

I would like to recognize that we've been joined by Council Members Moya on Zoom, Council Member Dinowitz, Menin, and Council Member Hudson. We will be hearing testimony from representatives from the Administration. And, oh, we're going to have an opening statement from Council Member Hudson, and

then we'll turn the hearing over to representatives from the Administration.

COUNCIL MEMBER HUDSON: Thank you so much. Good morning, and thank you, Chair De La Rosa, for giving me the opportunity to say a few words about today's oversight topic, pending layoffs at the Brooklyn Museum.

I'm proud to represent the 35th District, the cultural capital of Brooklyn, and perhaps even of New York City. My District is home to the Brooklyn Academy of Music, BRIC, the Brooklyn Botanic Garden, the Museum of Contemporary African Diasporan Arts, 651 Arts, and of course, the focus of today's hearing, the Brooklyn Museum, which is celebrating its 200th anniversary this year. Arts and culture are an economic engine of our city, with the creative sector accounting for 110 billion dollars in local economic impact, and tourism generating 74 billion dollars annually. Yet, our city's cultural sector routinely sees tens of millions of dollars in budget cuts each year, which not only impacts the programming of our city's cultural institutions, but also the hardworking staff that keep the lights on, doors open, and exhibitions on display. The Brooklyn

Museum's decision to reduce services and end employee agreements is indicative of the harsh fiscal challenges faced by many cultural and arts institutions in the wake of the COVID-19 pandemic.

I've stood shoulder to shoulder with many of my Colleagues at rallies and press conferences. I've sat in these very chairs for hearing upon hearing, fighting against the Mayor's budget cuts to our cherished cultural institutions. But these institutions are still struggling, and it is our constituents, New Yorkers, who are taking the hits. Whether it's a reduction in educational access for children, less programming for low-income New Yorkers, or the very livelihoods of the 47 employees represented by District Council 37, Local 1502, and UAW Local 2110, it is New Yorkers who are bearing the brunt of these cuts. I stand in solidarity with the workers who keep the Museum running and with the cultural institutions throughout the city, who year after year fight tooth and nail for the funding they need and deserve. At a time when we're facing an affordability crisis in New York City, we must fight to preserve every good paying union job in our city, and we must continue advocating for our cultural

2 institutions to not only avoid the budget cuts
3 repeatedly proposed by this Administration, but to
4 increase funding that has remained the same since
5 2015, despite a significant rise in inflation. In
6 order to move forward, the Museum must secure the
7 funding it needs to avoid these layoffs in order to
8 protect jobs and preserve our city's rich cultural
9 heritage. Thank you.

10 CHAIRPERSON DE LA ROSA: Thank you,
11 Council Member Hudson.

12 We will now be hearing testimony from
13 representatives from the Administration. For the
14 first panel, we'll be calling Commissioner Lauri
15 Cumbo and Lance Polivy. Sorry, guys, you know my
16 Dominican accent is in style today. And we will turn
17 it over to the Committee Counsel to administer the
18 oath for this panel.

19 COMMITTEE COUNSEL OGASAWARA: Thank you,
20 Chair. Hi, folks. Do you affirm to tell the truth,
21 the whole truth, and nothing but the truth before
22 this Committee and to respond honestly to Council
23 Member questions?

24 COMMISSIONER CUMBO: I do.

25 GENERAL COUNSEL POLIVY: I do.

1 COMMITTEE ON CIVIL SERVICE AND LABOR

9

2 COMMITTEE COUNSEL OGASAWARA: Thank you.

3 CHAIRPERSON DE LA ROSA: Thank you.

4 Commissioner, you may begin.

5 COMMISSIONER CUMBO: Thank you. Good

6 morning, Chair De La Rosa and Members of the

7 Committee. I am Laurie Cumbo, Commissioner of the New

8 York City Department of Cultural Affairs. I'm here

9 today to testify regarding today's topic, examining

10 the recently announced layoffs at the Brooklyn

11 Museum.

12 The Brooklyn Museum is one of our city's

13 most important cultural institutions. It's actually

14 one of the largest institutions in the country, and

15 the City and the DCLA provide substantial funding in

16 support of their mission to engage the public with

17 their cultural programming. In fact, the City expense

18 subsidy for the Museum has grown from 6.7 million in

19 Fiscal Year '22 to 8.5 million in the current Fiscal

20 Year, an increase of 27 percent over the span of the

21 Adams Administration. The City further provides an

22 additional 2 million dollars annually in support for

23 energy costs.

24 But even with this robust support, the

25 vast majority of the Museum's funding, more than 80

percent, comes from other sources, and cultural organizations across the city and beyond are facing major shifts and changes when it comes to their diverse sources of support. Philanthropies are shifting their focus away from the arts. Federal funding has been called into question. Corporations simply aren't giving as much as they once did, and inflation is driving up costs. Audiences have yet to return in the same numbers as they did before the pandemic. Even our tourism numbers, while we've come a long way toward their recovery, still haven't reached their pre-pandemic highs.

To dig into one of these major downward trends, according to a report last year in the Art Newspaper, private donor contributions have historically accounted for the single largest share of museum's operating revenue. In a survey, while arts and culture rank second on older generations giving priorities, it's not even the top three, unfortunately, for many of our younger donors. Another report found that from 2020 to 2021, while seven of nine charitable sectors, such as education and the environment, saw significant growth, giving to the arts, culture, and humanities declined by 8.6

percent. For these major shifts to come on the heels of the global pandemic has been nothing short of catastrophic for so many organizations. In this environment, cultural institutions are struggling to maintain operations across the city and have been forced to make painful decisions. Layoffs, reductions in programming, and other drastic measures have been taken just to make sure that institutions can stay afloat.

The Brooklyn Museum is just the latest example of an organization having to take these dire steps, which no organization wants to do. We have to be clear that this isn't specific to the Brooklyn Museum. Many organizations are facing the same challenges. We are devastated by the job cuts that the Museum's budget shortfalls have forced them to pursue. These are cultural workers who have dedicated their time and energy and passion to this critical institution. The same inflationary pressures that are impacting the bottom line of the Brooklyn Museum are also impacting hardworking New Yorkers across the five boroughs. The impact to the families of each employee laid off through these cuts will reverberate throughout our communities. I feel for these workers

and the unimaginable position each one of them has put in through these cuts. I am a DC37 baby. Both my parents were DC37 workers. They worked for off-track betting for most of their career until off-track betting was dissolved. And I remember that time in my household, what that meant for my family, including their medical benefits, which they had to fight for for many years until they were restored. You know about that fight, Henry. So, I'm here. I totally understand the challenge that so many of you are facing. We want to be of support and assistance and best we can, but also recognizing that this is a huge systemic issue that goes far beyond the Brooklyn Museum, and we need many more players at the table to figure out how to help our DC37 and UAW and many other workers to maintain their positions moving forward.

In the long run, the Museum's leadership prioritized the long-term health of their institution. They have a solid plan for putting the Museum back on firm financial footing. And like we would do, and are doing, for any cultural constituent who is struggling, we'll do whatever we can to assist. Culture is part of our city's fabric, and

institutions like the Brooklyn Museum are community anchors. They're economic drivers. They're the source of so much of what makes our city great. In 2019, the creative sector had a 110-billion-dollar total economic impact and employed 300,000 workers. We are proud of our record setting investments in culture under the Adams Administration. This year's budget is an all time record high, much larger than even pre-pandemic levels, thanks to our partnership with the City Council. But as I said, local government cannot solve these problems alone. We want to serve as a resource for addressing these broader trends in philanthropy and corporate giving. We need to find the right solutions, because our art and culture institutions are the bedrocks of our communities and sources of education, inspiration, and so much more. These institutions helped bring us back from the brink from the pandemic. Now we need to be there for them so that they can support these and so many other critical jobs for New Yorkers in the arts.

I want to thank everyone that's come here to testify. I want to thank all of the members of the Brooklyn Museum that are here. I certainly feel your pain and understand the challenges that you're facing

with a bit of an uncertain future. Similarly, my second job in my career was at the Brooklyn Museum. So, I am a former staffer of the Brooklyn Museum, and certainly gave my time and energy to fundraising at the Brooklyn Museum, and so I'm honored to be here to help be a thought partner in coming up with strategic strategies to help and assist not only the Brooklyn Museum, but the broader cultural sector navigate through perhaps what is one of the most unprecedented and challenging times facing our cultural institutions.

Thank you so much for all of you, and thank you for being here and calling this hearing.

CHAIRPERSON DE LA ROSA: Thank you, Commissioner, and thank you for your thoughtful words and your messaging of partnership, that is certainly the goal here, and thank you for taking the time to be here today.

I'm going to ask just two questions, and then I'm going to pass on to Colleagues, and then maybe come back, but I wanted to talk a little bit about the funding. So as of FY25 adopted budget, DCLA and the City Council allocated about 10.1 million in expense funds to the Brooklyn Museum. Each of the 34

members of the cultural institutions group have separate contracts with DCLA outlining the specific use of funding. Can you provide a breakdown of how the Brooklyn Museum allocated the DCLA funding for FY25, and what portion of that was used for operations, infrastructure, programming, or other specific expenses?

COMMISSIONER CUMBO: Okay. I just want to start off by giving a special note before I get into the bulk of the question. The 10.574 million includes 75,000 from City Council Member items, and an additional 1.986,323 in energy subsidy. The City subsidy supports the majority of the DC37 positions, currently 153, but will be reduced down to 134 with the pending layoffs. The DC37 covered positions are chiefly security, maintenance, collections care. The subsidy also covers education and other program staff, not DC37. Important to note is the City subsidy covers only the base salary of the DC37 positions with the Museum responsible for the balance of fringe and the contractual premium wage rates over time, etc. I just want to add also that our subsidy to the Brooklyn Museum only covers about 20 percent of the entire operation of the Museum. So, 20 percent

1 COMMITTEE ON CIVIL SERVICE AND LABOR

16

2 is typically what government provides support for,
3 but the other 80 percent comes through foundations,
4 corporations, individual giving, admissions,
5 fundraising, programming, and other programs.

6 CHAIRPERSON DE LA ROSA: So, what
7 percentage would you say directly or indirectly
8 supports the staffing costs?

9 COMMISSIONER CUMBO: What is the direct
10 number, the percentage that covers the DC37 staffing
11 out of the subsidy that we give?

12 CHAIRPERSON DE LA ROSA: Yes, correct.

13 COMMISSIONER CUMBO: Essentially all of
14 it.

15 CHAIRPERSON DE LA ROSA: Okay, 70 percent,
16 80 percent, do you have an idea?

17 COMMISSIONER CUMBO: I'll get you the
18 exact number during the course of this hearing, but
19 in the interest of time, if you have another
20 question, we'll come right back to that one.

21 CHAIRPERSON DE LA ROSA: Sure. Are there
22 any restrictions or guidelines within the Brooklyn
23 Museum's contract about how expense funding can be
24 used for staffing?

25

COMMISSIONER CUMBO: We don't provide a guideline in the sense of saying this is a rule that the funding has to be spent in this way. What we typically do, we give them an obligation plan, and we work within that obligation plan, and I would say that it's typically used to cover front-facing and essential support staff positions, security, maintenance, as it is typically easier to fundraise for program-related staff and expenses. So, I would say that there are not restrictions, but at the top of the fiscal year, CIGs submit a completed obligation plan, which outlines for the year how they intend to allocate their subsidy across organization expenses. The City subsidy is paid out monthly, and CIGs submit a monthly payment request for the upcoming month and a detailed expense report for the previous month. The agency also requires a year-end final report, which includes a previous year of audited financials. So, I say that to say that it's more that they submit to us a monthly expense report in terms of how they're spending the money, and then at the end, they have to do a final report, and that final report outlines how they are spending money. And Lance, did you want to add to that?

GENERAL COUNSEL POLIVY: We also just wanted to add that we currently are providing 80 million dollars in capital support to the Brooklyn Museum for various City-funded capital projects.

CHAIRPERSON DE LA ROSA: Okay. I guess a followup. What oversight does DCLA conduct over the Brooklyn Museum's finances, like all of the finances, before approving funding?

COMMISSIONER CUMBO: That would be the plan that I just outlined, which is the obligation plan.

CHAIRPERSON DE LA ROSA: Okay.

COMMISSIONER CUMBO: So the obligation plan outlines how they intend to allocate their subsidy across the organization expenses. But what organizations typically do is that they utilize that funding for the positions that are the hardest to fundraise for, security, maintenance, operations. Foundations and corporations typically don't want to fund those types of salaried positions, so many organizations utilize City subsidy for those very specific purposes, and then they would use a portion of their budget for more programmatic expenses where they can fundraise for those. Sometimes those do come

under the City subsidy, but very rarely. Because part of it also goes to the fact that for museums such as the Brooklyn Museum, is very difficult to fundraise for the non-sexy things that we say in the cultural world, but also the challenge becomes on so many levels is that foundations, corporations, individuals, they like to give to a museum or a cultural institution that they feel is very successful, that they have something exciting going on. So, this circumstance that the Brooklyn Museum and many other institutions find themselves in is that when they have to do layoffs, when they have to downsize, that's really not the momentum that many organizations want to function from. They want to function from a place of high energy, great programming, so this is a really precarious situation for the Museum, and certainly not one that they want to be in, nor do we as an agency want to see this happen.

CHAIRPERSON DE LA ROSA: And did DCLA have any indications that the Museum was facing a significant financial shortfall before the layoffs were publicly announced?

COMMISSIONER CUMBO: We understood that the Museum, like many of the cultural institutions, the 34 that we represent as part of the Cultural Institution Groups, they are all experiencing some level of challenge financially that they keep us abreast of. The Brooklyn Museum did not stand out as one of those organizations that were experiencing deficits of this level, but we were aware of it, we were certainly aware of it. We did not know that it was going to come to the point of layoffs and a reduction in programming of this magnitude. I know that they were trying to do a lot of different cost-savings measures before it came to this, but this was something that we were aware of, but we didn't know that it was going to take this significant of an impact on the Museum staffing.

CHAIRPERSON DE LA ROSA: Okay, thank you, Commissioner. I'm going to pass it to my Colleagues. I have more questions, but I'll pass it to Council Member Hudson, and then Council Member Menin, and then I'll come back. Okay, okay. Council Member Menin.

COUNCIL MEMBER MENIN: Great. Thank you so much, Chair. Good to see you, Commissioner.

So, I do have a very specific question.

So NYC and Company, which has now been renamed the Visitors and Conventions Bureau, I used to serve on the executive board of NYC and Co when I was commissioner of media and entertainment. Right now, the City of New York is spending 20 million dollars in budget that they are giving, 20 million dollars of City money is going to NYC and Co. What are you all doing to collaborate with them? Because you say tourism is down, but you've got a crisis now at the Brooklyn Museum, and it seems to me you could be utilizing some of that funding to do a really targeted campaign to support the Brooklyn Museum. Utilizing, I mean, there are 18 different international offices that NYC and Company runs. They also do programs to get New Yorkers to go to different venues so, I mean, if some of that funding was designated for a really robust campaign to boost visitors to the Museum, it seems like that would be something that should be tried first.

COMMISSIONER CUMBO: Well, I think that's what this hearing is all about, solutions, and you're coming up with a good one. We need to further explore that. We could definitely have those conversations,

would love for you to be a part of them, so that we can see what we can do to have a more robust tourism program promoting the Brooklyn Museum and other institutions. I'm not sure what they are doing in that sense, in terms of how much it's specifically targeted to the Brooklyn Museum. We would have to find that out, but I feel like that's another great solution in terms of maybe more targeted specifically to the Museum during this really particularly challenging time, could be helpful. I don't know how it's going to help us in the immediate, but I think in the long term we have to find solutions, and I think that that would be a great one.

COUNCIL MEMBER MENIN: Well, I would just suggest respectfully that immediately that this be done, because those funds are there, and we've used them in the past for these kinds of, not this particular situation, but other similar situations where you have cultural organizations or venues that are really struggling, and we could do a rapid infusion of funds to help to support that institution. So, I would obviously hold off on any draconian measure like layoffs, which we absolutely shouldn't be doing for this institution.

COMMISSIONER CUMBO: Let me ask you, Council Member Menin, in that way. You're saying more so for a marketing to increase visitorship at the Museum?

COUNCIL MEMBER MENIN: Correct, because you were saying that tourism is down, that the Museum is struggling, that it can't support these additional staff members but, before taking any kind of, just to be clear, I totally oppose these kinds of layoffs, so before going down that draconian path, why wouldn't we use every tool in our toolbox? We have an amazing tool in our toolbox, which is we have this Visitors and Conventions Bureau. It has significant City funds. Let's hold off on any kind of layoffs, and let's try this first, and really try to boost the Museum and visitorship, which would obviously boost its overall revenues.

COMMISSIONER CUMBO: We will certainly look into it. Sounds like a wonderful idea. I guess the challenge that I would experience with that is that those funds couldn't be directly allocated to the Museum, but it could be utilized, I would suspect, to boost fundraising and tourism and visitorship to the Museum without, unfortunately, the

Museum having direct access to that funding, being able to be utilized specifically for staffing.

COUNCIL MEMBER MENIN: Correct. The idea is that we come up with an immediate emergency plan to support the Museum, and this would be one very significant element of it.

COMMISSIONER CUMBO: Got it. Thank you so much.

COUNCIL MEMBER MENIN: Thank you.

COMMISSIONER CUMBO: Keep them coming.

CHAIRPERSON DE LA ROSA: Thank you, Council Member Menin.

Commissioner, does your agency require that cultural institutions submit financial contingency plans to prevent worker reductions, given the landscape that you put forth with all of the CIGs?

COMMISSIONER CUMBO: DCLA expects all of its constituents to adhere to all applicable laws in this regard. CIGs can choose to hire DC37 labor and assume the base City negotiated DC37 salaries, but also have their own negotiated contracts above what the City has negotiated. The City is proud to support institutions that choose to work with strong,

organized unions, and to set a minimum base rate of pay through its own negotiations. The layoffs at the Brooklyn Museum are deeply unfortunate, and we will work with the Museum to avoid any additional layoffs.

CHAIRPERSON DE LA ROSA: I get that, but do you all require contingency plans when we're at the point where layoffs are being considered? So, as DCLA is releasing funding to organizations, are you saying if layoffs are something that have been flagged for your agency as something that is forthcoming, is there a contingency plan?

COMMISSIONER CUMBO: We do not have a contingency plan requirement. We trust with many of the institutions that we support, with the 34 that we support plus the 1,000 that we support through our CDF program. We administer funds to those organizations, but we do not require contingency plans as part of it.

CHAIRPERSON DE LA ROSA: What about requiring institutions receiving City funding to follow specific labor standards or engage in good faith negotiations with unions before implementing layoffs, is that something your agency requires?

2 GENERAL COUNSEL POLIVY: We require that
3 all groups follow all applicable federal, state, and
4 local law.

5 CHAIRPERSON DE LA ROSA: Okay. Does DCLA
6 assess the impact of staff reductions on the Museum's
7 ability to fulfill its mission, so?

8 COMMISSIONER CUMBO: Ask that one again.

9 CHAIRPERSON DE LA ROSA: So, does your
10 agency basically assess the impact of staff
11 reductions in the ability for the Museum to fulfill
12 its mission? So, as we're going into this next
13 budget, right, you're sitting with the Museum and
14 you're thinking about the way the Museum should be
15 fulfilling its mission, are you taking into account
16 the impact of staff reductions?

17 COMMISSIONER CUMBO: We don't take into
18 account staff reductions when we are funding the
19 institution. They have a mission statement in terms
20 of programming that they have to administer to the
21 public, and we have to make sure that they are
22 working towards the mission statement that's provided
23 by the institution. So, for them to have staffing
24 reductions, which unfortunately happens from time to
25 time with many of our organizations, and the

challenge is that we're going to be facing more of those in the upcoming years is that we have to continue to fund those organizations, we have to continue to make sure that they can keep the doors open but, at the same time, we don't have a requirement in terms of that they have to fulfill certain amount of staffing obligations before we would fund them in the next budget or fiscal year.

CHAIRPERSON DE LA ROSA: Okay. The Museum recently announced the suspension of their First Saturday program, their free flagship event that began in 2023, and from what I hear from the youngsters, it's all the rave.

COMMISSIONER CUMBO: You gotta check it out.

CHAIRPERSON DE LA ROSA: I have to check it out. I have to get myself to Brooklyn a little more frequently. But it's a free program, and apparently it has brought in a lot of folks to come into the Museum so it's dealing with the issues that I think Council Member Menin was bringing up in terms of visitorship. Does DCLA have concerns about the impact of these cancellations on public engagement with the Museum? And also as a contingency, if it's a

free event, why not attach some sort of nominal fee that might help to, you know, because people know that they want to be there, and it's a free program, completely free, if you attach a 20-dollar fee or something like that, you know, while still making it accessible maybe for people who have benefits or other things, you could draw some revenue from a program that is obviously successful. So, have those conversations occurred?

COMMISSIONER CUMBO: I have not had conversation with the Museum to go and have a discussion about what if they did it this way or if they did it that way. I trust that they have knowledge about the impact or the financial impact of that program to their bottom line, but as well as they have the staffing in order to be able to maintain and to foster that program. One of the questions, there are a lot of very difficult decisions that all museums and cultural institutions are making across the city. The Brooklyn Museum is one of the few institutions that is preserving and protecting their pay as you wish program. So, many organizations or museums have made the decision to say, hey, it's no longer pay as you wish, it's 22

dollars to enter this museum, and that's non-negotiable. The Brooklyn Museum is maintaining their position to say, we want to continue to be a pay as you wish museum. We want to continue to make sure that the First Saturday programs are free and open to the public. These are not permanent cancellations. These are cost-saving measures that they are doing in the immediate in order to be able to foster a plan and a strategic plan to get back on track so that they can have these programs on a year-round basis and that they can be affordable and free to the community. The basis of the First Saturday program was all about accessibility. It's all about making sure that all people can access that particular program. And the benefit of that program, because it's been going on for some time, is that it has inspired museums, not only in New York City, but across the country to do these free First Friday or First Saturday programs, and that originated at the Brooklyn Museum. I'm sure there's some thought that if you were to associate a cost with it, you would be changing the dynamics of what makes that program special. So, I think that sometimes, and I can't speak completely for them because I'm obviously not

on the staff or part of their executive team, I'm sure they're making that decision to say, let's pause for a moment, let's figure out a new effective economic strategy to take the Museum forward, and hopefully in the very near future, bring that program and many of their other programs back, but there are some organizations that are having these same conversations that we are with that are saying, we're going to close the gap by raising our prices, and those prices will be non-negotiable. And I'm sure you're aware of many of them in your community as well that are saying we have a non-negotiable price, and that's how we're going to close the gap. That may make it unaffordable for many of your constituents, especially families who are coming with children, that are coming with grandma, that are coming with everyone. They have to make decisions. So, it's a matter of where you want to make those really tough decisions but, however you make them, it's not going to be favored by all.

CHAIRPERSON DE LA ROSA: Yeah. I mean, I would still argue that the cancellation, even if it's temporary, still has an impact, right, and I think that if you're seeing something that is wildly

successful, even attaching a cost once a month could lead to some revenue-generating options, and I think where I'm coming from, and I think where my Colleagues from their questionings are coming from, is that it seems like all options were not exhausted or have not been exhausted before we turn to layoffs, right, and I would also argue that while it is laudable that the Museum wants to continue to be accessible, and I firmly support that decision, there are also 57 workers that now have to go home and not provide for their families also, and there's an impact on that, not only in the economy, but also for our City's workforce, right?

COMMISSIONER CUMBO: That's right.

CHAIRPERSON DE LA ROSA: And so, yes, the hard decisions are being made all the time, and I think that it is our goal to think about how we can support the Museum as they go through this hardship while still thinking about maybe ideas that haven't been brought forth. And again, I don't know because obviously none of us work at the Museum at the moment, but I'm just thinking about ways that we can help them to move that conversation forward.

Do the CIGs members have an obligation under agreements with DCLA to maintain a certain level of free programming, or is this something that they're sort of just doing because it's part of their mission?

COMMISSIONER CUMBO: There is an obligation. It isn't a rule, but it's an obligation. And many of the Museums were founded with that and became CIGs under that, such as the Metropolitan Museum. They are a pay-as-you-wish institution as well as institutions like the American Museum of Natural History. These are pay-as-you-wish programs. But even in their pay-as-you-wish programs, they are negotiating and thinking of other ways in order to continue their pay-as-you-wish program, but maybe limiting some of those programs from it being nationally pay-as-you-wish to the tri-state areas is what we consider our catchment area for pay-as-you-wish, to some are thinking about, no, it's only New York State is pay-as-you-wish. Some are like, it's only New York City as you pay-as-you-wish. So, everyone's trying to figure out strategies in order to cut costs, raise revenue, and find new solutions, particularly as foundations, corporations, etc., are

changing their funding guidelines. Like in my ideal world, this hearing would also have board members, foundations, corporations, individuals, to get everyone in the room to really talk about how are we going to support a cultural sector during one of the toughest challenges in terms of our economy, in terms of the pandemic, in terms of recovery. This is really like a holistic conversation that really needs to be had. And I want to be clear that the City government is not going to be able to financially provide for the over 1,000 organizations that we provide support for. We're not going to be able to make up those deficits from the changes on the federal government to the changes in foundations and corporations. And I understand clearly, we do have to continue to find other solutions, but City government is not going to be able to bear the brunt of maintaining and holding up an entire sector that has traditionally had partners in how they function and operate. One of the major ways that the Brooklyn Museum and many other institutions raise money is through fundraising, events, those sorts of programming opportunities provide funding and resources for the Brooklyn Museum on many levels.

2 CHAIRPERSON DE LA ROSA: I agree with you
3 in that it has to be a holistic conversation.

4 Obviously, we as an agency and Council will have the
5 opportunity to bite at that apple at the budget
6 hearings that are starting next month, and we will be
7 honing in on some of these conversations. And not
8 only through my Committee and through a public
9 hearing that's happening today, but also through the
10 Cultural Committee, those conversations I know are
11 welcome on our side.

12 But my question was more around, you said
13 that it was a rule but not an obligation so, if they
14 don't maintain the same levels of free programming,
15 their funding is not impacted.

16 COMMISSIONER CUMBO: At a certain point,
17 it would be.

18 CHAIRPERSON DE LA ROSA: It would be?

19 COMMISSIONER CUMBO: At a certain point,
20 if an organization, you know, we've operated more so
21 from a policy standpoint, and so if an organization
22 were to start to make decisions to say, we provide no
23 free programming, we provide no accessibility, school
24 groups, those sorts of things are going to have to
25 pay general admission costs. Like if it started to

operate as a for-profit entity, then we would have to seriously consider our relationship as a cultural institution group with the City of New York.

GENERAL COUNSEL POLIVY: Madam Chair, let me give you a good example. So, Brooklyn Museum is pay-as-you-wish. If they wanted to increase and say that now everyone has to pay 10 dollars to come to the Museum, any increase in your admission fee has to be approved by the City's Department of Cultural Affairs. So that's one tool at our disposal that we can use to have conversations about free and accessible programming, and it's exactly what we do whenever we get an application for an increase. It's, okay, you want to increase your fee for admission for folks coming to your institution? What are you going to do to make your programming free and accessible to New Yorkers who need it most?

CHAIRPERSON DE LA ROSA: And when there are considerations like the ones we're discussing today where there's going to be layoffs, significant layoffs, right, there is wiggle room or flexibility in that conversation because they've gotten to a crisis point at this point.

2 GENERAL COUNSEL POLIVY: Well, they
3 haven't come to us with an application to increase
4 their admission fee.

5 CHAIRPERSON DE LA ROSA: Okay.

6 GENERAL COUNSEL POLIVY: Eliminating First
7 Saturdays is devastating for the community, for New
8 York City, for all of those that enjoy it. A good
9 point about First Saturdays, though, is that they
10 used to have a corporate sponsorship. It used to be
11 the name of a corporation, First Saturdays, and that
12 left several years ago. That's a really concrete
13 example and a good way to understand and capture what
14 this change in philanthropic giving from
15 corporations, the impact that it's having on the
16 ground.

17 CHAIRPERSON DE LA ROSA: That makes sense.
18 Okay. Will these layoffs affect the Brooklyn Museum's
19 ability to access future City funding at all?

20 COMMISSIONER CUMBO: The fact that they
21 are in a difficult financial position right now and
22 that they are experiencing layoffs is not going to
23 cause us to say we think that your funding should be
24 reduced because you have fewer workers at this time
25 and you should also have a reduction in your funding.

Again, we're only about 20 percent of the Brooklyn Museum's total operation costs so we're not going to reduce the Museum's funding. We're going to try to figure out ways that we can strategize to be able to have real tangible conversations about how we should help and support during this time.

CHAIRPERSON DE LA ROSA: How would you categorize your involvement as an agency when it comes to exploring measures for City-funded institutions like the CIGs to retain staff during financial downturns? So, as you mentioned, many other organizations are going through this. Does the agency play an official role in trying to have those planning conversations with the CIGs to say, you know, if staffing is going to be impacted, this is a way that we can help or help them with the planning of their financial?

COMMISSIONER CUMBO: When something like this happens, it's more where we would help to strategize in terms of, let's say, an organization has an extensive capital project that they've been undertaking for a number of years and they have seen some challenges internally with reimbursements and they're paying heavy interest on waiting for those

reimbursements to come in, we can try to work to say, let's help you facilitate your paperwork. Let's help you fill out these documents quicker. Let's help to see if on the agency side it's hung up or stuck somewhere or something like that. Or maybe you haven't filled out everything you were supposed to fill out. Let's try and do what we can do to get your reimbursement funding into the organization's budget so that they can stop paying heavy interest costs. We also can do things where we can say, have you met with this foundation, have you met with this corporation, maybe you all should talk with this organization and see if there's some way that there could be a bridge loan or if there's some way that you can have funding from a foundation that's interested or willing to help and support at this time so it's more of a connecting. It's more of have you thought of this. It's more of that sort of thing. But as I stated before in this, our increase to the Brooklyn Museum over these last few years has been approximately, in the Adams Administration, a 27 percent increase so we have supported at the highest level that we possibly could. But the downturn on so many levels, I suspect we're going to be in this

meeting room quite a bit discussing a lot of the challenges that our organizations are facing. That's why on so many levels, it's unfortunate that the focus here is specifically the Brooklyn Museum, and this really needs to be a sector conversation in terms of how do we hold up not only our cultural institutions, but the staff that make up these cultural institutions, how do we protect programming, so I hope that we can come back and have a more robust conversation that's not really focused specifically on the Brooklyn Museum, because this issue is so systemic that most of my time as a Commissioner is trying to help fulfill and solve for many of these issues so that they can avoid coming to this point, and some who we've read in the headlines have already gotten to that point and we've tried to help and shepherd those organizations so that they don't have to close their doors.

CHAIRPERSON DE LA ROSA: Yeah. I think we share that goal of preventing this situation, obviously. But when it does happen, the Council does have oversight...

COMMISSIONER CUMBO: Yes.

2 CHAIRPERSON DE LA ROSA: And has the
3 ability to call for a public hearing. Those are all
4 of my questions. I thank you... Colleagues, any other
5 followups? No?

6 Thank you, Commissioner, for your time
7 and for being here today and being a willing partner
8 in helping us to resolve this. We really appreciate
9 it.

10 COMMISSIONER CUMBO: And I want to thank
11 you for calling this hearing in today. I want to
12 thank all of you that are here today. This is a very
13 serious issue. We understand the severity of the
14 issue. We want to work with you moving forward, and I
15 hope that we can do it proactively. I think that we
16 need more internal conversations. We need more phone
17 calls. We need more meetings. Because often the
18 ability to sit around a table and to talk through
19 ideas and issues can really help us come up with
20 tangible solutions that'll be long-term. So, we now
21 all have each other's numbers, and we can reach out,
22 and we can begin a dialogue that will be healthy, not
23 only for us, but for the entire sector so thank you
24 all so much.

CHAIRPERSON DE LA ROSA: Thank you both.
Thank you so much.

COMMISSIONER CUMBO: And I just want to add, I'll be able to stay for a portion of the hearing, but because we didn't know that far in advance, I do have other meetings that I have to attend today, but I do want to hear as much of the testimony as possible so thank you.

CHAIRPERSON DE LA ROSA: And as you know, we live stream, so you can put it in and have some Friday night entertainment at home.

COMMISSIONER CUMBO: That is true. Thank you so much.

CHAIRPERSON DE LA ROSA: Thank you, Commissioner.

I now open the floor to public testimony. Before we begin, I remind members of the public that this is a formal government proceeding and that decorum shall be observed at all times. As such, members of the public shall remain silent at all times.

The witness table is reserved for people who wish to testify. No video recording or photography is allowed from the witness table.

Further, members of the public may not present audio or video recordings as testimony, but may submit transcripts of such recordings to the Sergeant-at-Arms for inclusion in the hearing record.

If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant-at-Arms and wait for your name to be called. Once you have been recognized, you will have two minutes to speak on today's hearing topic regarding pending layoffs at the Brooklyn Museum.

If you have written testimony or additional written testimony you wish to submit for the record, please provide a copy of that testimony to the Sergeant-at-Arms. You may also email written testimony to testimony@council.nyc.gov within 72 hours of this hearing. Audio and video recordings will not be accepted.

When you hear your name, please come up to the witness panel. For the first panel, we invite Henry Garrido, Executive Director of DC37.

HENRY GARRIDO: All right. Good morning, Madam Chairman. Good morning, Members of the Committee. Thank you for holding this important hearing. My name is Henry Garrido. I'm the Executive

Director, District Council 37, representing 132,000 union members and 100,000 retirees. We are the largest municipal union here.

And I come before you to express my absolute alarm and outrage at the layoffs of the members and the workers being proposed at the Brooklyn Museum, which we're facing effective March 9th, just nine days from now. We're proud to represent our members who do absolutely essential work in running one of New York City's cultural jewels. Our members execute the Members' wonderful public and community programs, they clean and maintain the exhibition space, they curate and install museum's invaluable art and cultural artifacts, and they keep this treasure in the public safe. With salaries as low as 30,000 dollars a year, our members love the work they do because they love the Museum, even as they struggle to make ends meet. On Wednesday, February 5th, the Brooklyn Museum informed DC37 that on February 7th, two days later, the Museum would announce its massive layoffs, and we learned that at that point that 19 of our members will be given 30-day notices that would be losing the jobs by March 9th. Together with 21 members of UAW,

my sisters and brothers here of Local 2110, and a handful of managers at the Museum's, the Museum made a decision to lay off in total 47 people, we demanded to meet. While our union members were being summoned one by one to receive the news from Human Resources, which is inappropriate, down the hall we were pleading with the Museum council to pause layoff conversation and give us time to determine what was happening and why. The Museum council told our staff that the Museum had lost more than 11 million dollars in Fiscal Year '24 and that they were on track to lose another 10 million dollars in Fiscal Year '25 (TIMER CHIME) and they claimed they had no choice but to...

CHAIRPERSON DE LA ROSA: Please continue.

HENRY GARRIDO: Implement layoffs. To add insult to injury, the Museum asked the unions to give up protections that are guaranteed by the union contract that have nothing to do with financial implications. They wanted the union to reduce the time required to do recall, they wanted us to give up and ignore seniority, they wanted us to give all kinds of things that have nothing to do with money, I'll emphasize again. And while union members who

worked very tirelessly were facing layoffs even after working for the Museum for more than 20 years. We asked why, right? You know, during a fiscal crisis, why would we want to put the Museum and the workers under this condition? And there were other questions that were asked, I'm not going to ask, but I will say this to you, to your point, Madam Chairman. I was here in 2016 when the Museum was facing layoffs. And I was part of the negotiating team that included then First Deputy Mayor Dean Fuleihan, the Museum leadership, and many others, and what resulted in that was that the director of the Museum, myself, Dean, others, agreed to what you alluded to, which is the voluntary contributions by the folks. There was also, in addition to that, an increased funding by the City and the City Council that I was part of, you know, pushed for, and, and this is really important, a furlough that we did for the workers and the managers that were able to take unpaid leave for weeks at a time and implement it in sparse throughout the year in order to prevent the layoffs. This was not an easy thing to do, but the workers understood that because we were facing financial difficulties that we were willing to do everything possible to

keep everybody employed. That means even those who were not slated to be laid off took an unpaid furlough to be able to save their fellow co-workers in solidarity, which I thought was amazing. And again, during this process, you know, we approached the Museum and said, hey, why don't we do the same, why don't we start, as painful as it is, to look at alternatives. You know, I think some things were said. I mean, I personally said, you know, you have your museum staff, you're hiring people when you are looking to lay off people. This makes no sense to us. You're giving salary raises to managers. In this case, the director makes more than a million dollars and you're giving raises to people when you're claiming poverty and claiming that you're broke. So, there's an inconsistency here where you're blaming the workers for your financial problems, but at the same time, you're unwilling to consider furloughs. You're unwilling to do any kind of revenue-producing pieces, and it's not just the admission piece. There are other museums who did minimum admissions, for instance. Did voluntary admissions, say on these days, we're going to have minimum admissions. They would not consider that, right? And we said, why

don't we do the furloughs, and that did not happen.

In addition to that, I said I will commit to fight for the Museum when it comes to budget season, to the budget cycle that we're about to engage, and they would not consider that. Now, so it begs the question, what is behind all these layoffs. And I will say this to you. I've been the executive director for about 10 years, and at any given time, we face layoffs and institutions lose revenue, and you work within institutions to come up with solutions to mitigate those layoffs because you have a fundamental understanding that you're not only having somebody lose their job, not have any money to put foot on the table, but that there's a financial impact on the city, right? In this case, the Brooklyn Museum does a lot of work at the Department of Education. There are contracts that they do to teach children. That is not part of the revenue you heard today. So, when you heard from the Commissioner, rightfully so, many institutions are facing those challenges. That is a separate part. In the last round in 2016, I remember we even discussed the David Bowie concerts, and they needed a change to raise revenue with the staff of the security because they

were making money out of these meetings with David Bowie at the time, and we agreed to make some concessions then that would mitigate the impact on having the guards in terms of premium pay in order to give the Museum more flexibility in working. So, there are always alternatives. There's a list of things we could be talking about that don't imply people losing their jobs, and we are prepared to do that as long as it shares sacrifices, as long as we don't see managers getting huge increases in salaries when our workers are seeing pink slips.

And I'll conclude with this, Madam Chairman, because I feel very strongly about this. One of the questions you raised is how much is the cultural institutions part of our workers. We were told at the bargaining table that it was 50 percent of the amount. That's what we were told. We were told that their deficits go back to 2015. And so one of the things that I asked was, well, can we look at fringes, for instance. Healthcare is one of the biggest jump that they have had, and I don't blame the Museums because I think the Commissioner is absolutely right, this is not just a Brooklyn Museum issue. It's endemic of all the museums, and this is

just the beginning of much layoffs that we're going to see. Can we look at fringes, for instance? How much does the City charge the Museums in terms of fringes for workers, particularly healthcare? And there's a methodology the City follows based on the Administrative Code that doesn't make any sense to us because you charge a HIPAA-GMO rate for cultural institutions that mostly don't have HIPAA-GMO. So there's rooms to do fringe work for all cultural institutions that would allow to reduce the cost of healthcare for the institutions, but it has to be in the context, absolute context, of reducing costs and saving layoffs. It can't just be for managing to have more money to spend on trips, I'll say it, to spend on things that have nothing to do with the operation.

And I will close with this, Madam Chairwoman. This Brooklyn Museum is fantastic. It has a history, has great exhibits, provides great service to the community, provides great service to the children. But what makes the Museum shine are its people. It's the workers who make this thing that take less of a salary and sacrifice to make sure they provide the services to that public. Without that,

we're just looking at old things on a wall, and people need to remember that. Thank you.

CHAIRPERSON DE LA ROSA: Thank you, Henry, for your testimony, for sharing your experience with us. I continue and will always stand with the workers of our city and, as I said to the Commissioner, it has an impact when we lay folks off, and the impact is felt citywide, but it's felt personally for those families that are no longer able to bring home a paycheck, that are no longer able to provide health benefits for their families.

I'm going to ask you one question, and then I'm going to pass it to my Colleagues because they have questions as well. Can you clarify how the Museum's actions violated the union contract?

HENRY GARRIDO: Well, I said some of it, right? First, by going directly to the workers before they had an opportunity to negotiate, right? So the general practice is you go and you negotiate. You're supposed to meet and confer, that's the term. Not go directly to the workers. That's considered direct dealing. That's violation number one. They also violated by timeline issues, right? We believe, and that would be, I don't want to get into the legal

case, because we understood that there was a timeline, and this is both questionable in my mind because the budget process ends in June, our budget process in the City. If we have the best possible intention to address the financial problems of the Museum, why would you make the layoffs affected March 9th? Why not wait to see what we could've done? Even if the City Council did not put up all of the money, even if the Administration, and I work very well with this Commissioner, didn't find all the alternatives to do it, if we had a way to reduce that 10 million dollars to, say, six, then perhaps you didn't have to lay off 47 people. Perhaps you could reduce that to 20. And then we could've worked to try to figure out to make that from 20 to zero. You see what I'm saying? So, I don't understand the approach of the Administration and the Museum on this. I know they have a responsibility. And also the other things that bothered me is that the things that they were asking by way of concessions to make things better had nothing to do with reducing cost, but reducing the power of the collective bargaining agreements. Seniority has no cost on it, right? And the way that we're doing it, laying off senior people or junior

people has no cost other than the fact that you can get rid of whoever you want. So, those are the things that we are going to be questioning during this process.

CHAIRPERSON DE LA ROSA: Thank you, Henry. Council Member Hudson.

COUNCIL MEMBER HUDSON: Thank you, and thank you so much for your testimony. My first question is, was the director the same in 2016 when you said you had the furloughs and?

HENRY GARRIDO: Yes.

COUNCIL MEMBER HUDSON: Okay.

HENRY GARRIDO: Yes, it was the same director.

COUNCIL MEMBER HUDSON: Okay, so what is your sense as to why maybe she's not open to similar tactics that were used in the past to save jobs?

HENRY GARRIDO: Well, honestly, I get alone, and we talked all the time with Anne Pasternak. We faced a lot of issues. When the COVID-19 crisis hit, I was leading the fight to get the New York delegation to get federal funding into the museums, even though they weren't classified at the time. If you recall, a lot was said. So, there were a

lot of conversations there. I think, in all honesty, there was a City Hall involvement in those conversations that is not present this time around so I don't want to put just the Museum. It was the First Deputy Mayor at the time, Dean Fuleihan, who said, from the City's perspective, this is where we are. I heard from the Commissioner today, we're going to have conversations about that, but I think the problem is time is of the essence. You need somebody who's going to guide this, and I don't want to put what is happening in the city as a way, but I think that's real, that if you don't have somebody on that end who can commit to certain things, because what we found as a solution in 2016 was we needed to spread the pain. We didn't bury ourselves and didn't acknowledge the Museum was facing financial institutions. But it was a combination of things. It was the institution of the voluntary contributions. It was furloughs. We made a change to other things that were necessary for the Museum, and we had a table of things to get to a savings. Some were concessions, quite frankly, in the union. It wasn't just the union workers who took a furlough. Management took a furlough, too. And that's what I

mean by shared sacrifices. But we don't have that this time, and so I hope that between now and before anybody loses their job that that happens.

COUNCIL MEMBER HUDSON: Absolutely, and I am absolutely willing to work with you and with the Museum to make sure that some of those conversations do happen.

And then just my only other question was about that specifically. Are those conversations still happening to put potential solutions on the table?

HENRY GARRIDO: Yeah. We offer furloughs, and management rejected those.

COUNCIL MEMBER HUDSON: Right.

HENRY GARRIDO: So again, we're going back to the book. It's not something we want to do, but a furlough for people, even those who are, I think some of the workers that you'll see here would be willing to take, and we could know, to pay for and make sure their fellow workers have a job. I've heard from them. I wouldn't be able to do it if they weren't in support of that. So, but management has rejected that, and has rejected that, to be fair, because it's not part of an overall solution. It's only a piece of

it, but I do think that there are other ideas. To the Chairwoman's point, we may have voluntary... so one of the things we did in 16 is that when the voluntary contribution came into the Museum, because it's not like a lot of the museums in Manhattan where you have a lot of tourist traffic, we said, does that exclude children in the area, and we said, no, they're not going to pay. Can we make it such adults pay a minimum amount on certain days? What we discussed last time was, can we make a, say, Monday, Wednesday, and Thursday free, and the other two days will be paid? It doesn't have to be an all-in, everybody pays to, you know, we could work around and say, well, that estimates to generate X based on your incoming, and it would allow communities to access the Museum for free on specific days, because we're facing a crisis, right? We could do that in a way that it could be furlough, that it could be sunset, I'm sorry, that we just do it for the next two years until we can figure out, and then work on the financial stability of the Museum. There are a lot of ideas and things that we can do, but I think the last resort should be laying off people.

2 COUNCIL MEMBER HUDSON: Absolutely. I
3 agree with that. I'll be in touch around continued
4 conversations. Thank you, and thank you, Chair.

5 CHAIRPERSON DE LA ROSA: Thank you.
6 Council Member Menin?

7 COUNCIL MEMBER MENIN: Yes. Thank you,
8 Henry, so much for your testimony. I don't have a
9 question. I just want to reiterate support for your
10 testimony and the fact that you've laid out a very
11 clear, creative, outside-of-the-box path, as you did
12 in 2016. There's no reason that the Admin shouldn't
13 do it, and in fact, not only is there no reason, the
14 onus is on them to do what needs to be done here, and
15 I think you've laid it out very clearly, and you
16 certainly have my support, and I really urge the
17 Admin to listen and to move this forward. Thank you.

18 HENRY GARRIDO: Thank you. I'll say, look,
19 we're going to fight this tooth and nail. There is no
20 reason why 47 people should be losing a job until we
21 exhaust everything possible, and we're committing to
22 our union and our brothers and sisters in other
23 unions to fight because those workers deserve no
24 less. Thank you.

CHAIRPERSON DE LA ROSA: Thank you. I do have a few more questions, but I agree with you. I think that that was the messaging that we're all coming across this table and across this room with, is that we're all willing to get in a room and have conversation, right? None of us got here, and we're not willing to do that, but it seems to me that all options have not been exhausted, and I think we need to get to the point where we are exhausting every option, and I think you've laid out some very concrete steps that could be taken and could be considered.

Have remaining union members raised concerns about increased workloads or job insecurity following the layoffs? How's the morale?

HENRY GARRIDO: Oh, absolutely. Not only that, about safety. Look, one of the issues that we are facing now in the past is increased concerns about safety in the Museum, especially when you have those concerts and events that I mentioned that were part, that were not part of it, so now you not only have to cover a door, you have to cover two doors. Now you have to clean more spaces that you're not going to be able to do, and now you're going to be

able to slow curation of exhibits, so absolutely, right? You know, you often hear the expression, you gotta do more with less. This is doing less with less. Like, there's no question about it, but safety is one of the paramount concerns.

CHAIRPERSON DE LA ROSA: That makes a lot of sense. Has the Museum shared detailed financial records with the union to justify the layoffs, that the layoffs are unavoidable at this point?

HENRY GARRIDO: No. They've shown us numbers. They've thrown numbers at us, but as you heard from the Commissioner herself, the City's contribution has increased. We know expenses have increased. We know that, you know, we're not blind to the idea that inflation has hit all of us increasingly, but it wasn't like the workers got a million dollars in raises. You know what I'm saying? Is if you look at the rate of inflation, what we got was significantly less than the rate of inflation by way of increases, and somehow the workers always get blamed for this. So no, we haven't. That would be something that we would be using. Hopefully, cooler heads prevail, and we're going to try to work something out, but we have not seen any written

financial statements that go back. They said to us that the deficit that they've been facing goes back to 2015, and that every year they've had a mounting deficit until we reached '16, where we're able to balance it for a couple of years through those actions, and then it went back up.

CHAIRPERSON DE LA ROSA: Do you believe, well, obviously you believe that there could be further cuts in the future. What protections are in place to prevent impact on staff?

HENRY GARRIDO: Well, you know, one of the things I'm going to question is when we did this layout, this collective bargaining agreement, we had an understanding there would be no layoffs in that process. And that goes to the Administration and to the Mayor himself. So, we're going to be reminding him of that. Now, this is not a City agency, so they would probably take the position that doesn't apply, and that's probably true, but I think there's also a responsibility by City and the City Hall to say the Brooklyn Museum is servicing our constituency, right? So, they can't get away with saying, well, things are going up in expenses, because I think that's going to happen in other museums. We're hearing Guggenheim may

face this. We went through this with the Brooklyn Academy of Music to your question, and we worked through that. We had furloughs there. We did some cuts. We were able to figure out. They offer workers a buyout. They were able to bring in new people at a lower wage. There are alternatives to layoffs. And not just to say we're informing you within 30-day notice, this is it. No matter what happens, no matter what the City Council does, we're just going to lay them off. So, there are opportunities to work around this.

CHAIRPERSON DE LA ROSA: What about, I mean, it's been brought up in this hearing a few times about the other CIGs. Are you all...

HENRY GARRIDO: I'm sorry?

CHAIRPERSON DE LA ROSA: The other CIGs, the other cultural institutions, the members of the other Cultural Institution Groups?

HENRY GARRIDO: We've worked out with the others to prevent the idea of layoffs as well. Museum of Natural History, for instance. We worked to minimize the cost of pension, for instance, on CIRS. With the Met, we had a discussion and changed the way in bargaining. There are ways you can do it if you

approach it from us with the perspective of the union being partners. Not somebody you're telling what's going to happen. We need the Museum to do the same, and we need the Administration to be part of that process.

CHAIRPERSON DE LA ROSA: Great. I want to recognize we've been joined by Council Member Feliz.

If any other Colleagues have questions on this? No?

Well, we want to thank you, Henry, for taking the time and for the workers that are here as well. Sharing your experience is valuable I think in bringing us to a solution. I reiterate what my Colleagues have said here. Layoffs should be the absolute last resort, and we don't support New Yorkers losing their jobs here. Thank you for being here and for allowing us to get a glimpse of the challenges that you're also dealing with.

HENRY GARRIDO: Thank you. Thank you for your support. Thank you.

CHAIRPERSON DE LA ROSA: Thank you. Our next panel, I want to call up June Lei of DC37. Maida Rosenstein, I'm sorry with the last names, please

correct them for the record, UAW. Ellen Nigro, UAW.
Elizabeth St. George, UAW.

All right. When you're ready, you may
begin. Just identify yourself for the record.

JUNE LEI: Can you hear me?

CHAIRPERSON DE LA ROSA: Yes.

JUNE LEI: Okay. Let's go. Good morning.

First, I wanted to give my thanks to Chair De La Rosa
and fellow Committee Members. Thank you so much for
your service, for exemplifying clear and true
leadership for the people of New York. It is no small
feat as we know. My name is June Lei. I am a born and
raised New Yorker, a part-time CUNY student, and a
full-time public programs producer at the Brooklyn
Museum. For the past three years, I've served as the
Secretary of DC37 Local 1502 so I speak to you today
as an elected representative of nearly 200 cultural
workers in Brooklyn. I started working at the
Brooklyn Museum as an intern in 2015, and I've spent
a decade believing in the mission of a democratic
arts institution that brings culture, learning, joy,
and jobs to the borough of Brooklyn. Three weeks ago,
when management abruptly laid off non-union workers
and announced a plan to lay off union workers in

violation of our contract, myself and my colleagues were shocked and saddened for the place we love had eschewed its longtime values for a DOGE-esque consolidation of power. Last year, the Museum told us our financial budget deficit was strategic. Today, it is balancing its budget on the backs of workers who lose their benefits, salaries, pensions, and union membership. I thought our civic institutions were supposed to support democracy and not repress it. As many have noted from the Comptroller reports, the creative economy of the City generates 110 billion dollars of economic activity. Despite this, cultural workers are underpaid, our skills exploited and devalued because artwork is seen as a passion project before it is seen as real work. At the Brooklyn Museum, as Henry said, we are already understaffed, with workers clocking in (TIMER CHIME) significant overtime during evenings and weekends, risking injury to themselves as well as works of art just to get the shows up on time and make the magic happen. The Museum's decision to conduct layoffs when we already function with such a lean staff shows an egregious error in judgment that will have lasting consequences for the future of the Museum, its historic

collection, and the entire cultural economy of New York City. I just want to point out that no one from museum's management is here right now. The Museum should be here today to ask for City Council to fund the gap in the budget, but they are not. We are here, and they are the ones who have created the fiscal crisis, not the City and not the workers. The Museum is not giving the union precise information, but based off the data that we do have, we believe the Museum needs three to four million dollars to prevent these layoffs. We are asking for management at the Museum to completely halt the layoff of our union workers. Further, we ask the Comptroller's Office to conduct an audit to understand how the Museum's management led to the point of a 10-million-dollar deficit and these layoffs. Lastly, I ask City Council and members of the public to urge the Museum to follow our union contract and contribute to furthering democracy, not injuring it. Council Members, thank you for your time.

CHAIRPERSON DE LA ROSA: Thank you so much.

MAIDA ROSENSTEIN: Okay, can you hear me now? Okay, good morning, everybody, and thank you so

much to the Council Members for conducting this hearing. My name is Maida Rosenstein. I am the Director of Organizing for Local 2110 of the UAW. We are a technical office and professional union. We represent thousands of members in the cultural sector, both in New York City and New England. Our international union, the United Auto Workers, the UAW, represents over 20,000 members in the New York City area, and I'm very glad to be here representing the 170-member bargaining unit that we just organized at the Brooklyn Museum. I was responsible for that organizing campaign and for leading the negotiations for the first contract, and just want to say that on Friday, this is what has happened. We represent, that unit includes curators, conservators, archivists, graphic designers, exhibition staff, editors, educators, front-of-house workers and visitor services and retail staff in development and in marketing, and we work alongside the members of DC37 AFSCME. On Friday, February 7th, the Museum announced to us with no warning that they planned a mass layoff of staff to be effective on March 10th, claiming that they had a deficit. The overwhelming number of positions that they intend to lay off are union

positions. At least 21 local 2110 represented employees are scheduled for layoff. In addition, and this hasn't been mentioned before, the Museum, in addition to the layoffs of the DC37 and 2110 members, the Museum has also told us that they are reducing the hours of a number of our full-time members to part-time and reducing the (TIMER CHIME) hours of current part-timers in front-of-house and museum educators as well so it's more than just 47 layoffs. There are other reductions as well. These proposed layoffs and reductions are devastating to our members. Many of the employees that are targeted for layoffs are longer-term, career-based employees. At least one of our members has more than 20 years of service at the Museum. How is that justified in any way? Others who you'll hear from are curators and conservators who have years of education and experience that they bring to the Museum that will be lost to the Museum. And I will say this is a career killer for some of these folks because it is not easy to come by these jobs and, not only could the Brooklyn Museum lose these people, but the City and State of New York could lose them as well. The layoffs will leave the Museum, which is already very

skimpily staffed, I represent a lot of other museums, and Brooklyn does not have a heavy staff amount. It is a small headcount, will leave the Museum outright understaffed, and it is going to cause tremendous problems for the people who remain in terms of being able to get the work done and ultimately will hurt the Museum. The layoffs will be devastating to the Museum. This is a museum that has a world-class encyclopedic collection that's going to be harmed by the reduction of all the collection care people that they're getting rid of. Many of the Local 2110 people who are scheduled for layoff include those with core positions in collection management such as curators, conservatives, and exhibition-related staff. As I said, the Museum is already understaffed in these areas and the loss of these skilled professionals will really endanger this collection, which is a value not only to the Museum, but to the public. The proposed layoffs are devastating to the city and the community as others have already testified. The Museum is a treasure for the city and for the Borough of Brooklyn. The Museum is planning to cut 40 percent of its educational programs and reduce the number of yearly exhibitions. Laying off tax-paying city

residents hurts everybody, and cutting the art and culture of New York is indisputably bad for our city as was said by Council Member Hudson. This is a revenue generator. This is just like the spiral down the drain instead of fighting for our economy. So, letting one of our major museums flounder should not be an option. The Museum has not engaged in good faith bargaining with our union. Instead of coming to us in advance to discuss the deficit and means of reducing it, the Museum just announced it as a done deal on February and, as prior people testified, went directly to workers saying you're on the hit list for layoff. That's a direct violation of our contract which requires them to give us advance notice of any intended reorganizations for the purpose of discussion between the parties so it's a direct violation and the union has already filed a grievance over this as well as charges at the National Labor Relations Board. The Museum has not abided by seniority, apparently neither at DC37 or in our union, and has taken advantage of the fact that as is typical in this kind of white collar professional unit, people are given very highly specialized unique titles, and so claiming that seniority is based on

these very unique titles, the Museum has targeted particular individuals for layoff, which is another whole problem. It's not only that they're laying people off which is bad enough, but they have used these layoffs in a targeted, they weaponized this in a targeted way. Our union chairperson has been laid off, a curator at the Museum who's been there for years and who is in the midst of a major deaccessioning project. This makes no sense except in the context of union busting. And a number of people on the list for layoffs are people who have filed grievances or who have testified at a National Labor Relations Board hearing, and so we have filed charges at the National Labor Relations Board against the Museum for this anti-union animus. I will say, the Museum has also told us that they intended, they are taking the work and they are going to move it to either non-union management employees at the Museum or also offload it onto consultants, independent contractors, or so-called temporary employees. So, make no mistake about it, the Museum may have a deficit but not only have they not talked to the union and bargained in good faith about how to reduce

that deficit, they have weaponized it to target and clean house in a way that is...

CHAIRPERSON DE LA ROSA: Can you wrap up?
I'm sorry.

MAIDA ROSENSTEIN: Sorry, I will.

CHAIRPERSON DE LA ROSA: You've been going over two minutes.

MAIDA ROSENSTEIN: So, we have expressed to the Museum, as has DC37, a willingness to work with the Museum on the deficit, and we have proposed alternatives such as furloughs, voluntary exit packages to avert the layoffs, but the Museum has rejected these things out of hand and, again, I think that underscores the fact that this layoff has been weaponized. We join with DC37 in asking the City Council to bridge the funding gap. Museum has told us approximately three and a half million dollars in savings for layoffs of DC37 for union workers. And we join with DC37 in asking the Council and the public to reach out to the director to revisit this. We also joined with DC37 in their call upon for the Comptroller to audit the Museum's finances. And we would say not only should the Museum have come to us, the unions, in advance to talk about this, they

should have involved the City Council in advance as well. Thank you very much for your time.

CHAIRPERSON DE LA ROSA: Thank you for your testimony.

ELLEN NIGRO: Hello, thank you for having me here today, Madam Chair. My name is Ellen Nigro, and I am the Assistant Paintings Conservator at the Brooklyn Museum. I'm a member of the UAW Local 2110 and a resident of Brooklyn, specifically District 35. I have worked in the Museum's Conservation Department for over five years and the Brooklyn Museum plans to lay me off. As one of two Paintings Conservators at the Museum, I'm charged with the preservation and restoration of the Museum's painting collection of over 6,000 works. I clean the works of art and repair them if they're damaged and create policies and enact preventive measures to ensure the physical longevity of the collection. My job and the jobs of all the conservators at the Museum is critical to ensuring that this 200-year-old institution's collection lasts for 200 more years. The Conservation Department itself is over 90 years old, one of the oldest institutional labs in the city, and I am proud to be in the long line of conservators who care for this

precious resource. Conservators are a key part of an ecosystem of core museum workers that directly care for the art. We collaborate with curators, registrars, art handlers, exhibition designers, and collections managers to ensure the artworks are stored, exhibited, loaned, documented, and moved as safely as possible. The conservators have highly specialized knowledge in art materials, chemistry, and art history. We also have the fine craft skills to execute detailed treatments on priceless artworks. This knowledge and skill is acquired through years of formal education and hands-on training. For example, in my case, I have a Bachelor of Arts in Art Conservation and Art History and a three-year Master's of Science in Art Conservation with a (TIMER CHIME) specialization in paintings. My advanced hands-on training was completed during a Fulbright year in the Netherlands, a post-master's fellowship at the University of Cambridge in the UK, and a fellowship at the Brooklyn Museum. The Museum cannot afford to cut its core museum workers whose expertise, institutional knowledge, and established rapport allows the collection to be cared for and exhibited in the most efficient and effective manner.

I am building my career here, starting first as the fellow in 2019 and then moving into the Assistant Conservator role in 2021, where I hoped to grow my career well beyond March of 2025. My skills and knowledge, and that of my colleagues, are a precious and growing resource that would be lost in layoffs. I choose to work for the Brooklyn Museum because of its commitment to being a community resource and a space for all. I take pride in the fact that I get to serve the community in which I live, but what I do not take pride in is management's poor decision-making, lip service to its workers, and blatant disregard for two union contracts. Management's choice to lay me and my colleagues off is in direct opposition to its commitment to its community. Not only would it be harder for the Museum to make its art accessible with fewer workers, the layoffs would also strip away the livelihoods of people in the very community that they supposedly are committed to. And for all of these reasons, I am here today to call on City Council to insist the Brooklyn Museum immediately halt the layoffs and to bargain with the UAW and DC37 in good faith. Thank you.

ELIZABETH ST. GEORGE: Good morning. Thank you for this opportunity to appear before this Committee. My name is Elizabeth St. George. I am a resident... Can you hear me now? Okay, good. Okay. My name is Elizabeth St. George. I am a resident of Sunset Park, Brooklyn, and serve as Unit Chair of the Brooklyn Museum's local 2110 UAW shop, representing 170 members. I have worked at the Brooklyn Museum as assistant curator of decorative arts and design since January 2020. However, my position is now selected for termination. As a curator at the Museum, I oversee 30,000 objects, research and public scholarship about the collection, conceive, coordinate, and install temporary exhibitions and permanent displays. The training for this type of job is extensive, requiring advanced degrees, multiple advanced degrees, and a multitude of work experience. This is vital work that not only supports the physical care and safety of artwork, but makes historical research and knowledge broadly available through our website and (INAUDIBLE). Also through tours and other teaching opportunities, I guide visitors and school groups of all ages through the Museum and share stories about objects, the

collection, and Brooklyn history that serve as a significant source of public education for our community. This aspect of public service, educating and building relationships with visitors is probably the part of the job that I love the most. With its cost and staff reductions, including my position and others, the Museum plans to cut 40 percent of its education public programs, reducing its ability to serve and educate and engage with the local community of all ages. With 22 years of experience in the museum field, I wanted to work at the Brooklyn Museum because of its mission that proclaims "to bring people together through art and experiences that inspire celebration, compassion, courage, and the will to act, to be the place where art is a powerful force for personal transformation and social change." In recent weeks, I have been outraged that this institution for social change has rejected humane labor values and rights, not honoring its contracts with its labor unions and creating an environment of disastrously low morale. (TIMER CHIME) Indeed, the Museum has not shown compassion nor courage. Its staff have been left wondering how good faith in the Museum's mission can be restored or achieved by

eliminating nearly 50 essential positions. Local community members I have spoke to who rely on the Museum's facilities and programs are equally concerned about these staff reductions, particularly how this will affect access to the Museum's world-renowned collections and its role as a public forum and space. Today, along with my fellow colleagues from the Brooklyn Museum and UAW and DC37, I request that the City Council bridge the funding gap, about three and a half to four million dollars, to stop the layoffs at the Brooklyn Museum and to please contact the Director, Anne Pasternak, to halt these layoffs entirely. I ask that the Comptroller audit the Museum's finances to understand how this deficit came about. Thank you.

CHAIRPERSON DE LA ROSA: Thank you all for testifying. I'm really appreciative of you all coming here. It takes courage to do what you're doing. It takes courage to speak up and stand up and be vulnerable so I want to acknowledge that. And I think that the experience that you're going through right now, it's important for people to hear it and to know that it is happening. And I'm sorry that you all are going through this. I can't imagine what it feels

like to have the instability that you are all feeling right now, especially as you speak about your hopes for the future of your careers, which obviously took a lot of schooling and a lot of sacrifices to get to where you are. And I want to thank you for also highlighting the workers that have experienced targeting through this process as well. I don't have any questions. I just wanted to thank you all for coming. Your testimony will obviously be put into the record and we'll follow up. This will be an ongoing conversation, but I really did want to take the opportunity to thank UAW and DC37 for your ongoing solidarity and courage in this process. Thank you. Thank you for coming.

We have one more panel that is on Zoom. Thank you to all who came here for sharing your thoughts and experiences today. If anyone in the Chamber who wishes to speak, but has not yet had the opportunity to do so, please raise your hand and fill out an appearance card with a Sergeant-at-Arms at the back of the room.

Seeing no hands in the Chamber, we will now shift to Zoom testimony. When your name is called, please wait until a Member of our Team

unmutes you and the Sergeant-at-Arms indicates that you may begin. We will start with Brandon Mancilla followed by Vail Kohnert-Yount. I'm messing up these names. Please make sure that you correct them for the record.

SERGEANT-AT-ARMS: You may begin.

CHAIRPERSON DE LA ROSA: Brandon, you may begin.

BRANDON MANCILLA: Hello. Good afternoon, everyone. I am Brandon Mancilla, the Director of UAW Region 9A, which includes Local 2110 under its umbrella. I'm here on behalf of the 1 million active and retired members of the UAW across the country and 20,000 members in New York City. I'm here to support our UAW Local 2110 members at the Brooklyn Museum. I want to echo what Maida Rosenstein and the members have already said about the UAW's commitment to fighting for these members at Brooklyn Museum facing these unjust layoffs, and I also want to express my support to the members represented by DC37 and Brother Garrido in this fight. DC37 and the UAW will be united in this fight as we relentlessly represent and win justice for our members. I want to just say that in the era of DOGE and the federal threats to

all of our institutions, it is our duty as a union to speak against all attempts to normalize layoffs and downsizing, and we believe it is the City's responsibility, City government's responsibility to do everything in its power to make the city affordable and a home of good, union-respecting employers. The city cannot be a beacon of hope and an alternative to what's going on in Washington if we allow our storied institutions to not honor its commitments to the community, to art, and to its workers that make these institutions run. We have talked to state electives and we will continue to do so to emphasize the need to invest and increase funding for cultural institutions and museums across the city and state, and we also call on the City Council to support our calls to make these situations unacceptable and end these practices that only go to hurt our members and union bust our unions. It is unacceptable and it is ridiculous that the Museum leadership isn't here to explain themselves. We believe in the spirit of collective bargaining and as a institution that receives State and City funding that they should be here to be accountable to the decisions that they make.

2 SERGEANT-AT-ARMS: Your time has expired.

3 BRANDON MANCILLA: Thank you. Thank you
4 very much, everyone.

5 CHAIRPERSON DE LA ROSA: Thank you,
6 Brandon.

7 Up next, we have Vail.

8 SERGEANT-AT-ARMS: You may begin.

9 VAIL KOHNERT-YOUNT: Yes. My name is Vail
10 Kohnert-Yount, and I'm the Assistant Director of
11 Region 9A of the UAW covering New York City. The A in
12 UAW, of course, stands for auto, but in New York
13 City, it could also stand for the arts because UAW
14 Local 2110 represents thousands of workers at museums
15 and cultural institutions in the city, including 170
16 staff at the Brooklyn Museum, some of whom you just
17 heard from. On Tuesday night, hundreds of union
18 workers and community members showed up to protest
19 the recent layoffs impacting nearly 50 full and part-
20 time staff members who are members of UAW Local 2110
21 and DC37, and it was incredible to see so many of the
22 people at this hearing there in person on Tuesday.
23 It's absolutely unacceptable for the Museum to lay
24 off these workers. It's especially outrageous for
25 management who have not only failed to plan for, but

also contributed to the budgetary shortfall to do so when they haven't exhausted every other option or even bothered to bargain in good faith with our union, and starting by slashing workers essential to maintaining the collections who make less than 6 percent of what the executive director makes so it's just how deeply ill-considered and wrong this decision is. It's bad for the staff and bad for the institution and bad for its collections. And if there's one thing you should know about the UAW, it's that our members will always fight and fight hard for our jobs. We have a saying in the UAW by former president Walter Reuther who said, there's a direct relationship between the ballot box and the bread box and what the union fights for and wins at the bargaining table can be taken away in the legislative halls. We at the UAW know this very well, and it's never been more relevant than today. We just cannot normalize layoffs and the decimation of our public services and institutions like this, not in Brooklyn and not anywhere else. So, we really need our elected officials to stand up and use your power to save these workers' jobs and not let union members be targeted for sacrifice, and we will remember those

who stood up for our members when we go to the ballot box. Thank you to (TIMER CHIME) everyone who has participated in this hearing, and I appreciate the opportunity to speak on behalf of our membership. Thank you.

CHAIRPERSON DE LA ROSA: Thank you, Vail. We are making a final call for Zoom registrants who have not yet spoken. If you're currently on Zoom and wish to speak, but have not yet had the opportunity to do so, please use the raise hand function and our Staff will unmute you.

Seeing no hands, I would like to note that everyone can submit written testimony to testimony@council.nyc.gov within 72 hours of this hearing.

To conclude, I would like to thank all of the folks who provide the rich cultural experience that New York is known for and to all of those who attended today's hearing to share your experiences. I think we've had a productive conversation here where we were able to delve into some of the experiences of the workers here, some of the challenges coming from our cultural institutions, from our City agencies, and we hope that you all have enjoyed being here and

2 witnessing government in action. We look forward to
3 continuing to have this conversation. This is not the
4 end of the conversation. This is just a point in the
5 conversation.

6 With that, we'll now conclude the
7 hearing. Thank you. [GAVEL] We're adjourned. Thank
8 you.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 9, 2025