



Lisette Camilo
Commissioner

Barbara Dannenberg
Deputy Commissioner
Human Capital

Good morning Chair Miller and members of the Committee on Civil Service and Labor. I am Barbara Dannenberg, Deputy Commissioner for Human Capital at the Department of Citywide Administrative Services (DCAS) and I am joined today by Kelly Jin, Chief Analytics Officer for the City of New York and the Director of the Mayor's Office of Data Analytics.

Thank you for this opportunity to discuss the City's role in Local Law 18 of 2019 (LL18), which requires DCAS to collect information relevant to pay and employment equity and for the Mayor's Office of Data Analytics (MODA) to make the data available to City Council. A report will also be provided to the Mayor and City Council with aggregate data from each agency showing the frequency of full time, part time, and seasonal employees by agency, EEO4 job group, pay band, racial group, ethnicity and gender.

This Administration is committed to improving equity throughout the City and applauds the work of the Council to address issues of pay and employment equity. Since 2014, this Administration has made tremendous strides in improving workplace equity. In June 2015, Mayor de Blasio issued Executive Order 10, forming the first-ever Commission on Gender Equity, which works to expand opportunities for New Yorkers regardless of sex, gender, or sexual orientation. In January 2016, the Mayor enacted Personnel Order 2016/1, which provided Managerial and Original Jurisdiction employees with up to six weeks of paid time off for maternity, paternity, adoption, and foster care leave, at 100 percent of salary. In March 2016, Executive Order 16 was issued to ensure that City agencies allow employees and the public to use single-sex City facilities consistent with their gender identity. In December 2016, the Mayor issued Executive Order 21, which prohibited City agencies from inquiring about an applicant's salary history, thus removing a persistent barrier to equitable pay. And finally, in January 2019, thanks to the collaboration between the Office of Labor Relations (OLR) and our labor partners, the City opted in to New York State's Paid Family Leave program, which enables eligible represented employees up to 10 weeks of leave paid

at 55% of their salary in 2019, and up to 10 weeks of leave paid at 60% of their salary in 2020 to care for a newborn, foster, or adopted child, family members who are very ill, or to provide assistance to family members on military deployment.

As a continuation of citywide efforts to address pay and employment equity, DCAS has maintained collaboration with City agencies over the last several months to meet the requirements set forth in LL18. The majority of employment data requested in this Local Law was extracted from our citywide New York City Automated Personnel Systems (NYCAPS) database. This included employee job information such as civil service titles and levels, and current agency. The available data includes agencies in the NYCAPS database only, and does not include information from agencies including NYC Transit, Triboro Bridge and Tunnel Authority, NYC Health + Hospitals, School Construction Authority, Department of Education pedagogues, and other agencies not covered by the Local Law.

I am pleased to report that DCAS has completed collecting the data within the November 30, 2019 deadline. The Department is currently working with MODA to review a sample file, a data dictionary, and several reference tables. DCAS is actively in discussions with MODA to answer questions raised based on the sample file and we look forward to working with MODA and the Department of Information Technology and Telecommunications (DOITT) on establishing a secure file transfer process for the main file. We are confident that we will be able to transition this data to MODA within 90 days of the November 30th benchmark.

Thank you for this opportunity to discuss the work that DCAS has done in this area. I would now like to turn it over to my colleague, Kelly Jin from MODA for further comments.



**TESTIMONY OF KELLY JIN,
CHIEF ANALYTICS OFFICER AND DIRECTOR OF THE MAYOR'S OFFICE OF DATA ANALYTICS**

**BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON CIVIL SERVICE AND LABOR AND
COUNCIL COMMITTEE ON WOMEN AND GENDER EQUITY**

December 17, 2019

Good afternoon Chairs Miller and Rosenthal, and members of the Civil Service and Labor and Women and Gender Equity Committees. My name is Kelly Jin, and I am the Chief Analytics Officer for the City of New York and the Director of the Mayor's Office of Data Analytics. Thank you for the opportunity to testify on the status of implementation of Local Law 18 of 2019.

The Mayor's Office of Data Analytics (MODA), which was established by executive order in 2013 and codified in the City Charter in 2018, supports City agencies in applying strategic analytical thinking to data in order to deliver services more equitably and effectively, and to increase operational transparency. Our mission is to use data analytics to help City agencies deliver services more efficiently, facilitate citywide data operations, and implement the City's Open Data Law. MODA is committed to government transparency and sharing agency data of interest with New Yorkers publicly, as permitted by law, through the Open Data program. MODA takes the protection of sensitive data and information very seriously, and has established best practices, including entering into memoranda of understanding and data sharing agreements with City agencies and other partners where necessary. These agreements provide legal privacy and security protocols for responsible data transfer, storage, retention, and data access, among other important considerations.

Local Law 18 of 2019 tasks MODA with three responsibilities on an annual basis: (1) to make NYC's municipal workforce data reflecting individual employment and pay history available to the Council for 90 days; (2) to issue a report of select relevant data in an aggregated form; and (3) to provide an analysis of these data elements to identify any disparities over time subsequent to the release of the second annual report. In complying with these mandates, MODA must also work to ensure that, consistent with legal requirements and City privacy and security policies that inform its best practices to-date, the privacy of the personally identifying information of New York City's municipal workforce is protected at all stages of the implementation of Local Law 18, from the transfer of employment history profiles and salary data between City agencies, to the aggregation and analysis of the data by MODA data scientists, to sharing the analysis with the public.

As you may know, large data projects like this are not simple and take significant work and resources to complete. In accordance with Local Law 18, MODA anticipates receiving the first set of employee history profile data from the Department of Citywide Administrative Services (DCAS) by no later than February 28, 2020. MODA has assigned half of its team to the task of timely compliance with this law, in anticipation of receiving a large, sensitive dataset. MODA's project team has assigned two data scientists, a project manager, a policy analyst, and its Data Operations Manager to this project. The team is being overseen by me.

DCAS and MODA are in regular communication with one another and have been holding weekly meetings regarding overall coordination and scheduling around compliance with Local Law 18. We are currently preparing for the forthcoming DCAS-to-MODA data transfer, with discussions around the complex data dictionaries and other elements such as metadata, and the technical relationships of the underlying categories of data elements. Because of the privacy implications involved in disclosing, among City agencies, the numerous individually identifying data elements mandated by Local Law 18, this data transfer requires the development and execution of a data sharing agreement among the relevant agencies to memorialize the privacy and security protocols necessary for to ensure appropriate protection of employees' privacy and security of the data itself. MODA has also been engaged in weekly project meetings with Operations, their General Counsel, and the Office of the Chief Privacy Officer to move this process forward in a responsible manner.

Upon receipt of the relevant employment and pay history data, MODA will have until April 28, 2020, to make the data available to the Council for 90 days through a technically secure means of access. Before such access is provided, as is standard practice, MODA anticipates entering into a formal legal data sharing agreement with the Council to establish and memorialize the secure technical arrangement for the data access and protocols to ensure that the privacy of the personal information of New York City's municipal workforce is protected.

MODA will then issue the first annual report employment and pay data from the employee history profiles, which is on track for its deadline in late spring 2020. Local Law 18 prescribes the format and contents of this aggregated data report and requires the data to be in format that prevents the disclosure of certain sensitive information, including the racial group, ethnicity, or gender of any employee.

We are carefully managing the schedule, and committed to timely implementation. MODA is confident at this stage that it will be able to meet all of the requirements and looks forward to working together with relevant agencies and Council colleagues to conduct this work.

Thank you for the opportunity to testify today. I welcome any questions you may have.

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**FDNY Fire Prevention Inspectors
Unsung Heroes:
Saving Lives, Keeping the Public Safe**

**Testimony submitted by Joseph Wilson, PhD*
December 17, 2019**

My comments today, on behalf of the Fire Prevention Inspectors, are intended to call public attention to the lifesaving, often dangerous work of the FPI's in relation to the denial of promotional opportunities in the FDNY.

The dramatic decrease in fires and fire related injuries and fatalities in New York City, over the last 10 years, in large measure, is due to the valiant, indeed often heroic work of the FPI's.

The Inspector's work doesn't often make the limelight.

Therefore we must bring public awareness to their conditions of employment. They save us not only from fires in our homes, schools, offices and shopping centers, they save us from gas explosions, oil pipeline and jet fuel fires and explosions, preventing the release of toxic gases and hazardous materials: they prevent deaths and injuries from fireworks accidents at displays like the Macy's Fourth of July celebration and New Year's Eve in Times Square. They climb dangerous water towers for inspection high above our tallest buildings. Fire Prevention Inspectors witness the testing of all fire suppression systems throughout the five boroughs. They work in advance for firefighter operations so that firefighters, as first responders, are able to get water as soon as they arrive at the scene of a fire.

In addition to lives saved and countless injuries averted, FPIs save the city billions of dollars in revenue by preventing property loss from fires, construction accidents, and mass casualties at public events.

The FPI's case and cause I present today is an economic justice argument.

We present this also a moral and ethical argument in the name of racial equality.

Not least importantly, this is a cautionary note because if the inequities faced by FPI's aren't addressed by our elected leaders, than costly legal battles are looming and unavoidable.

FDNY has three primary non-supervisory jobs: firefighter, EMS, and Fire Prevention Inspector.

In 2017, the median salary of firefighters was over \$85,000. With Overtime, median compensation for firefighters was over \$100K. In 2017, about 75% of the city's firefighters were Caucasian. About 25% were racial minorities.

In 2017, the median salary of EMS employees (EMTs and Paramedics) was about \$50,000. In 2017, about 50% of EMS employees were Caucasian; about half were racial minorities. EMS employees mirror the city's diversity.

In 2017, the median salary of Fire Protection Inspectors and Associate Fire Protection Inspectors was also about \$50,000. In 2017, only about 25% of FPIs were Caucasian; the other 75% were racial minorities. This is an overwhelming minority profession.

The duties of both EMS employees and FPIs overlap with firefighters. Like firefighters, EMS and FPI employees are first responders, often in crisis situations. Firefighters spend much of their time inspecting buildings for fire code violations, just as FPIs do. The duties of FPIs overlaps in many ways with firefighter duties.

EMS employees, deservedly, have the right to take the promotion to firefighter exam. If they pass, they will be considered for firefighting before the general open-competitive list. They then will be able to earn tens of thousands of dollars more per year than their fellow unionists who are FPIs.

Unfairly, there is no similar avenue for FPIs to be promoted to firefighter. The Promotion to Firefighter Exam inexplicably isn't available to the FPI's who are equally deserving of the opportunity to become firefighters.

This is unfair to FPIs. It should be fixed henceforth just as a matter of fairness.

In addition, because a much higher percentage of FPIs are racial minorities, this provision of not allowing FPI's to take the Promotion to Firefighter Exam, deprives the FDNY a rich, experienced, talented employment pool of people of color. This irrational barrier also has an adverse disparate impact, harmful to FPI's who are predominantly racial minorities.

Not fixing this disparity creates the obvious risk of significant legal liability for the City.

For both ethical and legal reasons, this disparity should be fixed.

We call upon the Civil Service Committee to push for an immediate and urgent resolution of this gross injustice in time for the next Promotion to Firefighter Exam, occurring sometime in 2020.

We're staunch advocates in support of EMS employees having this promotional opportunity. It should absolutely be continued.

What we are saying is that the same avenue for promotional opportunity should be extended to FPIs as well.

Thank you for this opportunity to address you.

We look to enlist your support as we fight for dignity and justice for our Fire Prevention Inspectors.

P. 2, Dr. Wilson's testimony, December 17, 2019, before the Civil Service Committee

*Dr. Joseph Wilson, retired professor of Political Science, holds multiple graduate degrees including two MA's and PhD in Political Science from Columbia University, and MDP from Harvard University.

He is an author of numerous books, editor of encyclopedias and an expert on unions and African American labor.

Dr. Wilson founded the nation's first Center for Diversity and Multicultural Studies at CUNY and Directed the Graduate Center for Worker Education for two decades.

FDNY Uniformed Fire Protection Inspectors

The New York City Fire Department's Bureau of Fire Prevention is a life safety and revenue producing Bureau, generating approximately **85 million dollars** annually for the Department.

The Bureau of Fire Prevention members consists of **414** Fire Protection Inspectors in inspectional units which check for compliance of all Fire and Building Code regulations directly related to fire safety. Fire Protection Inspectors are tasked to inspect and witness testing of safety equipment in buildings for firefighting operations, such as standpipe systems, sprinkler systems, etc. at various locations throughout NYC, including our bridges, tunnels, piers, roof top ladders, subways, constructions sites, restaurants and basements in commercial and residential hi-rise buildings. Fire Protection Inspectors make sure the systems used for firefighting operations on premises are in working order, plus protecting the lives and property of City residents, employees and visitors. The effort of the Fire Protection Inspectors over the past several years has resulted in a significant reduction of fires and deaths related to fires at a record low in the history of the fire department within the five boroughs of the City of New York.

The FDNY Headquarters Unit is staffed with Uniformed Fire Inspectors conducting life safety code inspections that include, but are not limited to the following:

- Conduct fire code safety inspections for any premise(s) throughout New York City that store, handle, or use flammable, combustible mixture and/or liquids,
- Conduct fire code safety inspections for any premise(s) throughout New York City that store, handle, or use flammable, combustible compress gases.
- Conduct the Annual fire safety maintenance inspection on all approved fire suppressions systems installed in commercial kitchens in the City of New York.
- Conduct life safety inspections at street fairs and places of special events to ensure that entities comply with all city regulations in regards to the storage of flammable gases and liquid; storage of combustible mixtures/liquids located at street fairs or places of special events.

The Headquarters Inspection Group is divided into several units within the Bureau including Fire Suppression, Rangehood, Bulk Fuel Safety, High Rise, Public Buildings, License Public Place of Assembly, Construction Demolition and Abatement, Explosives, Fire Alarm Inspection, Fireworks Safety, Hazardous Cargo, Central Station Signal and Field Public Operations, respectively.

1. **Fire Suppression Unit** – This unit conducts inspections and check for code compliance of the installation and maintenance of Sprinkler and Standpipe systems and/or similar type fire suppression system. Additionally, since the fire on the Queens Borough Bridge, the Bureau of Fire Prevention, Fire Suppression Unit has inherited the task of testing bridges and tunnels in New York City. To test fire suppression systems in tunnels and bridges, it coordinates with the local fire units and the New York City Department of Transportation, New York City Transit Authority and AMTRAK.
2. **Range-Hood Unit** – This Unit conducts inspections and check for code compliance of the installation of fire suppression systems installed on commercial cooking equipment(s).

3. **Bulk Fuel Safety Unit** – Bulk Fuel Safety Unit – This unit conducts inspections and checks for code compliance of the installation of underground and aboveground storage tanks with associated piping systems containing flammable and or volatile inflammable motor fuels. Review approved plans on site for such installations including the installation and testing of Fire Suppression Systems at service stations and private filling stations.
Conducts inspections, plan review, and testing of the following facilities Bulk Fuel Facilities, National Grid, Liquid National Gas, Compressed Natural Gas, Con Edison power Plants, Methane Recovery, Cogen Facilities, Witness the testing of all Foam Fire Protection systems, Loading Rack Sprinkler Systems. Conducts inspections, plan review, and testing of new pipelines, cut out replacement of pipelines. Conducts the annually Buckeye Pipeline Drills with Division and Fire Units. Conducts inspections of three pipeline companies which supply Jet Fuel, Gasoline and Fuel Oil to JFK Airport and LaGuardia Air Ports as well as patrolling these pipelines monthly. Conducts inspections at three pipeline companies control centers in New Jersey. Conduct a leak detection test at Breingsville Pennsylvania on the Buckeye Pipeline. Respond to pipeline leak emergencies, Power Plants, CNG, LNG, Methane Recovery, Con Ed, National Grid, Gasoline service stations and private filling stations.
4. **High Rise Unit** – This Unit conduct life safety inspections on all office and hotel occupancies in New York City that are requirements of Local Law 5, Local Law 16, Local Law 58, Fire Code and Building Code regulations. Since the unfortunate casualties of 9-11, the High Rise Unit will be testing certified Fire Safety Directors to certify them as Emergency Action Plan Directors pursuant to new regulations that was enacted, including active shooter.. The High Rise Unit will also be responsible for enforcing several new life safety code requirements that was enacted as a result of 9-11 currently known as Local Law 26 and the new (E.A.P) Emergency Action Plans.
5. **Public Building Unit** – This Unit conduct life safety inspections on building(s) classified as shelters for the homeless; closely monitors life safety inspections of schools conducted by the local field units and is a liaison to other City Agencies that may be in violation of any fire code violations.
6. **License Public Place of Assembly (LPPA)** – This Unit conduct life safety inspections on any premises that congregate more than 75 persons in one space and check for compliance numerous Fire and Building Code regulations pertaining to that premise(s). Additionally this unit also inspects places at of public gathering consisting of supervising fire inspectors and fire lieutenants enforcing code deficiencies during night time.
7. **Explosive Unit** – The Explosive Unit conducts life safety inspections and supervises any location(s) that use of explosive material. Also, this Unit supervises the display of special effects fireworks usually conducted inside of premises.
8. **Fireworks Safety Unit** – This Unit consist of specially trained Inspectors that conduct site safety inspections at any location that requires a permit for fireworks display in the City of New York such as the famous Macy's Fireworks and Coney Island Fireworks.
9. **Field Public Operations Support Unit** – This Unit enforces premises that has been vacated and/or vacated and sealed by the Fire Department. This Unit is also a complaint Unit and acts as a liaison between the public and Department field units (Fire Divisions and Firehouses) and City Wide S.R.O task force.

10. **Construction Demolition and Abatement Unit (CDA)** – This is a specialized unit initiated by the Mayors Office and the Department that conducts coordinated fire safety inspections on all buildings under construction or demolition stages in the City of New York including non-jurisdictional buildings.

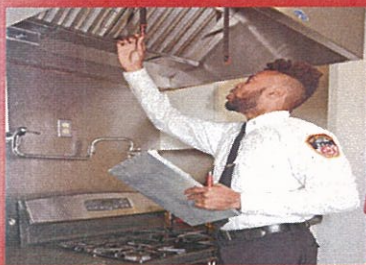
Post 30-day inspections from the Fire Units, the CDA Unit is tasked with inspecting buildings 75' or more to ensure fire safety and building code requirements on premises that include, but is not limited to the following:

- Ensure all egress and exits are in place and unobstructed.
- Premises have all required permits.
- Ensure proper maintenance of the Sprinkler and/or Standpipe system for firefighting operations.
- Special Projects such as: The LaGuardia Airport, World Trade Center, Jacob Javits Convention Center, The Barclay Center, United Nations, Madison Square Garden, and the Hudson Yards Development Projects.



FIRE PROTECTION INSPECTOR

FDNY Fire Protection Inspectors (FPIs) are tasked to test and inspect safety equipment in buildings for Firefighters, such as Standpipes systems, sprinkler systems etc. at various locations throughout NYC, including our bridges, tunnels, piers, subways, construction sites, basements in commercial and residential high rise buildings . Fire Protection Inspectors make sure the systems used for Firefighting operations on premises are in working order. This includes the inspection of roof top access for fire fighting. and protecting the lives and property of City residents, employees and visitors.





**Testimony of
Vincent Variale, President
Uniformed EMS Officers Union, Local 3621, FDNY AFSCME
AFL-CIO
and
Joseph Pataky, President EMS Superior Officers Association**

Thank you Chairman Miller and distinguished members of The Civil Service and Labor Committee. My name is Vincent Variale, I am the President of Uniformed EMS Officers Local 3621 and I am also speaking on behalf of Joseph Pataky the President of EMS Superior Officers Association, who could not be here today in person but wanted to express his gratitude and show support for this body's important work on the issue of achieving pay equity within New York City's workforce.

The City of New York is the employer for over 350,000 individuals within 50 agencies, including the Fire Department where our members work.

Since merging with the Fire Department in the 1990s, EMS has felt the institutional challenges the Department has grappled with, with regards to bias. This impacts all aspects of its operations, from the work culture, hiring, promotions, pay and resource allocation within the Department.

EMT base salaries start around \$30,000 a year and cap at \$51,000 after five years. Paramedics, who have even more medical training including NYS paramedic certification, start at only \$45,000. Similarly Lieutenants and Captains top pay is capped at \$71,000 and \$75,000 respectively.

Comparatively, other first responders such as those on the Fire side of the same Department earn \$110,000 after five years on the job. Police officers are similarly compensated, as are sanitation workers. The common

difference these other titles share is that they are much more white and much more male.

This stark difference in pay and its corresponding demographic relationship in our Department exemplifies what is a Citywide problem of pay inequity. While the example we offer in the FDNY shows an extreme contrast in pay and demographics, in fact, when you step back and look at the demographics, pay and work obligations within other agencies and departments throughout New York City you can see a pattern of segregation emerge in which white and male employees are given more desirable positions, paid more, offered more employment opportunity and advancement, better recognition and authority, while employees of color and women are saddled with greater responsibilities, offered less career advancement, required to cover changes in work requirements, while receiving less recognition, and less pay for their service and sacrifices. You can see this with the example UPOA gives in law enforcement, and you can see this across all City agencies in the landmark litigation with CWA 1180 where Administrative Managers were given significant responsibilities such as standing in for heads of Departments and jobs like Deputy Director but still thought of, referred to and paid as "secretarial."

This problem did not start with this administration but until it is ended it will perpetuate cycles of poverty in this City. Any time you have a workforce as massive as that of New York City's without a comprehensive plan in place to prospectively address bias, you will inevitably end up with the problem New York City currently struggles with of pay inequity.

However, now that we know that this problem does exist, the City has an affirmative legal and moral obligation to address and resolve this problem.

Local Law 18 is a good first step in this process and we thank this body for making this law a reality. But turning over data is only a first step, and unfortunately data alone will not solve the problem. We must see a willingness from the City to act as a partner, to acknowledge the problem and a commitment to spend the resources necessary to remedy the problem. Saying that this will cost money to fix is not an excuse to perpetuate segregation, discrimination and relegate civil servants and their families to a life of poverty. This City has the resources to make these changes and the long-term effect of pay equity will actually save money and improve the quality of life of this City and its employees.

We look forward to working in partnership with this committee and this Council to bring New York City as an employer, into the 21st century and to build on the work this body has already done to finally and fully end pay inequity in the New York City workforce.



**Testimony of Oren Barzilay, President
FDNY EMS Uniformed EMT's Paramedics and Fire Inspectors
Local 2507**

Good afternoon Chairman Miller and distinguished members of The Civil Service and Labor Committee. My name is Oren Barzilay and I am the President of FDNY EMS Uniformed EMT's Paramedics and Fire Inspectors, Local 2507. Thank you for allowing me the chance to address you today with regards to the importance of pay equity for our members.

Pay equity is not just a lofty goal that the City should aspire to. It is a fundamental right, the absence of which causes great adversity and hardship, significantly diminishing the quality of life of those who are subjected to disparate and unfair pay practices.

The FDNY has two bureaus. One is almost exclusively white and male, and one is predominately of color with the largest number of women of any first responders in the City. Both sides provide lifesaving emergency services. You can guess which side is paid more, given more resources, respect and recognition.

But what is shocking is just how much this disparate treatment impacts our members who report that, despite working a highly demanding full-time job as first responders, risking their lives and often completing overtime, many have to apply for food stamps, sleep in homeless shelters, and live hand to mouth wondering if they will have enough to survive.

Equally shocking is the City's denial of the cycle of poverty and hardship created by these pay practices, or the fact that these problems disproportionately effect female and nonwhite City employees.

Despite numerous lawsuits, large rallies, reports by the Public Advocate, and even the New York Times weighing in and calling for pay equity for EMS members, the City refuses to acknowledge there is even a problem to remedy.

How do we solve this problem when the City refuses to be our partner?

On behalf of Local 2507 and our members I want to thank the Council for passing Local Law 18 which requires the City to disclose pay data and to use this information to remedy its discriminatory pay practices.

By getting this aggregate data, the City has an opportunity to remedy problems that exist and to change the quality of life for City employees.

But of course, this requires a willingness to acknowledge the problem and a desire to be a part of the solution once you have the data. This administration has the opportunity to be on the right side of this issue. History will judge, and I am sure this body will persevere and remain vigilant to ensure that the City will not engage in the same bad faith delay tactics we have met with in our effort to get similar data.

In May of 2017 over two and a half years ago, we asked the City to provide our union with pay data so that we could better understand the disparate pay issues our members faced to help them. The City refused requiring us to bring an Article 78. We are still in litigation with the City just to get this data turned over. We offered a solution to every questionable excuse the City gave not to turn this data over. We offered to have the data redacted, we offered to have our statistician do the work to prepare the data, we offered to have the files pulled in an alternative way. Rather than work with us to get this information

and correct these problems, the City has become recalcitrant and defensive and has used its resources to deny the problem.

A commitment to non-discrimination in the workforce is a commitment to excellence. The ability of The FDNY to provide the highest level of emergency preparedness to the largest and busiest EMS system requires that those providing this service be paid a living wage.

The cost of ignoring this problem is significantly more expensive and more dangerous than the cost of ending pay inequity.

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December 17, 2019

Committee on Civil Service and Labor

Testimony of Dalvanie Powell, President UPOA

Pay Equity

"It impacts the pay we receive but it starts with the way we are perceived"

Dear Chairman Miller and Committee members:

Thank you for the chance to speak. My name is Dalvanie K Powell and I am the President of the United Probation Officers Association.

I represent over 1,200 Probation Officers and Supervising Probation Officers, including retirees. My members consist of 90% people of color and 78% women. We are honored to have been invited to participate and testify today on the importance of pay equity in the City's workforce.

The lack of pay equity is a reality my members live every day. **It impacts the pay we receive but it starts with the way we are perceived.** Attitudes and assumptions create a vicious cycle that perpetuates stereotypes and allows differential treatment to go unnoticed and uncorrected.

When people think of the Criminal Justice system they tend to think of the courts, Police, Correction, and Parole Officers. Probation is a piece of the anatomy of the criminal justice system that is too often forgotten or grossly confused for other law enforcement agencies.

The work we do, the level of danger, the challenges and the training we are required to complete is greatly unseen and misunderstood.

The task of a Probation Officer is unique and highly demanding as we are charged with enforcing court orders, helping individuals rehabilitate after incarceration and performing duties as a Peace Officer.

We have an intel unit of Probation Officers who execute warrants within New York as well as other states. There is also a cyber unit. These officers work detail with the NYPD, Department of Corrections, US Marshalls, homeland security and many other law enforcement agencies.

Field visits are made in some of the most dangerous neighborhoods. Probation Officers are in just as much risk as other law enforcement officers.

This year to my knowledge Probation Officers have been physically attacked, verbally abused, attacked by pit bulls, suffered bodily injuries including concussions from falls, stalked, and exposed to dangerous environmental hazards.

Probation Officers are required to work various shifts including nights, weekends and holidays. While our work is shown to reduce recidivism and increase success, we are not recognized.

To be qualified for a career as a Probation Officer one must have a graduate degree from an accredited college or at the least a baccalaureate degree from an accredited college or university and two years of satisfactory full-time experience in a job-related field, complete 2 months of training and satisfy training requirements to become NYS Peace Officers.

Yet the current hiring rate for Probation Offices will be \$42,759 under our new contract and according a recent notice of examination for the promotional position the current minimum salary for a Supervising Probation Officer is only \$54,030. These rates of pay for a small family in New York City fall under the poverty line and like other predominately 'of color' City workforces, such as EMS, we cannot retain members because of the poor salary, high demands, and lack of recognition.

As this body knows, in order to achieve the goal of pay equity we must first admit there is a problem. But we cannot stop there, we must also have the intention to make the commitment to change the attitudes that allow this to persist.

I want to thank this body for taking leadership on ending the cycle of poverty that City employees face due to discriminatory pay practices and pay inequity by passing Local Law 18. This is a huge step towards getting the information necessary to acknowledge that there is a problem by requiring the City look at the data. My fear however is that the DCAS will not take the necessary next step of acknowledging and changing the underlying problems. As you know data can be ignored or swept away, and we must make sure that the City commits to doing the difficult work of making change instead of digging into a position of defensiveness and denial.

DCAS continues to stonewall efforts by our union and others to get pay data necessary for our unions to address these problems. Notwithstanding Local Law 18, DCAS consistently ignores FOIL requests and refuses to turn over public records with pretextual claims of privacy concerns. My members are not concerned that people will know their gender or race, they are concerned they will not be able to put food on their tables, they are tired of being treated without the dignity they deserve on the job and they are tired of risking their lives only to be unseen and unrecognized.

This administration did not start this problem, but they are responsible for ending it. We are not blaming anyone when we say that we must end this cycle and I again want to thank this body for its vital work in helping our members and correcting an injustice long overdue for this City.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LL 18 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Robina Sunday

Address: 1 Centre St.

I represent: DCAB

Address: 1 Centre St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12/19/2019

(PLEASE PRINT)

Name: KELLY TIN

Address: 253 BROADWAY

I represent: MAYOR'S OFFICE OF DATA ANALYTICS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DREN BARZILAY

Address: 150-39 14th Avenue, Whitestone NY

I represent: President, L2807, DC37

Address: (EMS)

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 633 Res. No. _____

in favor in opposition

Date: 12/17/19

(PLEASE PRINT)

Name: BARBARA DANNENBERG

Address: 1 CENTRE ST

I represent: DCAS

Address: 1 CENTRE ST

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 633 Res. No. _____

in favor in opposition

Date: 12/17/19

(PLEASE PRINT)

Name: KELLY JIN

Address: 1 CENTRE ST

I represent: MODA

Address: 1 CENTRE ST

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DARRYL CHALMERS

Address: FONY

I represent: LOCAL 2507 FIRE PROTECTION INSP

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12/17/2019

(PLEASE PRINT)

Name: MICHAEL REARDON

Address: 9 Metro Tech Ct.

I represent: Local 2507 Inspectors F D N T

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12/17

(PLEASE PRINT)

Name: Dr. Joseph Wilson

Address: 215 W 91

I represent: Local 2507

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Oren Barzilay, President

Address: _____

I represent: Local 2507

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dalvanie Powell, President

Address: _____

I represent: UPOA United Probation

Address: Officers Association

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12-17-19

(PLEASE PRINT)

Name: Vincent Voviale, President

Address: _____

I represent: Local 3621

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12/18/19

(PLEASE PRINT)

Name: Michael Greco, Vice President

Address: _____

I represent: Local 2507 Vice President

Address: _____