

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

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January 19, 2016
Start: 9:53 a.m.
Recess: 9:59 a.m.

HELD AT: 250 Broadway - Committee Rm,
14th Fl.

B E F O R E:
I. DANEEK MILLER
Chairperson

COUNCIL MEMBERS:
Elizabeth S. Crowley
Daniel Dromm
Costa G. Constantinides
Robert E. Cornegy, Jr.

CHAIRPERSON MILLER: Good morning. My name is Council Member I. Daneek Miller; I'm the Chair of the Committee on Civil Service and Labor. I'd like to thank everyone for coming out, particularly on this short notice; I'm extremely pleased that the committee here and I expect that the full Council will vote today on the Grocery Worker Retention Act, proposed Int. 0632-B. This bill was originally proposed after 9/11; the Council passed a similar law in 2002, called the Displaced Building Worker Protection Act, which was Local Law 39 of 2002. This law requires that a new building owner must retain building service staff for 90 days after it is purchased, it then must evaluate them and offer continued employment to those who they deem satisfactory. Although we do not have hard data on this law over the past 13 years, our friends at 32BJ inform us that it has been a success.

I note that the National Labor Board last year found that new owners of several properties were in violation of this law.

Grocery workers however have not been afforded the same right as building workers, while the State of California last year passed such

2 protections for grocery workers statewide, New York
3 City should at least provide such benefits to our
4 local grocery workers. We watched haplessly last
5 year as bankruptcy of A&P unfolded with the company
6 also running Pathmark, Food Emporium, Waldbaum's,
7 food basic [sic] stores across five boroughs.
8 However, the next time such things occur, it is my
9 hope that the Grocery Worker Retention Act will be
10 law and it will protect such workers and communities
11 from such devastation.

12 Thank you again; now I'd like to
13 acknowledge the members of the Civil Service and
14 Labor Committee, Council Member Cornegy, Council
15 Member Crowley, Council Member Dromm and Council
16 Constantinides.

17 I'd like to thank Matt Carlin, Counsel;
18 Policy Analyst Zoloff; Kendall Stevenson, Financial
19 Analyst, and of course Ali Rasoulinejad. This has
20 been really, and we say it all the time, but this has
21 been tough legislation; they have dealt with all
22 parties and all sides; this has been going on for
23 more than a year and this is certainly legislation
24 that is going to protect workers, but it is just and
25 it is fair; all parties have been brought in and have

2 had a voice in this. So with that I would like to
3 call this legislation to a vote.

4 COMMITTEE CLERK: Matthew Destefano
5 [sp?], Committee Clerk, Committee on Civil Service
6 and Labor, roll call on Int. No. 0632-B. Chair
7 Miller.

8 CHAIRPERSON MILLER: I vote aye.

9 COMMITTEE CLERK: Crowley.

10 COUNCIL MEMBER CROWLEY: I vote aye.

11 COMMITTEE CLERK: Dromm.

12 COUNCIL MEMBER DROMM: Permission to
13 explain my vote. Mr. Chair.

14 CHAIRPERSON MILLER: Yes.

15 COUNCIL MEMBER DROMM: Very proudly
16 support this piece of legislation; this is
17 legislation that has a direct effect on my community,
18 where we saw a grocery store shut down and workers
19 locked out two weeks before Christmas, maybe two
20 years ago and the devastating effect that it had on
21 our community when the new owner came in and would
22 not rehire those former workers from the former
23 grocery store owner. So you should be very proud of
24 this and this is a groundbreaking piece of
25 legislation and with that I vote aye.

2 COMMITTEE CLERK: Constantinides.

3 COUNCIL MEMBER CONSTANTINIDES: I vote
4 aye.

5 COMMITTEE CLERK: Cornegy.

6 COUNCIL MEMBER CORNEGY: Permission to
7 explain my vote. Grocery store owners provide
8 important jobs that are accessible to local community
9 residents, they also provide a service that community
10 members rely on, one that's not easily replaced by
11 similar, more distant or more high end businesses or
12 new models like grocery delivery services. Today the
13 threatened loss of supermarkets is causing real panic
14 and protests from Park Slope to Fort Greene to the
15 Bronx, our city is responding to this need by
16 providing significant incentives for developers to
17 include full-service grocery stores in their
18 properties through the Fresh Program. This is
19 recognition of just how important local markets are
20 for families, seniors and community members without
21 cars. Now this bill is only directed toward grocery
22 businesses that are undergoing an ownership change to
23 remain in business, profitability serving the
24 community where they're already located. I'm not
25 comfortable substituting the expertise of this body,

2 rigorous thought it is, for that of these business
3 owners who are already doing a great deal of good of
4 a type only the private sector could meet. This is a
5 bill with excellent intentions that's been around for
6 quite some time and I'm sympathetic to the goals of
7 the labor groups who are also expert in this area,
8 however, I don't believe that this is the right
9 moment in our city for this change in this industry;
10 therefore I will be abstaining.

11 COMMITTEE CLERK: By a vote of 4 in the
12 affirmative, 0 in the negative and 1 abstention, Int.
13 0632-B has been adopted.

14 CHAIRPERSON MILLER: I'd like to thank
15 the members of the committee for not just their
16 support, but for their positive consideration and
17 their thoughtful consideration over the past year on
18 this important piece of legislation as we move
19 forward and I look forward to bringing it to the
20 general body this afternoon. Thank you so much; the
21 hearing's now adjourned.

22 [gavel]

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C E R T I F I C A T E

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



Date January 28, 2016