

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL
OPERATIONS, STATE &
FEDERAL LEGISLATION

Jointly with

COMMITTEE ON CIVIL SERVICE
& LABOR

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November 13, 2025
Start: 10:11 a.m.
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HELD AT: Council Chambers - City Hall

B E F O R E: Lincoln Restler
Chairperson

Carmen N. De La Rosa
Chairperson

COUNCIL MEMBERS:

Gale A. Brewer
David M. Carr
James F. Gennaro
Jennifer Gutiérrez
Shahana K. Hanif
Frank Morano
Lynn C. Schulman
Inna Vernikov
Tiffany Cabán

Eric D. Bottcher
Eric Dinowitz
Oswald Feliz
Kamillah Hanks
Julie Menin
Francisco P. Moya
Yusef Salaam

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

Robert Tucker
FDNY Fire Commissioner

Mark Gruerra
FDNY First Deputy Commissioner

Paul Miano
FDNY Acting Chief of Emergency Medical Services

Lizette Christoff
FDNY Deputy Commissioner for Management and
Budget

Nafeesah Noonan
FDNY Associate Commissioner

Daniel Pollak
First Deputy Commissioner at Office of Labor
Relations

Peter Ianniello
Executive Director of Human Resources at
Department of Education

Michael Mulgrew
UFT

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

Randi Weingarten
AFT President

Karen Alford
UFT

Beth Norton
UFT

Priscilla Castro
UFT

Michelle Hermann
UFT

Trevaugh Taylor
In-Service Paraprofessional

Undrea Polite
In-Service Paraprofessional

Tonia Calvo
In-Service Paraprofessional

Anthony Barnes
UFT Para Vice Chair

John Kamps
UFT Para Vice Chair

Veronica Longo
In-Service Paraprofessional

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

Connie Altamirano
In-Service Paraprofessional

Timmothy Summerfelt
EMS

Travis Kessel
EMS

Julian Morales
UFT

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3 SERGEANT AT ARMS: Folks, we're about to
4 get started, so please take seats. Good morning and
5 welcome to today's New York City Council hearing for
6 the Committee on Governmental Operations joint with
7 Civil Service and Labor. At this time, we ask that
8 you please silence all electronic devices, and at no
9 time are you to approach the dais. If you'd like to
10 sign up for in-person testimony or have any other
11 questions throughout the hearing, please see one of
12 the Sergeant at Arms. Chair Restler, we're ready to
13 begin.

14 CHAIRPERSON RESTLER: [gavel] Good
15 morning. My name is Lincoln Restler and I have the
16 privilege of chairing the Committee on Governmental
17 Operations, State and Federal Legislation, and this
18 morning I have the true, true privilege of co-
19 chairing this hearing with the Chair of our Labor and
20 Civil Service Committee, Carmen De La Rosa. The
21 workers of New York City could not have a better
22 champion than Carmen, and we all owe her just an
23 enormous debt of gratitude for her leadership of this
24 committee over the past four years and her tremendous
25 work on the Council. So, thank you. We're joined by
a number of great colleagues this morning. The two

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2 lead sponsors of the bills we're hearing today,

3 Council Member Justin Brannan, Council Member Keith

4 Powers, Council Member Lynn Schulman, Council Member

5 Julie Menin, and Brooklyn's own Council Member David

6 Carr. I got one laugh. Thank you. He got

7 redistricted to include just a little bit of

8 Brooklyn, and we claim him as our own. And we have

9 Council Member Francisco Moya on Zoom. Intro 521

10 sponsored by Council Member Justin Brannan would

11 establish a new Department of Emergency Medical

12 Services with the power to oversee general ambulance

13 services, emergency medical services and other

14 response services necessary to preserve public

15 health, safety and welfare. These functions are

16 currently housed under the FDNY. New York City is

17 proudly home to the first municipal ambulance service

18 in the United States established in 1869 at Bellevue

19 Hospital. I think I read Heart Island opened in 1869

20 yesterday, so 1869 was a big year in New York City.

21 While we have come a long way since the horse-drawn

22 ambulances of that era, our commitment to providing

23 fast emergency medical response services staffed by

24 dedicated professional health care workers has never

25 waived. Since emergency medical services were

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3 merged with FDNY back in 1996 during the Giuliani
4 administration, EMTs and paramedics have faced a
5 number of ongoing challenges. The number of fires
6 has decreased over 50 percent while medical bills
7 have increased dramatically. EMTs-- medical calls,
8 excuse me. Medical calls have increased
9 dramatically. EMTs and paramedics now respond to
10 over 4,300 calls per day. Despite this high demand,
11 EMTs and paramedics face challenging work conditions.
12 Starting salaries are almost 20 percent lower than
13 firefighter salaries, and this disparity grows
14 significantly with more time on the job. After five
15 years on the job, EMTs are making almost 30 percent
16 less than their FDNY counterparts. This salary
17 disparity has led to significant attrition from EMS
18 to fire, resulting in staffing shortages and
19 increased response times. Whether it's a fire or a
20 heart attack, all New Yorkers take comfort in being
21 able to call 911 and have an experienced professional
22 swiftly respond. It is vitally important that we
23 better recruit and retain dedicated emergency medical
24 response workers. I'm looking forward to hearing
25 testimony today from the leadership at the FDNY on
how we can improve worker retention, decrease

3 response times, and continue to innovate in our
4 medical response services. I'm grateful to Council
5 Member Brannan for his persistent and outspoken
6 leadership on this issue. I also want to recognize,
7 just take a moment to recognize the tragic death of
8 Patrick Brady over the weekend. He died in the line
9 of duty tackling a blaze in East Flatbush. His
10 family and the FDNY community are in all of our
11 thoughts. I'd also just like to thank the FDNY for
12 their incredible response to two large fires that we
13 had in Greenpoint this past week on the very same
14 block three days apart. My community is really
15 grateful to the FDNY for showing up and keeping us
16 safe. As Chair De La Rosa will share in a moment as
17 she elaborates further on Intro 1261 sponsored by
18 Council Member Keith Powers, this legislation would
19 help correct the pay disparity for paraprofessionals.
20 The 24,000 paraprofessionals in New York City are
21 essential. Students rely on paraprofessionals for
22 everything from classroom instruction to physical
23 assistance and help accessing specialized services.
24 without these dedicated professionals, 24,000 student
25 would not be able to go to school and learn each and
every day. Despite their value, paraprofessionals

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3 have been historically underpaid due to the city's
4 labor practices. Paraprofessionals currently have a
5 starting salary of just \$32,000. That is just about
6 minimum wage, minimum wage for a paraprofessional
7 starting out in the New York City school system.
8 Forces them to work multiple jobs and leads to far
9 too high vacancy rates. We routinely hear from
10 parents who share that when their child doesn't have
11 a para, they can't get on the bus. They have chaos
12 at school, or they're shuffled between staff members.
13 It's devastating. This bill is a critical step in
14 the right direction, and we must work to improve the
15 equity in our labor bargaining process and ensure
16 that low wage workers are empowered and respected at
17 the bargaining table. I lastly just want to thank
18 Speaker Adams for her tremendous leadership. She has
19 continuously centered union workers, especially low-
20 wage employees during her tenure as our Speaker, and
21 ensured that this body works diligently to improve
22 working conditions for all. with that, I really want
23 to thank our Governmental Operations Committee staff,
24 our new Committee Counsel who's terrific, Jahari
25 Fraiser [sp?], our Policy Analyst Erika Cohen [sp?]
for their great work in preparing for this hearing

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3 and the great work from the team at the Labor and
4 Civil Service Committee. And I most of all want to
5 thank Molly Haley [sp?] who is my Chief of Staff and
6 is absolutely brilliant. With that, I will turn it
7 over to Chair De La Rosa.

8 CHAIRPERSON DE LA ROSA: Thank you--

9 CHAIRPERSON RESTLER: [interposing] Oh,
10 and I just am supposed to recognize that Council
11 Member Frank Morano is here with us. Thank you for
12 joining us.

13 CHAIRPERSON DE LA ROSA: Thank you,
14 Chair Restler, and I want to join you in sending our
15 condolences to the FDNY for the loss of Patrick
16 Brady. We are praying for you all and his family in
17 this difficult time. I'm the Chair of the Civil
18 Service and Labor Committee. Thank you all for
19 joining us for today's hearing. Specifically, want
20 to focus on Intro 1261 sponsored by Council Member
21 Powers which seeks to address pay disparities for
22 paraprofessionals within the Department of Education
23 that have developed throughout the city's pattern
24 bargaining system. Pattern bargaining is the city's
25 longstanding practice of applying uniform percentage-
based raised across municipal unions. It is intended

2 to promote consistency and equity across the
3 workforce. However, over time this approach can also
4 widen gaps between higher and lower paid titles. For
5 example, when all employees receive a three percent
6 raise, those at the top of the salary scale see a
7 much larger dollar increase than those at the bottom.
8 Over many years these differences compound leaving
9 paraprofessionals and other lower salary employees
10 further behind. This bill attempts to correct those
11 disparities through an excess differential offset, a
12 formula-based payment designed to reduce the wage gap
13 between paraprofessionals and the DOE employees.
14 Paraprofessionals are the backbone of our classroom.
15 They work one-on-one with students with disabilities,
16 assist teachers in managing classroom, and often
17 serve as a critical link between students, families,
18 and schools. Their work is essential to ensuring
19 that our schools are inclusive, supporting learning
20 environments for all students. Yet, through
21 struggle, lawsuits, and labor negotiations,
22 paraprofessionals now earn between \$32,798 and
23 \$54,541, not enough in a city as expensive as New
24 York. As we consider this legislation, there are
25 several questions before us. How will this bill be

3 implemented? Who will oversee it the cost of
4 calculating the excess differential offset? What is
5 the potential fiscal impact for the city and for the
6 DOE, and how can this legislation help the municipal
7 workforce attract and retain top talent, address the
8 vacancy of about 1,600 paraprofessionals in the
9 largest public school system in the country. This
10 legislation intends to address decades of inequity in
11 a highly unaffordable city for some of the most
12 essential workers of our city who are predominantly
13 women of color serving our most vulnerable students.
14 We'll hear from the Office of Labor Relations, the
15 Department of Education, and the United Federation of
16 Teachers and other stakeholders. Our goal today is
17 to gain a better understanding of both the intent and
18 the implication of the legislation, how it might
19 advance pay equity, and what challenges might arise
20 in implementation? We all share the same goal,
21 ensuring that paraprofessionals who make our schools--
22 - sorry give me one second-- ensuring that
23 paraprofessionals who make our schools work every day
24 are treated with fairness and respect. Today's
25 hearing is an opportunity to take a closer look at
how we achieve that balance while maintaining the

2 city's fiscal stability and collective bargaining
3 framework. I like to thank the Committee Staff,
4 Senior Counsel Rie Ogasawara, Senior Policy Analyst
5 Elizabeth Artz [sp?] for their hard work in
6 preparing for this hearing, as well as my staff,
7 Chief of Staff, James Burke [sp?], Legislative
8 Director Kana Diaz [sp?], and Communications
9 Director Fray Familia [sp?]. I also want to take a
10 moment to congratulate Council Member Brannan for
11 his work and his consistent advocacy for FDNY. With
12 that, I turn back to Chair Restler.

13 CHAIRPERSON RESTLER: Thank you so much,
14 Council Member De La Rosa. And we have been joined
15 by Council Member Eric Dinowitz, a former teacher
16 from the northwest Bronx. And Council Member Brewer,
17 the former Chair of this committee is joining us as
18 well. Thank you for being here, Gale. With that,
19 turn it over to Justin Brannan for opening remarks.

20 COUNCIL MEMBER BRANNAN: Thank you,
21 Chairs for holding this important hearing today. I'm
22 Council Member Brannan, I chair the Committee on
23 Finance. Today's hearing is about something very
24 simple. It's about respect. Every day our EMTs and
25 paramedics are first on the scene when a New Yorker

3 stops breathing, when a child gets hurt, or when a
4 senior slips on the subway platform. They're the
5 ones running towards danger while everyone else runs
6 away. During COVID when the greatest city in the
7 world was on its knees, it was EMS workers who went
8 into apartments, nursing homes, and hospitals, often
9 without proper protection to save lives. Some got
10 sick. Some died, but they kept showing up, because
11 they always show up. These are working people doing
12 some of the hardest, most dangerous and most
13 emotional work in city government, and they've been
14 treated like second-class public servants for
15 decades. Despite all that, they earn far less than
16 firefighters or police officers, even though they
17 face the same risk and carry the same sense of duty.
18 When you call 911, an operator says, "Do you need
19 police, fire, or medical?" all in the same breath.
20 For that moment, they're all equals, but when payday
21 comes our EMS workers are treated much differently.
22 We simply cannot have second-class first responders
23 in this city and that's exactly what we have right
24 now, a class system of first responders, and our
25 street doctors are at the bottom. Many EMS workers,
the majority of whom are women and people of color,

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2 are working two or even three jobs just to pay the
3 bills and make ends meet. They love what they do,
4 but love doesn't pay the rent. They shouldn't have
5 to choose between saving lives and supporting their
6 families. Right now, morale is low. Headcount is
7 down. Response times are up, and when good people
8 leave because they can't afford to stay, the whole
9 city feels it, every neighborhood and every borough.
10 Intro 521 is about fixing that imbalance. It's about
11 undoing a 30-year-old merger between FDNY and EMS.
12 It's about saying that emergency medicine deserves
13 its own leadership, its own budget, its own respect,
14 not as a bureau buried inside another agency, but as
15 a department that is solely dedicated to saving
16 lives. This isn't a radical idea. Many other cities
17 including Boston, Austin, Pittsburgh, San Antonio
18 already have standalone EMS agencies that deliver
19 excellent service and we can do the same. This is
20 about fairness and focus, about building a system
21 where the people who respond to 75 percent of our 911
22 calls have leadership of their own that wakes up
23 every single day thinking about them. So, today
24 we're here to ask what is holding us back? What's
25 really stopping New York City from doing right by the

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3 people who do right by us every single day. I look
4 forward to speaking to the Commissioner about this
5 today. Thank you all.

6 COUNCIL MEMBER RESTLER: With that, I
7 will turn it over to Committee Counsel to swear in
8 our witnesses.

9 COMMITTEE COUNSEL: Alright. We will now
10 hear testimony from the administration. Before we
11 begin, I will administer the affirmation. Panelists,
12 please raise your right hand. Do you affirm to tell
13 the truth, the whole truth and nothing but the truth
14 before this committee and to respond honestly to
15 Council Member questions? Thank you. You may begin
16 when ready.

17 CHAIRPERSON RESTLER: Commissioner?

18 COMMISSIONER TUCKER: Good morning Chair
19 De La Rosa and Chair Restler and members of the
20 Committee on Civil Service and Labor and the
21 Committee on Governmental Operations. My name is
22 Robert Tucker, and I am the New York City Fire
23 Commissioner. I'm joined today by Mark Gruerra, the
24 First Deputy Fire Commissioner, Paul Miano, the
25 Acting Chief of Emergency Medical Services, Lizette
Christoff, the Deputy Commissioner for Management and

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2 Budget, and Associate Commissioner Nafeesah Noonan

3 who heads up recruitment and retention. Thank you

4 for the opportunity to discuss Intro 521 which would

5 separate EMS from FDNY. Thank you also. It's been a

6 difficult week for the FDNY family. Thank your for

7 recognizing that. In fact, we have a seriously

8 injured firefighter in the Bronx, so that's some of

9 the commotion that's going on here. He's currently

10 being transferred to Jacobi Hospital from another

11 hospital in the Bronx, and our prayers are with him

12 as well. Let me start by stating clearly that I

13 understand the intention behind this proposal. The

14 sponsors want to improve pre-hospital care in the

15 city to save more lives which is a sentiment that I

16 wholeheartedly share. So, I want to begin my

17 testimony by thanking the members of the Council for

18 your attention to the obstacles that plague EMS.

19 Because it is this issue that I think about first

20 thing each morning when I wake up, continuously

21 throughout the day and when I'm lying in bed each

22 night. FDNY emergency medical technicians and

23 paramedics and officers are the lifeblood of the

24 FDNY. They are real life superheroes who put their

25 own lives on the line to provide care for the rest of

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us often when we are in our moments of greatest need.

3 The legislation that we're discussing today is meant
4 to improve the circumstances of those EMTs and
5 paramedics and to enhance their compensation. That's
6 a topic that I care very deeply about. In my time as
7 commissioner, I've been privileged to have numerous
8 conversations with Council Members about this topic,
9 and I have found it very helpful to brainstorm
10 solutions. In particular, I have had very productive
11 conversations with Chair Ariola and Chair De La Rosa
12 about overcoming the current challenges that face
13 EMS. Unfortunately, Intro 521 is not a solution to
14 these challenges. Separating EMS from the Fire
15 Department is a misguided suggestion that would not
16 solve the crisis of EMS. Instead of improving
17 capabilities and enhancing the compensation of EMS
18 members, this legislation would accomplish precisely
19 the opposite. It would make EMS less effective, less
20 efficient, and it would put EMS members in worse
21 circumstances. The EMS unions are currently in
22 negotiations with the Office of Labor Relation on a
23 new contract. However, creating a new agency would
24 not change that existing dynamic of working out a
25 contract through collective bargaining with the

3 Office of Labor Relations. But even beyond salary
4 issues, I can sit here today and say unequivocally
5 that more resources are needed to truly enhance
6 existing EMS operations. To give you an illustrative
7 example. On an average day, we have a half of dozen
8 or so first line EMS supervisors sitting at their
9 desks inside their stations because their vehicles
10 that they would ordinarily use to travel throughout
11 the division are out of service for repair. The way
12 to solve that problem is for the city to invest in
13 additional spare apparatus, to hire more mechanics,
14 and to better compensate the existing mechanics so
15 that our fleet shops run more efficiently and
16 effectively. All of that requires funding to improve
17 operations. And for those of you who have gotten to
18 know me, you know that I bring a specific set of
19 skills with me to this job. Prior to joining
20 government I was the CEO of a successful family
21 business focused on public safety. And as your FDNY
22 Commissioner, I often take a CEO-style approach to
23 running the Department which typically begins with
24 finding ways to eliminate redundancies, to create
25 efficiencies, and to improve our overall output for
the public. However, the proposal that the Council

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3 is considering today would be enormously costly for
4 the City and divert a significant portion of funds
5 needed to improve operations toward redundancies and
6 fiscal waste. Afterall, why pay administrative costs
7 twice if it's only necessary to pay them once. To put
8 it bluntly, instead of seeking efficiencies and
9 putting this funding directly towards improving EMS
10 operations, this legislation would have the opposite
11 impact that the sponsors I believe intend. By
12 separating EMS from the Fire Department and creating
13 a new standalone agency, the Council would be
14 imposing a slew of redundant costs on the city and
15 ultimately on the taxpayers. It takes a small army
16 of dedicated individuals behind the scenes to run the
17 greatest fire and emergency services agency in the
18 world. Data analysts, compliance officers, budget
19 specialists, all would need to be duplicated in a new
20 agency, auditors, engineers, community coordinators,
21 radio shop technicians, executive staff, construction
22 project managers, and contracting and procurement
23 officers. Human resources costs would be duplicated.
24 Legal Affairs costs would be duplicated.
25 Communications costs would be duplicated. Strategic
planning and data analytics would be duplicated. All

3 of this would need to be created at an enormous cost
4 to the City where if used appropriately, those scarce
5 resources would go directly toward improving the
6 availability of pre-hospital care for our nearly 9
7 million residents and solving the EMS conundrum once
8 and for all. And for these extensive added costs,
9 this change would leave the people of New York with a
10 diminished EMS service. The cost of repairing
11 facilities and maintaining our fleet of vehicles,
12 which is one of the most extensive in the city, would
13 be entirely duplicated. The city would lose the
14 efficiencies that we currently have in our
15 consolidated fleet operations with our shared
16 specialists such as mechanics who shift between fire
17 apparatus and EMS apparatus all day long. Out of
18 service time for EMS vehicles would skyrocket. I
19 also worry that creating a gap between Fire and EMS
20 would endanger the seamless integration of services
21 and care. While their duties and training are
22 distinct, they all play a critical role in delivering
23 services. EMTs and paramedics work side by side with
24 firefighters at emergencies every single day. EMTs
25 operate at fires and firefighters operate at medical
emergencies. That close relationship is critical not

3 just to members of the public, but to EMTs,
4 paramedics, and firefighters themselves. A
5 firefighter who is injured at a fire knows that he or
6 she is going to be assisted by a fellow firefighter
7 and then immediately receive the best possible care
8 from a highly-trained member of FDNY EMS who already
9 are on the scene as part of the overall Department's
10 emergency response protocol. I say it all the time,
11 the FDNY is one big family made up of firefighters,
12 EMTs, paramedics, and civilians. I speak to the
13 members of both fire and EMS operations every single
14 day. All of them take immense pride in wearing the
15 iconic patch of the greatest emergency response
16 agency in the world. A separate EMS agency would
17 undoubtedly endeavor to provide greater care, but
18 removing that synergy and forcing a divorce of fire
19 and EMS services would have unintended consequences
20 that would make our members and the public less safe.
21 It'll also needlessly complicate civil service and
22 promotional opportunities within the Department, and
23 leave both agencies recruiting new members from the
24 same or similar pools of candidates. In closing, our
25 shared objective is clear, to provide the highest
standard of emergency care to every New Yorker every

3 day, but with a finite number of resources
4 duplicating functions and creating new layers of
5 bureaucracy will not get us there. So, today, I'm
6 asking in the Council to reject this legislation.
7 Instead, the Department is ready to work together to
8 make real improvements to EMS and real improvements
9 to the care that we provide for the people. Thank
10 you, and I'd be happy to take your questions at this
11 time.

12 CHAIRPERSON RESTLER: Thank you so much,
13 Commissioner Tucker for that clear and compelling
14 testimony. I'll first turn it over to Chair De La
15 Rosa.

16 CHAIRPERSON DE LA ROSA: Thank you,
17 Commissioner Tucker. I understand the operational
18 concerns that you have on the legislation. I do have
19 to ask, though, or I wouldn't be the Labor Chair,
20 then what is the response to the pay disparity that
21 exists right now between the EMS workers and
22 firefighters, and what can be done to address that
23 pay disparity at this time?

24 COMMISSIONER TUCKER: As you know, the
25 collective bargaining process between the EMTs and
paramedics and the Office of Labor Relations are

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3 going on as we speak. I do not sit at the table for
4 those conversations. However, OLR's here. I would
5 highly encourage you to ask them the same question.

6 CHAIRPERSON DE LA ROSA: We will. Have
7 you retained conversations with the EMS and EMTs in
8 your Department to ask them about their wishes as
9 plans go forward for the future of their scope of
10 work?

11 COMMISSIONER TUCKER: I speak to EMTs and
12 paramedics, and chief Miano and his executive staff
13 multiple times day every single day of the week, and
14 yes, I speak to them about the working conditions.
15 I'm out in the field perhaps more than any other
16 commissioner has ever been out in the field, and I
17 see it firsthand. I've been, you know, to every EMS
18 station in the city already, more than one time, and
19 what I would say is that I'm constant communication
20 with them.

21 CHAIRPERSON DE LA ROSA: Is there a
22 feeling that they want to separate?

23 COMMISSIONER TUCKER: I don't get that
24 feeling right now at all. I think the morale that
25 they have of being a part of the greatest Fire
Department in the world matters. I think wearing this

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3 patch matters. But I would highly encourage you to
4 speak to the union who are sitting behind me also. I
5 have

6 CHAIRPERSON DE LA ROSA: Me too.

7 Testimony from previous hearings has stated that five
8 percent of the EMS workforce has separated from the
9 FDNY this year. Does this number include everyone
10 who leaves FNDY or only those who left both FDNY and
11 city employment all together? It's kind of a three-
12 part question. But that's the first part of that
13 question.

14 COMMISSIONER TUCKER: So, let's-- can we
15 take just because I'm a little slow?

16 CHAIRPERSON DE LA ROSA: Sure.

17 COMMISSIONER TUCKER: Can we take it one
18 at a time?

19 CHAIRPERSON DE LA ROSA: Yes.

20 COMMISSIONER TUCKER: So, the first
21 question is-- can we take just because I'm a little
22 bit slow.

23 CHAIRPERSON DE LA ROSA: Sure.

24 COMMISSIONER TUCKER: Can we take it one
25 at a time? So--

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2 CHAIRPERSON DE LA ROSA: [interposing]

3 Yes.

4 COMMISSIONER TUCKER: The first question
5 is is the number-- you're asking if five percent is
6 the right number? I'm going to ask Chief Miano to--

7 CHAIRPERSON DE LA ROSA: [interposing]

8 Yes.

9 CHIEF MIANO: So, I have those numbers
10 here for you. In regards to members who have left
11 city service altogether or the FDNY altogether, that
12 is a five percent so far yeah-to-date in 2025 of
13 EMTs, and for paramedic it's lower. That would be
14 2.6 percent.

15 CHAIRPERSON DE LA ROSA: Okay. Thank you
16 for answering that part. How often do members of the
17 EMS transition to position in other agencies? And do
18 you have a sense of where EMS workers end up if they
19 transition to other agencies?

20 CHIEF MIANO: While that does happen, I
21 don't have those numbers for you, and we'll be happy
22 to get that to you.

23 CHAIRPERSON DE LA ROSA: Great. How
24 often do EMS staff get promoted out of EMS into
25 positions of firefighters?

3 COMMISSIONER TUCKER: We have a
4 promotional exam that allows that to happen. We have
5 an Academy class going on right now with 200-- yeah,
6 we're just under 200 now, all of whom come from EMS.

7 CHAIRPERSON DE LA ROSA: Okay. Those are
8 both of my questions. I'll pass them over to Chair
9 Restler.

10 CHAIRPERSON RESTLER: Wonderful. I'd
11 like to invite Council Member Brannan to ask a few
12 questions as well.

13 COUNCIL MEMBER BRANNAN: Thank you,
14 Chairs. I guess some of the answers you just gave
15 are sort of why we're here, right? It seems like
16 right now we're cannibalizing ourselves, right?
17 Some-- we're losing-- I'll go into an EMS station and
18 I'll ask people there who's been here for more than
19 five years. Maybe three people raise their hand.
20 Most of the people are waiting just to get the call
21 from FDNY, and most of them if they're being honest
22 would say I'd rather be an EMT or a paramedic, but
23 the pay is so low, that if FDNY calls my number, I'm
24 going to take that job. And now we have EMS-- you
25 know, veterans on EMS who have been there for four

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3 years. That's not a veteran, right? So, how do we
4 fix that?

5 COMMISSIONER TUCKER: Yeah. I'm laser
6 focused on that. I hear you, and I agree that
7 there's a very significant migration that, you know,
8 I think was started long before I was the
9 Commissioner, but as a backdoor into EMS, it's
10 clearly the very big front door into the fire
11 service, fire operations now. You know, there are
12 multiple prongs to fixing that problem, but a
13 standalone agency doesn't solve that problem, because
14 again, when you talk about all the administrative
15 costs that are going to be needed, the separate
16 facilities, the separate-- there's going to be a
17 Commissioner. You're going to need two
18 Commissioners. You're going to need two of most
19 everyone at this table. Forgetting about recruiting,
20 lawyers, HR, I mean, there's just-- how is that
21 helping the emergency medical technicians and
22 paramedics in the field?

23 COUNCIL MEMBER BRANNAN: I mean, I am--
24 as sponsor of the bill, I'm willing to concede that I
25 wouldn't even be pushing this idea if our EMTs and
paramedics were being treated like human beings. The

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3 reason why we're here is because we have this class
4 system with our first responders, and OLR is not
5 negotiating in good faith. They refuse to even
6 recognize EMS as a uniformed service. They've been
7 without a contract since June of 22. It doesn't feel
8 like-- I mean, you're saying the right stuff, but OLR
9 is not backing you up. Are you-- what you're saying
10 about how you feel about EMS, have you mentioned that
11 OLR?

12 COMMISSIONER TUCKER: I speak to Renee
13 [sic], you know, frequently, and yes, I have
14 mentioned to--

15 COUNCIL MEMBER BRANNAN: [interposing] So,
16 why are they doing-- what are they doing?

17 COMMISSIONER TUCKER: You know, I would
18 encourage you to speak to OLR. They're here in the
19 room, and you could talk to them. I mean, my
20 position has been crystal clear for the last 15
21 months that I've been the Fire Commissioner, that EMS
22 is a vital part of the lifeblood of the FDNY. It's
23 frankly the future of the FDNY when you think about
24 50 percent of the work that our engine companies, the
25 big red trucks, are doing is responding to EMS calls,
and that number is going to grow. You're talking

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3 about nearly 1.6 million calls for service a year.

4 This thing's a crisis. I've said it publicly that it
5 is the biggest crisis in public safety that we are
6 now just first talking about, and I'm really glad to
7 see that. And I'm really glad that all of you are
8 focused on it now, but I don't believe that this is
9 the solution, because this is not addressing anything
10 for the EMTs and paramedics who are actually doing
11 the hard work.

12 COUNCIL MEMBER BRANNAN: So, would you
13 say about FDNY handles mostly medical calls at this
14 point?

15 COMMISSIONER TUCKER: No, I would say
16 that we-- medical calls is a big part of our
17 responsibility--

18 COUNCIL MEMBER BRANNAN: [interposing]
19 Right.

20 COMMISSIONER TUCKER: as well as general,
21 you know, public safety and first responding to fires
22 and car accidents. We are the rescuers of New York
23 City now as well.

24 COUNCIL MEMBER BRANNAN: But for medical
25 calls, the folks-- the street doctors are the ones

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2 who are being treated like secondary-- they're a
3 secondary branch inside the Department.

4 COMMISSIONER TUCKER: Not to this
5 Commissioner. They're not a secondary branch. They
6 are an equal branch, but there's no doubt that there
7 are-- there is a crisis and that it needs to be
8 addressed, and that we are beginning to try to find
9 unique solutions to addressing that. Response time--
10 response time for me is just one of the metrics, but
11 I think patient outcomes is also a metric that we
12 should measure. You know, when we talk about
13 response times as part of our failure, we're managing
14 response times now because of the limited resources
15 that we have. And so we're purposely delaying
16 certain calls, elevating our response times to try to
17 affect patient outcomes for sicker people who need an
18 ambulance faster. There is a limited amount of
19 resources that we have, and we can do a lot better.
20 And thank you all for, you know, for having this open
21 conversation and dialogue because we all have to work
22 together in order to make it better.

23 COUNCIL MEMBER BRANNAN: As I mentioned
24 in my opening statement, Boston, Austin, Texas,
25

3 Pittsburgh, San Antonio, they all have standalone EMS
4 agencies. So, this isn't a crazy idea.

5 COMMISSIONER TUCKER: No, no, I didn't
6 suggest it was crazy idea. In fact, our neighboring
7 friends in Westchester have completely privatized and
8 hired a private company to do it with the exception--

9 COUNCIL MEMBER BRANNAN: [interposing] We
10 don't want to do that.

11 COMMISSIONER TUCKER: with the exception
12 of certain volunteer ambulance services in villages
13 and towns. There are many permutations and
14 combinations that you could put forward, but there's
15 no doubt for me that the emergency medical service of
16 New York City has become-- you know, the E in EMS has
17 become somewhat irrelevant. We're responding to boo-
18 boos all day long, which is also affecting the morale
19 of my EMTs and paramedics. And so I think we have to--
20 we are finally looking at it, like I would look at a
21 business problem, and we are finally trying to
22 address it, even talking to, you know, some of the
23 private hospitals about alternative transportation.
24 Don't forget though, when we get on the scene, the
25 law doesn't allow us to abandon that patient unless
someone of a higher medical authority arrives on the

3 scene. And so we end up spending two hours on the
4 scene of a boo-boo and in those two hours people are
5 having heart attacks and strokes and we can't get
6 there fast enough.

7 COUNCIL MEMBER BRANNAN: So, if we don't
8 separate and we don't undo the merger, how do we fix
9 the structural change? How do we make structural
10 change here?

11 COMMISSIONER TUCKER: I think we're well
12 on the way to fixing it. We've got new leadership in
13 the Acting Chief of EMS. We're making some
14 leadership changes at the top actively. I think we
15 are trying new-- some new, some recycled ideas like
16 paramedic response units out in the field which are
17 non-transport vehicles where paramedics are now
18 responding to our sickest patients, but they're not
19 transporting them. That transportation from the
20 scene to the hospital-- you know, the average waiting
21 time once we arrive at the hospital is over 40
22 minutes, and so if we can take our most highly-
23 skilled field technicians, paramedics, and get them
24 to bounce from scene to scene to scene and not be
25 responsible for transportation to the hospital and
waiting for the hospital to triage the patient, sign

3 off on the patient and actually take the patients,
4 we're getting to sicker people faster. In the
5 hospitals that we're having the most difficulty with
6 that 40-minute average, we've now assigned a hospital
7 liaison officer. We've taken a supervisor off the
8 street, put them into the emergency room, and we've
9 got them coaxing along both the hospital staff and my
10 staff to get back in the ambulance and get on the
11 road to address the next sick patient. So, I think
12 we're innovating. We've undertaken to build a very,
13 very sophisticated state-of-the-art new computer-
14 assisted dispatching platform. That platform is
15 going to sit on top of the very successfully created
16 fire CAD. So, if you separate these agencies, that's
17 going to go from \$40 million to \$80 million, but if
18 right now we think we can efficiently put it right on
19 top of fire CAD so that you can see everything that's
20 happened both on fire operations and EMS operations
21 at the same time. We're going to incorporate the
22 latest and most sophisticated data analytics and you
23 know, predictive analytics and AI into something like
24 that to help us make better faster decisions about
25 what resources belong here. Right now, we're not
state-of-the-art. We're on our way to being it.

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2 COUNCIL MEMBER BRANNAN: Do you believe
3 that all first responders-- anyone when you call 911,
4 the operator says do you need police, fire, or
5 medical, do you believe that they should all have pay
6 parity?

7 COMMISSIONER TUCKER: You know, what my
8 members get paid unfortunately is not my
9 responsibility, so I would refer you to OLR on that,
10 and--

11 COUNCIL MEMBER BRANNAN: [interposing] But
12 would you advocate for that? If OLR had the fire
13 Commissioner saying I believe that EMS should be--
14 deserves pay parity, deserves to be recognized as a
15 uniformed service, I think they'd take that in
16 consideration.

17 COMMISSIONER TUCKER: I think the jobs
18 are distinct, but nevertheless, pay is certainly one
19 factor.

20 COUNCIL MEMBER BRANNAN: It's a big
21 factor.

22 COMMISSIONER TUCKER: But it is just one
23 factor of a multipronged approach to solving this
24 crisis. You're right, it's a big factor, but it's
25 just one factor.

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2 COUNCIL MEMBER BRANNAN: So you don't
3 want to say on the record if you think EMS deserves
4 pay parity?

5 COMMISSIONER TUCKER: I wouldn't say it.
6 It's inappropriate in my role as Fire Commissioner.

7 COUNCIL MEMBER BRANNAN: Do you think
8 they should be recognized as a uniformed service?

9 COMMISSIONER TUCKER: You know, I, again,
10 there's a question for OLR.

11 COUNCIL MEMBER BRANNAN: But you're--
12 Commissioner, you're saying--

13 CHAIRPERSON RESTLER: [interposing] I'll
14 just note, we're fortunate that OLR is the next
15 panel, so we can ask those questions.

16 COUNCIL MEMBER BRANNAN: I'll just say
17 that-- I mean, you're saying all the right stuff, but
18 then when I-- when we get to brass tax, and I say
19 should they be seen as a uniformed service, should
20 they get pay parity, you plead the fifth.

21 COMMISSIONER TUCKER: I'm not pleading
22 the fifth. I'm simply saying that there's a more
23 appropriate person in the administration to ask the
24 question to, and what I would say is that they're
25 here in the room, and I-- you know--

3 COUNCIL MEMBER BRANNAN: [interposing]

4 Okay. My goal is that I want all of our first
5 responders to be paid well for the jobs they do, for
6 the bravery and courage that--

7 COMMISSIONER TUCKER: [interposing] And on
8 that, I would agree with you.

9 COUNCIL MEMBER BRANNAN: Yeah. So, and
10 it's-- you know, cops, I think-- ultimately I think
11 paying EMS and recognizing them as a uniformed
12 service or giving them their own agency would
13 ultimately help. I want to help firefighters, too. I
14 want all these people to just get the respect and the
15 dignity that they deserve, and I'm worried right now
16 that that's not what we have, because we're-- we're
17 basically-- EMS is like the old tidewater tides of
18 the New York Mets, and that's not what we want. We
19 want it to be that I want a career as an EMT or a
20 paramedic, not, hey, I hope I get my call and I can
21 then leave EMS.

22 COMMISSIONER TUCKER: I respectfully
23 disagree, but nevertheless, I think we agree on a lot
24 of things that you're saying. I just don't think that
25 the best solution is to stand up another agency where
mostly the limited financial resources of the

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3 administration would have to go do duplicating people
4 like me and Commissioner Gruerra and Commissioner
5 Christoff instead of perhaps compensating the members
6 more.

7 COUNCIL MEMBER BRANNAN: Well, if OLR
8 gets up here today and says they'll give them pay
9 parity and recognize them as uniformed service, I'll
10 pull my bill.

11 COMMISSIONER TUCKER: Again, I
12 respectfully disagree that-- and I would also just
13 say that I think being focused on parity is what's
14 derailing progress.

15 CHAIRPERSON RESTLER: Thank you very
16 much, Council Member Brannan.

17 COUNCIL MEMBER BRANNAN: Thank you,
18 Chairs.

19 CHAIRPERSON RESTLER: We have been joined
20 by Harlem's own Council Member Yusef Salaam and
21 Council Member Inna Vernikov of Brooklyn. I will pass
22 it over to Council Member Carr followed by Council
23 Member Schulman.

24 COUNCIL MEMBER CARR: Thank you so much,
25 Chairs. Commissioner, always a pleasure to see you.
I want to also extend my condolences on the loss of

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3 firefighter Patrick Brady. Just a terrible day for
4 the Department and the City and of course for his
5 family. I think it underscores just how dangerous
6 the job is and how important it is that we support
7 our uniformed services. We've talked a lot about EMS,
8 you and I recently, Commissioner, and I know it's a
9 priority for you because it's been taking up so much
10 of your head space and your time as Commissioner.
11 But I-- you keep talking about this multiprong
12 approach that's necessary to sort of better the
13 professional position of EMS, and you said it's not
14 just parity. It's not just, you know, any one
15 particular thing. Can you give us a little bit more
16 detail on some of the things that you would like to
17 see happen in the new calendar year? Particularly,
18 we're two months away from the Preliminary Budget.
19 Budget discussion begin again. We're two months away
20 from the new session in Albany. What are some of the
21 things that we should be thinking about as we
22 approach the new budget process and as our colleagues
23 in Albany convene for a new session that could be
24 helpful to this?

24 COMMISSIONER TUCKER: Thank you, Council
25 Member Carr. What I-- there's no doubt there are

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3 other things like our facilities. We have about 40
4 EMS stations, and some of them look different than
5 others. I think we could focus on that. I think we
6 could focus on our fleet. I mentioned it in my
7 prepared remarks. We have-- interestingly, our
8 ambulance fleet is in the best shape it's ever been
9 in, but our supervisory vehicles are not, and we
10 should be focusing on that. You know, look, just
11 generally we have to focus on the types of calls that
12 the EMTs and paramedics are being brought to. When
13 you're a highly skilled paramedic and you're going to
14 someone who essentially is just calling for a car
15 service to be transported to the hospital, it's
16 demoralizing, and I think we need to really focus on
17 how we triage calls, and that's why I'm so excited
18 about building the new EMS CAD. So, I think there
19 are-- that's three examples of things we could focus
20 on in the next calendar year. Unfortunately, I won't
21 be there, but I have set up a very, very
22 comprehensive strategic plan, and I would encourage
23 whoever becomes the next Fire Commissioner to take a
24 look at it.

25 COUNCIL MEMBER CARR: Do you have a sense
of the dollar value of the capital commitment that

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3 would be needed to address some of the things you're
4 talking about, the facilities, the fleet, etcetera?

5 COMMISSIONER TUCKER: You know, we have--
6 we testified here before Chair Ariola's committee and
7 asked for a billion dollars. I don't think that
8 that-- we didn't get it, but we think that overall,
9 you know, the average age of our firehouses is over
10 100 years. We have-- they're homes. Our members
11 sleep there, and yet we have leaking roofs. We have
12 some facilities that are-- in EMS-- that are getting
13 to the point where they're not habitable, and for me,
14 if you want to-- once and for all, address the crisis
15 that we are in, then we've got to address it
16 holistically, and pay is just one prong of a
17 multipronged set of solutions.

18 COUNCIL MEMBER CARR: You know, one of
19 the things I've heard anecdotally that I think kind
20 of give some real substance to the situation is how
21 often our EMTs are put physically in danger and are
22 assaulted. What's some of the SOPs FDNY has in these
23 situations for sort of after somebody has been on the
24 receiving end of an attack like that and the care
25 they get afterwards and the support?

3 COMMISSIONER TUCKER: I appreciate that,
4 and I'm very glad you mentioned that because one
5 critical factor when that happens, and I'm sick when
6 that happens, just so you know, but when that happens
7 we deploy our Fire Marshalls at that. they are
8 police officers embedded within the Fire Department.
9 They're fireman who go to the police academy and are
10 promoted to the rank of Fire Marshal and our Fire
11 Marshals provide security at EMS facilities. They
12 provide all of the investigative support to make an
13 arrest if something like that happens. When you have
14 a separate standing agency, you're not going to have
15 that kind of attention. I would say that our Fire
16 Marshals work on EMS assault cases consistently and
17 make arrests there consistently.

18 COUNCIL MEMBER CARR: I Appreciate the
19 answers to those questions, and I think that, look,
20 this is obviously and urgent need and I'm glad you're
21 recognizing that. Our EMTs need our support. Our
22 paramedics need our support and look forward to
23 working with whoever sits in your chair. Hopefully
24 they have the same energy and enthusiasm for this
25 issue as you so. Thank you, Chairs.

COMMISSIONER TUCKER: Tank you.

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3 CHAIRPERSON RESTLER: Thank you so much,
4 Council Member Carr, for always such thoughtful
5 questions. I will now turn it over to Council Member
6 Brewer.

7 COUNCIL MEMBER BREWER: Thank you very
8 much, Commissioner. I think you're going to be
9 missed tremendously. Just want to say that. Just want
10 to say that.

11 COMMISSIONER TUCKER: Appreciate it.

12 COUNCIL MEMBER BREWER: Two quick
13 questions. One is from what you're saying, and maybe
14 this is in your strategic plan-- I certainly know
15 about some of the like 23rd Street definitely needs a
16 new home, as an example. They're under a bridge.
17 And that is all of the capital needs. So, I assume
18 that your strategic plan would say capital needs X
19 and then parity at the same time, because the persons
20 I know in EMS do want to be firefighters. That's
21 really what they are there for, and so we want them
22 to stay as their miraculous talents save people's
23 lives. So, question number one is, is that what is
24 in the strategic plan, number one. Number two,
25 Northwell which is not you, but you mentioned public
hospitals, or you mentioned hospitals. That's when I

3 perked up. They pulled out of the east side and the
4 west side of Manhattan. I wrote a very upset letter
5 about that. So, my question would be secondly, as
6 we're dealing with your issues, Northwell's pulling
7 out. That means more pressure on your folks. Is that
8 happening across the City? These hospitals are not
9 doing their job.

10 COMMISSIONER TUCKER: Yeah. Thank you for
11 your questions, and also thank you for recognizing
12 what you did at the beginning. What I would say about
13 Northwell which is a absolutely tremendous partner of
14 ours, and I am in both direct conversations with the
15 Greater New York Hospital Association, Ken Rasky
16 [sp?] and his team, and in direct conversations with
17 the CEOs of all of the hospital systems including
18 Northwell. They all want the same thing. They want
19 to save people's lives. They want to be an active
20 participant in free hospital care, and you know, for
21 them it's an economic equation just like it is for
22 us. They--

23 COUNCIL MEMBER BREWER: [interposing]
24 They're supposed to be nonprofit. May I say that?
25 Go ahead.

2 COMMISSIONER TUCKER: Yeah. I mean,
3 they've got to decide how to allocate their own
4 resources. We've very lucky to have them on the 911
5 system, but make not mistake about it, whether
6 they're on it or not on it, FDNY EMS is going to be
7 there for people who are sick and need help. The
8 west side issue is an issue, and I've--

9 COUNCIL MEMBER BREWER: [interposing] They
10 moved. They took it out of east side, too.

11 COMMISSIONER TUCKER: Yeah, I've asked--
12 I've asked Northwell to reconsider and they did.
13 They extended it, the deadline.

14 COUNCIL MEMBER BREWER: Correct.

15 COMMISSIONER TUCKER: You know, again,
16 it's a bit of a business negotiation that we're
17 having, but we-- you know, I have been public about
18 the fact that I want to bring patients who are picked
19 up by ambulance to the closest hospital. That's what
20 we do with our sickest patients. What I don't want
21 to do if God forbid someone was sick here in this
22 room, I don't want to bring them to Mount Sinai
23 Hospital on 99th and Madison just because that's
24 where they want to go. I want to bring them to
25

3 closest appropriate hospital. Some of the private
4 hospitals--

5 COUNCIL MEMBER BREWER: [interposing]
6 They're kind of disappearing around here just in case
7 you didn't know.

8 COMMISSIONER TUCKER: Indeed, but we--
9 you know, we do have one right here.

10 COUNCIL MEMBER BREWER: yes, I know.

11 COMMISSIONER TUCKER: And so, we've had a
12 little bit of a disagreement. We are working very
13 hard to try to response times, to improve hospital
14 turnaround times, and I'm working very closely with
15 Northwell and Monte and Sinai and Presby to try to do
16 that, and they've all been extremely cooperative and
17 helpful. The ambulance situation I think is flexible
18 and it's an ongoing conversation.

19 COUNCIL MEMBER BREWER: Okay, but you're--
20 - first question, the strategic plan talks about
21 capital I'm sure, but does it also talk about parity
22 in terms of what we've been discussing today?

23 COMMISSIONER TUCKER: Again, I--

24 COUNCIL MEMBER BREWER: [interposing] Back
25 to OLR, is that where we're going?

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2 COMMISSIONER TUCKER: Yeah, I'm afraid
3 so.

4 COUNCIL MEMBER BREWER: Thank you.

5 CHAIRPERSON RESTLER: Okay. We have been
6 joined by Council Member Feliz online, and I'm going
7 to ask a few questions. We've just been joined by
8 Council Member Ariola, our Minority Leader. I'm not
9 totally clear why she's not sitting in this seat
10 today and why I'm-- but the Council works in
11 mysterious ways, and we're happy that she's here and
12 appreciate her. If you want to go now you can, or I
13 can go and give you some time to get organized? Do
14 you want-- alright, we'll take some time. I'll ask
15 some questions and we'll pass it over to Council
16 Member Ariola. You know, back in 1996 when Mayor
17 Giuliani merged EMS and FDNY, EMS from Health +
18 Hospitals or Health + Hospitals Corporation at the
19 time, he cited response times as the kind of
20 motivating factor in that decision and moving EMS to
21 the Fire Department. At the time, it was an average
22 of an eight-minute response time. Response times have
23 continued to be a challenge over the past several
24 years. In the MMR, the Mayor's Management Report, we
25 found that response times for life-threatening

3 medical emergencies are actually at 10 minutes now,
4 and response times for non-life-threatening
5 emergencies are at 19.5 minutes. How would moving
6 back to an independent agencies impact response
7 times?

8 COMMISSIONER TUCKER: I think it would be
9 a disaster for response times. I think that response
10 times are a metric that I'm very focused on, and we
11 are monitoring it literally second by second, but as
12 I said before, response time is something that we're
13 managing and we manage it up. And so these numbers in
14 the MMR are up, but we manage it up because of the--
15 what we're doing every day is a logistical business
16 where we're trying to decide where to put the
17 resources that we have. So, if we have a boo-boo in
18 Central Park and a cardiac arrest on 57th Street and
19 Fifth, we want-- we're going to hold the boo-boo
20 call, and we're going to raise the average response
21 times as a result of that in order to get a fast
22 response to the cardia arrest on 57th and Fifth which
23 is at the southwest corner of Central Park. So, it's
24 a little bit fabricated to use response times as the
25 metric of measurement. What I would say, again, like
a lot of my answers, it is a one and critical metric,

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3 but traffic patterns have changed in New York City.

4 We've made streets more narrow in New York City.

5 There's so many other factors to--

6 CHAIRPERSON RESTLER: [interposing]

7 Staffing challenges?

8 COMMISSIONER TUCKER: Staffing challenges

9 no doubt, but the truth is that it is a factor I

10 think we can't get ourselves focused on a one

11 solution fix to the biggest crisis in public safety.

12 And so if we broaden our lens and start looking at it

13 in more of a 360-degree approach, believe me, I'm

14 laser-focused on response times. If you came to my

15 office, I have flat screen TVs that are literally

16 telling all of that in real-- exact real time, color

17 coded green, red, so I'm all over that.

18 CHAIRPERSON RESTLER: No, I'm pleased to

19 hear that. Commissioner Tisch has said similarly,

20 and it's because we've seen response times move in

21 such a negative direction during the-- over the

22 course of the Adams administration. It's required

23 your and her attention on it during the latter years

24 of his term. You know, one of the critiques that

25 we've often heard is that FDNY is fundamentally at

its core is a fire agency. Right? It's in the name.

3 leadership's deep expertise is fire science. How is
4 FDNY worked to properly integrate EMS and health care
5 expertise into agency leadership over these past 30
6 years? Is there room for improvement in increasing
7 leadership roles for emergency health care expertise
8 within the agency? Do you think now as you're kind
9 of looking at the last month of your tenure, do you
10 think that we have done as good a job as we should
11 over these 30 years of merging these two agencies
effectively?

12 COMMISSIONER TUCKER: No, we haven't, and
13 there's a lot of work that needs to be done, and I
14 think we're just getting started. I think the
15 train's left the station, but it's just left the
16 station, and look, you know, Chief Miano, the Chief
17 of EMS he sits on the same floor, on the seventh
18 floor of our headquarters building near the EMS
19 operations and FDNY, and Fire Operations sit on the
20 same floor. There is-- there are, you know, the
21 Chief of Fire Operations and the Chief of EMS
22 Operations are invited to multiple meetings a day
23 together, but we're just scratching the surface at
24 this point, and you know, that's not a reflection on
25

2 anything that's happened before me, but I think the
3 best is yet to come.

4 CHAIRPERSON RESTLER: Okay. I mean, I
5 just want to say 30 years later to say that we're
6 just scratching the surface is not-- you're giving an
7 honest answer. I appreciate it, but it's not an
8 uplifting one. I just want to pull back on the data
9 a little bit, and deputy Commissioner Christoff or
10 Chief Miano, please correct me if I get any of this
11 wrong. That in the previous year, FDNY as an agency
12 responded to about 2.2 million calls, 1.6 million
13 were EMS, so 73 percent of the calls were EMS.
14 660,000, the difference, was responded to by fire
15 units, and a majority of the calls that were
16 responded by fire units, 56 percent were actually
17 medical calls. So, a majority of the medical-- of
18 the times that we're deploying out fire units at this
19 point, majority of the calls are for medical
20 purposes, not fire. So, just six percent of the
21 responses out of the total 2.2 million calls, six
22 percent of the responses were fire. Yet, when we
23 look at the budget side of things, and this is a
24 little bit outdated, so Deputy Commissioner
25 Christoff, please correct me if I'm way off here.

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3 About 56 percent of the agency budget is dedicated to
4 fire. So, 73 percent of the calls are EMS; 56
5 percent of the budget goes to Fire; 13 percent of the
6 budget is EMS, and the remaining 31 percent is a
7 combined or admin-related cost. Do I have this
8 roughly? Do you want to correct me on anything?

9 DEPUTY COMMISSIONER CHRISTOFF: So, EMS
10 is about 16 percent of the budget.

11 CHAIRPERSON RESTLER: Okay, we've
12 increased a little.

13 DEPUTY COMMISSIONER CHRISTOFF: That's
14 pretty close.

15 CHAIRPERSON RESTLER: Okay. Fire?

16 DEPUTY COMMISSIONER CHRISTOFF: And-- so,
17 Fire Operations, Fire Suppression is about 70
18 percent.

19 CHAIRPERSON RESTLER: 70, okay.

20 DEPUTY COMMISSIONER CHRISTOFF: There is
21 about 12 percent of the budget that is supporting
22 both. Those are kind of the administrative and
23 support functions, and then the other pieces which
24 are much smaller, about two percent, is fire
25 prevention, and about one percent is fire
investigation.

2 CHAIRPERSON RESTLER: So,--

3 DEPUTY COMMISSIONER CHRISTOFF:

4 [interposing] So, I--

5 CHAIRPERSON RESTLER: On just a-- and
6 maybe this is a silly and oversimplified way to think
7 about it, but from a budgetary standpoint, at a three
8 to one ratio-- from a call standpoint on a three to
9 one basis, three calls for EMS for every one call
10 that goes to fire, and on a budget standpoint, four
11 dollars for fire compared to one dollar for EMS. So,
12 four times as much money goes to fire as EMS, despite
13 EMS getting three times as many calls. Broad
14 strokes. I know that it's more complicated than that,
15 and I know that's just one metric, but that is
16 accurate, right?

17 DEPUTY COMMISSIONER CHRISTOFF: So, our
18 budget is 90 percent key asks [sic].

19 CHAIRPERSON RESTLER: Right.

20 DEPUTY COMMISSIONER CHRISTOFF: So,
21 salaries, wages. So, the split is largely tied to
22 headcount and what the salary scales are.

23 CHAIRPERSON RESTLER: So, that's a good
24 transition for me, headcount. So, FY26 EMS was
25 budgeted at 4,564 positions if I have that right.

3 Please correct me if I don't. That's approximately
4 the same headcount that EMS had a decade ago when you
5 were at OMB. So you can't-- last year, EMS responded
6 to an average of more than 500 additional calls per
7 day than they did just five years ago. So, we're
8 seeing EMS workers do a lot more work, no increase in
9 headcount. Has FDNY reviewed staffing levels to
10 determine how they should be adjusted based on this
11 increased demand? I don't know. Whoever would like
12 to jump at that one.

13 DEPUTY COMMISSIONER CHRISTOFF: I will
14 point out, although it is a much longer time period
15 than the one that you're looking at, that we have
16 seen substantial increases to EMS headcount since the
17 merger. So, if you were to go back to the headcount
18 that transferred over, it was about 2,800 and now
19 we're at about 4,500. So, that's more than--

20 CHAIRPERSON RESTLER: [interposing] But is
21 it right that in the last decade we haven't seen any
22 subs-- notable change in that headcount from 4,500?

23 DEPUTY COMMISSIONER CHRISTOFF: I don't
24 have the specifics in front of me, but order of
25 magnitude, it probably has been relatively stable.

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2 CHAIRPERSON RESTLER: And as a result of
3 the increase in calls that we're seeing every day,
4 500-ish calls per day just since the end of the de
5 Blasio administration? Any review in the need for
6 additional headcount? Do you think that--

7 DEPUTY COMMISSIONER CHRISTOFF: We're
8 always reviewing our headcount needs. I will say
9 right now we do have some vacancies and we do
10 anticipate that will grow as we move through the
11 promotional exam. So, right now, we're focused on
12 getting back up to budgeted headcount.

13 CHAIRPERSON RESTLER: that is-- I did
14 want to shift there. So, how many EMTs and
15 paramedics in the current vacancy rate? Could you,
16 sorry, break down for me, how many EMTs and
17 paramedics is our headcount for each and then the
18 vacancy rate for each?

19 DEPUTY COMMISSIONER CHRISTOFF: Yeah, so
20 our budgeted headcount for EMTs is 2,847.

21 CHAIRPERSON RESTLER: Okay.

22 DEPUTY COMMISSIONER CHRISTOFF: And as of
23 the end of October, we have 2,776. So that's 71
24 vacant seats.

25 CHAIRPERSON RESTLER: Great.

3 DEPUTY COMMISSIONER CHRISTOFF: For
4 paramedics, our budgeted headcount is 1,007 and as of
5 the end of October we have 924. So that's 83
6 vacancies.

7 CHAIRPERSON RESTLER: Okay. well, those
8 are pretty good vacancy rates. Okay. I did want to
9 ask-- when Mayor Giuliani-- not that he's my role
10 model or anything, but originally proposed this
11 merger-- actually originally executed this merger, he
12 proposed creating 60 neighborhood ambulance stations.
13 There are currently still just about 39 EMS stations,
14 yet the City has 218 fire houses. According to the
15 MMR, FDNY respond to about 660,000 incidents as I
16 mentioned earlier, 40 percent of FDNY's responses
17 were to medical incidents. It's even larger than.
18 So substantial percentage of FNDY responses were to
19 medical incidents. Given that the majority of the
20 calls that FDNY as an agency, as a whole is getting
21 are about medical issues, not fire issues. Has FDNY
22 evaluated increasing the number of EMS stations? Do
23 you think that would increase response times? And
24 Chief Miano, we're happy to see you back. I think
25 your first day on the job, Chair Ariola brought you

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3 in for a hearing. I'm glad we didn't scare you off so
4 badly that--

5 CHIEF MIANO: Nope, still here.

6 CHAIRPERSON RESTLER: Alright, good.

7 CHIEF MIANO: So, different than fire--
8 than the way firehouses operates, EMS members go to
9 their EMS stations and they take their ambulances and
10 they respond to cross-street locations throughout the
11 City. So, the amount of ambulance stations that we
12 have, while it would decompress the amount of people
13 that are physically at the station, they don't remain
14 at the station throughout their whole tour. They
15 spend their day out in the field. They're working.
16 They're out there. They're working. They're
17 consistently going from call to call to call. I do
18 want to just take one moment. I apologize. I do want
19 to take one moment to address something that Council
20 Member Brannan said and something that Council Member
21 Carr said. I just want to say to everyone here,
22 including my members that are here, including my
23 members that are listening. We are not second-class
24 in any way shape or form. My members are world-class.
25 My members are the best in the world at what they do.
There is no one who holds a candle to us. There is

3 no one who comes close to the dedication, to the work
4 ethic and to the pride that we have every single day
5 when we answer a call, and that is one of the things
6 we need to do to change exactly what we're talking
7 about. Another agency isn't going to do that. We
8 have to start, as you said, start respecting
9 ourselves, start respecting our EMS members, and we
10 can do that right off the bat by not saying that they
11 may be considered second-class. Every single time we
12 respond to something or a tragedy, I read in the
13 newspaper a tragedy occurred, patients ended up at
14 the hospital. What we're not talking about is the
15 unbelievable effort that my members are making to
16 maintain that person's life throughout their
17 transport. Let's recognize that. let's put a line in
18 there every once in a while that gives kudos to my
19 members who transported a patient who may not have
20 been alive when they first received them and are now
21 have a second chance at life-- the over 1,000 cardiac
22 arrest saves that my members have had already this
23 year, the 84 lives that they brought into the world
24 by delivering babies this year. My members are the
25 absolute best. We are New York City's best. We are
the world's best. We are not second-class.

3 CHAIRPERSON RESTLER: Yeah, Chief, I just
4 want to respond to that. I really appreciate your
5 advocacy for your workforce. I couldn't agree with
6 that statement more, and nobody in this City Council
7 has been a stronger champion for the EMS workforce
8 than Council Member Justin Brannan. He has been
9 pushing for that workforce to receive the respect and
10 the compensation they deserve, and that is the spirit
11 of this hearing today. So with that, I will pass it
12 over to-- I'll say for this-- for the purposes of
13 this moment, Chair Ariola for some questions.

14 COUNCIL MEMBER ARIOLA: Thank you so
15 much, Chair. Before I start, I just want to give you
16 my deepest condolences on the loss of firefighter
17 Brady. As you know, he's my constituent, as is his
18 family, and I will be standing with you as we mourn
19 his loss in Rockaway. Thank you. This is a very
20 important topic, because it could change the whole--
21 as you said, Chief, it can change whether or not--
22 and Commissioner you said the same-- whether or not
23 people are getting health care immediately before
24 they get pre-hospital care before they get to the
25 hospital. It could mean the difference between life
and death. And yes, I agree with you, Chair, it

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2 should have been with our committee as part of this.

3 don't know why it wasn't. But I just have a few
4 questions. What is the cost of EMS attrition? How
5 much are we spending for recruitment and training of
6 new workers?

7 COMMISSIONER TUCKER: Lizette, you want
8 to?

9 DEPUTY COMMISSIONER CHRISTOFF: We don't
10 have the specific cost tied to training members here
11 with us, although we can get back to you.

12 COUNCIL MEMBER ARIOLA: Well, we've heard
13 it's been-- it's about-- it would take \$25 million to
14 do the initial separation from FDNY to its own
15 entity, and do you think that that's something that
16 should be used to separate a portion of EMS from FDNY
17 where it is functioning, and give it-- and make them
18 their own entity, or do you think that there could be
19 more that could be done with that \$25 million?

20 COMMISSIONER TUCKER: Yeah, no doubt.
21 And thank you very much for your condolences. I've
22 been out in the Rockaways every day since this
23 happened.

24 COUNCIL MEMBER ARIOLA: I know. I know.
25

3 COMMISSIONER TUCKER: And it's
4 unbelievably sad time out in your district. Yeah, we
5 estimate that this is likely to exceed \$25 million,
6 and remember that's-- that's not \$25 million. That's
7 the cost plus \$25 million. So, you know, \$25 million
8 in the budget of this city, that's not really number,
9 but there's no doubt that if there is \$25 million
10 floating around, I want it.

11 COUNCIL MEMBER ARIOLA: Right.

12 COMMISSIONER TUCKER: And I want to
13 deploy it at our members in multiple ways. And so
14 the \$25 million stand-up cost here, as I said in my
15 prepared testimony, is just a duplication and not
16 directed at the EMTs and paramedics who are doing the
17 work.

18 COUNCIL MEMBER ARIOLA: So, if the
19 legislation passed, what would happen to promotions
20 from EMS to Fire? Would that still the procedure?

21 COMMISSIONER TUCKER: No, the entire
22 system would be, you know, put into chaos, and all of
23 the hard work and I think the good work that we are
24 starting to do now would be in jeopardy.

25 COUNCIL MEMBER ARIOLA: I want everyone
to realize what he just said. The entire agency

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3 would be put into chaos. Do we really need to put an
4 agency that's working, working well, put into chaos?
5 But if the Mayor does not do the right thing and give
6 better salaries to EMS workers and keep seeing the
7 workers leave the agency, what do you think will
8 happen to the Department as a whole?

9 COMMISSIONER TUCKER: I've described this
10 to you in private conversations, publicly as the
11 biggest crisis in public safety that I originally
12 said that nobody's talking about, and thank you to
13 the Council for talking about it. And I've had a lot
14 of individual conversations with Council Members that
15 are in this room about this. You know, I think we're
16 on the wrong track here, and respectfully. And I
17 think that, you know, we need your help, and this is
18 a good step in the right direction, but it's not the
19 correct step. And you know, just because I won't be
20 sitting in this seat, I think there's enough momentum
21 now to implement a lot of the ideas that Commissioner
22 Gruerra and I and Chief Miano and his staff are
23 leading, that they won't just stop when I leave. And
24 I'm encouraging this team to stay on, and you know, I
25 want this agency to have its best days in the future,
and I'm very optimistic about it.

3 COUNCIL MEMBER ARIOLA: Well, then I

4 don't understand why the Mayor is in support of this
5 disconnect. It just shows that he has less respect
6 for high-quality workers, as you put it Chief. No,
7 they're not second-class citizens. You're right.

8 They are front line first responders and they deserve
9 to be treated that way, not just by us the Council
10 who do-- you the FDNY that does, but the man sitting
11 across the hall in the mayor's office. This is a way
12 of him actually just kicking something to the side
13 that he had no interest in from the day I became
14 Chair, the day I was elected, and the day I became
15 intimately involved with the FDNY. Like you,
16 Commissioner Gruerra and you Commissioner Tucker, and
17 you Chief, I'm also on the ground and you know that.

18 I go to firehouses. I go to EMS stations. I have my
19 entire district you can't throw a stick without
20 hitting someone who is a fireman, EMS, paramedic, or
21 a police officer. I have not gotten one response
22 from any of those members that think that this is a
23 good idea. They cannot operate on their own. They
24 cannot operate on their own. They're where they're
25 supposed to be. It was right to put them with FDNY,
and it is absolutely tragic that the Mayor is even

3 considering. And Council Member Brannan, he really
4 does have a heart for the FDNY and we've worked
5 together on fifth firefighter, you know, issues and
6 such, but you know, we-- I can agree with you on
7 that, and we can disagree on this. The EMS, EMTs
8 need to remain with the FDNY. We had an entire
9 conversation when I came here on diversifying the
10 FDNY. That's what it was all about. And the EMTs
11 being promoted into FDNY, taking the test and going
12 into FDNY, that's how we were doing an organic
13 diversification of the FDNY, and they were qualified
14 people that were going in, and that's what we need to
15 continue happening. We cannot allow EMS to stand
16 alone. EMS will not survive standing alone. So, I
17 thank you for your time and testimony.

18 COMMISSIONER TUCKER: I agree.

19 COUNCIL MEMBER ARIOLA: Thank you.

20 CHAIRPERSON RESTLER: Thank you so much
21 to Chair Ariola, and with that, I will pass it over
22 to Council Member Powers and Council Member Morano. I
23 hope I got that order right. And then we will shift
24 to the next panel.

25 COUNCIL MEMBER POWERS: Thank you. I know
we have another issue here as well, a bill of mine,

3 so I will keep it very brief. I think you have
4 sufficiently persuaded me that keeping the agencies
5 together is a good-- keeping the entities together is
6 a good idea, and I respect that. I also think it's
7 like for the-- for everyone, I think the dignity of
8 being that agency is good thing. So, thank you for
9 that. But I do of course want to echo what many have
10 said which is additional to that and separate from
11 that, the pay issue is real, and I hope we can work
12 through that to make sure that our-- as we talked
13 about our paraprofessionals next, that also our first
14 responders get the pay equity they needed. I have no
15 questions. I just wanted to say thank you for your
16 service, Commissioner, to the City. I also wanted to
17 express my deepest condolences. Firefighter Pat
18 Brady was a friend. I've known him for 30 years, and
19 many of my close friends were very close to the Brady
20 family and deeply hurting, and Council Member Ariola
21 I know as well knows many folks in her district in
22 Bell Harbor and rockaway who are hurting as well.
23 Just a reminder of how important it is to show our
24 respect every single day to those who are heroes for
25 our city. So, thank you for everything to the Fire
Department and all our firefighters, too. Thank you.

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3 COMMISSIONER TUCKER: Thank you, Council
4 Member Powers.

5 CHAIRPERSON RESTLER: Thanks so much,
6 Council Member Powers. Council Member Morano?

7 COUNCIL MEMBER MORANO: Commissioner,
8 first let me join all my colleagues in thanking you
9 for your service. You've really just been a
10 tremendous credit to the City and to the Department,
11 and in my district and for me personally. We're
12 really going to miss you. Wish you weren't' leaving.
13 I want to follow up on sort of the related issue that
14 Chair Restler raised on response times, but more
15 narrowed down to emergency response coordination.
16 One of my concerns is that emergencies don't unfold
17 in silos. You know, there's fires, medical calls,
18 and rescue operations, they often overlap. Can you
19 explain how separating EMS from the Fire Department
20 might complicate unified incident command, especially
21 during multicausality incidents or fast moving
22 emergencies where seconds really do matter?

23 CHIEF MIANO: So, thank you for that
24 question. So, that's one of the most important things
25 that we have, being part of the Fire-- of having EMS
as part of the Fire Department. The training that we

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3 do together in some of our programs, including our
4 Rescue Paramedic program where we are expanding--
5 where our Rescue Paramedics work alongside our
6 special-- our Fire Special Operations Command. To be
7 able to reach patients that would otherwise have to
8 wait for care to come to the surface if they're down
9 below or if they're trapped, you know, to come out,
10 right? Because of the ability to train together, the
11 ability to work together, the synergy that's created,
12 the response is enhanced so much that, you know, I
13 think we're the greatest response agencies to any
14 type of disaster in the country.

15 COUNCIL MEMBER MIANO: Somewhat related,
16 unless there's anything you want to add to that
17 Commissioner-- thank you, Chief.

18 COMMISSIONER TUCKER: No, I would just
19 add that the Chief is highlighting a pilot program
20 that we're currently operating. Where our most
21 highly-trained paramedics are responding
22 simultaneously from a firehouse rescue five and
23 rescue two in-- five in Staten Island and two in
24 Brooklyn, have dedicated paramedic resources
25 responding on every run that they're going on.
That's a first time. That's a first for us. And all

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3 the rescue companies will have it before the end of
4 the year.

5 COUNCIL MEMBER MIANO: would creating two
6 separate agencies introduce, for lack of a better
7 term, new points of failure such as separate
8 dispatch, communications chains or training standards
9 that aren't present under the current integrated
10 structure?

11 COMMISSIONER TUCKER: Absolutely.

12 COUNCIL MEMBER MIANO: Thank you.

13 CHAIRPERSON RESTLER: Thank you so much,
14 Council Member Morano. And one final item from
15 Council Member Ariola.

16 COUNCIL MEMBER ARIOLA: I just had a
17 quick follow-up. I just want to ask, if-- because we
18 didn't have a real answer on the attrition, but a
19 point can be made that if we spent a lot of money
20 training workers who stay in EMS for short periods of
21 time, couldn't that money be spent even a portion of
22 towards improving their salaries so it does become a
23 career for them and they're not looking to jump?

24 CHIEF MIANO: I would say yes, right.

25 That makes sense, but you know, again, that's
negotiated between OLR and the Labor Unions and we're

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3 hoping for a more than positive outcome when that's
4 over.

5 COUNCIL MEMBER ARIOLA: Right, and we
6 would hope that OLR would be able to see that when
7 they come up. And I just want to say that I was once
8 a sponsor on this bill, and I took my name off after
9 I had conversations with EMS and the EMS workers.
10 Thank you.

11 CHAIRPERSON RESTLER: Thank you so much
12 for really insightful and thoughtful questions from
13 Council Member Ariola. I have to say, Commissioner, I
14 heard you get your flowers from Council Members Carr,
15 Brewer, Powers, Morano. These are not easy folks to
16 please, so when you earn their compliments it means
17 you've done a good job. So thank you for your service
18 to the City. I want to thank everyone on this panel
19 for being with us today. We are shift-- quickly
20 shift gears to our next panel. So thank you. I want
21 to just thank the team from FDNY again for being with
22 us and for the really insightful and informative
23 hearing. I think this is really what Council hearings
24 should be about, our thoughtful engaged conversations
25 about important topics, and I think this was helpful
today. I'd like to invite the First Deputy

3 Commissioner much discussed today from the Office of
4 Labor Relations, Daniel Pollak. Thank you for
5 joining us. And Peter Ianniello from the Department
6 of Education, that will be our next panel. Thank you
7 so much. If Keith was here, he'd read a statement.
8 You're on the hot seat. Council Member Powers was
9 going to read a statement, but I think it's fair for
10 you all to do your testimony first, and then he'll
11 come and he'll do his statement before we begin
12 questioning. With that, I'll invite you both to-- is
13 it just Deputy Commissioner Pollak that's testifying
14 on behalf--

14 FIRST DEPUTY COMMISSIONER POLLAK: Yes,
15 it'll be just me and then Mr. Ianniello is--

16 CHAIRPERSON RESTLER: [interposing] With
17 your extensive testimony.

18 FIRST DEPUTY COMMISSIONER POLLAK: here
19 for Q&A.

20 CHAIRPERSON RESTLER: You think you'll be
21 able to keep it under five minutes?

22 FIRST DEPUTY COMMISSIONER POLLAK: I'll
23 try my best.

24 CHAIRPERSON RESTLER: Okay. Read slowly,
25 please.

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2 FIRST DEPUTY COMMISSIONER POLLAK: Do we
3 need to be sworn in?

4 CHAIRPERSON RESTLER: Oh, let me invite
5 our committee counsel to swear in our witnesses.

6 COMMITTEE COUNSEL: We will once again
7 hear testimony from the administration. Before we
8 begin, I will administer the affirmation. Panelists,
9 please raise your right hand. Do you affirm to tell
10 the truth, the whole truth and nothing but the truth
11 before this committee and to respond honestly to
12 Council Member questions?

13 FIRST DEPUTY COMMISSIONER POLLAK: Yes.

14 COMMITTEE COUNSEL: Thank you. You may
15 begin when ready.

16 FIRST DEPUTY COMMISSIONER POLLAK: Good
17 morning, Chair De La Rosa and Chair Restler and
18 members of the Committee. I'm Daniel Pollak, First
19 Deputy Commissioner of the Office of Labor Relations.
20 I'm joined here by Peter Ianniello, Executive
21 Director of the Division of Human Resources at New
22 York City Public Schools. Thank you for this
23 opportunity to testify today on Intro 1261,
24 establishing a new pay differential for
25 paraprofessional employees at the Department of

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3 Education. Intro 1261 provides for payment roughly
4 estimated at \$10,000 in year one to DOE
5 paraprofessionals. Based on a complicated formula,
6 I'd say very complicated formula, that compares the
7 starting salary for DOE paraprofessionals to the
8 highest salary for principals over the last 20 years.
9 The payments are forecast to increase each year. OLR
10 believes that while well-intentioned, this bill would
11 undermine the collective bargaining process that has
12 been in place for a half century. As you may be
13 aware, since 1967 the City has been obligated under
14 the New York State Public Employees Fair Employment
15 Act, commonly known as the Taylor Law, to bargain
16 wage rates with its municipal unions. The payments
17 that are subject of Intro 1261 like other pay items
18 and other terms and conditions of employment are
19 mandatory subjects of collective bargaining under the
20 Taylor Law. This means that the city and New York
21 City Public Schools must negotiate these matters with
22 its unions representing the employees of issue and
23 these benefits cannot be imposed by Local Law.
24 Specifically, in the 2007 case of Mayor of City of
25 New York versus Council of City of New York, the
Court of Appeals stated the Taylor Law prohibits

3 local legislative bodies from usurping the
4 executive's prerogative to agree with unions on terms
5 and conditions of employment. That concludes my
6 testimony, and I will address any questions you might
7 have.

8 CHAIRPERSON RESTLER: thank you so much,
9 Deputy Commissioner Pollak. I think you are going to
10 get questions about multiple topics today, but before
11 we begin those questions, I'd like to invite the lead
12 sponsor of Intro 1261, Council Member Powers, to
13 offer an opening statement.

14 COUNCIL MEMBER POWERS: Thank you and
15 good morning, almost afternoon I suppose at this
16 point. Thank you for giving me the opportunity to
17 speak about my bill, Intro 1261, to correct the pay
18 differential for paraprofessionals employed by the
19 DOE. As paraprofessionals, or paras as we call them,
20 play an incredibly important role in our city
21 schools. They provide instructional, behavioral, and
22 physical support to students with disabilities, and
23 assist teachers in implementing individualized
24 education programs. I've had the opportunity to meet
25 with the paraprofessionals and get to know many, as
well as many parents in my district who rely on their

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3 support. And to me, it's time we recognize the. To

4 me, it's time we recognize the hard work that

5 paraprofessionals do for our city, because our

6 classroom simply wouldn't run smoothly without them.

7 According to the UFT which represents 26,000

8 paraprofessionals in New York City, paras have a

9 starting salary of just under \$32,000. I don't have

10 to tell anyone here that that is not enough money to

11 thrive in this city. And I want to note that

12 particularly at a time when we're talking about

13 affordability in this city, this feels like a good

14 place to start. These workers are subject to the

15 same three percent salary increase as higher paid DOE

16 employees create an ever-widening pay gap between the

17 highest and the lowest workers. But

18 paraprofessionals are a critical lifeline in our

19 schools, and the impact of their work is felt across

20 communities. It's time we ensure they're giving the

21 respect they deserve and the raise that they are due.

22 I want to thank the UFT and their members for their

23 advocacy on this issue. With this bill we can close

24 the inequitable gap in pay that our powers

25 experience. I also want to thank our

paraprofessionals personally for the work you do

3 every day, but of also showing up constantly to make
4 sure that you are out there using your voice to help
5 not just yourself, but the paraprofessionals all over
6 the City who can't be here. I want to thank Chair De
7 La Rosa and Chair Restler for holding this hearing
8 and my fellow bill sponsors, committee staff and
9 advocates for their support. And while I don't have
10 the facts in front of me for sure, I know that I am
11 also certain to say this bill has the most sponsors
12 of any bill I have seen in the City Council, maybe
13 perhaps in the history of the City Council . I also
14 just want note before we get start before we-- after
15 your testimony, I just wanted to note it's a very
16 short testimony, and I understand it's a legal sort
17 of opinion, but I hoped in this statement here we
18 would have seen the words like even the Fire
19 Department gave to us in their statement that you
20 agree with us that paraprofessionals should agree to
21 get a raise. And I would hope that the opinion of
22 this administration despite what your legal opinion
23 might be, would be a starting point that you agree
24 that we need to raise the pay for the
25 paraprofessionals So, I hope we will hear that in
your questions. But thank you again for being here,

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3 and thank you everyone for being here today for this
4 hearing.

5 CHAIRPERSON RESTLER: Thank you so much.
6 Council Member Powers, I would like to acknowledge
7 Council Member Hanif, who has joined us via Zoom. And
8 with that, I will pass it over to my Co-Chair.

9 CHAIRPERSON DE LA ROSA: Thank you,
10 Council Member Powers for your leadership and Chair
11 Restler for the opportunity. You know, I want to
12 just set the stage a little bit here. This is
13 possibly the last hearing that you're coming before
14 the Council. And I so I hope that this dialogue can
15 be one of productivity. The Council seeks to
16 understand impacts of legislation, and I know that
17 you've been a guest at many of our hearings and I now
18 that you've been a guest at many of our hearings and
19 a lot of our answers that is subject to negotiation
20 and we cannot discuss that. but I hope that we can
21 break through that wall a little bit to understand
22 how we can achieve some of the goals that this bill
23 sets forth, because when we look at a workforce,
24 \$32,000 a year starting salary. No one on this dais
25 and I think no one in the audience would disagree
that \$32,000 does not feed a family. And for an

3 administration that often talks about downstream
4 solution, what's more up stream than paying people
5 what they deserve. People who are working every
6 single day in the City school system, the largest
7 school system. I mean, when we pass a budget in the
8 City of New York, most of the funding goes into the
9 DOE, and so we need to make sure that the processes
10 that are in place to negotiate these salaries take
11 that into account, the workforce that we're talking
12 about, a workforce that has 1,600 vacancies at this
13 time. I wonder why. So, with that, I want to ask,
14 how has the practice of pattern bargaining affected
15 paraprofessional wages over time in your opinion?

16 FIRST DEPUTY COMMISSIONER POLLAK: Thank
17 you for the question, Chair De La Rosa. I would just
18 like to start by saying, you know, I do have enormous
19 respect and value the work that paraprofessionals do.
20 You know, it's an incredibly important role. It
21 means so much to so many in the City, so many
22 families, so many children, and I don't want the
23 testimony that I give here or have given in any of
24 the hearings I've appeared before this and other
25 committees to imply that we don't value the work,
that we don't-- you know, in an ideal world, we would

3 pay every city employee more. I-- OLR often says we
4 value every city employee. You know, you've got the
5 ones that we're talking about today and you know,
6 tens-- hundreds of thousands of others, many of whom
7 play very important roles, who deliver incredibly
8 important services, sometimes, you know, at risk to
9 their bodies, at risk to their lives, and we value
10 all of them. So, you know, things that we say-- we
11 say things subject to negotiation. It's not because
12 we say people, you know-- we don't wish we could pay
13 some people more. But OLR does always have to
14 consider the entire city. We have consider the
15 entire workforce, and you know, the fundamental type
16 point here is that pattern bargaining is the way that
17 we work through those issues. So, it's not-- it's
18 just want to preface this by saying, you know, I do
19 value the work of these employees and that is not--
20 you know, the intention of my testimony is not to say
21 that we don't. In response to your question, Chair
22 De La Rosa, under pattern bargaining, the
23 paraprofessionals at issue here would receive the
24 percentage general wage increase as other employees
25 in their bargaining unit. So, under the UFT contract

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3 as well as other employees who receive the pattern
4 wage increase across the city.

5 CHAIRPERSON DE LA ROSA: I respect your
6 comments and I appreciate them, but when we're
7 talking about an administration that spends hundreds
8 of millions of dollars on Carter Cases when the DOE
9 can't provide mandated service to students, we're
10 still paying that money out. It's just not going to
11 the people that are doing the work every day. How
12 does this agency determine whether pattern bargaining
13 models will be used for certain titles during
14 negotiations? Is there a policy at OLR for each
15 mayoral administration to employ pattern bargaining
16 during negotiations, or is this a model that is used
17 selectively?

18 FIRST DEPUTY COMMISSIONER POLLAK: Thank
19 you for the question. It's not a model that's used
20 selectively. You know, OLR is engaged in pattern
21 bargaining for all titles across the city for the
22 last, you know, 40+ years.

23 CHAIRPERSON DE LA ROSA: So, what is the-
24 - can you walk us through sort of what the process is
25 for determining the models for negotiation?

3 FIRST DEPUTY COMMISSIONER POLLAK: The
4 pattern?

5 CHAIRPERSON DE LA ROSA: Uh-hm.

6 FIRST DEPUTY COMMISSIONER POLLAK: Sure,
7 of course. So, you know, pattern bargaining
8 typically in a round of bargaining refer to a period
9 as a round of bargaining. The current one we refer
10 to as the 2021 to 2026 round based on the first
11 agreement we reached in the round, which in this
12 round was DC37. You know, after we reached initial
13 agreement for a round of bargaining, you know, we
14 view that agreement as the total cost of that
15 agreement from a percentage standpoint. So, we
16 looked at all the items in the agreement that have a
17 cost. It's general wage increases, usually the
18 largest one, but there could be other items as well,
19 welfare fund contributions, other fund contributions.
20 You look at that and you come up with the total
21 percentage cost of that, and that is the kind of
22 pattern package that, you know, we seek to reach
23 agreement with other bargaining units.

24 CHAIRPERSON DE LA ROSA: Okay. So, that
25 percentage determines the increase for all of the
other units without taking into account the lowest

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3 rung city workers and the gaps that exist in that
4 workforce.

5 FIRST DEPUTY COMMISSIONER POLLAK: Not
6 necessarily. So, I take the total cost of the deal--
7 the package as a whole forms a basis for the package
8 that a particular unit that will seek to achieve for
9 particular bargaining unit, but there are a lot of
10 different ways to get there and a lot of different
11 things you can do within that package. Just to take
12 DC37, for example, in this round. They did a-- they
13 used some of the total funding within that package to
14 raise minimum wage for their employees to \$18 an
15 hour.

16 CHAIRPERSON DE LA ROSA: Can you put the
17 microphone closer? I'm sorry, I'm having a hard
18 time.

19 FIRST DEPUTY COMMISSIONER POLLAK: Sure,
20 my apologies.

21 CHAIRPERSON DE LA ROSA: Yeah, it's okay.

22 FIRST DEPUTY COMMISSIONER POLLAK: They
23 use that, some of that funding to raise the minimum
24 wage for their employees to \$18 an hour. They also
25 use some of it to establish a fund of \$73 million
recurring for the party to agree to address specific

3 titles. So, there are ways within private pattern
4 framework to target more money to certain titles and
5 not just, you know, have it be-- it's not just
6 automatically everyone gets the same thing no matter
7 what. It's up to each bargaining unit to negotiate
8 on behalf of their employees and we negotiate with
9 them to try to meet their priorities while also
10 addressing, you know, City interests, and that can
11 often mean directing more funding to a certain title.

12 CHAIRPERSON DE LA ROSA: Is there a
13 precedent for negotiation specific titles outside of
14 the pattern bargaining? If so, what titles were they
15 and what were the outcomes?

16 FIRST DEPUTY COMMISSIONER POLLAK: So, as
17 I mentioned, you can certainly direct more money to a
18 title and so have it be within the pattern framework.
19 You know, there have been instances, you know, over
20 the last 40 or so years where do extraordinary
21 recruitment and retention issues. There have been
22 kind of efforts to, you know, provide some additional
23 funds to address those issues. You know, the one
24 that I can think of always off the top of my head is
25 nurses in the late 80s. there was an issue with
extraordinary kind of retention issues during the

2 height of the AIDS crisis that, you know, that
3 compelled the city to create a new framework where
4 they-- there was a kind of parity provision with
5 certain hospitals, certain private sector hospitals.

6 CHAIRPERSON DE LA ROSA: I mean, this to
7 me seems like an extraordinary issue when there's
8 1,600 vacancies in this one title. So, what is the
9 benchmark for extraordinary?

10 FIRST DEPUTY COMMISSIONER POLLAK: So, I
11 mean, I can't say that there's a particular number,
12 but it has to be something that is, you know,
13 certainly far and away beyond anything that any other
14 group is experiencing, and while 1,600 vacancies of
15 paraprofessionals is obviously of concern-- I'm sure
16 my colleagues from NYC Public Schools can speak to
17 more recruitment efforts and things like that. I
18 would not say-- I think we've in some of our
19 discussions even talking about vacancy rates for
20 various titles across the City, I don't think it's
21 something necessarily out of the ordinary across the
22 city with various titles.

23 CHAIRPERSON DE LA ROSA: I mean, I come
24 back to Carter Cases and I come back to-- I know if
25 Chair Joseph was here, she would be talking about

3 this. Given the legal mandate to provide
4 interventions for students with special needs, I
5 would consider this to be an extraordinary vacancy,
6 because every vacancy is a child that's not getting a
7 direct service that is mandated by the law.

8 FIRST DEPUTY COMMISSIONER POLLAK: Yeah,
9 I certainly understand that perspective. You know, I
10 will say, and I think that's what I first said, you
11 can find those examples everywhere. There are so
12 many places where city employees doing work that's
13 valuable, that if it's not done or it's not done
14 properly can lead to liability for the city. You
15 know, I'm not-- I can't say I'm familiar with the
16 Carter Cases specifically very much, but you know, I
17 think that is something that you see everywhere. So,
18 for me, you know, to look at just one-- you can
19 always look at one and you can kind of see why
20 there's an argument, why there's some issue that
21 jumps out at you, but you really do have to look at
22 the workforce as a whole, and that is you know-- I
23 think that is something that OLR always has to be
24 conscious of.

25 CHAIRPERSON DE LA ROSA: Does OLR conduct
any analysis on how compensation level influences

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2 attrition, specifically having done that for
3 paraprofessionals?

4 FIRST DEPUTY COMMISSIONER POLLAK: I have
5 not seen an attrition analysis for paraprofessionals.
6 We do often look at attrition of city titles. It is
7 something we often look at.

8 CHAIRPERSON DE LA ROSA: So, OLR does
9 have the capacity to make an analysis, to conduct an
10 analysis?

11 FIRST DEPUTY COMMISSIONER POLLAK: Yes,
12 we often work with our colleagues either at the
13 agency, the Office of Management and Budget to look
14 at attrition data for city employees.

15 CHAIRPERSON DE LA ROSA: I would love for
16 you all to take this on for paraprofessionals as
17 well, because even as we-- we intend to pass this
18 legislation, but even in the face of that, it would
19 be important to have that data and equip the council
20 with that data, so we should talk more about that
21 offline. I don't want to hog up the panel.

22 CHAIRPERSON RESTLER: Go to Keith?

23 CHAIRPERSON DE LA ROSA: Yeah, let's go
24 to Keith. No, go ahead.

25

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3 CHAIRPERSON RESTLER: We'll come back to
4 Chair De La Rosa. We'll go to Council Member Powers.

5 COUNCIL MEMBER POWERS: Thanks. Is there
6 a representative from the DOE here today, too? Oh,
7 you're from the DOE, okay. Thanks. I just would
8 start by asking a simple question. Does the
9 administration agree that the paraprofessionals
10 should have a pay increase?

11 FIRST DEPUTY COMMISSIONER POLLAK: So,
12 you know, I can't-- you know, I can't speak for the
13 entire administration. I can say like I did before
14 that I think pretty much every city employee, you
15 know, deserves a pay increase. I would love if every
16 city employee were paid more. You know, I think that
17 obviously there are constraints to that.

18 COUNCIL MEMBER POWERS: Department of
19 Education?

20 EXECUTIVE DIRECTOR IANNIELLO: I think we
21 would defer to OLR on that. I can't speak for the
22 entire administration, but I mean, we do value our
23 paraprofessionals tremendously. You know, they are
24 25,000 active and strong. We also have about 14,000
25 substitute paraprofessionals that we look at. We're
proud to offer a lot of advancements for them, career

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3 advancements, things like that. But I think we-- and
4 we continue to invest in them to try to make a
5 difference, but I can't speak and say that that's a,
6 you know, a policy of the DOE.

7 COUNCIL MEMBER POWERS: Got it.

8 EXECUTIVE DIRECTOR IANNIELLO: We defer
9 to OLR for salary.

10 COUNCIL MEMBER POWERS: Yeah, I
11 understand. I mean, this is not meant to be snarky
12 or anything like that, but I would have hoped the
13 answer was sort of yes, and complicated or expensive,
14 or whatever you think is the answer to that.

15 EXECUTIVE DIRECTOR IANNIELLO: All of
16 the above.

17 COUNCIL MEMBER POWERS: All of the above,
18 okay. How many-- I'm sorry if this got asked
19 already, but how many paraprofessional vacancies are
20 there currently?

21 EXECUTIVE DIRECTOR IANNIELLO: So there
22 are approximately 1,700 paraprofessionals vacancies
23 currently. Those are funded vacancies, but it should
24 be noted that the majority of those vacancies are
25 being covered by substitute paraprofessionals on a
regular basis. There are currently 9,000 substitutes

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3 that are working almost every day and covering those
4 vacancies plus other positions that the principals
5 deem appropriate.

6 COUNCIL MEMBER POWERS: And what is in
7 your opinion the primary barrier to recruitment and
8 retention of paraprofessionals?

9 EXECUTIVE DIRECTOR IANNIELLO: So, I
10 don't think there's a recruitment barrier at this
11 point. We have a large pool of people that we are
12 assessing and we are hiring on a regular basis.
13 We've made a lot of efforts in this area, especially
14 last year. We went out to the communities. We were
15 doing job fairs in every borough in collaboration
16 with the UFT, bringing in a few thousand people.
17 Last year, I think we hired over 6,000 substitutes,
18 and to be a fulltime para, you first have to be a
19 substitute para in order to make that transition.
20 So, I don't think that there's a recruitment barrier
21 so to speak. There are people who are in substitute
22 positions who do not want full time positions. We've
23 heard a lot of that. They rather work every day. The
24 only barrier that I see as potential, but it's not
25 even something that I think is quantifiable is they
are required to take the State Exam to be an

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2 assistant teacher, and that's the one requirement
3 that they have after they become a paraprofessional
4 and work 25 days, that they would be able to work
5 fulltime.

6 COUNCIL MEMBER POWERS: So, you have not
7 heard from any paraprofessionals or potential or
8 departing perhaps that pay is barrier to retention or
9 employment?

10 EXECUTIVE DIRECTOR IANNIELLO: I have
11 not heard that, and we don't normally discuss that in
12 any of our conversations.

13 COUNCIL MEMBER POWERS: I would suggest
14 you talk to some of the folks in this room who I
15 think-- and I'm not saying that to be-- I'm just
16 saying I think that is an issue, and I think it's
17 important that Department [inaudible] understands it
18 and hears that. What is the-- what is comparable pay
19 in other cities in paraprofessionals?

20 EXECUTIVE DIRECTOR IANNIELLO: I didn't
21 hear, I'm sorry.

22 COUNCIL MEMBER POWERS: What is the
23 comparable annual pay in other cities for
24 paraprofessionals?

25

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2 EXECUTIVE DIRECTOR IANNIELLO: To other
3 cities?

4 COUNCIL MEMBER POWERS: Yeah, what are
5 other cities paying?

6 EXECUTIVE DIRECTOR IANNIELLO: So--

7 COUNCIL MEMBER POWERS: [interposing] I
8 understand Boston pays \$40,000.

9 EXECUTIVE DIRECTOR IANNIELLO: I'm not
10 familiar with outside of New York. I do know that
11 the salaries in New York are comparable to what are
12 paraprofessionals being paid. You have to understand
13 that the teacher assistant line in other districts is
14 very different from a teacher aid line, and in our
15 city, everything is the same. Every job is paired as
16 the same, whereas they're very different in other
17 cities outside New York City.

18 COUNCIL MEMBER POWERS: When you-- when
19 there's a-- when a paraprofessional departs from--
20 leaves the Department and leaves the school, do you
21 take any data collection on them giving a reason why?
22 Do you have that data?

23 EXECUTIVE DIRECTOR IANNIELLO: We have
24 not taken any data as to why paras leave, but we
25 actually are preparing an exit survey for

3 paraprofessionals to note that. I do want to mention
4 that the retention rate, you know, we're at about a
5 94 percent retention rate annually with
6 paraprofessionals. It's not-- it's not a terrible
7 rate. It's actually a very good rate. But a good
8 number of those paraprofessionals who leave become
9 teachers, alright? So, this particular-- this past
10 school year and the current school year, 632
11 paraprofessionals became teachers. So, they're still
12 working for the DOE. They're just now, you know,
13 promoted of course to a higher level. They would be
14 looked at as attrition-- they left the para title,
15 but now they're a current, you know, teacher. So,
16 and that's a part of--

17 COUNCIL MEMBER POWERS: [interposing] I
18 understand.

19 EXECUTIVE DIRECTOR IANNIELLO: with them.

20 COUNCIL MEMBER POWERS: When does that--
21 when are you going to be collecting that data and
22 when do you think you'll have the first--

23 EXECUTIVE DIRECTOR IANNIELLO:
24 [interposing] We probably won't start collecting
25 that until on-- do you mean the retention--

3 COUNCIL MEMBER POWERS: [interposing]

4 Yeah.

5 EXECUTIVE DIRECTOR IANNIELLO: The exit
6 survey data? Probably will not do that until some
7 time in January.

8 COUNCIL MEMBER POWERS: You'll start as
9 people depart to ask them for that.

10 EXECUTIVE DIRECTOR IANNIELLO: Yeah.

11 COUNCIL MEMBER POWERS: And is that-- any
12 mechanism like you might be willing to share that
13 with the City Council?

14 EXECUTIVE DIRECTOR IANNIELLO: I'm sure
15 at some point we'd be able to share that.

16 COUNCIL MEMBER POWERS: Okay. Do most--
17 from your understanding, do most departures from
18 position occur during summer holiday between schools
19 years, or is there any sort of pattern about when you
20 see people resigning or retiring?

21 EXECUTIVE DIRECTOR IANNIELLO: The
22 majority happens after the school year, after school
23 year before the next school year.

24 COUNCIL MEMBER POWERS: Has the
25 paraprofessional workforce changed since 2020, and if
so, what steps are the DOE taking to address that?

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3 EXECUTIVE DIRECTOR IANNIELLO: So, as far
4 as numbers go, we are approximately 500 more fulltime
5 paraprofessionals now than we had in the 2021 school
6 year, and we are continuing to actually--

7 COUNCIL MEMBER POWERS: [interposing] What
8 are you relative to 2019?

9 EXECUTIVE DIRECTOR IANNIELLO: You know,
10 I don't have the 2019 data. I'll have to get back to
11 you, but it's not so much less than that. But we're
12 about 500 more than what we had in 2020.

13 COUNCIL MEMBER POWERS: Okay. But I
14 presume that 2020 maybe might see a decline.

15 EXECUTIVE DIRECTOR IANNIELLO: There was
16 a slight decline and then another increase.

17 COUNCIL MEMBER POWERS: Okay. in respect
18 of the public who I know want to testify and some
19 other questions here, I'll hold my questions for now.
20 I just want to reiterate, I have been hardened to
21 meet many of the paraprofessionals over the last year
22 who are working in the city who are so critical and
23 important to our education. I know you guys share
24 that opinion, too. And but we do have to understand
25 that if we want to recruit, retain, but also respect
the people that serve this city, we do that

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3 essentially by paying them, and whatever your legal
4 interpretation of this is, it's also statement from
5 the City Council I think pretty clearly
6 overwhelmingly and bipartisan, by the way, that we
7 deeply respect and want to take care of the
8 paraprofessionals because it's what our parents are
9 telling us, what our students need, and because we
10 know the paraprofessionals need to stay on the job.
11 Thank you.

12 CHAIRPERSON RESTLER: Thank you so much,
13 Council Member Powers for your leadership. We will
14 now hear from Council Member Ariola followed by
15 Council Member Dinowitz.

16 COUNCIL MEMBER ARIOLA: Thank you so much
17 for coming to testify today. What-- do you have a
18 legal policy concern-- or any legal policy concerns
19 with Intro 1261?

20 FIRST DEPUTY COMMISSIONER POLLAK: Thank
21 you, Council Member, yes. As I testified, we believe
22 that legislation like this which would essentially
23 legislate terms and conditions of employment would
24 violate the Taylor Law by kind of doing through
25 legislation that which has to be done through
collective bargaining.

3 COUNCIL MEMBER ARIOLA: Do you know why
4 we have to legislate this? Oh, rhetorical. I'll
5 tell you why. Because OLR, the Mayor's Office, have
6 been pushing back at the union to giving
7 paraprofessionals what they deserve. Again, it is a
8 carbon copy of what happened with our EMTs. If you
9 were not so-- if OLR was not so obstinate in truly
10 collective bargaining with our EMS and with our
11 paraprofessionals with the UFT and their unions, we
12 wouldn't have to legislate. We're so frustrated
13 right now that we have to legislate instead, and yes,
14 maybe it is against a policy, but it is the right
15 thing to do. Paraprofessionals, most of them, are
16 people who perhaps are single moms that can take this
17 job because they can have time with their children
18 when they're off from school, but they cannot provide
19 for their children with the amount of money that
20 they're making. So, we have to do your job, because
21 you're not doing your job. You need to start to
22 listen. I'm tired of hearing OLR say well, this
23 violate the policy and procedure and that violates
24 the law. You-- I paid my intern this summer more
25 than a paraprofessional and an EMT gets. How is that
fair? How is that fair? This lies-- and when I say

3 that the Mayor supports this, he may not have come
4 out directly and said I support the disassociation of
5 EMS with FDNY or this bill, but the fact that he's
6 doen nothing to give these people the fair equitable
7 raises that they deserve over four years says that
8 he's complicit and he does not support-- and he does
9 support them going to other unions to tyr and get
10 them what they need. The UFT, I agree with you. You
11 may find that hard to believe. But I agree with
12 you. In this instance, you are right, and I'm big
13 enough to say when you're right and when you're
14 wrong, but you're right on this issue. They need more
15 money, and I agree and I thank my colleague, Council
16 Member Powers, for putting this forth, and I am proud
17 to be a sponsor of this bill. But I'm so tired of
18 hearing just pushback from bureaucrats in OLR, and
19 pushback from the mayor's office syaign there's
20 nothing they can do. These are strong unions. EMS
21 unions and UFT. Negotiate with them honestly and get
22 each of them the money they need. Thank you.

23 CHAIRPERSON RESTLER: Thank you very
24 much, Council Member Ariola, for that compelling
25 statement and questions. Council Member Dinowitz?

2 COUNCIL MEMBER DINOWITZ: Thank you,
3 Chair Restler. Thnk you, Chair De La Rosa. I also
4 agree with Council Member Ariola. I'm big enough to
5 admit when a republican and a democrat can agree, and
6 here we are. I was-- I have a few questions, but I
7 was actually a litlte concerned about the testimony I
8 heard. I just-- do you guys know what
9 paraprofessionals do?

10 FIRST DEPUTY COMMISSIONER POLLAK: I
11 generally do understand what they do. I'm not
12 intimately familiar with every aspect of their jobs,
13 but I do have a general awareness. I'm sure Mr.
14 Ianniello much more detailed understanding of what
15 they do.

16 COUNCIL MEMBER DINOWITZ: I'll tell you
17 the reason I ask. I mean, first of all, I'm not sure
18 how many of us would be changing diapers for
19 elementary school students for \$32,000 a year among
20 other things. But the think that kind of concerned
21 me about the testimony that you gave in response to
22 some of the questions, you used phrases like career
23 advancement and promoted to toher titles like
24 teacher. And to me, like, we should be able pay
25 paraprofessionals a living wage, and it shouldn't be

3 viewed of as something like a stepping stone to some
4 other jobs. I mean, the people hear, some of them
5 have worked for 20 years as a paraprofessional. It
6 is a job they love. They love our children. On my
7 part, they were the glue that kept my classroom
8 together dealing with some of the most difficult
9 circumstances. So we it seems to me that the
10 perspective around paraprofessionals from the
11 beginning is the wrong one. It seems to me that the
12 Mayor's Office, the DOE, OLR views this job more like
13 an internship or a stepping stone than an actual
14 career where people should be able to make a living
15 wage and live in our increasingly unaffordable city.
16 So, I just really wanted to share that, because I was
17 pretty disturbed about what I heard there. But let's
18 get back to the numbers. You said there are 1,700
19 vacancies. You're going to begin an exit survey.
20 Has the DOE observed any connection between
21 paraprofessional vacancies or turnover and
22 disruptions in IEP implementations, student progress,
23 or classroom stability?

24 EXECUTIVE DIRECTOR IANNIELLO: I can't
25 comment on the IEP implementations. That's the
Division of Special Ed, but what I can say is that,

3 you know, we are staffing our schools with not only
4 fulltime paras, but also substitutes, and the fact
5 that 9,000 are there on a regular basis, I think
6 shows that the services are being devliered to the
7 best of our ability.

8 COUNCIL MEMBER DINOWITZ: I guess that's
9 the difference between us is-- like, I wouldn't--
10 like substitute para is a great job, but if I'm a
11 child, part of what makes the para's job so important
12 is the relationship they build with a child and the
13 trust they build with the child. So, with all due
14 respect to the substitutes which are an important
15 position, it is not really a replacement for a
16 fulltime paraprofessional, because it's not a-- you
17 know, you see it as like checking a box to fulfil the
18 services, but that's not what an IEP is about. An IEP
19 is about supporting our children. And I'm--

20 EXECUTIVE DIRECTOR IANNIELLO:

21 [interposing] Can I respond to that?

22 COUNCIL MEMBER DINOWITZ: Yeah, please.

23 EXECUTIVE DIRECTOR IANNIELLO: I don't
24 think that's what we look at this as. I mean, we
25 have-- as I said, you know, we have 9,000
paraprofessionals that work almost every day. The

2 majority of those people are in either long-term
3 positions working with students, with the same
4 student with IEPs everyday. You know, it's very
5 possible that substitutes could be moved, you know,
6 from different positiosn every day, but we do have a
7 hgue majority of our subs who are with the same
8 students every day for long periods of time, months
9 and months.

10 COUNCIL MEMBER DINOWITZ: I believe you.
11 Although, if you didn't speak to the Office of
12 Special Education, I'm not sure how you can testify
13 to that honestly today, and I can tell you from my
14 experience and the experience of my colleagues in the
15 classroom, I would say that's not the case. That
16 very often times, students with IEPs who need a one-
17 to-one para were just either given different
18 substitutes, someone else in the building may have
19 had to cover, or they just went without their para
20 for days on end. So, the experience of actual
21 teachers seems to differ from yours, and if you're
22 testifying to that, it means you did speak to the
23 Office of Special Education. But I want to get back
24 to reference something that Council Member De La Rosa
25 said, and this is OLR, this is numbers, this is

3 money. You know, part of the testimony is this costs
4 money. What is the actual legal exposure for due
5 process claims given these vacancies and these--
6 these vacancies inevitably lead to IEP staffing
7 shortages. Like, how much money is the DOE spending
8 each year on Carter cases specifically related to
9 students with paraprofessionals not getting their
10 paraprofessionals?

11 EXECUTIVE DIRECTOR IANNIELLO: I don't
12 have that information on Carter cases.

13 COUNCIL MEMBER DINOWITZ: But why not? I
14 mean, seriously. We're here to talk. I mean, part
15 of this-- part of the discussion besides the Taylor
16 Law-- if I-- besides the Taylor Law is the actual
17 cost. That's one of the things we're hearing is the
18 cost, but have you analyzed like how much money
19 you're actually spending because these positions
20 aren't being filled?

21 EXECUTIVE DIRECTOR IANNIELLO: I think
22 we'll have to get back to you on that, because I'm
23 representing the Division of Human Resources and
24 we're recruitment, retention, hiring, you know,
25 maintaining folks. I can't speak to the cost of the
Carter cases. So we can get back to you on that.

3 COUNCIL MEMBER DINOWITZ: I almost hate
4 to say, it feels like you didn't do your homework.
5 So, I mean, look, you're here to testify about a
6 bill, and I would just think you would have more
7 information. So tell me this, what's the pitch? You
8 do recruitment. what's the pitch to a
9 paraprofessional, a potential paraprofessional?

10 EXECUTIVE DIRECTOR IANNIELLO: Well, I
11 think first of all it's the job itself of working
12 with children and being there for the children and
13 the one-on-one-- it could be one-on-one. It could be
14 classroom. There are various, you know, methods for
15 what they can do I think the issue here is that we
16 are recruiting them as substitutes. That's how we
17 recruit them. And then they get their experience as
18 substitutes and then it's up to the schools and the
19 principals to determine whether they want to hire
20 those folks in fulltime position or not. So we're
21 recruiting thousands of substitutes a year so that
22 principals have a large pool from which to select,
23 and that's where we-- that's how we start. We do
24 present to them, you know, what the benefits of
25 working as a substitute or the daily rate of pay and
then what the benefits of working as a fulltime para

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3 would be which is the pay rate plus, you know, other
4 benefits, going back to college fulltime. They can
5 actually take 18 credits a year where we pay for it.
6 There are some programs that allow us to give them
7 reimbursements for graduate school if they're
8 becoming teachers. There are a number of different
9 incentives that we have along the way. So that's all
10 part of what we do. But our recruitment process
11 brings us in substitutes and then the schools
12 themselves will hire them fulltime.

13 COUNCIL MEMBER DINOWITZ: Think we're
14 very lucky in this city to have a paraprofessionals
15 and very lucky to have people who despite what I
16 think is inappropriate wages, want to work with our
17 children because they want to make the city a better
18 place, and-- how often does OLR deviate from pattern
19 bargaining?

20 EXECUTIVE DEPUTY COMMISSIONER POLLAK:
21 I would say it's extraordinarily rare. I don't think
22 there's a-- you know I don't have a set number, but
23 it's extraordinarily rare.

24 COUNCIL MEMBER DINOWITZ: Well, in the
25 past five years, how many times have we deviated from
pattern bargaining?

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2 EXECUTIVE DEPUTY COMMISSIONER F. POLLAK:

3 None that I'm aware of.

4 COUNCIL MEMBER DINOWITZ: In the past 10
5 years how many times you--

6 EXECUTIVE DEPUTY COMMISSIONER F. POLLAK:

7 [interposing] I don't have anything specific.

8 COUNCIL MEMBER DINOWITZ: Have there ever
9 been any instances which are so like egregious, such
10 pay rates which are so egregious, that an
11 administration or OLR says, you know, we have to do
12 something a little different here.

13 EXECUTIVE DEPUTY COMMISSIONER F. POLLAK:

14 Yeah, you know. Thank you, Council Member, for the
15 question I would-- you know, I referenced the nurses
16 in the late 80s as an example. There are also some
17 things that happened in an agreement with the nurses
18 in the 2017 to 2021 round. Somebody to assist with
19 recruitment and retention, and you know, there were
20 some efforts taken with some other titles, YUM [sic],
21 Youth Development Specialist at the Department of
22 Youth and Family Justice. After Raise the Age took
23 effect there was a kind of an effort to kind of do
24 something there to deal with really rough recruitment
25

3 retention issues. Those are the ones I can recall
4 from the last 10 years.

5 COUNCIL MEMBER DINOWITZ: Alright. It is
6 very clear to me that our paras work extremely hard
7 in many jobs that we would-- many of us here would be
8 unable or unwilling to do and they do it, and they
9 love our children. They kept my classroom together.
10 They were there for my students and we need to be
11 there for them. And if your testimony today is the
12 City Council is unable to help the paras in a very
13 specific simple way by providing them the dignity
14 they deserve by demonstrating our gratitude to them,
15 then you have the moral obligation and I think
16 economic obligation to make sure if you're working
17 with children in our city, then you have to make sure
18 tht people working with those children can earn a
19 wage where they can live in our city. And it's--
20 again, if your testimony is that we can't do it. It
21 has to be the bargaining, then I think it's time to
22 deviate from that pattern bargaining and recognize
23 that years and years of percentage increases have
24 reustled in a significant disparity. And anyone who
25 wants to take my math class in Algebra I in compound
interest, I welcome you to come after this hearing.

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2 but thank you for your time today and thank you,
3 Chairs, for the extra time.

4 CHAIRPERSON DE LA ROSA: Thank you. Mr.
5 Dinowitz, I have some answers for you. So, OMB put
6 the fiscal impact statement for this bill at \$400
7 million.

8 COUNCIL MEMBER DINOWITZ: Annually?

9 CHAIRPERSON DE LA ROSA: In year one. In
10 FY25, Carter Cases cost the City \$1.1 billion. So,
11 the math is--

12 COUNCIL MEMBER DINOWITZ: [interposing]
13 So, for those who are watching at home, \$1.1 billion
14 for Carter Cases is more than the \$400 million this
15 would cost, right? Did I get that right?

16 CHAIRPERSON DE LA ROSA: Year one. Yeah.

17 COUNCIL MEMBER DINOWITZ: \$1.1 greater
18 than \$400 million, got it. Thank you.

19 CHAIRPERSON DE LA ROSA: There you go,
20 Mr. Dinowitz.

21 COUNCIL MEMBER DINOWITZ: You did some
22 math. I know you did your inequalities. Alright.

23 CHAIRPERSON DE LA ROSA: Did I pass your
24 class?

25 COUNCIL MEMBER DINOWITZ: You've-- A+.

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2 CHAIRPERSON DE LA ROSA: Thank you.

3 COUNCIL MEMBER DINOWITZ: Gold star.

4 CHAIRPERSON DE LA ROSA: Alright, I have
5 some more questions.

6 COUNCIL MEMBER DINOWITZ: Thank you,
7 Chair.

8 CHAIRPERSON DE LA ROSA: What are some
9 examples of terms and conditions of employment that
10 are negotiated during collective bargaining?

11 EXECUTIVE DEPUTY COMMISSIONER POLLAK:
12 Sure, I can answer that one. Wages would be kind of
13 the number one thing I would say. Everyone knows
14 wages are a term and condition of employment. Any
15 other kind of pay items, differentials, uniform
16 allowance, things like that. Certain working
17 conditions are considered terms and conditions of
18 employment. There are obviously the fringe benefits,
19 health insurance is a term and condition of
20 employment. Pensions would be, but they're actually
21 not a subject of bargaining under the Taylor Law. You
22 know, any other-- annuity contributions, welfare
23 funds contributions, those kinds of things that could
24 be employee fringe benefits. You know, those are
25 generally the categories. Work rules, you know, a

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3 wide variety of work rules can and can't-- may or may
4 not be depending on the issue. You know, something
5 like, you know, the process for how you select your
6 vacation may be term and condition of employment.
7 You know, there's really a huge variety. I think my
8 office frequently is asked, is this something that
9 would qualify as the terms and conditions of
10 employment, something we have to bargain over, you
11 know, and we may have to do an analysis, but you
12 know, the core ones really are wages and fringe
13 benefits.

14 CHAIRPERSON DE LA ROSA: Great. I have a
15 few questions for DOE. When a paraprofessionals are
16 understaffed, does the DOE have a policy of how
17 substitute paraprofessionals are distributed amongst
18 schools and districts?

19 EXECUTIVE DIRECTOR IANNIELLO: So, there
20 are a number of ways we do that, but we have a system
21 called subcentral that--

22 CHAIRPERSON DE LA ROSA: [interposing] Say
23 that again.

24 EXECUTIVE DIRECTOR IANNIELLO: We have a
25 system called subcentral.

CHAIRPERSON DE LA ROSA: Subcentral.

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2 EXECUTIVE DIRECTOR IANNIELLO: So, all of
3 our substitutes are loaded into that particular
4 system. Schools then would put their positions in
5 subcentral and it's an automated call-out system.
6 It's also available online 24/7. So, any substitute
7 can go in at any time and look at the jobs that are
8 available in the districts in which they want to
9 work. So that's right now that's there. It is
10 mandated for all schools this year. This is when we
11 mandated it for this year to use that system. So,
12 every mandated IEP position should be in there if it
13 is being covered by a sub. So even if a school has a
14 substitute that they like and they want, they can
15 actually go into that system, create a job and put
16 those people in. everybody is trained on that system
17 from-- all subs are trained on that system when they
18 first get hired, and we have a small staff that deals
19 with them on a regular basis if there's any issues.

20 CHAIRPERSON DE LA ROSA: And are the para
21 subs specialized so if there's a unique need for a
22 student and the para that was supposed to serve that
23 student isn't available, is it matched with a para
24 that has--

2 EXECUTIVE DIRECTOR IANNIELLO:

3 [interposing] So, right now it is not matched to the
4 specific need. The school can actually enter
5 information into that particular job to say what the
6 job is, and so when a substitute is looking, they
7 will see that note in there to say, you know, this is
8 for a behavior management crisis para, health para,
9 classroom para, whatever. It could be in there. It's
10 not necessarily in there. The substitutes can be
11 moved around, obviously, but they are-- they're given
12 whatever information is in there.

13 CHAIRPERSON DE LA ROSA: Yeah. I want to
14 know that there is a discrepancy in the number of
15 vacancies. I've heard 1,700. I've heard 3,000. So,
16 I-- is it a range?

17 EXECUTIVE DIRECTOR IANNIELLO: I can only
18 tell you what's funded right now, and that's around--
19 a little more than 1,700.

20 CHAIRPERSON DE LA ROSA: Okay. Is what's
21 funded the need?

22 EXECUTIVE DIRECTOR IANNIELLO: Well,
23 obviously, there's more of a need, because there are
24 people working every day, but those are not
25 necessarily funded immediately, so that's why we have

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2 lots of substitutes out there working in those
3 positions.

4 CHAIRPERSON DE LA ROSA: And do you have
5 an analysis for what the need actually is?

6 EXECUTIVE DIRECTOR IANNIELLO: I don't
7 have a full analysis of what the need is. That would
8 require us to go back to Special Ed and review the
9 mandates.

10 CHAIRPERSON DE LA ROSA: Okay. well, the
11 committee would love to see that. So, if you could
12 follow up and we'll talk to Chair Joseph as well
13 about following up with that. What strategies are
14 being used to ensure that students, particularly
15 those in District 75 schools receive the mandated
16 service despite the ongoing vacancies?

17 EXECUTIVE DIRECTOR IANNIELLO: Well,
18 again, you know, we actually work very closely with
19 District 75 from the Division of Human Resources. We
20 meet with them once a week. We go over what the
21 needs are, what their-- where their vacancies are,
22 where they're having issues staffing. We have run
23 many a job fair for them specifically to open up the
24 pool of candidates for them. We do have about 2,500
25 of our substitutes are currently working in District

2 75 schools. We're hoping that they all move to
3 fulltime, but that's not necessarily the case.

4 CHAIRPERSON DE LA ROSA: So, say that
5 again, 2,500--

6 EXECUTIVE DIRECTOR IANNIELLO:
7 [interposing] About 2,500 of our substitutes who are
8 working on an everyday basis are working in District
9 75 schools.

10 CHAIRPERSON DE LA ROSA: Okay. Are there
11 any targeted initiatives to recruit paraprofessionals
12 in hard-to-staff schools or programs?

13 EXECUTIVE DIRECTOR IANNIELLO: So, yes,
14 there are. We started this initiative again last
15 year in terms of going out to districts and
16 neighborhoods where there is a significant need, and
17 announcing those to the community around that area.
18 We're going back to that beginning probably January
19 to start recruiting again in the hard-to-staff areas
20 like Far Rockaway, sections of the Bronx, section of
21 Brooklyn, where we actually need significant numbers.
22 those are efforts we'll make on a regular basis as we
23 need them. We have partnered with the UFT to use
24 some of their facilities in order to have those, and
25 they've been working out really well.

2 CHAIRPERSON DE LA ROSA: When applying to
3 become a paraprofessional with the DOE, do applicants
4 have a choice for which school or district they're
5 assigned to? For paraprofessionals who are assigned
6 to schools that may be out of their borough they
7 reside in, are there any stipends to cover the cost
8 of commuting long distances?

9 EXECUTIVE DIRECTOR IANNIELLO: So, there
10 are several ways that paraprofessionals-- substitute
11 paraprofessionals get assigned, and their selection
12 process on how they are assigned. So, when a school
13 nominates a substitute, that particular
14 paraprofessional gets into their-- automatically
15 uploads into their profile the school that nominates
16 them as their priority school, the district in which
17 they are physically geographically located, and what
18 the school is geographically located, and in the
19 sense of District 75, it would be within the borough.
20 So, if I'm a substitute that gets nominated by a
21 District 75 Bronx school, I would get that school,
22 that borough for District 75, and my geographic home
23 district where I physically live. Most
24 paraprofessionals live in the same borough in which
25 they're nominated. So, they're not assigned to

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2 automatically outside their borough unless they
3 choose to take those assignments.

4 CHAIRPERSON DE LA ROSA: And what is the
5 difference with substitute paraprofessionals?

6 EXECUTIVE DIRECTOR IANNIELLO: Those are
7 the substitutes.

8 CHAIRPERSON DE LA ROSA: Okay, so that's
9 for the substitutes.

10 EXECUTIVE DIRECTOR IANNIELLO: Right.

11 CHAIRPERSON DE LA ROSA: So, the
12 substitutes are not required to go out of borough.

13 EXECUTIVE DIRECTOR IANNIELLO: They are
14 not required to go out of a borough. They are not
15 required-- they are required to do 20 days of service
16 annually, and that happens usually within their
17 district or their borough.

18 CHAIRPERSON DE LA ROSA: Okay.

19 CHAIRPERSON RESTLER: Thank you so much,
20 Chair De La Rosa. Before I jump into my questions,
21 we've been joined by a very special guest, my wife
22 came today, Anna [sp?]. Her mom and her aunt both
23 work for the teacher's unions for years, and this
24 issue is so important to her and the fight to make
25 sure that paras get the pay that they deserve. So

3 really happy to have you. Before I jump into para
4 stuff, I just wanted to ask Deputy Commissioner
5 Pollak one question about our previous topic. Do you
6 consider EMS uniform for collective bargaining
7 purposes?

8 FIRST DEPUTY COMMISSIONER POLLAK:

9 Thank you for the question. So, it's not so simple a
10 question. There were-- there's a Local Law in 2001
11 that amended the New York City Collective Bargaining
12 Law to designate them as uniformed under the
13 Collective Bargaining Law. What that means is that
14 they are eligible to negotiate all terms and
15 conditions of employment as an individual unit.
16 They're not covered under the citywide collective
17 bargaining agreement negotiated by DC37. So, they
18 are classified as uniform for that purpose. I would
19 say that.

20 CHAIRPERSON RESTLER: So, you do classify
21 them as uniform union.

22 FIRST DEPUTY COMMISSIONER POLLAK: Under
23 the Collective Bargaining Law. The Collective
24 Bargaining Law does not speak to what the results of
25 any kind of collective bargaining agreement would be.

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2 So and it speaks to how you negotiate the process and
3 what they can negotiate about. It doesn't speak to--

4 CHAIRPERSON RESTLER: [interposing] Isn't
5 there a separate pattern you have for uniforms versus
6 non-uniforms? Do they follow the pattern for
7 uniforms?

8 FIRST DEPUTY COMMISSIONER POLLAK: Over
9 the past few rounds, or I think as long as EMS has
10 been its own unit, they have followed the civilian
11 pattern.

12 CHAIRPERSON RESTLER: So, how do you call
13 them a uni-- I'm sorry, I genuinely don't understand.
14 You call them a uniform. You said, you consider them
15 a uniform unit for collective bargaining purposes,
16 but then say they follow the civilian pattern for
17 collective bargaining. Could you help me understand
18 that?

19 FIRST DEPUTY COMMISSIONER POLLAK: Sure,
20 I'll do my best. It's why I say it's not quite so
21 simple. So, you know, there's the definition of
22 uniformed under the collective bargaining law does
23 not necessarily speak to the ultimate agreement we
24 reach on economic terms. So, the-- what the
25 collective bargaining law says is if you're a

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3 uniformed group, and that includes, you know, police
4 officers--

5 CHAIRPERSON RESTLER: [interposing]
6 Firefighters.

7 FIRST DEPUTY COMMISSIONER POLLAK:
8 firefighters, yeah. It also includes EMS. It also
9 includes special officers, urban park rangers,
10 traffic enforcement agents, many other titles who
11 worked as an aid as such under Local Law 56 back in,
12 I think it was, 2008 or 2009. What that means is
13 that they're eligible to-- they're not covered by the
14 citywide. They're not bound by what DC37 negotiates
15 through the entire city as far as things like annual
16 leave which is a citywide term or certain other work
17 rules under that. They can negotiate on their own,
18 and they are free to do that. That's the law.
19 That's who we negotiate with them. If they say we
20 want to negotiate an annual leave, a change in our
21 annual leave, we wouldn't say you can't. that's a
22 citywide issue that DC37 has to. We would say, sure,
23 let's talk about it. But in terms of, you know, when
24 there is a pattern that's, you know, the uniformed
25 pattern and a civilian pattern over the past, you
know, rounds of bargaining, the agreements we have

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3 reached are based on the civilian pattern which is
4 also true for many other of those groups I mentioned,
5 traffic enforcement agents, special officers, urban
6 park rangers.

7 CHAIRPERSON RESTLER: And is that
8 decision at the discretion of kind of the Mayor and
9 OLR leadership of who fits into which pattern? They
10 have been in that pattern in the past, but if there
11 was a decision by Commissioner Campion [sp?] or the
12 Mayor or OMB Director to say actually they should be
13 following the uniform pattern, that could shift?

14 FIRST DEPUTY COMMISSIONER POLLAK: So,
15 what I'll say is that this is kind of the-- the
16 unions that have-- the groups that have received
17 uniform pattern over the last, you know, I'll say 20,
18 30 years--

19 CHAIRPERSON RESTLER: [interposing]
20 Decades.

21 FIRST DEPUTY COMMISSIONER POLLAK: have
22 been the same, right? There hasn't been a change.
23 Of course, the Mayor and OLR Commissioner and the
24 Mayor ultimately can decide whatever they want to
25 decide regarding reaching a certain agreement. It's
not a legal mandate.

2 CHAIRPERSON RESTLER: That's helpful.

3 That's very helpful. Thank you very much. So, as
4 you've testified to at some length today, OLR said
5 we'll practice negotiating-- of negotiation is
6 pattern bargaining. In fact it's, I think you said
7 it's all you've ever seen with exceptionally rare--
8 with exceedingly rare exception. So, one union gets
9 a three percent raise. Everyone gets a three percent
10 raise with some specific distinctions between the
11 uniform and nonuniform. There are clear benefits to
12 the predictability of this kind of negotiating
13 approach, but historically underpaid workers just
14 continue to suffer more and more and more with each
15 additional contract. This separation between
16 relatively well-paid civil servants versus underpaid
17 civil servants is actually exacerbated with every
18 single contract that we negotiate. So how does OLR
19 account for these disparities in the negotiating
20 process when, as you've said-- you've been at OLR for
21 how many years?

22 FIRST DEPUTY COMMISSIONER POLLAK:

23 Thirteen.

24 CHAIRPERSON RESTLER: Thirteen, and it
25 took you a couple of minutes to figure out an example

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2 of non-pattern bargaining. So how do you account for
3 that reality that every contract that you all
4 negotiate exacerbates the disparities that exist in
5 our workforce?

6 FIRST DEPUTY COMMISSIONER POLLAK: Thank
7 you for the question. You know, I would I think not
8 agree that it necessarily exacerbates the
9 disparities. You know, it maintains the same
10 percentage differential, and I think this isn't, you
11 know, necessarily and issue of just the way OLR and
12 the city negotiates. Generally, I think that in the
13 world the way wage increases are given are often
14 percentage based especially in the organized labor
15 world, as based on percentages rather than, for
16 example, flat dollar increase. And so the-- you
17 know, by doing a percentage-based increase, the
18 percentage differential between titles is maintained,
19 but you know, the absolute dollar amount obviously
20 does widen as you referenced. In terms of the kind
21 of-- you know, if a union is concerned about that or
22 if the city's concerned about that and we want to try
23 to address it, there are ways within a pattern
24 framework to do that. I reference our agreement with
25 DC37 in this round. We created this equity fund

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2 which we used to have focused funding on particular
3 titles. You know, that's something that works well,
4 especially for large unions like DC37. We'd also--
5 you know, the UFT, there would be the potential to do
6 something like that to focus funding to a particular
7 title, and it's something that we've done with other
8 groups in this round as well. Really, this concept
9 of, you know, equity funding in this round. We
10 allowed unions to, you know, recognizing that where
11 there's recruitment and retention issues, it's a
12 mutual problem for both labor and management.
13 There's an opportunity to essentially, you know, each
14 contribute funding to direct places where we have
15 this challenge, and we've used that for a lot of
16 different titles in this round of bargaining. We've
17 used it for special officers and school safety
18 agents. It used to take them seven years to catch a
19 top pay. We reduced that to five years in this
20 round. So, that's something that wasn't just a
21 pattern general wage increase. We were able to work
22 with the union to have direct funding to where there
23 was a problem.

24 CHAIRPERSON RESTLER: Okay. Have you
25 done anything for paraprofessionals in these 13 years

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2 to help elevate compensation in either first year
3 compensation or the rate at which they're achieving
4 higher pay in your experience over the 13 years
5 you've been at OLR, or Mr. Ianniello-- I don't know
6 how many years you've been at the DOE.

7 EXECUTIVE DIRECTOR IANNIELLO: 28.

8 CHAIRPERSON RESTLER: 28. Can you cite
9 any examples? You should-- no.

10 EXECUTIVE DIRECTOR IANNIELLO: No, I
11 can't.

12 CHAIRPERSON RESTLER: You cannot. Okay.
13 So, that's troubling, deeply, frankly troubling. So,
14 you know, I was chatting President Weingarten
15 recently and she referenced the equity panels that
16 Victor Gotbaum [sp?] used to advocate for and he
17 would in DC37's negotiations create equity panels
18 that would lift up under-wage or low-wage workers. I
19 was looking back at the 2018 DC37 contract agreement,
20 and Executive Director Garrido [sp?] and the de
21 Blasio administration negotiated a \$40 million fund,
22 I think \$12.6 of it was dedicated of that \$40 million
23 fund, was dedicated specifically for pay for under--
24 for poorly compensated workers. Do you recall the
25 specifics in that contract?

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2 FIRST DEPUTY COMMISSIONER POLLAK: Yes,
3 thank you, I do. It was \$12.6 million was the entire
4 equity fund. It was about 0.2 percent, I believe,
5 and it was for issues where there were recruitment
6 and retention challenges or other equity issues as
7 you referenced, and that is--

8 CHAIRPERSON RESTLER: [interposing] Was
9 that an effective approach?

10 FIRST DEPUTY COMMISSIONER POLLAK: I
11 believe it was. It's something we actually expanded
12 in this round, but the equity panel-- the equity fund
13 that reached with DC37 in this round is actually \$73
14 million.

15 CHAIRPERSON RESTLER: Okay.

16 FIRST DEPUTY COMMISSIONER POLLAK: So, we
17 saw that. We think it worked great, and we said it
18 needs to be bigger, and we worked with them to do
19 that.

20 CHAIRPERSON RESTLER: So, \$73 million
21 dedicated for DC37 equity fund. Have you replicated
22 that model with other unions?

23 FIRST DEPUTY COMMISSIONER POLLAK: So,
24 we-- not the exact same model where it was an actual
25 fund, but we did do the same thing where we, you

2 know, each labor and management each contributed
3 labor through sending the contract or other
4 productivity initiatives contributed 0.5 percent and
5 then the City would throw in an additional 0.5
6 percent above the pattern wage increases to have
7 direct funding to places where there were recruitment
8 and retention issues. That was used as I referenced
9 to reduce the steps and the special officer and
10 school safety agent salary schedule. It was used on
11 a few other titles where there were issues. I think
12 we did something with traffic enforcement agents with
13 it. Really across the city we were able to where
14 there were challenges use that concept. The UFT, we
15 created the recurring retention bonus with that
16 money, the thousand dollars for every UFT member.

17 CHAIRPERSON RESTLER: Do you think that
18 we need an equity panel specifically focused on
19 lifting up paras?

20 FIRST DEPUTY COMMISSIONER POLLAK: I
21 think it's something worth discussing. It's certainly
22 something that we would be happy to discuss with the
23 UFT and, you know, across the bargaining table.
24 Obviously, we can't, you know, unilaterally decide to
25

3 do that, but it's certainly something that we would--
4 we would be willing to discuss.

5 CHAIRPERSON RESTLER: I just-- I do just
6 want to mention. I know your point earlier was that
7 you don't think that the disparities are exacerbated
8 by pattern bargaining, and I just-- you know, you
9 have somebody who makes \$100,000. Ten years later on
10 three percent raises, they're at \$134-135K. For
11 somebody who's at \$32K, like a paraprofessional
12 coming in, again, minimum wage, minimum wage job that
13 is almost exactly what you get making \$16.50 an hour
14 working 40 hours a week in New York City. Over a 10-
15 year period they get up to \$43K. So, they're still
16 not in a position where they're able to meet the
17 needs of their family. They're still living in
18 poverty in New York City. I don't see how pattern
19 bargaining is solving for the needs of low-wage
20 workers without some additional intervention to help
21 lift these workers up.

22 FIRST DEPUTY COMMISSIONER POLLAK: I
23 certainly understand your perspective. I would say
24 that, you know, like I said there are ways to try to
25 address these issues. And you know, I do think the
kind of-- not the pattern, the approach of

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2 percentage-based wage increases is something that has
3 been pretty consistent across the labor world and
4 collective bargaining world. You know, there may be
5 other instances I'm not aware of, and you know,
6 certainly if a union came to us and they said we
7 don't want to do percentages, we want to do flat
8 dollar increases. We want-- whether our member is
9 making \$33,000, we want to get \$5,000 and our member
10 who's making \$150,000, we want to get \$5,000. Happy
11 to talk about it. Happy to figure out how that fits
12 within, you know, our framework, and if we can come
13 to a deal based on that, we would certainly be
14 willing to explore.

15 CHAIRPERSON RESTLER: Yeah. I know that
16 you mentioned we're looking at about-- maybe this is
17 for Mr. Ianniello-- about 1,700 vacancies among paras
18 and that we've got about 9,000 subs. Are you able to
19 help us understand-- are those 9,000 subs essentially
20 working every single day?

21 EXECUTIVE DIRECTOR IANNIELLO: So, we
22 have 14,000 subs.

23 CHAIRPERSON RESTLER: 14,000 subs, 9,000
24 are working on a given--
25

2 EXECUTIVE DIRECTOR IANNIELLO:

3 [interposing] About 9,000 are working every day of
4 the-- we have 9,000 that work every day.

5 CHAIRPERSON RESTLER: Got it.

6 EXECUTIVE DIRECTOR IANNIELLO: Right?

7 That-- positions that are being filled every day. Of
8 the 9,000 I would say probably about 7,000 are
9 working every day in either one school or in various
10 schools.

11 CHAIRPERSON RESTLER: And in your
12 analysis of the subs, and I think Chair De La Rosa
13 was getting at this a little bit too-- in your
14 analysis of how subs are being deployed, are you able
15 to better estimate the need in the full time para
16 workforce?

17 EXECUTIVE DIRECTOR IANNIELLO: So,
18 depending what the school-- what information the
19 school puts into the sub central system on vacancies,
20 absences, whether it's long-term, short-term, yes, we
21 can see a little more about what-- where the need is.

22 CHAIRPERSON RESTLER: So help us. What
23 do you think?

24 EXECUTIVE DIRECTOR IANNIELLO: So, I
25 think that right now we have the 1,700 and some odd

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3 vacancies that are budgeted. I think that we have
4 probably another 2,500 out there that are regularly--
5 that could be fulltime positions. Part of it is how
6 these positions are funded. If new students come
7 into a school, the school itself has to pick up the
8 funding for that student for the year. And so
9 principals don't normally-- would not normally create
10 a fulltime position--

11 CHAIRPERSON RESTLER: [interposing] Right.

12 EXECUTIVE DIRECTOR IANNIELLO: until they
13 are actually funded. Some do and some don't. So,
14 that's a little more difficult for us to manage, but
15 we still see it through our substitute data. So, I
16 think our substitute data is stronger than it's ever
17 been and we're able to give that information over to,
18 you know, our colleagues in Division of School and
19 Leadership and talk to them about, you know, what
20 that means.

21 CHAIRPERSON RESTLER: Do you believe that
22 if we had those 1,700 vacant positions filled, that
23 we would have an adequate number of fulltime paras,
24 or is there still a gap based on your analysis of the
25 subs?

2 EXECUTIVE DIRECTOR IANNIELLO: So, it's

3 hard to say only because when we look at what the

4 actual vacancies are, we're looking at budgeted

5 vacancies and we're saying these positions are the

6 budgeted vacancies that need to be filled now. We

7 are also looking at the substitute positions as

8 vacancies, so to speak, right? But we don't know

9 how that would change from semester to semester or

10 week to week. It could be that there-- when I look

11 at what we have, we could have 10 substitutes in one

12 school working every day. We could have-- of those

13 10, maybe three are assigned to the same assignment

14 every day, and the other seven might just be floating

15 depending on what the principal wants. So we won't

16 know that really until we actually do a very deep,

17 deep dive into schools and what they're using the

18 subs for. We have a lot of schools that use

19 substitute paras as extra help, just to have extra

20 help in the classrooms, just to have extra help in

21 the school, and then we have obviously categories of,

22 you know, whether it's a health para, a one-to-one, a

23 classroom para, behavior management para, things like

24 that. so, it's hard to really say whether that

25 would, you know, fill the gap. I think we have a

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2 fulltime-- full vacancies out there. The other
3 thing, too, is principals I think want to make sure
4 that when they're hiring fulltime that they're hiring
5 the right people. So, they are waiting for people to
6 prove themselves as subs in order for them to
7 actually take that fulltime position.

8 CHAIRPERSON RESTLER: Is there an annual
9 analysis that your office conducts based on the
10 utilization of subs to make informed recommendations
11 to DOE leadership about the need to increase
12 headcount, and should there be?

13 EXECUTIVE DIRECTOR IANNIELLO: So, I
14 can't say that we actually do an analysis of subs or,
15 you know, fulltime. I think we give that information
16 over to the school leadership organization, and they
17 are the ones who determine which positions are full
18 time and which positions are not. The funding comes
19 from, you know, various sources. So, I can't really
20 speak to that, but I would say to you that the
21 schools themselves are the ones that are determining
22 what the vacancies are.

23 CHAIRPERSON RESTLER: Right. What would
24 you say is the number one factor preventing DOE from
25

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2 filling para vacancies and retaining paras more at
3 higher rates?

4 EXECUTIVE DIRECTOR IANNIELLO: Well,--

5 CHAIRPERSON RESTLER: [interposing]
6 Salary?

7 EXECUTIVE DIRECTOR IANNIELLO: I would
8 say certainly I would say that salary has something
9 to do with it. It's not something that, again, I
10 don't want to say-- I want to sound, you know,
11 flippant about this because I'm not at all. I want to
12 be sure that, you know, it's not something we
13 discuss, you know, in HR.

14 CHAIRPERSON RESTLER: Right.

15 EXECUTIVE DIRECTOR IANNIELLO: It's out
16 of our league in terms of our responsibilities and
17 what we're supposed to do at this point. It's--

18 CHAIRPERSON RESTLER: [interposing] But
19 it's challenging to recruit people for these highly
20 intense demanding jobs that start at \$32,000 a year.

21 EXECUTIVE DIRECTOR IANNIELLO: Yeah, and-

22 -

23 CHAIRPERSON RESTLER: [interposing] And as
24 Council Member Ariola rightly pointed out, our high
25 school interns and our council offices are paid 60

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2 LEGISLATION JOINT WITH COMMITTEE ON CIVIL SERVICE & LABOR 133
3 percent more than that when they spend a summer with
4 us.

5 EXECUTIVE DIRECTOR IANNIELLO: I agree
6 with you, and I think that-- but I also think that
7 there are some other benefits. I didn't--
8 representative Dinowitz said something that I think
9 was misinterpreted.

10 CHAIRPERSON RESTLER: You're referring to
11 his dad, I think? Council Member here.

12 EXECUTIVE DIRECTOR IANNIELLO: Yes.

13 CHAIRPERSON RESTLER: His dad is the
14 representative, but it's okay. Assembly member.

15 EXECUTIVE DIRECTOR IANNIELLO: So, I want
16 to be sure that, you know, it's not that we think
17 that, you know, there's a-- this is a path to
18 becoming a teacher. It's not a stepping stone. It
19 could be a stepping stone, but we recognize that
20 there are many, many people who love the job and want
21 to be paras and are happy with those jobs.

22 CHAIRPERSON RESTLER: Right.

23 EXECUTIVE DIRECTOR IANNIELLO: You know,
24 so they-- we give them this opportunity to better
25 themselves in terms of their education. So, we pay
for their bachelor's degree. They get salary

3 differentials that way. What ends up happening is we
4 are seeing people who don't have the ability to go to
5 school, who don't have the mechanism or the finances
6 to go to school and will take the job as a para in
7 order to accomplish that which we believe is a
8 wonderful goal. So, they do take advantage of our
9 career training program where, you know, they are
10 achieving their bachelor's degree in every six
11 credits or whatever it is.

12 CHAIRPERSON RESTLER: But you know, as
13 our HR expert who's charged with the, you know,
14 nearly impossible task of trying to recruit and
15 retain for the largest school system in the country,
16 you're telling us plainly in your testimony today
17 that the number one challenge we face in recruiting
18 and retaining paras that perform an essential deeply
19 valued function in our schools, a salary, how does
20 that get communicated to OLR? It's not your job to
21 negotiate the salary, but it is there's. What
22 mechanism do you have to share that information
23 effectively with the folks responsible for delivering
24 the decent wages that people need for us to be able
25 to fill and retain these positions effectively.

2 EXECUTIVE DIRECTOR IANNIELLO: I don't
3 have the information on how that's communicated to
4 OLR. I'm not involved in that. I am involved in
5 negotiations when we're talking about job-related
6 requirements and benefits and things like that, but
7 I'm not involved in that. So, I don't know how that
8 gets there, but I mean, certainly, it's a
9 conversation I guess.

10 FIRST DEPUTY COMMISSIONER POLLAK: Yeah,
11 I can perhaps answer that, Council Member. So,
12 during collective bargaining negotiations when we sit
13 down with the union negotiating a new contract, you
14 know, there are representatives from the Department
15 of Education there at UFT negotiations. So, you
16 know, certainly there there's the opportunity for us
17 to discuss any issues that they want to discuss, and
18 if there's issues they want to address in that--

19 CHAIRPERSON RESTLER: [interposing] But I
20 just-- I have to say, your testimony today, deputy
21 Commissioner Pollak is that in your 13 years at OLR
22 and Mr. Ianniello's 28 years, and I apologize if I'm
23 not referring to you by the appropriate time Mr.
24 Ianniello's 28 years at the DOE. We've essentially
25 been able to deliver nothing above and beyond the

3 parter bargaining and the contract for paras. And
4 yet-- we're told that salary is the number one issues
5 that's impacting our ability to recruit and retain
6 these invaluable positions. How is that information
7 actually getting to you and achieving a better
8 outcome at the negotiating table?

9 FIRST DEPUY COMMISSIONER POLLACK: Well,
10 you know, all I can say is that we have another--
11 we're going to have another contract negotiation
12 coming up at some point in the not years, their
13 contract expires in 2027. Certainly, it's something
14 that, you know, Council has raised that-- from DOE,
15 and you know, it'll be discussed.

16 CHAIRPERSON RESTLER: I have a number of
17 additional questions, but I just-- I find myself
18 frustrated. This is a work force that is performing
19 such critical and valued work every single day,
20 difficult work. I go and visit every single one of
21 the schools in my district every single year, often
22 multiple times, and meet incredibly dynamic caring,
23 committed paraprofessionals, and these paras are
24 being paid far less than they deserve, and I feel
25 like as a system we failed them. And this is
legislation sponsored by Council Member Powers is out

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2 of the box. It's an unusual approach, but the only
3 reason we're here and with more co-sponsors on a bill
4 than I think has ever happened in the City Council is
5 because we have not delivered for them at the
6 negotiating table. We have to find a different way
7 to intervene to help this critical workforce. So,
8 we've got one more question from Council Member De La
9 Rosa. Please.

10 CHAIRPERSON DE LA ROSA: Sorry. Something
11 was sparked in this conversation. The substitute
12 paras, how much do they make?

13 EXECUTIVE DIRECTOR IANNIELLO: Sorry.
14 It's about \$160-something dollars a day, based on a
15 six hour and 50 minute--

16 CHAIRPERSON DE LA ROSA: [interposing]
17 Give me a yearly.

18 EXECUTIVE DIRECTOR IANNIELLO: I don't
19 have a yearly. It's-- they get paid by the daily
20 rate. There's no--

21 CHAIRPERSON DE LA ROSA: [interposing] And
22 the fringe benefits are the same?

23 EXECUTIVE DIRECTOR IANNIELLO: They don't
24 have health benefits. They don't have other benefits
25 that fulltime paras have.

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2 CHAIRPERSON DE LA ROSA: I mean, so, you
3 know, we had our conversation the panel before you
4 about a second class of workers, but I don't know--
5 there's a more clearer definition than not giving
6 paras and substitute paras like wages that are
7 dignified and no health insurance in the City of New
8 York. I mean--

9 EXECUTIVE DIRECTOR IANNIELLO: Well,
10 that's-- that's part of bargaining, and that's part
11 of--

12 CHAIRPERSON DE LA ROSA: [interposing]
13 Well, that's why we're here.

14 EXECUTIVE DIRECTOR IANNIELLO: Substitute
15 teachers don't get health insurance either.

16 CHAIRPERSON DE LA ROSA: I get it, but
17 that's why we're here, because the bargaining isn't
18 living up to this workforce that is an essential
19 workforce. So, I think, you know, we use the word
20 extraordinary. I think this is an extraordinary
21 example of how we're failing our paras in the City of
22 New York. Thank you.

23 CHAIRPERSON RESTLER: You're good? I
24 want to thank you both for your testimony today and
25 appreciate you being with us. We're now going to

3 shift to a all-star UFT panel. I believe we have

4 President Mulgrew on Zoom if that's right? Yeah?

5 Okay, great. And then we'll bring up to the table

6 Randi Weingarten, President of the American

7 Federation of Teachers, Priscilla Castro, the Chair

8 of the Paraprofessionals, Karen Alford, the Vice

9 President for Elementary-- this wasn't the panel that

10 I'd organized. What happened? Okay, well, we got a

11 full panel so it is what it is. Alright, why don't

12 we start with President Mulgrew and we'll go from

13 there. I've got to just read some language though,

14 first, I'm sorry. As we open the floor to public

15 testimony, before we begin, I'd like to remind

16 members of the public-- I don't think it'll be an

17 issue for this panel-- that this is a formal

18 government proceeding and that decorum shall be

19 observed at all time. As such, members of the public

20 shall remain silent at all times. The witness table

21 is reserved for people who wish to testify. No video

22 recording or photography is allowed from the witness

23 table. Further, members of the public may not

24 present audio or video recordings as testimony, but

25 may submit transcripts of such recordings to the

Sergeant of Arms for inclusion in the hearing record.

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2 If you wish to speak at today's hearing, please fill
3 out an appearance card with the Sergeant of Arms and
4 wait for your name to be called. Once you've been
5 recognized you'll have two minutes to speak on
6 today's legislation. If you have a written statement
7 or additional written testimony you wish to submit
8 for the record, please provide a copy of that
9 testimony to the Sergeant of Arms. You may also email
10 written testimony to testimony@council.nyc.gov within
11 72 hours of this hearing. Audio and video recordings
12 will not be accepted. When you hear your name please
13 come up. The first witness panel is before us. Thank
14 you for being here. With that, President Mulgrew.

15 MICHAEL MULGREW: Thank you so much. I
16 want to thank the Council for having this hearing. I
17 want to thank the Chairs, and I specifically want to
18 thank Chair De La Rosa for arranging this due to
19 personal issues for me, and I do-- because this is
20 such an important issue. And I want to recognize how
21 well you've all spoken about the valuable service,
22 the invaluable service of paraprofessionals are
23 supplying our city. I'm going to take a moment to
24 talk about some of the testimony that I just heard,
25 and hopefully I can-- it'll illuminate and give you

3 better answers than what you already have heard. At
4 this moment, we're guessing. 1,700 to 1,900
5 paraprofessional vacancies. We do not know what the
6 vacancy number is. As you heard, the City just
7 testified that schools determine what the vacancies
8 are, not the school system. That is wrong. That is a
9 policy decision they have chosen to make, but it is
10 the IEPs that determine the number of
11 paraprofessionals that we are to employ as a city.
12 And we start there, because we can't even get what
13 the number is. Last year, we took a survey of all of
14 our schools. We held a press conference. We said we
15 could document 1,900 vacancies within a week. The
16 Department of Ed and the city came out to tell
17 everyone that we were wrong, but the number was
18 actually in the mid-3,000s. So, that is the
19 silliness that we deal with all the time, but this is
20 a very serious issue, because we are in a crisis as a
21 school system. We are in a crisis, because we do not
22 have the paraprofessionals that we need to supply
23 service to individual students. So that means that
24 student is in a crisis and that also means their
25 family is in a crisis, as well as you are put in a
school staff in a situation that becomes much more

3 challenging in a school system with great challenges
4 to begin with. And that's what I get so frustrated
5 with when I hear the city. When I heard the Deputy
6 Commissioner talking about we can work things out in
7 pattern bargaining, there are ways to direct funding
8 in creative ways. We could have equity panels. I
9 want to be clear what that means in a collective
10 bargaining with the City of New York. That means
11 that other workers, the other workers in that union
12 are giving up their raises to pay for a different set
13 of workers who are so underpaid that we can't even
14 attract them the number that we need into our school
15 system. I want to-- I just want to be very clear on
16 this point. Since the 1970s in the fiscal crisis,
17 the city made the decision to follow pattern
18 bargaining. Okay? But they made changes in it that
19 always rigged the game for them. In private unions,
20 in private sector unions, there is no way that the
21 one set of union workers would pay for another set of
22 union workers to get a larger raise, because the
23 company could not attract the workers. That's
24 insanity, and that's why you hear them keep saying
25 pattern bargaining, pattern bargaining, because they
don't want to change that, because they rigged the

2 game, and they've rigged it to-- in a way that is
3 actually hurting our city. If you cannot attract a
4 workforce, you need to pay them more. And you can't
5 keep telling other workers, you know what, you have
6 to pay them more, not us. This is a very expensive
7 city to begin with. So, that is why we are here
8 under such frustrating-- and you hear the frustration
9 in my tone, because I've heard all of this, and for
10 your-- another thing to add. Two rounds of the over
11 300-member negotiation committee did what I just
12 explained to you, agreed to give up portions of their
13 raises to help the paraprofessionals, but we knew we
14 could not undo the damages of 50 years of pattern
15 bargaining. I don't understand why they keep trying
16 to say that this does-- this doesn't cause in an
17 inequity. If you have less dollars to buy things,
18 when you are being treated inequitably. It's really
19 that simple. You don't-- you know, Council Member
20 Dinowitz can probably explain this to you very easily
21 and many of you probably understand it. But for them
22 to sit and testify to act like that's not happening,
23 is insanity. And that's why we're in the situation
24 that we're in right now. So, as we move forward, you

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3 know, we've been very clear, we are willing to work
4 with City Council. We're--

5 SERGEANT AT ARMS: [interposing] Time's
6 expired.

7 CHAIRPERSON RESTLER: President Mulgrew,
8 take whatever time you need.

9 MICHAEL MULGREW: Thank you. Yes,
10 pattern bargaining is at the point of the foundation
11 of this crisis is the city's adherence to pattern
12 bargaining, which as they admitted is not a law. They
13 just adhered to that policy, and they'll say it over
14 and over again in pattern bargaining. When we're at
15 the bargaining table. We'll say it constantly.
16 Well, that's outside the pattern. Well, that's
17 outside the pattern. Well, isn't that nice? But if
18 your responsibility as the city to have a wage that
19 will attract the workers that you need, and they
20 don't want to talk about that unless other workers
21 are willing to give that money to those titles. And
22 for-- you know, for the paraprofessionals who have
23 gone through this over and over again, to hear the
24 city talk about how valuable the paras are, but to
25 continually disrespect them and keep piling on this
inequitable treatment of them, they get it. Nobody

3 has to explain it to them, because these are the
4 same-- but these people are supplying, going above
5 and beyond at all times. You have to understand that
6 during COVID thousands of paraprofessionals were
7 getting up an hour early to take an Uber to their
8 student's houses to put them in an Uber to bring them
9 to school, because we didn't have all the buses we
10 needed. And every day in New York City, it's the
11 paraprofessionals who are monitoring medication very,
12 very complex medication at times, to make sure that
13 that child is being cared for the right way. Or it's
14 the paraprofessional who on any given day will see
15 that their student is having all sorts of challenges
16 controlling themselves. And everyone looks when
17 that's-- when that is happening in a school, everyone
18 looks for that para, because they know the para is
19 the person who's been trained or more importantly has
20 formed that bond with that student and then go above
21 and beyond at that moment to take care of everything
22 so that child can once again calm themselves and get
23 control of their actions. And for myself who had a
24 paraprofessional in my-- my classroom was basically
25 was an at-risk program. Many of my children had
IEPs, but there was always a thought that people, you

3 know, would look at our class and think, oh, they'll
4 never get a regular diploma, those children with IEPs
5 and at-risk class, but no, my para took all of her
6 free time before school, after school, when she had
7 lunch and tutored our students on-- and prepared them
8 for Regents. So, this has to be dealt with, and
9 we're willing to work with City Council, but we've
10 had it with the games, and I want the city to be
11 truthful. Pattern bargaining is not a law. You
12 need-- it's your responsibility as the employer to
13 give a wage that can attract the workers that we
14 need. Forget about the hundreds of millions of
15 dollars that we're losing in all the different
16 litigations we have for being non-compliant in
17 supplying services for children and for our children
18 with IEPs. It is time for us to solve this issue,
19 and that right now, why we put forth this legislation
20 is this crisis is going on each and every day that
21 school is open, and it's here, and it's just getting
22 worse. And they're continued policies again, if it's
23 budgeted, there's a vacancy, but if the school
24 doesn't budget that they need para, then it's not a
25 vacancy. Therefore, we don't need a para. What kind
of craziness is that? And for the poor principals,

3 yeah, I'll tell them I need a para, but then they
4 tell me they already gave the money, and I'm like,
5 where is it? And that's the craziness of the system
6 that we all work inside of. But again, I thank you
7 for having this hearing. I thank you so much for
8 understanding the role and the seriousness of the
9 service of the paraprofessionals, and I look forward
10 to working with you to solving this crisis and then
11 figuring out how we can undo, because as I said,
12 private sector unions, they deal with issue and they
13 deal with not by telling all the other workers, oh,
14 you have to pay for those raises, because your job's
15 going to be harder if we can't hire those people.
16 That's insane and that's what we're living in. Thank
17 you very much.

18 CHAIRPERSON RESTLER: Thank you so much
19 for your testimony President Mulgrew.

20 CHAIRPERSON DE LA ROSA: Yeah, thank you
21 so much. We appreciate you being here for sure.

22 CHAIRPERSON RESTLER: Thank you.
23 President Weingarten, would you be willing to go
24 next?

25 RANDI WEINGARTEN: [inaudible]

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2 CHAIRPERSON RESTLER: Just press the
3 button if you don't mind.

4 RANDI WEINGARTEN: I think you want the
5 people from the UFT to speak. The only reason I am
6 here other than supporting the UFT in this endeavor
7 and supporting the paraprofessionals and the 48 of
8 the 51 of you who have put this bill in is that like
9 Michael, I negotiated contracts here for a long time.
10 Pattern bargaining is not the law. It is the policy
11 of the city administration, and what is happening
12 here is complete inequity that disservices both the
13 city and the paraprofessionals themselves. You heard
14 President Mulgrew talk about how in the last two
15 negotiations others in the UFT unit, the negotiating
16 committee, took money from others to actually try to
17 enhance the paraprofessional salaries. The gap is
18 too great. This is a management responsibility, and
19 it should have been something that management brought
20 to the bargaining table.

21 CHAIRPERSON RESTLER: That's right.

22 RANDI WEINGARTEN: Not doing what they're
23 doing and then using-- I felt it was like Alice in
24 Wonderland listening to OLR, because they know it's
25 not law, and you have a recruitment and retention

3 inequity and a service inequity that Michael and the
4 UFT has tried to deal with for the last 17-20 years
5 and have not been able to so they came up with an
6 elegant solution with Council Member Powers and it's
7 time. But I'm only here as an observer.

8 CHAIRPERSON RESTLER: Well, quite
9 persuasive observer at that. I'll invite the other
10 members of the panel to testify in whichever order
11 you so please.

12 KAREN ALFORD: I don't what time it is. I
13 don't know if it's morning or after-- good afternoon.
14 I'm Karen Alford. I'm the UFT's Vice President for
15 the Elementary Schools, and I think you've heard
16 clearly from the rally outside to the testimony
17 between Michael and Randi that what we have here are
18 people who are valuable to our system. Our
19 paraprofessionals are the backbone of the system.
20 They are needed in our classrooms. They are needed
21 in our schools. Our children need them to thrive.
22 Our teachers need them. And so there's no question
23 about the value that they provide. What is in
24 question, though, is the city's commitment, what the
25 city views as a priority, what the city views as a
responsibility and obligation, and that is where the

3 city is falling short. And here in this city, we
4 want to make it affordable for people to stay here.
5 So, we clearly have a sustainability issue, and we
6 cannot sustain workers. We cannot sustain our
7 paraprofessionals, because they are starting at
8 \$32,000, maxing at \$54,000. And so while you hear,
9 but they're getting three percent increases, but
10 they're getting the same increases as everyone else,
11 there's clearly a divide. There's an inequity here,
12 and it can longer be filled just through contract
13 negotiations, and it is insulting. It is insulting
14 to be told to wait until 2027 to think about
15 negotiating the next contract. And we know that you
16 will not fix this wage gap through contractual
17 negotiations. That is very clear. And so that is why
18 we've had to come up with this alternative approach.
19 This certainly isn't the way we wanted to have to do
20 things. We would hope that this city would understand
21 and respect and value their workforce, but since
22 that's not happening, we've had to come up with this
23 creative solution. But now we know though this is
24 just a starting point, and we have to change pattern
25 bargaining. We have to be able to make inroads for
our members. And when you think about that now there

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3 is-- what is the number-- \$1.1 billion allocated for
4 Carter Cases, and why do we have some of these Carter
5 Cases? Because we don't have paraprofessionals, and
6 so our city has to do better. Thank you.

7 CHAIRPERSON RESTLER: Thank you very
8 much.

9 BETH NORTON: Good afternoon. I'm Beth
10 Norton. I'm the General Counsel for the United
11 Federation of Teachers, and I just want to speak a
12 little bit on the Taylor Law issues that have come up
13 so often in this hearing. I wanted to give the
14 Council a little bit of comfort in that the Taylor
15 Law-- the Court of Appeals has found that the Taylor
16 Law does not prevent a municipality from unilaterally
17 providing an economic benefit other than regular
18 salaries or wages. While the Taylor Law doesn't
19 define what salaries and wages are, the courts have
20 entertained that question, and the third department
21 has set up a series of questions looking at whether
22 the payment is separate from the employee's regular
23 salary, whether the payment increased when the
24 employee's regular salary increased pursuant to a
25 contractual agreement, and whether the payment was
tied to work performed in the years of the payments--

3 special work that was performed in the years the
4 payments were made. This excess differential offset
5 that we've established through this legislation, it
6 doesn't meet any of these criteria. It is absolutely
7 separate from the para's regular salary. It does not
8 increase with contractual increases. It is not-- the
9 legislation is a formula which does not follow the
10 three percent increase, and it is not tied to a
11 specific job or additional work that the paras will
12 be getting as a result of this pay. So, we believe
13 for that reason this economic benefit can be provided
14 through legislation. It would not be adverse to the
15 Taylor Law.

16 CHAIRPERSON RESTLER: Thank you, Ms.
17 Norton.

18 PRISCILLA CASTRO: Good afternoon. My
19 name is Priscilla Castro, and I am the Chairperson of
20 the Paraprofessional Chapter of the United Federation
21 of Teachers. I represent 26,000 paraprofessionals
22 who work in New York City public schools every day.
23 On their behalf, I want to thank you Chair Carmen De
24 La Rosa and Lincoln Restler and the members of the
25 committee on Civil Service and Labor and the
Committee of Government Operations for holding this

3 hearing. Today, I am full of hope that we are about

4 to take an important step, providing

5 paraprofessionals with the recognition they deserve.

6 I cannot express how much the Respect Check

7 legislation has meant to my colleagues and me. The

8 day that Council Member Keith Powers introduced the

9 bill in April, we were filled with gratitude and

10 disbelief, to reassurance my members that yes, this

11 was real. I printed out copies of the legislation

12 and handed them out on the next chapter meeting. The

13 possibility of an additional \$10,000 annually felt

14 like a lifetime and an opportunity for the financial

15 freedom so many of us need. I have proudly served as

16 the Chair of the Paraprofessional Chapter for the

17 past three years. During this time, I have been

18 inspired and moved by the work of my fellow

19 paraprofessionals who show up with dedication and

20 love for their students daily. But I am also felt

21 heartbroken as I have listened to the stories of

22 paraprofessionals who have struggled to make ends

23 meet. As it stands now, they take home pay for

24 paraprofessionals as often as little as \$1,000 every

25 two weeks to pay rent, buy groceries, clothes, their

own children, and stay afloat with the sum is nearly

3 impossible in any city, let alone one of the most
4 expensive cities in the world. I received emails and
5 phone calls from my paraprofessionals living in
6 homeless shelters, because they cannot afford to pay
7 their rent, and from others who don't get home until
8 10:00 p.m., because they are working two to three
9 jobs. Many of these educators are forced to resign
10 from the job that they love. Not because they want
11 to, but because they have to in order to survive.
12 This is unacceptable. We cannot allow our educators
13 who devote themselves to our most vulnerable children
14 to suffer, because of the noble and necessary career
15 path they chose. We also cannot afford--

16 CHAIRPERSON RESTLER: [interposing] We'll
17 just ask that you wrap up your testimony. We just
18 ask that you wrap up your testimony.

19 PRISCILLA CASTRO: Okay. We also cannot
20 afford to lose more paraprofessionals than we already
21 have. Although the Department of Education has
22 refused to provide us with the exact numbers of
23 paraprofessional vacancies this school year, we know
24 that the numbers is likely in the thousands. All
25 these vacancies put our students and schools at risk.
Without paraprofessionals, school becomes unsafe and

3 daunting environment, the students with mental and
4 physical disabilities. These students rely on
5 paraprofessionals to ride a school bus with them,
6 feed them, change them, encourage them, and support
7 them throughout the day. For students and families
8 whose home language are not English, multilingual
9 paraprofessionals are their bridge to the school
10 community. They enable families to communicate with
11 teachers and administrations about their children and
12 how they are failing the schools. Teachers also
13 demand on paraprofessionals. When students
14 experience emotional distress or frustration in the
15 classroom, it is the paraprofessionals who calm them
16 down so that the teacher can complete their lesson
17 and dedicate time to other student in their
18 classroom. The role of the paraprofessional is vital
19 to the school community and to the cost of losing
20 even more of them will be much higher and more
21 damaging to our students than providing them an extra
22 \$10,000 each year. To make it certain that our
23 school have enough paraprofessionals, we must pass
24 the Respect Check legislation. Once again, thank you
25 for this opportunity to speak about the experience--

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2 CHAIRPERSON RESTLER: [interposing]

3 Thank you so much.

4 PRISCILLA CASTRO: of paraprofessionals.

5 CHAIRPERSON RESTLER: We really
6 appreciate it. Thank you.

7 PRISCILLA CASTRO: Thank you.

8 CHAIRPERSON RESTLER: Are you testifying
9 as well?

10 MICHELLE HERMANN: Hi, my name's Michelle
11 Hermann. I'm here to just answer questions, but I
12 also want to touch--

13 CHAIRPERSON RESTLER: [interposing] Did
14 you fill out a sheet? We didn't receive a sheet.
15 Let me say it differently. We didn't receive a
16 sheet, but we'll take your testimony.

17 MICHELLE HERMANN: Okay. I'm here to
18 help answer questions, but I just wanted to touch on
19 the formula that is outlined in the legislation. So,
20 you know, today we've heard about the inequities.
21 One touch of the formula which is outside of
22 collective bargaining actually which really touches
23 on-- it looks at past 20 years of the growing pay gap
24 between the lowest paid paraprofessional and the
25 highest paid school-based official. So, if we take a

3 loot at the actual formula, we'll see that this
4 formula not only accounts for the past inequity, but
5 going forward as well. But I'm here-- I'm happy to
6 continue to answer questions.

7 CHAIRPERSON RESTLER: Thank you so much
8 to each of you. Do you guys have questions?

9 CHAIRPERSON DE LA ROSA: That was
10 actually my question I wanted to ask about a
11 differential and how the process came to be to land
12 at the \$10,000, but I think you answered that
13 practically, so I appreciate it.

14 CHAIRPERSON RESTLER: You're good.

15 COUNCIL MEMBER POWERS: I just want to
16 say thank you. Your advocacy has been amazing. I
17 think we first met in my office with
18 paraprofessionals who laid this out, and I was not
19 deeply aware with all the sort of pay parity issues,
20 but your team has laid it out so well for us. And I
21 said I walked in this council eight years ago with
22 less gray hair and no beard or anything like tht, but
23 if we are able to help you get this pay equity, it'll
24 be one of the greatest things I am able to do in this
25 City Council. So, thank you all for everything
you're doing, because I know paraprofessionals can't

3 be here, everyone, but as many in the audience who
4 spoke earlier, your efforts, and President Mulgrew
5 has been-- I don't want use the word bulldog, but I
6 mean a bulldog to make sure the City Council really
7 understands and wakes up to this, and that is why we
8 have sincerely 48+ Borough Presidents and Public
9 Advocates. It's unprecedented have much support we
10 have for this bill. So thank you for all your hard
11 work, and President Mulgrew as well, because this is
12 elevating a really important issue. Thank you.

13 CHAIRPERSON DE LA ROSA: I do actually
14 have to ask a question so that we're putting it on
15 the record. How will the bill affect the ability of
16 the UFT or other unions to collectively bargain with
17 the City for paraprofessional salaries?

18 MICHAEL MULGREW: Well, first we would
19 say that this-- the bill actually, we had to-- we've
20 gone out of our way as Counsel Norton has explained
21 to make sure this isn't part of collective
22 bargaining. We can still continue to do what would
23 be considered our normal collective bargaining, but
24 taking where we're negotiating rates for our
25 paraprofessionals. But we're willing to-- going into
the future, you know, it's really about what you have

2 all hit on quite eloquently, that you know, talking
3 about what the city's doing by adhering to this
4 practice. It is the employer's responsibility. It
5 is the employer. And as a municipality, it's their
6 responsibility to be able to attract the workers that
7 it needed to supply the services for our
8 municipality. In this case, this is, you know, this
9 is a-- this is federal legislation which an IEP falls
10 under. They're saying that as a city inside of a
11 state of the United States of America, you must
12 adhere to the services that are outlined inside of an
13 individual child's IEP and supply them to that child.
14 Coming up with all these different reasons or policy
15 decisions and saying it's not our fault, this isn't
16 supposed to be a CYA, you know, practice by the City
17 of New York. This is supposed to be this is a child's
18 life. The paraprofessional is someone who's going to
19 make a significant difference in that child's life,
20 and stop playing these little games with well, we
21 have this policy about pattern bargaining. We have
22 this policy about-- we don't actually count the
23 number of vacancies. We wait for the schools to tell
24 us what the vacancies are, and then we won't fund the
25 schools, so they don't want to tell you. You know,

3 those are the things that have to stop. So moving
4 forward, that-- the things I just described, that has
5 to be dealt with in a different way probably more
6 aggressively through our City Council, because the
7 City's adherence to these policies are doing nothing
8 but hurting the children and the families of our city
9 itself.

10 CHAIRPERSON DE LA ROSA: Thank you,
11 Michael. And can you explain how the para pay index
12 that provides the excess differential offset payments
13 to paraprofessionals is different from the regular
14 salary?

15 MICHAEL MULGREW: Yeah, I can explain
16 that, because it's specifically tied to the questions
17 that our Counsel just said. It is not tied to
18 collective bargaining increases. It is not tied to
19 anything that we negotiate inside of collective
20 bargaining. It's tied specifically to an index, and
21 it's not tied to paras performing any additional
22 work. And that-- those are the questions that the
23 courts have asked when it comes to these things. I
24 want to be clear, we are-- the provision of the
25 Taylor Law that says you cannot legislate any terms
or conditions of a collective bargaining agreement

3 are something that we support and something that all
4 unions support. So we are very, very sensitive and
5 careful when we're doing our work, because we know--
6 we would never want any-- the ability of any
7 legislative body or elected official, as you can see
8 what's going on at the national level right now where
9 you have a President who thinks he can just wipe away
10 collective bargaining. We wouldn't want any
11 legislative body or elected officials to have the
12 power to overturn what has been done in a collective
13 bargaining agreement. So that's why we're very
14 sensitive to this, but if Beth, you want to follow
15 up, be my guest.

16 BETH NORTON: Sure. I just want to also
17 add to that that in the latest iteration of the bill,
18 the latest edits we made, you'll note that there are
19 revisions that say if the city were to adopt new
20 collective bargaining procedures and address this
21 inequity through collective bargaining and actually
22 raise the starting salary of paraprofessionals
23 through collective bargaining, the city's obligation
24 under this proposed legislation would cease. This is
25 really an effort to address that gap, and that we

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3 would continue to collectively bargain and hope to
4 address these issues at the table.

5 CHAIRPERSON DE LA ROSA: Thank you all fo
6 your leadership and the clarity.

7 CHAIRPERSON RESTLER: We really
8 appreciate it. Thank you so much to the UFT team for
9 just incredible advocacy on this effort. President
10 Mulgrew, President Weingarten and team, it's greatly-
11 - it's great to have you here.

12 MICHAEL MULGREW: Thank you. Thank you
13 so much, and again, thank you for your partnership
14 and work on this issue.

15 CHAIRPERSON RESTLER: Alright, we are
16 going to spice it up and return back to the EMS topic
17 for a little bit just to keep everyone on their toes.
18 We'll invite Anthony Almojera, and forgive me for any
19 mispronunciation, Vice President for Local 3621
20 Captain and Lieutenant at EMS, Oren Barzilay-- I'm
21 terrible-- FDNY EMS Local 2507. You want to help me
22 on this? No? Byron Abad and Brion Bradford from the
23 New Castle County of EMS. I don't know if I got that
24 right. I tried. You're fantastic. I did, but nobody
25 could-- I didn't say who I was referring to. With
that, I'll invite you to testify in whichever order

2 you're so inspired, and you all have two minutes.

3 We're going to try to keep folks to their time if
4 that's possible. We're just-- we got a busy day
5 ahead of us. Who would like to go first? I only
6 called four people up.

7 ANTHONY ALMOJERA: I would like to go
8 first, Anthony Almojera.

9 CHAIRPERSON RESTLER: Great.

10 ANTHONY ALMOJERA: Good afternoon, Chair,
11 Council Members, and colleagues. My name is Anthony
12 Almojera. I'm a Lieutenant Paramedic with the FDNY
13 EMS and the Vice President of Local 3621, the union
14 representing the FDNY EMS officers. I've served this
15 city for more than two decades responding to New
16 Yorkers on their worst days. I appreciate the
17 opportunity to speak today in support of amending
18 Local Law Intro 0521 and creating an independent EMS
19 agency dedicated solely to emergency medical care for
20 the people of New York City. New Yorkers depend on
21 EMS more than any other service within the FDNY. We
22 are already over 1.6 million calls for this year
23 alone. We handle the overwhelming majority of the
24 calls that come into the Department, every heart
25 attack, overdose, mental health crisis, car crash,

3 and shooting victim. It's EMS that answers the call
4 first. But for decades, EMS has operated without
5 equal resources, respect or autonomy inside a
6 structure that was never designed for modern
7 emergency medicine. We've been treated as an
8 appendage, not a core public health service, and that
9 neglect doesn't just hurt EMTs and paramedics, it
10 hurts the very citizens we serve. Let me be clear,
11 this isn't just about pay or titles, it's about
12 public safety. When a system is underfunded and
13 structurally marginalized, response times suffer,
14 burnout skyrockets, and quality of care declines.
15 We're seeing that every day. Response times of life-
16 threatening calls are rising over 12 minutes for
17 priorities one through three, which are your cardiac
18 arrests, heart attacks, etcetera. Just for your
19 edification, the chances of revival after six minutes
20 in cardiac arrest drop by 80 percent. EMTs and
21 paramedics are leaving faster than we can replace
22 them, losing 10 to 15 people per week as per the
23 Department's figures. The pay gap between EMS and
24 Fire still exceeds 50 percent, despite equal
25 sacrifice and danger. Dan Pollak claimed about
negotiating, he claimed that if we came to him with

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2 flat dollar amounts, they would be open to that, and

3 that is BS. They won't even provide you a proposal.

4 You can't build a stable health care service in

5 instability, and you can't expect the same high

6 standard of care when the people providing it as

7 constantly being treated as second class members of

8 their own Department. I respectfully ask for a few

9 minutes to finish this. I've watched new EMTs and

10 passionate, smart, compassionate burn out within a

11 year because they can't survive on the salary of an

12 ever-increasing call volume, over 5,000 calls daily

13 and climbing. That revolving door costs lives. It

14 cost experience. It costs New Yorkers the continuity

15 and the expertise they deserve when they dial 911.

16 Creating an independent EMS agency would finally

17 align the system with what it truly is, a front line

18 health care service, not a fire suppression unit. An

19 independent EMS could partner directly with hospitals

20 and public health care agencies to streamline care,

21 invest in training, mental health and retention

22 programs that actually work. Just for your

23 edification, for training and recruitment is over \$25

24 million for each time we have to bring in new people.

25 It would cost less to achieve pay parity. That is

3 what this City Council voted on to put \$50 million in
4 the budget, which the city rejected. We can build
5 community paramedicine programs that prevent
6 emergencies before they happen, modernize the fleet,
7 technology in dispatch systems without competing
8 internally for funding or retention. The
9 Commissioner just made these conclusionary claims
10 such as it would be a catastrophe for response times,
11 but nothing he is saying is accurate. The dispatch
12 process would be untouched by separating the
13 Departments. The real reason they don't want to
14 separate EMS from the FDNY is because they rely on
15 EMS to cover 80 percent of the call volume in the
16 Department while only providing 10 percent-- or as
17 the person at OLR said 60 percent of the budget.
18 Cities like Pittsburgh, Boston, and Austin already
19 operate independent EMS agencies and deliver faster
20 response times, lower turnover, and stronger
21 integration with health care. New York, who many in
22 this room often say is the best city in the world,
23 should be leading, not lagging in this space. This
24 isn't about creating a new bureaucracy. It's about
25 creating accountability and efficiency. When EMS
stands on its own, New Yorkers get a workforce

3 focused on a mission, one mission, which is saving
4 lives, faster response times in every borough, a
5 system built around medicine, not firehouses. Two
6 separate agencies do not create separate dispatch. It
7 would not stop any coordination that's happening now.
8 EMS is not on a fire truck. Fire is not on an
9 ambulance. They would be dispatched exactly the
10 same. It's time for the city's emergency medical
11 system to reflect the modern reality, EMS is health
12 care. We are the emergency room that comes to your
13 living room. We are the first face a New Yorkers
14 sees when tragedy strikes. We shouldn't have to
15 fight the system we work for just to serve the people
16 we swore to protect. In closing, Council Members,
17 this is your chance to make history, to fix a broken
18 system that everyone in this room knows isn't working
19 as it should. When you elevate EMS to its rightful
20 place, you don't just honor the people who do the
21 job, you protect the citizens of New York City who
22 depend on it. We've carried this city through
23 pandemics, blackouts, terror attacks, hurricanes, and
24 everyday crisis. We've done it with pride,
25 professionalism, and compassion. Now we're asking for
the structure that allows us to keep doing it better

3 for generations to come. New Yorkers count on us at
4 their worst moments. They deserve a system that
5 values us at ours. Thank you for your time and for
6 your attention to this matter. I am available for any
7 questions you have.

8 CHAIRPERSON RESTLER: Thank you so much.

9 OREN BARZILAY: Good afternoon, Council
10 Members. Thank you once again for having us here
11 today. I do not have a written testimony as I've been
12 coming here for the past eight years, and I don't
13 want to sound repetitive over and over again of
14 unresolved issues. I came here today with an open
15 mind to hear what the Department says. I heard
16 nothing but lies today, distorted facts. We are
17 second-class employees in the FDNY. We are treated
18 disrespectfully. At every ceremony they make sure to
19 mention that EMS are civilians and not part of the
20 uniformed force. They even go-- they take the extra
21 the step to humiliate us in front of the public by
22 making that small comment. There will be no chaos if
23 we leave the FDNY. It won't be a catastrophe.
24 Everything is already in place. We dispatch
25 separately. We have our own stations. We have
everything in place. It's just an ID that has to be

2 changed on an ambulance from FDNY to New York City
3 EMS as it was when I came in the early 90s. I was
4 here prior to the merger. We never had response
5 times to a cardiac arrest of 12 minutes. Or as I
6 testified last month, of a father waiting while he's
7 doing CPR on his son for 30 minutes before an
8 ambulance arrived, ultimately succumbed to his death.
9 We had a true medical career. EMS is not fire. EMS
10 is a medical profession. My men and women were able
11 to upgrade to a paramedic and nurse and a physician
12 assistant. That was the career path for EMS
13 professionals. As my colleague here mentioned, the
14 only reason they want to keep us together is to keep
15 those funds. EMS does 86 percent of the FDNY work,
16 yet we get scraps. Sitting next to me which is hard
17 to speak about is Shanice Johnson [sp?] who is
18 homeless, working for the FDNY. How embarrassing is
19 that? She's not the only one. If my men and women
20 are homeless at \$39,000 a year, I don't know the
21 paralegals [sic] are doing it for \$32,000 a year.
22 It's disgraceful. OLR sitting here telling you that
23 they're going to negotiate with us, we'll deal with
24 it at table. They're not dealing with anything but
25 pattern bargaining. And I sincerely appreciate your

3 pushback on them today, because it exposes how we're
4 treated when we're at the table. We're not safer in
5 the FDNY. Our own Commissioner asked the governor to
6 veto a bill that would protect our men and women that
7 respond alone to calls. His member was stabbed over
8 20 times. She succumbed to her death as well. There
9 is no protection. There's no safety in being in the
10 FDNY. The five percent attrition that they mentioned
11 is a lie. We lose 20 percent every year. In January
12 we're going to lose 350 in one day of people going to
13 Fire. I'm not knocking anybody who wants to be a
14 fireman. That is an honorable job. They are true
15 heroes. However, this job is a stepping stone for
16 them to get there. There's an open competitive exam
17 and there's an EMS promotional exam. If you scored
18 100 on the open competitive exam and I scored 70 on
19 the promotional exam, I'm going to get called before
20 you to be a firefighter. They're using us for our
21 diversity. We are true step-children in the FDNY.
22 Six years ago, Chief of EMS, Lilian Bonsuna [sp?] sat
23 here and said she couldn't make that determination
24 whether we deserve pay parity. That was extremely
25 disappointing at that time. Today, our own
Commissioner couldn't say that we deserve pay parity.

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2 We're not asking to be rich. We're asking to pay for
3 food, for rent, and anything else that comes our way.
4 We don't even have the basic necessities.

5 CHAIRPERSON RESTLER: I have to ask you
6 to wrap up your testimony. Is there any final
7 thoughts?

8 OREN BARZILAY: I understand. I'm almost
9 finished. We were promised, as you mentioned, 60
10 stations. However, they promised us 70 stations at
11 the merger. Twenty-five years later and we still
12 don't have those stations. We work out of hand-down
13 firehouses that were deemed uninhabitable for
14 firefighters. Half of our stations are out of
15 trailers. Mayor de Blasio funded over 10 years ago
16 for Station 17 in the Bronx to be rehabbed. We're
17 still waiting. The FDNY takes our money and never
18 does anything to improve EMS. The response time is
19 impacted by the fact that we don't have 200 stations
20 as firefighters. We only have 40. When my crew
21 comes out of Flushing, Queens, and their cross street
22 location is in Howard Beach. It takes times to get
23 to Howard Beach.

24 CHAIRPERSON RESTLER: Yes. Grateful for
25 your testimony today. Thank you so much for sharing

3 your insights with us. We really appreciate the
4 emotional and thoughtful remarks. We'll just finish
5 the panel first, if that's okay. Alright, for the
6 rest of the panel, two minutes. We cannot go over
7 unfortunately. We're going to be kicked out of the
8 space. you're up next.

9 BYRON ABAD: My name is Byron Abad. I'm
10 a paramedic for the Fire Department. I've been
11 working with them for 17 years. I've just recently
12 started working my neighborhood that I grew up in
13 Sunset Park, and I feel like the Fire Department in
14 the 17 years that I've been there has not done right
15 by the EMS and the neighborhoods that I've served at.
16 Quite frankly, I think they've failed EMS in the
17 years that I've been on. We have been understaffed,
18 gutted every time there's been a promotional to
19 firefighters. There's a lot of favoritism that is
20 involved also that I see day to day within the
21 activities where some of our members are overworked
22 and underpaid, and they look across the aisle to the
23 firefighters and see that they have better
24 opportunities and a livable wage, so they end up
25 leaving. I am one of the few that have stayed from my
class that began 17 years ago, and we're beginning to

3 feel alone, honestly. I honestly believe that if we
4 separated from FDNY we would have a better chance at
5 a stronger budget, delegating things that we actually
6 need and care about within the EMS service. I alone,
7 just like everybody else in the service, have more
8 than one job and I try to mitigate. I have two kids
9 at home that depend on me, and we need better
10 resources to help us deal with all the things that we
11 have at work. Thank you.

12 CHAIRPERSON RESTLER: Thank you so much,
13 Mr. Abad.

14 BRION BRADFORD: Good afternoon
15 Chairpersons of Committee as well as Committee
16 Members. My name is Brion Bradford. I'm a paramedic
17 from New Castle County, Delaware. I'm a
18 representative and advance life support providers who
19 serve citizens under third service EMS model. I
20 worked in emergency medical services for more than 20
21 years, including time with both private ambulance
22 services and third service public agencies. I can
23 tell you with confidence, a third service model
24 provides the strongest foundation for patient-
25 centered, accountable, and clinically excellent
emergency medicine. I'm here today, because your

3 city is considering an important decision, whether
4 allow EMS to stand on its own as an independent
5 service. I want to share from my professional
6 experience why that's a beneficial change for your
7 community. When you have a third party service, you
8 have a dedicated medical mission. When EMS operates
9 independently, the mission is clear and undivided to
10 provide the highest quality medical care when they
11 need it the most. In combined Fire/EMS systems,
12 leadership and resources are often split between two
13 very different objectives, fire suppression and
14 patient care. That division creates competing
15 priorities and blurs focus. In a third service EMS
16 organization, every training hour, every piece of
17 equipment, every staffing plan, and every dollar in
18 the budget is aimed at improving medical outcomes for
19 patients. When the mission is singular, our goals
20 are measurable and meaningful. We define our success
21 by clinical outcomes, cardiac arrest survival,
22 effective stroke, and stimi [sp?], for heart attack
23 recognition and treatment, pain management, and
24 patient satisfaction. This clarity of purpose leads
25 to smarter deployment, improved accountability and
most importantly better outcomes for the people we

3 serve. When you have a third service party model,
4 you have a cultural alignment with innovation.

5 Firefighting and emergency medicine are both vital
6 public services, but they're fundamentally different

7 professions. Fire suppression is tactical and

8 incident-focused. EMS is diagnostic, medical and

9 patient-centered. When the two forces are under one

10 roof, the larger cultural often dominates, and the

11 medical mission can lose its voice. With an

12 independent system, EMS can fully embrace its

13 healthcare identity. This allows for faster adoption

14 of new medical technologies and innovations like

15 blood administration, community para medicine,

16 advanced cardiac care protocols, and point of care

17 ultrasounds. Our goals are clear, improving patient

18 health and safety. We implement change based on

19 medical evidence, not organizational convenience.

20 That agility keeps your system modern, response and

21 focused on outcomes that truly matter. The bottom

22 line is better care for your community. When you

23 combine all these factors, focused mission,

24 transparent funding, professional workforce, and a

25 culture of innovation, you get one thing: better care

for patients. An independent third service EMS

3 agency ensures that every policy, every investment,
4 and every operational decision is guided by a single
5 question, what is best for the patient. When a
6 citizen dials 911 because a loved one can't breathe
7 or because their child is unresponsive, they deserve
8 responders whose sole mission is emergency medicine,
9 not a system divided between multiple priorities.

10 CHAIRPERSON RESTLER: Thank you so much
11 for your testimony. And Ms. Johnson, I don't believe
12 you submitted.

13 OREN BARZLIAY: She just came as a
14 factual evidence that I--

15 CHAIRPERSON RESTLER: [interposing] We
16 appreciate you being here. Thank you for sharing
17 your experience with us, and I'm so sorry for the
18 struggle you're facing. We need to do a better job of
19 lifting up EMS wages. Thank you. Thank you all to
20 this panel. Oh, excuse me, actually. Council Member
21 Ariola has a question.

22 COUNCIL MEMBER ARIOLA: I just have one
23 question, and Oren and the union reps. How do you
24 see this separation and becoming EMS' own entity
25 benefitting your membership? How has the
administration portrayed it that you will have the

3 money to operate, the money to pay more money to your
4 EMTs and really be a free-standing agency on your
5 own.

6 OREN BARZILAY: So, we've been in a
7 crisis ever since we merged. As soon as they
8 implemented the promotional exam. We're losing
9 hundreds of people every year to a profession that's
10 not related. People are using it to go after a
11 different profession because it's much easier to
12 become a firefighter through EMS than it is through
13 the open competitive exam. We wouldn't have 12-
14 minute response time to a cardiac arrest. We're
15 running down 40 to 50 trucks every day, every tour.
16 That impacts the public. People that when I came here
17 it was New York City EMS. If you wanted to go to
18 Police, you would take the open competitive. For
19 Fire, Sanitation, or whatever other federal job or
20 state, city job that's out there. Now, they're
21 giving them an opportunity-- they're pushing them
22 out, because they're pushing them through this exam,
23 making \$40,000 to \$109,000. That's very easy to
24 leave.

25 ANTHONY ALOMERJA: Joann, there's-- like
Oren said. It's become a stepping stone. We're the

3 only emergency service or what I would classify as an
4 essential services amongst even non-emergency service
5 personnel that has a pathway to leave the job the
6 minute you come on, and to benefit the members how we
7 don't have support within the FDNY. For five years
8 since the pandemic, I have been banging the drum of
9 the mental health and the stresses its taken on EMS
10 workers. Since 2020, we have had 14 EMS members
11 commit suicide. That is in addition to 39 members I
12 personally am monitoring who have had suicidal
13 ideations, and that's only the people who have
14 reached out. And when I brought this up to the
15 Department time and again, they stated, and I quote,
16 "The Fire Department's resources such as CSU was set
17 up for firefighters. It was never meant for EMS to
18 begin with. It was a response to 9/11 for
19 firefighters." And when I've asked them for
20 additional support and funding for mental health
21 services for EMS members, it has been met with
22 silence. That's only for mental health services. To
23 treat what see every day, over 5,000 times a day, I
24 cannot even begin to tell you when we sit across from
25 the city and ask for support from salary adjustments
that we need. Dan Pollak confirmed it. They're

2 uniform status, but we don't consider them for
3 bargaining purposes. So, they won't even give us the
4 respect of giving us the uniform pattern. They don't
5 even care. Their answer is sorry, you don't deserve.
6 We've tried to negotiate in good faith. We've sat
7 there time and again. We've asked to be. so now we
8 want to be separated from the Fire Department. I'd
9 rather fail on my own than have somebody I keep going
10 up against. It is the very definition-- and I do not
11 say this lightly-- of an abusive relationship. You
12 tell me you love you. You tell me you need me, and
13 then every time I turn around, you beat me up. And
14 then you say sorry, you're making me do this to you.
15 We are penalized way more than firefighters. We are
16 disregarded. We have members who are homeless. I
17 don't know what else to say. Like, Oren said,--

18 COUNCIL MEMBER ARIOLA: [interposing] I'm
19 just-- I hundred-- I don't disagree with you, and
20 Oren and I have been-- from the day I was elected we
21 have been fighting the fight and trying to do the
22 right thing, and trying to get the Mayor to do the
23 right thing and trying to OLR to do the right thing.
24 I just-- I don't know how you will exist as a free-
25 standing agency of your own if the Mayor was not

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3 willing to give money to your agency to make it so
4 that an EMT or paramedic can be a career and not just
5 a stepping stone, which is what we've all been
6 working for so that they would get the money that
7 they needed so that they didn't have to become
8 firefighters.

9 OREN BARZILAY: Well, the people in power
10 need to make that happen. If you want to save your
11 citizens of this city that are literally dying,
12 something needs to take place. And the people who
13 make policy, who pass laws, need to do that. Our
14 constituents are dying every day because we're not
15 there in time. This is the wealthiest city in the
16 world, and we have the worst EMS system in the world.
17 I submitted testimonies from other agencies to show
18 the breakdown of what other EMTs and paramedics make
19 across the nation.

20 COUNCIL MEMBER ARIOLA: Right. Yeah,
21 we've gone over that together. I just think that--
22 and the administration has not been supportive while
23 they're with FDNY, and I don't believe they will be
24 supportive-- and don't forget we're going into
25 another administration, so it's kind of uncharted

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2 waters, but it is an agency-- if you're free-
3 standing, you're going to need it to be funded.

4 OREN BARZILAY: We will--

5 COUNCIL MEMBER ARIOLA: [interposing] And
6 I don't know that it can be--

7 OREN BARZILAY: [interposing] We will
8 [inaudible] free standing--

9 COUNCIL MEMBER ARIOLA: guaranteed.

10 OREN BARZILAY: I understand your
11 concern. We were semi-free standing with HHC. The
12 system worked better under HHC.

13 COUNCIL MEMBER ARIOLA: So that's where
14 the funding would come from?

15 OREN BARZILAY: We didn't have these
16 problems.

17 COUNCIL MEMBER ARIOLA: From HHC?

18 OREN BARZILAY: Wherever the money is
19 going to go to, whether it's through HHC or just
20 create a separate division that can focus on life-
21 saving--

22 COUNCIL MEMBER ARIOLA: [interposing] No,
23 I think this bill is for a separate division. But
24 what guarantees your members with the separation--
25 that's my last question, by the way, and thank you

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3 for your indulgence. What guarantees your members
4 the parity and the respect it needs with the
5 separation? What is the guarantee that was given?

6 OREN BARZILAY: You will have career--
7 medically career-oriented people coming here. This
8 is just a stepping stone. This is a job that
9 teenagers are taking now until they get a real job,
10 and I hate to say it. A babysitter makes more than
11 us.

12 ANTHONY ALMOJERA: I'd like to add--

13 OREN BARZILAY: [interposing] And I'm
14 sorry, just to add one more thing. When my men and
15 women go to a disaster or a traumatic incident, a
16 firefighter gets placed off service for mental rehab,
17 and it could be up to a year. My men and women don't
18 have that. They're on the same call treating that
19 decapitated person, that baby that went into cardiac
20 arrest and died in their arms. My men and women
21 don't have that. What they do have is go home and
22 commit suicide.

23 COUNCIL MEMBER ARIOLA: Well, that's not
24 acceptable, and I'm sorry they're doing that. But I
25 just-- I think that you're between a rock and a hard

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2 place, and that's where I'm concerned, but I do
3 understand everything that you're saying.

4 ANTHONY ALMOJERA: I do want to say one
5 thing. It's not us that are rock and a hard place.
6 It's the citizens of New York that are in between a
7 rock and a hard place.

8 COUNCIL MEMBER ARIOLA: Oh, I don't
9 disagree.

10 ANTHONY ALMOJERA: Right now, EMS
11 constituted under the FDNY, approximately 70 percent
12 of its workforce has less than five years experience.
13 If I had you in the back of the ambulance and I was
14 taking you to the hospital and I said don't worry,
15 every nurse, a doctor has less than five years
16 experience, not only would you cut the straps off,
17 you'd run the opposite direction. So why is it okay
18 when I bring the hospital to you.

19 COUNCIL MEMBER ARIOLA: Right, which is
20 why we've been fighting so long--

21 ANTHONY ALMOJERA: [interposing] Under the
22 FDNY.

23 COUNCIL MEMBER ARIOLA: for pay parity.
24 We want to make EMT a fulltime career. We want you
25

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2 to have the money that you have, that you deserve to
3 have.

4 ANTHONY ALMOJERA: So, give us the 60
5 percent budget. We'll separate, and we'll go--

6 COUNCIL MEMBER ARIOLA: [interposing]
7 Well, we can--

8 ANTHONY ALMOJERA: We'll go and start
9 from there.

10 COUNCIL MEMBER ARIOLA: Right. So my
11 point from the beginning is, whatever they were going
12 to give you into the budget to make yourselves
13 freestanding, give it to you now, and everybody is--

14 ANTHONY ALMOJERA: [interposing] They're
15 saying 60 percent.

16 COUNCIL MEMBER ARIOLA: Everybody is
17 happy.

18 ANTHONY ALMOJERA: I'll tell you what,
19 you separate us, we'll paint the trucks ourselves.

20 COUNCIL MEMBER ARIOLA: Okay.

21 ANTHONY ALMOJERA: Save your money on--

22 CHAIRPERSON RESTLER: [interposing] Going
23 to pass--

24

25

2 COUNCIL MEMBER ARIOLA: [interposing]

3 Thank you so much for your testimony as always, and
4 we stand with EMS.

5 CHAIRPERSON DE LA ROSA: Well, I guess--
6 thank you, Chair Ariola. I guess, you know, when I
7 questioned Commissioner Tucker about where you all
8 were, he said bluntly well, I speak to the unions, so
9 should you, and I'm the Labor Chair, so I speak to
10 the unions. I've spoken to many of you at this table
11 repeatedly. We've held-- Chair Ariola, Minority
12 Leader Ariola and I have chaired multiple hearings on
13 this issue. So where are they getting that the union
14 wants to stay within the FDNY?

15 OREN BARZILAY: They're getting from the
16 members who come here, because they know they can go
17 become firefighter. You're not going to get the rank
18 and file to tell you they want to be separated. They
19 want to become firemen so they can provide for their
20 family. It's a very easy path versus the open
21 competitive exam. You have 30,000 people apply on
22 the open competitive, and we have one percent maybe
23 makes it. For us, anybody who applies through EMS,
24 bye, we'll see you.

2 ANTHONY ALMOJERA: They're expecting
3 about 1,500 members from EMS to be lost to the fire
4 promotional. You asked where does he get it from.
5 He doesn't speak to the unions. We've only met with
6 him once since he was appointed, and he cares so much
7 that he's leaving. So, obviously, he doesn't care.
8 It's hollow words. It's my fifth Commissioner since
9 I've been here, and all five have said EMS is
10 important, and all five--

11 CHAIRPERSON DE LA ROSA: [interposing] I
12 mean, to be fair, we're getting a new Mayor, so it's
13 not really his decision.

14 ANTHONY ALMOJERA: I understand, and we
15 look forward to working with the new Mayor and we're
16 hopeful.

17 OREN BARZILAY: Do you know what they're
18 planning to do in the coming months? The city
19 championed on B-HEARD program, but because they can't
20 staff EMS, they're cancelling us. They're pushing
21 our work to a private company. That's how bad things
22 are. They closed all our support staff that are EMS
23 people. They closed all the resource centers so they
24 can go be placed on an ambulance because we don't
25

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2 have the manpower. And we're doing all that, all
3 response times are still every day 30 minutes.

4 CHAIRPERSON DE LA ROSA: Yeah, no, we
5 know.

6 OREN BARZILAY: [inaudible].

7 ANTHONY ALMOJERA: Councilwoman, we
8 provide the same services, right? We both respond to
9 911 calls, us and firefighters. We are just treated
10 differently.

11 CHAIRPERSON DE LA ROSA: No, I know.
12 You're preaching to the choir here. I mean, we're
13 committed to this, and that's why we're here.

14 ANTHONY ALMOJERA: Yeah, I know.

15 CHAIRPERSON DE LA ROSA: I just wanted to
16 get that clarity on the record. Thank you. Thank
17 you all.

18 ANTHONY ALMOJERA: Thank you.

19 CHAIRPERSON RESTLER: I want to thank
20 this panel for joining us. Your testimony was
21 exceptionally insightful. We really appreciate your
22 years of advocacy on this matter, and we look forward
23 to continuing to work with you in partnership to
24 ensure that EMS workers get the compensation they
25 deserve. Thank you.

3 OREN BARZILAY: Thank you.

4 CHAIRPERSON RESTLER: Okay, we're going
5 to see who is still here from the UFT. John Kamps,
6 the Para Vice Chair, Anthony Barnes, the Para Vice
7 Chair, Christy Angel [sp?], D75 President from the
8 PTA-- she left, okay. Goodbye Christy. Samantha
9 Wilner, Policy Analyst at the UFT? She's not going.
10 We missed Samantha, too, I hope she has a great day.
11 We got Michelle Hermann. Trevaugh Taylor, Para UFT,
12 Treva? Thank you, Trevaugh. Tonia Calvo? Tonia's
13 here, great. And we'll invite Undrea Polite, an in-
14 service para from the UFT as well. That is our UFT
15 panel. We've got one more panel after this. Each of
16 the speakers, we thank you for being here. Two
17 minutes each. You can begin in whichever order you
18 are so moved. You want to start on the end and we'll
19 go over? Trevaugh, you want to begin?

20 TREVAUGH TAYLOR: Good morning,
21 everybody.

22 CHAIRPERSON RESTLER: Thank you for being
23 here.

24 TREVAUGH TAYLOR: It certainly has been
25 an eventful morning so to speak. And so today, I
Trevaugh Taylor, paraprofessional representative

3 serving the D75, District 75 Special Needs sector of
4 the DOE, I stand here and I sit here before you today
5 as someone in the extraordinary situation and
6 circumstance, but as someone who also knows what it
7 feels like to give everything and still be unseen and
8 know this injustice cannot persist. I sit here as a
9 paraprofessional, again serving D75, one of-- sitting
10 here as one of thousands who show up day after day
11 quietly holding the heartbeat and being the backbone
12 of every classroom. I've been the one who comes in
13 early and stays late, and still finds the strength to
14 show up again on the next day, not because it's easy,
15 but because I care too much for our students,
16 especially in our district, not to find myself coming
17 in. As I sit here before you, as well as my union
18 brothers and sisters here, we represent thousands of
19 voices, thousands of hearts who know the same story
20 all too well, who are right behind us. I've been the
21 one guiding a child through a meltdown, catching them
22 before they fall, teaching them how to read when the
23 world said that they could not. I've been a mentor,
24 a counselor, a peacemaker, and sometimes the only
25 safe space that a child has all day, understanding
that they come from broken homes. But let me also be

3 honest. I've also been the one counting pennies at
4 the gas pump, checking the bank account before buying
5 groceries and my necessities, and lying awake at
6 night whispering, Lord, why I am going to make it,
7 and how am I going to make it to the next check?

8 There were times I was one paycheck away from
9 eviction, times where I've worked two or even three
10 jobs just to make ends meet and to keep my head above
11 water, times where I've walked into the school with
12 an empty stomach, but a full heart. And to fast-
13 forward, I would like to say, I prayed for strength
14 that wouldn't run out before the last bell rang, that
15 I would mean-- that's what it means to be a
16 paraprofessional, where we don't just work, but we
17 pour, we pour our time, our patience, our energy, and
18 our hearts into a system that too often gives us too
19 little in return. So, we talk about this \$10,000
20 respect check, understand that this isn't about a
21 luxury, it is a lifeline. This is about lifting the
22 weight that's been pressing down on every person that
23 is here on today who holds our classrooms and our
24 children together. It's about the paraprofessional
25 who skips lunch to cover classes, the
paraprofessional who comforts a crying student while

3 silently fighting back tears of their own, the
4 paraprofessional who faces eviction like how I have,
5 even with their body aches and their spirits very
6 drained. Because when you invest in us, you invest
7 in every student that we serve. When you honor us,
8 you honor the foundation of education and the future
9 of our students itself. And when you pay us fairly,
10 you give us the strength to keep going and to do what
11 is best, changing the lives of our young people. So,
12 we're not asking for favors. We're asking for
13 fairness. We're not asking for the applause, but
14 we're asking for respect. So today, let this be a
15 moment to be the start of something different. All
16 it takes it one person, one yes, one person to say
17 that enough is enough, and if that person has to be
18 one of us here on this morning, this afternoon, let
19 it be one of us, because we are one who stands in the
20 front of many, and our time is now.

21 CHAIRPERSON RESTLER: Thank you so much,
22 Trevaugh, that was beautiful testimony. We'll keep
23 the remaining panelists at two minutes. Thanks so
24 much.

25 UNDREA POLITE: Good afternoon. My name
is Undrea Polite. I am a District 75 paraprofessional

3 also, and I'm here to testify on behalf of Intro bill
4 1261, the Respect Check legislation to address the
5 unfair practice of pattern bargaining. Every year at
6 my school we have a Thanksgiving feast for the
7 student. Normally, I participate each year. Although
8 after-- although I don't bring home a lot of money, I
9 would budget money each year to make sure that I
10 could provide a little extra something. You know,
11 I'm from the south, I like to make my potato salad.
12 Every once in a while, I put a little shrimp in it
13 and make it really good for the kids. But two years
14 after my father passed away, I had to provide extra
15 help for my parent, my mother, my one remaining
16 parent, and I couldn't participate. That broke my
17 heart. I never liked telling my students no. I'm the
18 first person if a kid doesn't have money for a field
19 trip, I'm giving him money for a field trip. I've
20 gone on field trips and seen kids not have lunch
21 money, and I've not eaten lunch and just paid for
22 their food. So, that for me was a very, very hard
23 situation, and it is so hard right now, and I'm
24 getting upset about it. But so, this is one of the
25 lowest moments in my professional life. I felt that I
failed my students. I was financially unable to

3 provide something that I feel that if a parent can't
4 be there, that's what a paraprofessional job is. We
5 stand in the gap. So, this \$10,000 respect check, it
6 would have helped me in that situation. I would
7 have-- I never want to feel that I can't help my
8 students. I always want to be their superhero. I
9 never want to disappoint them, and with the money
10 that we're making right now, we can't make it. I
11 would never want any other paraprofessional to have
12 to experience what I experienced. So, please, thank
13 you, and pass the Respect Check bill.

14 CHAIRPERSON RESTLER: That was really
15 powerful. Thank you so much for sharing that with
16 us, Ms. Polite.

17 TONIA CALVO: Good afternoon, my name is
18 Tonia Calvo and I am the District 25 paraprofessional
19 coordinator at the United Federation of Teachers. My
20 journey began back in 2002 when my own child was
21 referred for several special education services. At
22 that time, I did not even know what the initials EI
23 in the special education world. However, it did not
24 take long to get acquainted with them. Fortunately,
25 for me, my child was able to receive the services he
needed to flourish, and I can say with all certainty

2 that that would not have happened without his
3 parapprofessionals. He smiled getting on and off the
4 bus, the school bus, each day. He learned to do
5 things that I did not thing possible at the time.
6 Speech was one of the services he needed, and he had
7 difficulty telling you what he wanted. It was
8 frustrating. It was a frustrating time for all of
9 us. He had several parapprofessionals in the room,
10 and they would explain to me that he just
11 communicated differently, using visuals and hang
12 signals. He also had sensory issues. He also-- I'm
13 sorry. He also had senior issues that made a day at
14 the park or eating a meal overwhelming. The
15 parapprofessionals would encourage him to climb and
16 jump at the park with his peers, and snack time
17 became a time to explore by touching and eating new
18 foods. His teachers and academic experience were
19 exceptional, but he thrived because of the nurturing
20 and inspiration that he received from the
21 parapprofessionals. They taught me as a parent that
22 children do not learn in the same way, and that is
23 okay. They taught him that it was okay to do things
24 differently, and they did that because they performed
25 their jobs with devotion and passion. I will never

3 forget their names, Eva, Yessica, and Bonche [sp?] to
4 name a few. What they did for him and all the
5 students in their classroom was invaluable, and this
6 Respect Check is just one to show that.

7 CHAIRPERSON RESTLER: Thank you so much.

8 ANTHONY BARNES: Thank you. My name is
9 Anthony Barnes and I am the Assistant Secretary for
10 the UFT Paraprofessional Chapter. Imagine every time
11 you get paid, you're still behind because your pay
12 doesn't cover your cost of living. Imagine walking
13 to and from work because you don't have enough left
14 in your paycheck to buy the weekly metro card.
15 Imagine your lights are turned off by Con-Edison
16 because you couldn't keep up with the bill or the
17 payment plan. Imagine not being able to pay your
18 bills on time to boost your credit score to move into
19 a better home for you and your family. Imagine
20 keeping all this to yourself because you're
21 embarrassed, embarrassed because you have a
22 professional job that doesn't pay you like a
23 professional. I experienced those things as a
24 paraprofessional who has worked in schools for more
25 than 30 years, and unfortunately, paraprofessionals
are still caught up in this never having enough money

3 scenario. The Respect Check would mean relief and
4 satisfaction for thousands of New York City
5 paraprofessionals. This money would relieve members
6 of many burdens that can be solved by just having
7 enough money. The Respect Check will start to make
8 up for the disrespect we have endured that we do not
9 see-- that we are not seen as important and that we
10 are seen as really replaceable. The Respect Check
11 will greatly close the gap between the top paying
12 paraprofessionals and starting salary of teachers.
13 Just asking you today to consider us and to move this
14 bill forward. Thank you for your consideration.

15 CHAIRPERSON RESTLER: Thank you so much.

16 JOHN KAMPS: My name is John Kamps. I'm
17 the Second Vice Chair of the Paraprofessional
18 Chapter. I want to thank Chairs De La Rosa and
19 Restler for having this hearing. And I'm here to
20 speak in favor of the Respect Check.
21 Paraprofessionals are often described as an extra set
22 of hands, and it's true that we're willing to jump in
23 and assist in any and everything. However, we are so
24 much more than that. We are an essential part of the
25 school system. Paraprofessionals make sure that
student get on the school bus every morning and are

3 changed and fed throughout the day. We calm and
4 support over-spirited students so that teachers can
5 devote attention to other children in their
6 classroom. We slow lessons down and reset our
7 students when they get frustrated to ensure that they
8 keep moving forward, and that although this work is
9 difficult, it is worth it. The best feeling in the
10 world is to watch a student begin to understand
11 something after struggling to. To see the glimmer in
12 their eyes, it is this feeling and a love for our
13 students that keep paraprofessionals in our
14 profession. Even if it means we and our families
15 have to make sacrifices. While the Department of
16 Education has not disclosed the exact number, we know
17 that we are short a couple thousand paraprofessionals
18 in New York City. This shortage forces us to take on
19 multiple jobs within the school building, creating
20 challenges for paraprofessionals and students alike.
21 Rather than caring for just one student, we are often
22 left to look after three to four students, students
23 who need one-to-one paraprofessionals. This causes
24 them to fall even further behind since they don't get
25 the undivided attention they need, and it leads to
paraprofessional burnout. Many paraprofessionals

3 also work additional jobs outside of the school
4 building. Members of our chapter work as many as
5 three jobs just to keep their heads above water
6 financially and still they find a way to show up for
7 their students every day with care and dedication.
8 We are willing to take on the extra work, but there
9 is only so much we can take before it takes a toll on
10 us and our families. For many paraprofessionals, the
11 mental and financial stress that comes with this
12 position is untenable, and they leave the profession
13 altogether. While no one can blame them for making
14 that decision, this creates a vicious cycle. The more
15 paraprofessionals that we lose, the more work that
16 there is for those who remain in the profession,
17 making it more likely that they will leave too. We
18 need to break the cycle and passing the Respect Check
19 legislation is a crucial step in the right direction.
20 This Respect Check would give paraprofessionals
21 across the city a sense of relief and the ability to
22 take a deep breath. It would allow us to put more
23 food in the refrigerator, potentially work two jobs
24 instead of three, throw your child a birthday party,
25 spend more quality time with our families. This
additional \$10,000 would encourage paraprofessionals

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3 to stay in school and attract new educators to our
4 profession as well. It would show that the essential
5 services we provide is appreciated and recognized.
6 Additionally, making the Respect Check--

7 CHAIRPERSON RESTLER: [interposing] I ask
8 you to wrap up your testimony if you don't mind.

9 JOHN KAMPS: Almost done. Respect Check
10 a reality would prove the city is listening to us,
11 its constituents. Last spring, the members of the UFT
12 Paraprofessional Chapter had the privilege of meeting
13 with our City Council representatives to share what
14 the Respect Check would mean to us. We had the
15 chance to explain that paraprofessionals actually--
16 what a paraprofessional actually does throughout the
17 day. Seeing the Council Members named up here on this
18 list as sponsors after we spoke to them made us feel
19 proud, and we had-- that we had used our voices and
20 they mattered. It ensured us that we were seen and
21 it felt so empowering to be heard. Now, as I speak
22 here today--

23 CHAIRPERSON RESTLER: [interposing] Just
24 going to ask that you wrap up. I apologize.

25 JOHN KAMPS: Last sentence. And feel
assured that our stories made an impact, and I urge

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3 you to vote in favor of the Respect Check to further
4 prove that the constituent's voices do in fact make a
5 difference. Again, thank you for holding this
6 hearing and for listening to paraprofessionals in
7 this city. Thank you.

8 CHAIRPERSON RESTLER: Thank you so much.
9 It's a very powerful panel. We really appreciate it.
10 Thank you for sharing your insightful testimony. The
11 last panel of the day is Veronica Longo, Connie
12 Altamirano and Emily Smith. And we have three people
13 on Zoom. I unfortunately have to run, but Council
14 Member-- Chair De La Rosa's is going to finish out
15 this hearing for us. Thank you all for being here.

16 VERONICA LONGO: Hello, just making sure
17 it's on. I'm all set if you guys are all set. Thank
18 you so much for taking the time to listen to us,
19 Council Members. My name is Veronica Longo. I work
20 at PS 229 [sic] in Queens, Ridgewood Queens, as a
21 paraprofessional for the last eight years. I'm also
22 a District 24 alumni. I've gone to public schools,
23 actually the one up the block, IS77, and I actually
24 won Paraprofessional of the Year last year, as well.
25 Yes. So, I'm so happy that you guys are taking a
look at the Respect bill, because there's so many

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3 paraprofessionals that I work with in my school in
4 District 75 that are struggling to make ends meet.
5 We're often working two or three jobs, as you've
6 heard from many of the people in this panel, and it's
7 basically you have to choose between paying your
8 rent, buying food, or pursuing your education,
9 because there are so many paraprofessionals who do
10 want to become educators, but the cost of a Master's
11 Degree which is only supplemented by the Ed Prep
12 program, 12 credits. You're responsible for the rest
13 of that program to pay. So, personally speaking, if
14 many of us receive this \$10,000 Respect Check, we're
15 putting it straight back into our education so we can
16 also make a livable wage, because a livable wage in
17 New York City is \$53,000. The base pay for para is
18 \$32,000, and also speaking for my sub-para co-
19 workers, they don't want to make the jump to baseline
20 para, because \$188 a day compared to the big pay cut
21 you take-- because you have to put in for a salary
22 raise. The wait, people can't wait two weeks. We're
23 living check to check. Thank you so much for taking
24 the time to listen to us, and have a great day.

24 CONNIE ALTAMIRANO: Good afternoon. My
25 name is Connie Altamirano and I'm here as a mother

3 with a daughter who has autism and a child that-- a
4 son that has ADHD. But my first experience was when
5 I was 16 years old, so I'm taking you back to 1990.
6 My sister, Allison, was born. My mother was only
7 five months pregnant, and when my sister was born,
8 she was less than a pound. Who saved her was Kings
9 County Hospital, but her challenges-- that was one
10 part of the beginning of her challenges. When she
11 was growing up she started to crawl at two. She
12 started to walk at four. She didn't have the
13 confidence. She was scared. She would have so many
14 accidents. Now, she became a public school students,
15 they-- she qualified for a para, but there wasn't
16 any. Back then the paras were making \$16,000. So
17 that's how I feel this moment is, and we haven't
18 progressed. So, I'm speaking as a parent and a
19 special ed advocate, and I wish more parents showed
20 up today. So, you know, at 16 being her babysitter,
21 I had to learn how to take care of her, and you know,
22 later on, maybe the six months later from starting
23 kindergarten, she got a para. Her name was Ms.
24 Greenberg. She taught my family. She taught me how
25 to take care of her. She was a big part of our
family, and she was-- she didn't have to do it. It

3 was after school, before school, weekends. She
4 helped us. She educated me at 16 years old how to
5 take care of my sister who was disabled. And she was
6 her safety net. She has no balance to this day, and
7 she's 35, by the way, and so she was with her from
8 kindergarten until 9th grade. And I just want to say
9 that it's vital. It is vital to have all special ed
10 children have paras. It's vital for them to get the
11 increase because it's important for them to continue
12 and stay in the position. Sub-paras make more than a
13 para, a permanent para. So that's why they stay as
14 subs. And that's all I want to say. Thank you.

15 CHAIRPERSON DE LA ROSA: Thank you both
16 for coming in and sharing your testimony. It's
17 meaningful and we appreciate you taking the time.

18 CONNIE ALTAMIRANO: Thank you.

19 CHAIRPERSON DE LA ROSA: Thank you all
20 who came to share your thoughts and your experiences
21 today. If there is anyone in chamber who wishes to
22 speak but has not yet had an opportunity to do so,
23 please raise your hand and fill out the appearance
24 card with the Sergeant at Arms in the back of the
25 room. Please fill out the appearance card with the
Sergeant at Arms.

2 UNIDENTIFIED: Are the folks on Zoom
3 going to be able to speak?

4 CHAIRPERSON DE LA ROSA: Not yet. Not
5 Zoom yet. Hold on one second. Just the people in-
6 person. What's your name, sir? So, we have your
7 registration for an online comment, but you wanted to
8 talk about Intro 407. Intro 407 is not being heard
9 today. This is-- that's in Housing and Buildings.
10 This is Civil Service and Government Operations. I
11 get it, but that's not the-- 407, is in the Buildings
12 Committee. This is not the Buildings Committee, so
13 we will not be able to take your testimony on that
14 issue. Do you all know, the Housing and Buildings?
15 Hold on one second. That hearing was deferred, Sir.
16 The hearing was deferred, sir. The hearing was
17 deferred. It's not happening today. Thank you.
18 Sorry about that. So, seeing no other hands in the
19 chamber, I'll now shift to Zoom testimony. We call
20 on the following folks to speak. Timohty Sommerfelt,
21 Travis Kessel, and Julian Murales. Timothy, you may
22 begin.

23 SERGEANT AT ARMS: You may begin.

24 TIMOTHY SOMMERFELT: My name is Timothy
25 Sommerfelt. I'm the President of the Emergency

3 Medical Service Labor Alliance, and I submitted a
4 written draft of what I was going to talk about, but
5 much of that has already been covered by other labor
6 representatives. So I'm going to answer some of the
7 questions that the esteemed councilpersons asked
8 about third service EMS agencies. It's worth noting
9 that third service EMS agencies are functioning well
10 in many cities across the United States. The
11 ambulances get fixed. Supplies get given out in
12 Austin, Boston, Pittsburgh, New Castle County,
13 Delaware, and Cleveland, Ohio. For example, in
14 Cleveland we share a mobile mechanic with the Fire
15 Department, and in exchange we provide them with
16 medical equipment. In Pittsburgh, the rescue
17 services are provided by EMS. So these are not
18 barriers, so to speak, because all these resources
19 belong to the city, and even in a separate EMS agency
20 you could still go ahead and have these capabilities
21 covered. It's also worth noting that all these third
22 services are industry leaders in great hospital care,
23 and a big reason that they work and that paramedics
24 and EMTs want to work there is because they pay
25 equity. We proved in Cleveland that if you fix the
pay, you fix the problem. We went from having a

3 single-digit number of paramedic applicants to over
4 140 applicants when we achieved contractual pay
5 parity literally within a matter of weeks. And
6 lastly, you said what would be different if you had
7 EMS as a separate agency, and what we saw earlier
8 today was that the Fire Commissioner would not commit
9 to saying that paramedics and EMTs deserve pay
10 parity. I'm willing to bet if you asked any
11 Commissioner of a third service EMS agency if their
12 employees deserve the same wage as police and fire,
13 they would say yes without hesitation. EMS should not
14 be a jobs programs for underutilized firefighters,
15 but be treated as an essential public service that
16 deserves to be done well by dedicated providers,
17 especially in New York City. We appreciate your
18 time. You can ask me any questions now. I know it's
19 late. My info's in the comments. You can write me
20 there as well.

21 CHAIRPERSON DE LA ROSA: Thank you, Mr.
22 Sommerfelt. We appreciate your testimony. Up next
23 is Travis Kessel.

24 SERGEANT AT ARMS: You may begin.

25 TRAVIS KESSEL: Afternoon, everyone.
First of all, thank you for the opportunity to speak.

3 My name is Travis Kessel, as you stated. I am a
4 paramedic with the City of New York, and I just
5 wanted to testify on a few things. First and
6 foremost, I enjoy being a paramedic more than
7 anything my entire life, regardless of the sacrifices
8 I have to make and my family has to make because of
9 my salary. I enjoy and really do truly love helping
10 people in the City of New York. I live in the City of
11 New York as I have always lived in the City of New
12 York. I'm active in my Community Board. I'm a member
13 of my local Community Board and brought up EMS issues
14 there as well. I'm here specifically to talk about
15 actions that can be taken right now that I believe
16 would really fix some of our issues. Obviously, pay
17 parity, number one. To insinuate that fixing the pay
18 today would not fix EMS' problems or its retention
19 and recruitment problems is a farce. It is the number
20 one issue with a bullet [sic]. If you could fix it
21 today, it would compel City Council, can compel OLR
22 to come and say, you know what, we will equalize the
23 pay ranks across the board with the suppression side,
24 you're going to keep EMS members. I can guarantee
25 it. But the biggest issue we have is in our
recruitment and retention is that we have this

2 promotional exam, as it is referred to, to
3 firefighter from EMS ranks, and that's not only from
4 the rank of EMT. It's from the rank of paramedic
5 which is an Associate's Degree program in many
6 places. With us, it's a 10-month in-person daily
7 program. You lose lieutenants. You can lose
8 captains. It's only age-based until when you can
9 promote. So, if you were to reach that rank by the
10 age of 29, you could leave. We're losing good people
11 with good experience every time they put out fire
12 promotional exam. It is the number one killer of our
13 membership. It is what people come here to leave
14 here from. I'm of the mentality that city jobs should
15 be for city people. The purpose of the fire
16 promotional exam was to diversify the ranks of the
17 fire suppression side, which I agree was--

18 SERGEANT AT ARMS: [interposing] Thank
19 you. Your time is expired.

20 TRAVIS KESSEL: [inaudible] Just if I
21 could finish my point. What you are doing to
22 minority neighborhoods and diverse neighborhoods in
23 this city is killing the people who live there by
24 taking experienced EMTs and paramedics off the road.

3 My proposal, get rid of the promotion for firefighter
4 exam. You'll solve a lot of your issues.

5 CHAIRPERSON DE LA ROSA: Thank you so
6 much for your testimony. Up next we have Julian
7 Morales.

8 SERGEANT AT ARMS: You may begin.

9 JULIAN MORALES: [inaudible] I know I'm
10 not [inaudible] but good afternoon Chairs Restler, De
11 La Rosa and members of the Council. My name is
12 Julian Morales and I'm a former staffer for a former
13 Council Member and the former speaker of the body, a
14 lifelong New Yorker, but today I'm here testifying as
15 a father, my most important job. My daughter
16 currently who I'm picking up right now was diagnosed
17 with autism at the age of two. She's non-verbal but
18 can use [inaudible] paraprofessional [inaudible] who
19 I'm actually here with right now, picking her up.
20 Tara has been a support. She has been Charlotte's
21 lifeline. Their connection helps Charlotte thrive in
22 school despite the challenges of transitioning from
23 private to public education. This year, when
24 Charlotte first started first grade without Tara we
25 saw an immediate decline, sleepless nights, anxiety,
refusal to sleep, or to go to school. We fought hard

3 to reunite her with Ms. Tara in the first grade, and
4 after six weeks, we were successful. The difference
5 was night and day. Charlotte smiled again. She felt
6 safe. [inaudible] she wrote a book, My Para and Me,
7 inspired by Charlotte. We built a website
8 [inaudible] and it became a resource for families
9 like ours. She is one of the thousands of paras who
10 change lives every day. Intro 1261 is about respect.
11 It's about recognizing the essential role
12 paraprofessionals play in our children's lives, and
13 it's about ensuring that they're compensated fairly
14 in the next UFT contract. I would just also say, you
15 know, in the past members of the public have been
16 able to testify in advance. It would be great to be a
17 practice for working families, and I would have loved
18 to be there in person. But thank you so much.

19 CHAIRPERSON DE LA ROSA: Thank you so
20 much for your testimony and sharing your experiences.
21 If you are currently on Zoom and wish to speak, but
22 have not yet had the opportunity to do so, please use
23 the raise hand function and our staff will unmute
24 you. Seeing no hands, I would like to note that
25 everyone can submit testimony to
testimony@council.nyc.gov within 72 hours of this

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3 hearing. We thank the administration and the public
4 for attending this hearing to share your thoughts on
5 this legislation on the important issues for both EMS
6 and EMTs as well as paraprofessionals in our city.
7 We know that our city is only as strong as its
8 workforce, and we appreciate everyone coming to share
9 their thoughts, their testimonies and their
10 suggestions. I look forward to following up on this
11 issue-- on these issues with my colleagues, and with
12 that this hearing is now adjourned.

13 [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 November 30, 2025