

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

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June 09, 2015
Start: 10:16 a.m.
Recess: 10:26 a.m.

HELD AT: 250 Broadway- Committee Rm, 16th Fl.

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

COUNCIL MEMBERS:

COSTA G. CONSTANTINIDES
DANIEL DROMM
ELIZABETH S. CROWLEY
ROBERT E. CORNEGY, JR.

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

2 [gavel]

3 CHAIRPERSON MILLER: Good morning and
4 thanks everyone for coming out this morning. My
5 name is Council Member I. Daneek Miller. I'm the
6 chair of the Committee of Civil Service and Labor
7 and today we are voting on proposed introduction
8 125B and resolution 692, proposed introduction 125B
9 Speaker Mark Viverito's bill to license car wash.
10 It was assigned to civil service and labor
11 committee because this bill intends to clean up, no
12 pun intended, the business of worker abuse within
13 the car wash industry. As the committee heard on
14 several occasions this has been rife with, this
15 sector has been rife with violations there has been
16 attorney general investigations, lawsuits with
17 millions of dollars in paybacks involved from a
18 lack of overtime, minimum wage violations, and tip
19 stealing. By licenses these, licensing these
20 businesses the council intention is to improve how
21 the industry treats its workers while also raising
22 the environmental standards. Secondly resolution
23 692 sponsored by myself calls upon New York State
24 Legislator to pass and the Governor to sign
25 assembly bill 49, 4762 and senate bill 1291, the

2 farm workers fair practice act which would extend
3 labor protections to farm workers as we've
4 discussed in the past week at the, the, at the past
5 hearing. Farm workers are the last category of
6 employees within the state of New York that do not
7 share the rights of overtime protections,
8 unemployment insurance, and the rights to organize
9 collectively and bargain. This resolution calls
10 upon the state to fix this. Before we begin the
11 hearing I'd like to thank committee counsel Matt
12 Collin for putting this together, Alie [phonetic]...
13 my legislative director, and of course I'd like to
14 thank Council Member Danny Dromm, Costas
15 Constantinides of the committee. And we've been
16 joined by Council Member Brad Lander. There are a
17 number of testimonies that will be read, will be
18 injected into the record and they are on reso 692
19 from the central labor council. There is the
20 association of carwash owners will also be entered
21 into the record ad from the public advocate on 125B
22 will also be entered into the record as well. That
23 being said I'll ask the clerk to call for the vote.

24 UNKNOWN MALE: [off mic] ...all due
25 respect this bill... [cross-talk]

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2 CHAIRPERSON MILLER: Whoa, whoa, whoa...

3 [gavel] With all due, with all... [cross-talk]

4 UNKNOWN MALE: [off mic] ...heard. With
5 all due respect... [cross-talk]

6 [pause]

7 COMMITTEE CLERK DESTEFANO: Committee,
8 Committee Clerk Mathew DeStefano. Committee on
9 Civil Service and Labor. Roll call vote on Intro
10 125B and resolution 692. Council Member Miller.

11 CHAIRPERSON MILLER: I vote yes.

12 COMMITTEE CLERK DESTEFANO: Crowley.

13 COUNCIL MEMBER CROWLEY: [off mic] I
14 vote yes.

15 COMMITTEE CLERK DESTEFANO: Dromm.

16 COUNCIL MEMBER DROMM: Opportunity to,
17 permission to explain my vote.

18 CHAIRPERSON MILLER: Granted.

19 COUNCIL MEMBER DROMM: I think that this
20 is one of the most historic and important pieces of
21 legislation that this council could pass. I have
22 worked very closely with the carwash... I have
23 attended many of their rallies. I have seen with my
24 own eyes the violations of human rights, civil
25 rights, job rights of these carwash owners. I went

2 to a carwash in Elmhurst where the owner came out
3 outraged screaming and yelling shutting down the
4 whole place throwing the workers out telling them
5 to go home. And this has happened repeatedly time
6 after time after time. This legislation is vitally
7 important and absolutely necessary and it's a
8 historic day for those car wash arrows that we have
9 had this long battle for. I proudly proudly vote
10 yes for that piece of legislation and for the other
11 legislation as well.

12 COMMITTEE CLERK DESTEFANO:

13 Constantinides.

14 COUNCIL MEMBER CONSTANTINIDES: I vote

15 aye on both.

16 COMMITTEE CLERK DESTEFANO: By a vote of

17 four in the affirmative, zero in the negative, and
18 no abstentions the item has been adopted.

19 CHAIRPERSON MILLER: I'll allow Council

20 Member Lander... obviously he's here, he has
21 something to say on these very important pieces of
22 legislation.

23 COUNCIL MEMBER LANDER: Thank you very

24 much Chairman. I really want to thank you for
25 chairing this hearing and the prior hearings on

1 the, on the carwash accountability act. I share
2 Council Member Dromm's and your strong support for
3 the bill. I also have had the opportunity to work
4 closely with some of the car wash arrows. And just
5 you know for the record because there was obviously
6 this outburst before I knew they... all of the
7 elements that are passing in today's bill were
8 thoroughly heard and discussed at the prior
9 hearings. There's nothing in this bill... Honestly
10 the amendments to this bill actually reduce the
11 amount of the bond that's required. So if anything
12 they take it into the direction of some of the
13 testimony that we heard from owners at our public
14 hearing, the provision for making it possible for
15 those owners who are subject to some additional
16 oversight whether from the attorney general or from
17 the Department of Labor or through a collective
18 bargaining agreement were also discussed at our, at
19 our prior hearings. So I just, I think it's
20 important for anybody watching on TV or at home or
21 in the subsequent hearings notwithstanding the
22 outburst this bill was under your leadership
23 thoroughly vetted and heard and in addition to
24 being a, a very strong and important bill for
25

2 cleaning up a dirty industry and a model of using
3 licensing to improve workplace safety and worker
4 conditions was thoroughly and appropriately heard
5 and considered by this committee and this council
6 so thank you.

7 CHAIRPERSON MILLER: Council Member

8 Lander I want to thank you for your participation
9 on this important legislation as well and, and, and
10 your leadership. I think that as, as Council Member
11 Lander said that this had been thoroughly vetted
12 and there was opportunity for all voices to be
13 heard and the fact of the matter any revisions
14 certainly reflect those voices on both sides. I
15 also know that in my conversations in some, with
16 some of the owners that there, that this
17 legislation just the introduction of this
18 legislation set to serve to improve the industry in
19 itself. And, and I have no doubt once this goes
20 into full effect that it will protect the workers
21 as it has been intended to do. I also want to thank
22 the committee for voting unanimously to support
23 resolution 692 giving protections to far workers
24 the, the, the only group of workers left in New
25 York state that do not enjoy the basic tenants and

2 rights of workers throughout the state of New York.
3 So the, the committee is certainly proud of these
4 two pieces of legislation that have been put forth
5 today. I thank everyone for their participation.
6 We've been joined by Council Member Cornegy. We've
7 also been joined by at, we've neglected to mention...
8 Council Member Crowley. Thank you so much for your
9 participation. Council Member Cornegy.

10 COUNCIL MEMBER CORNEGY: I abstain.

11 COMMITTEE CLERK DESTEFANO: The vote now
12 stands five in the affirmative... I'm sorry excuse
13 me. The vote stands four in the affirmative, zero
14 in the negative, and one...

15 COUNCIL MEMBER CORNEGY: I'm sorry. On
16 the Farmworkers bill I vote yes. And I abstain from
17 the second vote.

18 COMMITTEE CLERK DESTEFANO: Okay one,
19 129B the vote stands at four in the affirmative,
20 zero in the negative, one abstention. On resolution
21 692 the vote stands at five in the affirmative,
22 zero in the negative, and no abstentions.

23 CHAIRPERSON MILLER: Okay thank you.

24 With that we call this meeting, this meeting's now
25 adjourned.

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COMMITTEE ON CIVIL SERVICE AND LABOR

[gavel]

