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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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April 19, 2017
Start: 10:22 a.m.
Recess: 12:32 p.m.

HELD AT: Committee Room - City Hall

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

COUNCIL MEMBERS:
Danny Dromm
Elizabeth Crowley
Robert Cornegy, Jr.
Costa Constantinides

Steven T. Levin
Maria Carmen del Arroyo
Brad S. Lander
Ydanis A. Rodrigues
James G. Van Bramer
Ruben Wills

1 COMMITTEE ON CIVIL SERVICE AND LABOR

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3
4 A P P E A R A N C E S (CONTINUED)

5 Chris Neil
6 New York City Workforce Development
7 Board

8 Liz Vladeck
9 Deputy Commissioner Office of Labor
Policy and Standard

10 Melanie Hart
11 Department Small Business Services

12 Renee Campion
13 First Deputy Commissioner NYC Office of
Labor Relations

14 Kuba Brown
15 Local 94 Business Manager

16 Barbara Ingram
17 Director of Field Operations for District
37

18 John O'Malley
19 1180 Legislative Coordinator

20 Jose Pinero
21 32BJ

22 Marni von Wilpert
23 Economic Policy Institute

24 Ruth Milkman
25 CUNY Graduate Center and Murphy Institute

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2 CHAIRPERON MILLER: In the interest
3 of time, we probably need to get started
4 because I know everyone needs to be here trying
5 to wait for other members of the committee but
6 certainly we should move forward. Again, good
7 morning. I am Council Member I. Daneek Miller
8 Chair of the Committee on Civil Service and
9 Labor. I'm joined by my colleague Council
10 Member Danny Dromm, who is the Chair of
11 Education. Today we are here to examine some
12 topics here in New York City after President 45
13 and we will be discussing two pre-considered
14 resolutions. The first affirms New York City's
15 right to collective bargaining and the second
16 is against federal legislation making right to
17 work permanent across the country. There's
18 already also been proposed cuts to Department
19 of Labor and the workers safety regulations
20 which for decades have protected some of our
21 countries most vulnerable residents. There is
22 no doubt New York City's a union city and New
23 York State is a union state. The right to
24 collect or bargain is written in the
25 constitution. We have one of the highest

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2 densities of union membership in the country
3 and in the budget that was just passed in
4 Albany, union dues were made tax deductible.

5 Here in New York City, we have also made great
6 strides supporting working families by working
7 with our brothers and sisters in the movement.

8 We have enacted paid sick family leave,

9 protecting workers in the supermarket

10 buildings, industries and increased minimum

11 wage but these new challenges require more

12 action, new policies and will protect workers

13 and progress that we have made. The

14 administration had proposed 21 percent cuts to

15 Department of Labor whose goal is to force to

16 promote and develop the welfare, wages and

17 earnings of job seekers, retirees in the United

18 States. Improving working conditions advancing

19 opportunities for profitable employment ensure

20 work related benefits and rights. While our

21 economy may be in a strong place, we know that

22 not everyone is benefiting from these. The

23 rules and regulations which the Labor

24 Department enforces are meant to ensure equal

25 opportunities and protections for all workers.

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2 A major part of proposed cuts are for the
3 workforce development program which has been
4 giving residents new skills that often allow
5 them to enter back into the workforce with
6 rewarding new career opportunities. These
7 include senior community services employment
8 programs which is proposed to be cut by \$434
9 million and an additional \$11 million would be
10 cut from supposedly unproven Occupational
11 Safety and Health Administration, OSHA. At a
12 time when city has seen an increase in deaths
13 in construction industry and other worker, this
14 is abomination but we have already seen a
15 reversal of some of these policies including an
16 announcement by OSHA they will delay the
17 regulating crystalline silica, a substance
18 known to cause cancer on construction sites. A
19 signed executive order revising the fiduciary
20 rule which ensures financial advisors have no
21 conflict of interest when advising their
22 business client's employees, pensions. Another
23 executive order that mandates each agency take
24 into account the course of regulations instead
25 of the consequences of the workers. As someone

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2 who has spent a great portion of my life in the
3 labor movement, I know the impact of collective
4 bargaining and what it can have on families,
5 quality of life and how it has enriched our
6 city. The labor history here in New York City
7 must be preserved but also be an example to
8 others in the state and throughout the country
9 and to our constituency to reduce the
10 inequalities in the communities through
11 collective bargaining and organizing. I am
12 looking forward to hearing from the
13 representatives of the de Blasio Administration
14 unions and experts and advocates who can give
15 us some insight on what can be expected going
16 forward as these new regulations are enacted or
17 attempted to be enacted. We will continue to
18 fight to counter the diminishing power of labor
19 and what we can do here in this city to protect
20 working families. I would like to thank our
21 legislative counsel Matt Carlin, legislative
22 policy analyst Gofar Zolofit (SP), economist
23 Kendall Stevenson and everyone who will be
24 testifying here in advance. We've been joined
25 as I said by Council Member Danny Dromm and

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2 with that I would like to call our first panel
3 and our first panel is already seated and ready
4 to go. That is excellent. So we have from the
5 Mayor's Office Chris Neil and Deputy
6 Commissioner Liz Vladeck. Before you get
7 started, [pause]

8 [Oath Administered]

9 CHRIS NEIL: Good morning, Chairman
10 Miller, Council Member Dromm. I am Chris Neil,
11 Director of the New York City Workforce
12 Development Board. The New York City Workforce
13 Development Board is a federally mandated board
14 whose members are appointed by the Mayor. I am
15 staff to the board. I am also part of the New
16 York City Mayor's Office of Workforce
17 Development, an office established by the Mayor
18 to serve as the coordinating entity for
19 workforce initiatives. I work closely with a
20 number of city agencies including the
21 Department for the Aging, Department of Small
22 Business Services and the Department of Youth
23 and Community Development. Several colleagues
24 from these agencies are present today and will
25 be available for Q&A. I am also joined by my

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2 colleague from the Department of Consumer
3 Affairs, Liz Vladeck, Deputy Commissioner
4 Office of Labor Policy and Standard who will
5 speak later to work and protection and labor
6 union issues under the Trump Administration.
7 Thank you for inviting us to testify here
8 today. The primary focus of my testimony will
9 be describing several training and employment
10 programs funded by the US Department of Labor,
11 USUL for short, that benefit New Yorkers which
12 could be at grave risk due to the Trump
13 Administration's proposal to cut the US
14 Department of Labor's overall budget by 21
15 percent. USUL funds a number of programs
16 nationally that helps individuals funds a
17 number of programs nationally that help individuals
18 prepare for and connect to jobs. The City of New
19 York received nearly \$70 million in total this year
20 from USUL for employment programs serving three
21 groups of New Yorkers: youth, adults and seniors.
22 As you are well aware, the Trump Administration
23 proposed its skinny budget on March 16th which
24 concluded a proposed cut to USUL funding overall 21
25 percent but there is a lot of uncertainty about

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2 what ultimately will be in the federal budget.

3 Nonetheless, the Mayor plans to fight these

4 proposed cuts which would unfairly target our

5 fellow New Yorkers, many of them low income. I'm

6 going to start by describing employment programs

7 for youth. The City of New York received more than

8 \$24 million from USUL for two youth employment

9 programs: the in-school youth and out of school

10 youth programs. Both programs are funded by the

11 Federal Workforce Innovation and Opportunity Act

12 and managed by the Department of Youth and

13 Community Development. The in-school youth program

14 provides year-round services to high school seniors

15 and juniors who meet certain eligibility

16 requirements. In-school youth services are

17 provided by community based organizations in all

18 five boroughs of the city. What these programs do

19 is really to help young people graduate from high

20 school, pursue college education and develop their

21 career goals. Services they have access to is

22 counseling, tutoring, leadership activities, a

23 guaranteed paid summer work experience and others.

24 The out of school youth program is a year-long

25 program for youth between the age of 16 and 24 who

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2 are not working and not in school. These
3 disconnected young people upgrade their job skills
4 and find permanent work. The program offers
5 occupational skills training in many different
6 industries including construction, food service,
7 healthcare and retail. The program also provides
8 high school equivalency preparation and support
9 services and aims ultimately to connect these young
10 adults to college or to a job. Participants also
11 receive 12 months of follow-up services after
12 completing the program. Out of school youth
13 programs are operated by community based
14 organizations in all five boroughs of the city and
15 the wheel of law recognizes the importance of
16 serving disconnected youth. It requires that at
17 least 75 percent of all program funds for youth be
18 spent on out of school youth. Together these two
19 USUL (??) funded programs will enroll and serve
20 more than 2600 young adults this year. They will
21 positively impact the lives of young students of
22 young adults like Jessica Pinkney. Jessica
23 enrolled in an out of school youth program on a
24 track to earn a Microsoft Office User Specialist
25 Certification. She was shy around her peers in the

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2 program but loved writing and really blossomed in a
3 work-writing sessions in which the participants
4 wrote a job description for themselves but she
5 struggled with the certifications exam, failing it
6 three times, but she kept at it and finally passed
7 and she landed her first job as a customer service
8 representative at Stop and Shop earning 11 bucks an
9 hour and is able to apply a number of the skills
10 she learned during her training program. Cuts to
11 these programs would impact disconnected youth the
12 most and mean that some youth like Jessica could
13 lose the opportunity to build their confidence and
14 find a job. We don't know yet what level of
15 funding USDL youth programs will have in the
16 federal budget but regardless of what happens, the
17 de Blasio Administration is unwavering in its
18 commitment to continue to build on our progress
19 serving young people and families and with the
20 strong support of the Council over the past few
21 years practically every single program area that
22 DCYD operates from Compass and schools at NYC,
23 after school programs, to the Beacon and
24 Cornerstone Community Centers, Summer Youth
25 Employment Program and Runaway and Homeless Youth

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2 shelter beds have all seen increased investment
3 under Mayor de Blasio. Now I'm going to talk
4 employment program for adults. The City of New
5 York received more than \$41 million this year from
6 the US Department of Labor for adult employment
7 programs funded by the Workforce Innovation and
8 Opportunity Act and managed by Small Business
9 Services. SBS uses WIOA funds for two main
10 purposes: training New Yorkers and connecting them
11 to jobs. SBS invests WIOA funding in training
12 programs that align with employers needs and help
13 New Yorkers to enter in advanced sectors driving
14 New York City's economy. These include sectors
15 like healthcare, industrial manufacturing,
16 construction, food service and hospitality, tech
17 and media and entertainment. The Workforce One
18 Career Centers annually connect more than 4000 New
19 Yorkers to training like these. SBS also operates
20 a network of 20 Workforce One Career Centers
21 throughout the five boroughs with WIOA funding.
22 These centers provide recruitment services for New
23 York City employers and also connect job seekers 18
24 years of age or older to available employment
25 opportunities. Supporting the Mayor's focus on

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2 quality jobs, Workforce One connects New Yorkers to
3 employment opportunities in fast-growing industries
4 with real opportunities for advancement. The
5 Workforce One Centers utilize recruitment
6 expertise, industry knowledge and skill building
7 workshops to match qualified candidates to
8 positions with their employer partners and annually
9 the Workforce One Career Centers connect 25,000 New
10 Yorkers to jobs. Earlier this year, the Workforce
11 One Healthcare Career Center, a specialized center
12 with industry expertise in healthcare, worked
13 closely with the Center's plan for healthy living
14 which is the second largest managed long-term care
15 provider in New York City. This employer was
16 facing severe challenges finding appropriately
17 qualified registered nurses but the Healthcare
18 Center successfully sourced, screened and referred
19 a number of qualified registered nurses to the
20 employer. The result was phenomenal. Twenty-one
21 individuals got hired over the course of just one
22 month as registered nurses. They earn between
23 74,000 and \$86,000 a year. And moreover, the
24 employer was thrilled to fill so many of these hard
25 to fill positions so quickly. Again, we cannot be

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2 certain how USDL adult employment programs will be
3 funded in the federal program but any cuts to their
4 funding would mean fewer New York City job seekers
5 and employers able to share in the success of
6 recruitment efforts like registered nurses hired by
7 the centers plan for healthy living. I'm now going
8 to talk about employment programs for seniors. The
9 City of New York received more than \$4.3 million
10 from the US Department of Labor this year to
11 support the Senior Community Service Employment
12 Program, SCSEP, managed by the Department For The
13 Aging. The Trump Administration's budget proposes
14 to eliminate SCSEP entirely. SCSEP is an
15 employment and training program targeted to low
16 income seniors age 55 or older. This year, DFTA
17 has served nearly 500 seniors through the program.
18 A major component of SCSEP is paid community
19 service. The participants offer their talents to
20 organizations like senior centers, city agencies
21 and community based organizations. The ultimate
22 goal is to prepare seniors for jobs. When they
23 transition to full-time jobs, participants earn an
24 average of \$14 an hour in a variety of positions
25 such as Certified Nursing Assistant, customer

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2 service representative, bookkeeper and manager.

3 SCSEP makes a powerful impact in New York City on

4 the lives of seniors like Jose Raman. At age 60,

5 Jose found himself with bills mounting and under

6 incredible pressure to find a job. He enrolled in

7 the SCSEP program and found a highly supportive

8 staff in DFTA. Jose didn't want just a job. He

9 wanted an opportunity in which he could really grow

10 professionally. However, he went on interview

11 after interview without a callback facing intense

12 disappointment but the DFTA staff helped him. They

13 helped him hone his interview skills which

14 ultimately helped him land a position as a patient

15 navigator at Urban Health Plan in South Bronx. He

16 is now earning nearly \$18 an hour and will have

17 access to great benefits including health

18 insurance, vacation days, 401(k) and others once he

19 passes his probationary period in May. DFTA has

20 served older adults through SCSEP for more than 25

21 years. The program remains critically important

22 because older New Yorkers are living longer than

23 ever before and many turn to DFTA for help to

24 secure a continuing role in the workforce. Low

25 income seniors rely on the program for training,

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2 income and help finding a job. The program is a
3 lifeline for participants because it helps them
4 cover their living expenses like food and housing.
5 That support in turn helps protect seniors against
6 more serious issues like food and security, rent
7 arrears and homelessness. The program helps
8 seniors stay economically viable in this expensive
9 city. They are relying on SCSEP to gain employment
10 and to survive and without SCSEP, seniors like Jose
11 Raman would not have the support. As I described,
12 the Trump Administration's budget proposes cuts
13 that could impact critical employment programs in
14 our city but the de Blasio administration plans to
15 fight these cuts that would put every day New
16 Yorkers, youth, adults and seniors in the
17 crosshairs, depriving them of valuable programs
18 that would help them prepare for and connect to a
19 job to support their families. Thank you.

20 LIZ VLADECK: Good morning and thank
21 you, Chairman Miller and Members Dromm and Lander
22 and Council for the opportunity to offer testimony
23 today. Our Mayor, the Speaker and all of you have
24 shown great leadership in pursuing policies and
25 laws that ensure workers in New York City,

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2 particularly the most vulnerable, can care for
3 themselves and their families. Through the
4 collaborative efforts of the administration and the
5 Council, The Department of Consumer Affairs Office
6 of Labor Policy and Standards, which I direct in my
7 role as DCA Deputy Commissioner, has been
8 established as a dedicated voice in city government
9 for workers in New York City. Together we have
10 demonstrated the City's commitment to building on
11 its historic role serving as a laboratory for new,
12 progressive policies. OLPS takes very seriously
13 our mandate to enforce key workplace law and rules,
14 to educate workers, employers and the public about
15 local, state and federal workplace protections and
16 to conduct original research and use it to advance
17 new policy initiatives that are responsive to a
18 changing economy. I'm glad to be on this panel
19 this morning with Director Neil, who has spoken so
20 powerfully about potential problems under the Trump
21 Administration's proposes skinny budget. I also
22 want to acknowledge the work of our colleagues at
23 the Office of Labor Relations which, of course,
24 represents the Mayor and the conduct of labor
25 relations between the City of New York and the

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2 labor union representing city employees. Under
3 Mayor de Blasio, the city's commitment to
4 collective bargaining with its own workforce has
5 never been stronger. According to OLR, 90 percent
6 of city employees are represented by a union.
7 That's a total of 337,000 employees and 144
8 bargaining units. When the Mayor took office,
9 every city collective bargaining agreement was
10 expired. This administration has since entered
11 into agreements covering 99.57 percent of the
12 city's represented workforce and it is on track to
13 achieve \$3.4 billion in a landmark labor-management
14 health savings agreement that made the first
15 significant changes to the health plan since 1982.
16 The administration's achievements include
17 negotiating nine-year collective bargaining
18 agreements or CBAs for more than 140,000 employees
19 who hadn't received any wage increase since 2008
20 and seven-year CBAs for most of the more than
21 200,000 employees who hadn't received any wage
22 increases since 2010. More than a hundred CBAs
23 were overwhelmingly ratified by union membership
24 and hailed as fiscally responsible by the city's
25 fiscal monitors. Further, the city has worked with

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2 our unions to establish wellness programs, joint
3 funds for child and elder care programs and to
4 create additional education and training
5 opportunities for early education workers. My
6 colleague Renee Campion and her colleagues are here
7 from OLR if you have further questions about these
8 points. But they are all examples of policies that
9 we in New York City know are critical to protect
10 working families and grow our economy. In contrast
11 to these forward-looking policies, I would like to
12 note some of our concerns about how new federal
13 government priorities could negatively impact
14 enforcement of important worker right's laws and I
15 would like to discuss the threat posed by Right To
16 Work legislation pending in Congress. I know that
17 -- obviously we have heard Director Neil speak
18 about how the President's proposed budget could
19 negatively impact workers and their families. In
20 addition to slashing resources, there are many ways
21 that the federal administration could hurt workers
22 when it comes to critical workplace standards. The
23 Trump Administration's actions on immigration have
24 already had a terrible impact on immigrant workers
25 in our communities. Other harmful actions that the

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2 executive branch could pursue unilaterally include
3 decreased enforcement dollars devoted to police
4 wage an hour and health and safety violations,
5 changing priorities that shift enforcement efforts
6 away from vulnerable workforces where violations
7 can multiply, the recent rollback of the Fair Pay
8 and Safe Workplace Executive Order, EL13673, that
9 had previously made it more difficult for habitual
10 labor and employment law violators to get federal
11 contracts and appointments to key leadership roles
12 of individuals with anti-worker and anti-labor
13 agendas, though organizing by stakeholders
14 including some in this room in this city and all
15 around the country defeated the administration's
16 first nominee for Labor Secretary, Andrew Puzder,
17 there are still numerous critical positions left to
18 fill. Additionally, problematic legislative
19 initiatives such as the proposed repeal of the
20 federal Davis-Bacon Act which requires payment of a
21 prevailing wage on federally funded public works
22 projects could also pose serious harm to workers
23 and their families. Other legislation of concern,
24 which I would like to focus my attention on now, is
25 the pending National Right To Work Act which would

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2 undermine union's ability to organize around the
3 country. Under current federal law, unions
4 representing private sector workers must represent
5 all of an employer's employees but many state Right
6 To Work laws, I think we are up to about 27, 27
7 states, allow workers not to pay dues to the union
8 even through the union must still represent them.
9 This is known as a free rider problem. Dr. Martin
10 Luther King, Jr., had this to say about Right To
11 Work laws all the way back in 1961. He said, "In
12 our glorious fight for civil right, we must guard
13 against being fouled by false slogans such as right
14 to work. It is a law to rob us of our civil rights
15 and job rights. It's purpose is to destroy labor
16 unions and the freedom of collective bargaining by
17 which unions have improved wages and working
18 conditions of everyone." Wherever these laws have
19 been passed wages are lower, job opportunities are
20 fewer and there are no civil rights. In other
21 words and despite its misleading shorthand, right
22 to work legislation does nothing to enhance the
23 right of workers. Instead a 2015 study by the
24 Economic Policy Institute of EPI found that wages
25 in right to work states are 3.1 percent lower than

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2 those in non-right to work states meaning that on
3 average full-time salary workers were earning \$1558
4 less per year in right to work states compared to
5 other states. A 2011 EPA study found that the rate
6 of employer-sponsored health insurance is 2.6
7 percent lower and the rate of employer sponsored
8 pensions, 4.8 percent lower in right to work
9 states. If we extrapolated these conditions
10 nationally that would be 2 million fewer workers
11 that would have employer-sponsored health insurance
12 and 3.8 million fewer workers that would have
13 employer sponsored pensions. It is clear that
14 right to work laws undermine unions. Union
15 membership has fallen by 40 percent in Wisconsin
16 since 2002 following the passage of right to work
17 and other antiunion laws there. Weakening unions
18 threatens workers' incomes as unionization
19 typically raises wages and improves working
20 conditions. A 2012 EPI study determines that union
21 membership raises compensation of union workers by
22 13.6 percent. Unions also benefit women and
23 workers of color. Female union members are paid
24 over 30 percent more than female workers who are
25 not members of a union. The Pay gap is smaller

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2 between men and women in unions than it is between
3 men and women who are not in unions. Workers of
4 color benefit disproportionately from union
5 representation as well. When compared to their
6 counterparts who are not in unions, black workers
7 receive 17.3 percent more in wages and Hispanic
8 workers receive 23.1 percent more and Asian workers
9 14.74. Right to work laws chip away at all of
10 these benefits for workers. An argument that we
11 often hear in support of right to work laws is that
12 they bolster employment, competition and wages but
13 numerous, rigorous studies have found that this is
14 in fact not the case. These studies have shown
15 that right to work laws do little to boost
16 employment rates or attract higher wage
17 manufacturing jobs. Studies and surveys of the
18 manufacturing industry, for example, do not
19 indicate that having right to work laws is a factor
20 in location decisions. Instead there's evidence
21 that higher wage, higher tech manufactures are
22 drawn to states with strong education systems,
23 strong research universities, good digital
24 infrastructure and other features. Higher wages,
25 infrastructure, strong education, these are all

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2 among New York City's economic commitments under
3 Mayor de Blasio. Our administration views
4 collaborative relationships with business and labor
5 as critical to sustained equitable economic growth.
6 That is why both in the city's relationship to its
7 own workforce and in terms of general minimum labor
8 standards we have pursued policies that make New
9 York City a leading example of progressive and
10 innovative legislation and other initiatives that
11 benefit working people and strengthen the economy.
12 Unions were major proponents of the New York City
13 paid sick time law which OLPS enforces and which
14 has had a major positive impact on working
15 conditions for non-union and union workers alike.
16 Labor unions have also advocated for increases in
17 the state minimum wage and for the Mayor's
18 groundbreaking proposed Fair Work Week legislation
19 which, as you know, the administration is working
20 hard with the Council to move forward. At OLPS we
21 know that unions help provide important protections
22 from filing complaints on behalf of aggrieved
23 workers to helping identify problem industries.
24 Because we know that that unionization results in
25 important benefits and protections for workers, we

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2 oppose a tax on unions and threats to workers'
3 ability to organize such as the false slogan of
4 right to work. Under Mayor de Blasio's leadership,
5 we are proud of the city's record pursuing policies
6 that improve conditions for and empower working
7 people and the organizations that represent them.

8 If I may just add to my written testimony, I want
9 to make sure everyone here is aware that this
10 coming Tuesday, April 25, our agency, the
11 Department of Consumer Affairs, is co-convening a
12 hearing on the state of workers right in New York
13 City together with MOIA and the Commission on Human
14 Rights. We are inviting workers and their
15 representations, organization that look at worker
16 rights issues to come and testify, submit testimony
17 in order to help us address some of the issues that
18 are coming up under the new federal administration.
19 So, thank you very much.

20 CHAIRPERSON MILLER: Thank you so much
21 for that detailed testimony. Glad to see that so
22 much work is being done. I am going to have a few
23 questions for you as well but I want to start with
24 Mr. Neil and let him talk in a little more detail
25 about the impact on the workforce development that

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2 these cuts may have, in particular to what does the
3 current demographic of those that you are serving
4 look like and what would be the impact, the most
5 immediate impact to some of the services that would
6 not be delivered if in fact these loss of funds did
7 come to fruition.

8 CHRIS NEIL: I will start by talking
9 about the Workforce One Career Centers. These
10 Centers serve individuals who are 18 years of age
11 or older. I know that the majority of folks come
12 in unemployed. That is the vast majority of folks
13 coming in unemployed to talk about the impact. It
14 is hard right now, right, 21 percent across the
15 board. We don't know what that means for
16 individual programs like the Workforce Innovation
17 and Opportunity Act. There is so much influx, you
18 know. You have Republican senators like Lindsey
19 Graham saying the budget is dead on arrival. So we
20 -- the situation is extremely fluid and we think we
21 will know a little bit more in late May once the
22 agencies have proposed their full budgets but right
23 now all we have is this is 21 percent number so it
24 is very hard to really forecast with any certainty
25 what those cuts will look like. We know it will

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2 hurt New Yorkers. We know it will hurt working
3 families. We just don't know how deeply. So it is
4 a bit speculative at this point. We will know
5 more, like I said, probably in a month, month and a
6 half.

7 CHAIRPERSON MILLER: So in terms of the
8 senior program that you have, could you be a little
9 more concrete with that? Is there any one of the
10 three categories that you defined in testimony that
11 you can say as a matter of fact that you know that
12 we will be impacted or at least maybe not to what
13 degree but certainly that any loss of funding would
14 impact, have a great impact?

15 CHRIS NEIL: Well, I mean, any cuts to
16 any of these programs would have an impact. It
17 would mean that we probably would have -- we'd have
18 to serve fewer youth, adults or seniors. I think
19 the scariest of the three is SCSEP, the senior
20 employment program, which the Trump Administration
21 has graciously proposed to eliminate. But this is
22 a program that serves 500 seniors every year. It
23 is a vital program to income seniors who want to
24 continue working, who need help, they need support
25 and it helps them, you know, pay for food, pay for

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2 housing. That is the one that I think is the most
3 serious but we don't know if that is going to
4 happen. We don't know if there could be a large
5 cut, there could be a small cut. I think a lot
6 depends on how well we can work with members of
7 Congress and other governors and mayors across the
8 country to make sure we're fighting these cuts and
9 to make sure that if there are cuts they're as
10 small as possible.

11 CHAIRPERSON MILLER: Right now, what
12 percentage of the total percentage of the budget of
13 these programs comes from the federal government?

14 CHRIS NEIL: So for the out of school
15 and in-school youth program, my colleague from City
16 can correct but I believe the vast majority is from
17 the federal government from the US Department of
18 Labor for those two programs. A hundred percent,
19 okay? It was close to a hundred percent. For the
20 SCSEP Program if it is also a hundred percent from the
21 US Department of Labor so completely federally
22 funded. For the Workforce One Career Centers, it
23 is certainly the majority but it is not the only
24 source of funding. There are other sources of
25 income that help support both employment centers

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2 and the training programs that SBS runs. So it is
3 a majority but not a hundred percent.

4 CHAIRPERSON MILLER: Okay. Before I --
5 let me just say that we have been joined by Council
6 Members Robert Cornegy, Elizabeth Crowley and Costa
7 Constantinides as well and we will take questions
8 from them momentarily. So apparently this would
9 have a great impact on workforce development here
10 in the city if these cuts were to come to fruition.
11 I know that there are some questions that we put
12 our head together around what would be other
13 sources but we do have our Small Business Chair
14 here and I'm gonna let him asked those questions as
15 well. So I'll come back. I'm sure the entire
16 panel or the -- my colleagues have questions as
17 well so I want to kind of jump over to the
18 Commissioner and talk about policy here and some of
19 the things that have been proposed that you may
20 want to drill down on, some of the things that you
21 think would have the greatest impact in terms of
22 public policy that are being offered up from these.
23 You spoke very eloquently about right to work,
24 certainly right to organize and some of the
25 affronts that we've seen on worker safety certainly

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2 is something we should be taking a look at as well.
3 Could you elaborate on that please?

4 LIZ VLADECK: Certainly. We know that
5 the administration is looking at rolling back some
6 protections under OSHA. We know that there is
7 consideration of, I think it is a rule that would -
8 - of rolling back a rule that would require certain
9 kinds of reporting of incidents. That is
10 worrisome. You know, the points that I mentioned
11 in my testimony, I mean obviously rolling back
12 Davis-Bacon. I think we all -- I don't have any
13 statistics at my fingertips. I can certainly
14 provide some at a later time. But obviously we
15 know that prevailing wages are an incredibly
16 important part of making construction industry jobs
17 good jobs. The federal government is a major
18 source of employment.

19 CHAIRPERSON MILLER: I know you
20 discussed -- you mentioned the upcoming hearing
21 that would kind of address -- would you be
22 addressing some of the concerns that are being
23 brought up here at this hearing today and how we
24 may kind of create mechanisms to deter this, how we
25 build coalitions that fight this also? Certainly,

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2 we would like you to talk about that but what
3 industry would you see here within the city that
4 would be most impacted if in fact we saw the
5 changes in some of these regulations?

6 LIZ VLADECK: I think one of the
7 concerning things is that when you look at the menu
8 of items that seem to be under consideration in DC,
9 it is hard to identify an industry that would
10 totally escape some impact which is part of why the
11 hearing that we have noticed for this coming
12 Tuesday has a broad topic, why we been working to
13 get the notice out far and wide to as many
14 stakeholders as we can because we want to hear from
15 workers and from their organizations about their
16 particular views of what seems to be coming down
17 the pipe and what workers are experiencing at the
18 workplace today. I think we're hoping that that's
19 a record that will help us to further shape and
20 development new policies. As you know, we're hard
21 at work on paid sick leave law implementation which
22 is only two and a half years old. We think of it
23 as it's been around forever. The oldest paid sick
24 leave law in the country is only 10 years old. We
25 have Fair Work Week scheduling legislation that is

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2 pending hopefully on a track to be past sooner
3 rather than later. My office will soon begin
4 enforcing a new law, the Freelance Isn't Free Act
5 to address wage theft problems among a whole group
6 of workers that hasn't been covered by a labor
7 protection historically so there's a lot to be done
8 but, you know, we have a lot of appetite and
9 certainly a mandate to push forward.

10 CHAIRPERSON MILLER: So would you
11 consider -- do you think that this recent policy
12 and some of the policies and protections that we
13 put place here for workers in the City of New York
14 are in jeopardy because of this and if so how would
15 we address that?

16 LIZ VLADECK: So I think as significant
17 as our concerns are about the immediate moment they
18 we're in. The reality is that workers have been
19 facing serious problems for far -- since long
20 before November of 2016 and so the foresight of the
21 Council and the administration in creating our
22 office and passing new municipal labor standards is
23 really about making a statement that cities, not
24 only ours, San Francisco, Seattle, Chicago, now
25 wants to setup an office modeled on ours because

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2 cities are really trying to take more of an
3 initiative to impact working condition in areas
4 that for a long time people just sort of gave up on
5 because they felt this is really the feds or this
6 is the state and I think more and more we are
7 finding creative and innovative ways to stake out
8 space for cities and for our city to push for new
9 standards which frankly is a role that we have
10 played historically. We know that many of the
11 first health and safety provisions and wage
12 provisions came out of workers mobilizing the
13 change conditions in New York City a hundred years
14 ago. So what is old is new I guess. I am excited
15 about the work we're doing and I think there's a
16 lot we can do and that we are doing locally.

17 CHAIRPERSON MILLER: Thank you. I am
18 going to take some questions from my colleagues.
19 We will begin with Council Member Crowley.

20 COUNCIL MEMBER CROWLEY: Thank you,
21 Chair Miller. Thank you for having this important
22 meeting, hearing rather. I have a question as it
23 relates to the infrastructure projects. I had read
24 in the newspaper that there were some comment that
25 Trump made that said he may he be looking to remove

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2 prevailing wage laws. Do you know of anything like
3 that?

4 LIZ VLADECK: I don't know the specific
5 comment. I don't know if possibly that could be
6 related to an initiative to repeal Davis-Bacon, if
7 the Davis-Bacon law --

8 COUNCIL MEMBER CROWLEY: So who is
9 carrying the initiative and do you know if --

10 LIZ VLADECK: The legislation has been
11 introduced in the, I think, in both houses. I'm
12 happy to follow up with your office and send the
13 draft legislation.

14 COUNCIL MEMBER CROWLEY: But when he
15 made an announcement I think yesterday or the day
16 before about the Visas, he didn't address that
17 issue?

18 LIZ VLADECK: I don't believe so but I
19 am happy to follow up.

20 COUNCIL MEMBER CROWLEY: Okay. I think
21 the article was really like they had thought he was
22 going to say something about that. Do we have any
23 idea when we will know the level of proposed cut,
24 the reality?

25

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2 LIZ VLADECK: I can only speak for
3 myself personally. I certainly wouldn't be placing
4 any bets on the planfulness and organization of the
5 current administration in DC.

6 COUNCIL MEMBER CROWLEY: When is the
7 budget finalized?

8 LIZ VLADECK: The federal budget?

9 COUNCIL MEMBER CROWLEY: Yes.

10 CHRIS NEIL: I believe it is the next
11 few months. I think it's supposed to be ready for
12 October 1st for the new federal fiscal year.

13 COUNCIL MEMBER CROWLEY: When do they
14 vote on it?

15 CHRIS NEIL: When they have a bill that
16 they've worked through that they can agree on.

17 COUNCIL MEMBER CROWLEY:
18 Traditionally?

19 CHRIS NEIL: Sorry?

20 COUNCIL MEMBER CROWLEY: Do you know
21 traditionally?

22 CHRIS NEIL: I don't know
23 traditionally.

24 COUNCIL MEMBER CROWLEY: That's it. No
25 other questions. Thank you.

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2 CHAIRPERSON MILLER: Council Member
3 Cornegy?

4 COUNCIL MEMBER CORNEGY: So I will keep
5 my questions specifically around the workforce
6 development piece. As the Chair of Small Business,
7 we have watched some of these programs be essential
8 in filling jobs especially in and around the retail
9 sector. I just want to know what kind of, I'm
10 going to be blunt, what kind of damage could
11 potentially these cuts do to workforce development
12 in the city?

13 CHRIS NEIL: You know, we don't know.
14 We don't know how bad the cuts are going to be yet.
15 There's a lot that is going to play out, change and
16 we are hoping we can fight that. If it's 21
17 percent, that's a lot of New Yorkers and working
18 families that would get hurt. There's no way
19 around that. Our hope is that we will see those
20 cuts get trimmed down to a much smaller amount than
21 they are currently proposed at. One of my concerns
22 as I mentioned earlier is the SCSEP program, the
23 senior employment program, because it is straight
24 in the crosshairs to be completely eliminated. Is
25 that going to happen, we don't know. Would that

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2 have a major impact on seniors in New York,
3 absolutely? The 500 seniors a year who benefit
4 from those services as a real lifeline to affording
5 rent and food would be in jeopardy. So, you know,
6 we will know a lot more I think once the individual
7 federal agencies submit their full budgets because
8 it is a 21 percent cut for the US Department of
9 Labor but we don't know exactly where that is going
10 to come from, how much is going to come from the
11 Workforce Innovation Opportunity Act, how much is
12 going to come from worker protection, how much is
13 going to come from OSHA, we don't know. So at this
14 point it is a lot of speculation but at the end of
15 the day any cuts would hurt working New Yorkers and
16 their families.

17 COUNCIL MEMBER CORNEGY: So from an
18 overall perspective and I've been relatively happy
19 with the administration's commitment to workforce
20 development through the programs. I am concerned
21 that not intentionally but the cuts will change the
22 vision of what the city has put, you know what I
23 mean, so we could -- so cuts for the sake of cuts
24 are what they are, right? We generally have no
25 control over that. What I am concerned with is if

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2 and when these cuts do come down, will it change
3 the city's trajectory in and around workforce
4 development?

5 CHRIS NEIL: No. And I can say that
6 definitively because the city has a very strong
7 vision for workforce development. Our office
8 released the Career Pathways Report back in 2014.
9 We are working with city agencies closely,
10 Department of Youth and Community Development out
11 of school youth and in-school program are now
12 focused a lot more on occupational skills training.
13 There's a lot of investment that SBS is doing in
14 training and in-demand areas so, you know, cuts
15 would hurt but this is the vision and all agencies
16 have really bought onto this because it is the
17 right thing to do for New Yorkers. It's not just
18 about jobs. It's about preparing New Yorkers for
19 careers, it's about preparing them for careers that
20 can support a family frankly and we are making the
21 investments citywide and this is not the only pot
22 of funds that we have. We are making investments
23 citywide in education and training and employment.
24 So would cuts hurt, absolutely but it is not going
25 to through us off the course. It's not going to

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2 change our vision. We are going to continue to do
3 things like we're doing now.

4 COUNCIL MEMBER CORNEGY: So I am
5 wondering anecdotally, I feel like, this is
6 anecdotal, there is a high percentage of
7 participants who go through the workforce
8 development who wind up in small businesses. Do
9 you have supporting data to -- does your data
10 support my anecdotal assertion that there is a
11 large number of individuals who go through the
12 workforce development programs and end up in small
13 businesses?

14 CHRIS NEIL: I don't know the answer to
15 that. I will look at my colleague from Small
16 Business Services to see.

17 MELANIE HART: Good morning. I am
18 Melanie Hart, Deputy Commissioner for Workforce
19 Development. How are you? I want to make sure I
20 understand the question you're asking. You saying
21 the people who are going through workforce
22 development are working at small businesses. Is
23 that the question?

24 COUNCIL MEMBER CORNEGY: If you know,
25 what is the percentage? Anecdotally, I feel like

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2 it is a high percentage based on my involvement and
3 relationship to the workforce development centers
4 around the city and my involvement in relationship
5 to small businesses I feel like that is creating a
6 pathway that. I just want to know if there is
7 substantiating data to that effect or not?

8 MELANIE HART: So we can -- I can get
9 that number for you so it can be more specific. I
10 also want to specifically ask the question of what
11 are you considering small business because we are
12 talking in a different standard than we use when we
13 talk about the number, the size? Are we talking
14 under a hundred employees? Just to make sure I'm
15 answering the question.

16 COUNCIL MEMBER CORNEGY: We can use the
17 state's definition of under a hundred employees but
18 I break it down to small, medium and then there's
19 micro businesses, right, so we understand the
20 largest number of businesses to my understanding
21 are between one and five. In district like mine,
22 that is the workforce. Also, I am astutely aware
23 that there is a statistic and I forget where it
24 comes from that says if we can build capacity in
25 small businesses in the City of New York to hire

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2 one more person, we could decrease unemployment by
3 50 percent very quickly. So that's been my
4 mission. Like so I don't have this great
5 philosophical mission, it is to help build capacity
6 and when I see things like this who potentially
7 would provide barriers to doing exactly that I get
8 nervous. So my line of questioning is based around
9 a statistic that I felt like the city was
10 supporting a movement towards with the workforce
11 development programs potentially a cut could change
12 that whole trajectory which is what none of us want
13 to see.

14 MELANIE HART: So I will make sure one,
15 to make sure we get a specific number to you with
16 what the breakdown is and in terms of where people
17 are falling out and once they are employed. But I
18 think your larger question is also about how are we
19 making sure on the business side that we are
20 continuing to support the small businesses and SBS
21 maintains its commitment to working with small
22 businesses throughout the city. Through both the
23 workforce development side as well as our other
24 sides of the house which are MWBE as well as all of
25

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2 our business services so that work -- we intent for
3 that work to also continue as a whole.

4 COUNCIL MEMBER CORNEGY: So that's the
5 scary thing for me is like we've come so far over a
6 short period of time with the commitment from the
7 administration to do that and what I've seen happen
8 in government is when the funding isn't there we
9 abandon the whole mission, not intentionally but
10 because money is what it is. i want to ensure that
11 no matter what happens that level of commitment for
12 the degree of commitment remains the same.

13 MELANIE HART: Indeed. Thank you.

14 CHRIS NEIL: We can also get you the
15 figures from DYCD and DFTA in terms of the numbers
16 of small businesses where folks get their jobs.

17 COUNCIL MEMBER CORNEGY: So for me, it
18 helps me work with the Chair to articulate a
19 narrative that we've got to send up the food chain
20 about why it's so important from my perspective for
21 these cuts not to happen and that supporting data
22 would definitely be essential in doing that. Thank
23 you.

24 CHAIRPERSON MILLER: Thank you, Council
25 Member. Council Member Dromm?

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2 COUNCIL MEMBER DROMM: Thank you very
3 much, Chair. My concern is related to this topic
4 but may be a little bit different and that is the
5 effect of the Supreme Court especially with the
6 appointment of Neil Gorsuch to the Supreme Court
7 and how that's going to affect labor laws I am
8 thinking of Friedrich and other cases and I think
9 that's going to have a very negative impact on all
10 of us should that case proceed. Can you address
11 some of those issues as you see them?

12 LIZ VLADECK: Certainly. Again,
13 obviously Friedrich had an unexpected outcome given
14 that sudden death of Justice Scalia. The case
15 deadlocked four to four. This is a case that would
16 have basically made it turned most state public
17 sector union due structures into right to work
18 structures that would have introduced right to
19 work, functionally would have introduced right to
20 work into public sector collective bargaining
21 relations which would have -- our projection is
22 that it would have had the same kind of devastating
23 impact in the public sector as it's had in the
24 private sector where there are right to work laws
25 on the books. Yes, I think there's a reasonably

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2 amount of concern that with the new fully
3 constituted Supreme Court, a case that raises
4 similar issues to Friedrich's will make its way
5 back to the Supreme Court. Obviously we don't know
6 how any one case will come out. It depends on the
7 facts. We don't -- a justice's track record
8 doesn't necessarily tell us where they are going to
9 come out but it is a matter of serious concern as
10 are any number of other cases that could make their
11 way up to the Supreme Court and impact labor and
12 workers.

13 COUNCIL MEMBER DROMM: So there was a

14 four to four ruling on that and now with the
15 addition of Gorsuch do we know what his record is
16 in terms of labor laws.

17 LIZ VLADECK: Yeah, it's not, you know,

18 it's -- the little we know is not very encouraging.
19 We know he is a strict textual is the mold of
20 Justice Scalia. We know that he tends to, in his
21 rulings, tends to come down on the side of the
22 powerful instead of the powerless. We know he had
23 one decision that was very hard involving a trucker
24 who's truck became disabled and after three hours
25 freezing in his cab with help not arriving, the

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2 trucker left to get help and was terminated and
3 Gorsuch found that he should have -- he would've
4 held the termination. So, you know, again we never
5 know how any judge will rule on any given facts in
6 any given case but I don't think we're too
7 optimistic.

8 COUNCIL MEMBER DROMM: I was the United
9 Federation of Teachers union chapter leader for
10 almost 25 years at the school where I taught before
11 being elected to the council. Another issue of
12 major concern to me is the weakening of tenure
13 laws. Does that come under your purview?

14 LIZ VLADECK: It doesn't. So as you
15 know labor relations, private labor relations are
16 regulated of course by the federal National Labor
17 Relations Act. It is the state public employment
18 relations law that regulates those issues in New
19 York and it is state laws for the most part that
20 regulate those issues on a state-by-state basis so
21 we are pretty clearly carved out from actually
22 directly regulating in the area of collective
23 bargaining. With that said, I do want to point to
24 one of the bills pending as part of the Fair Work
25 Week scheduling legislation package. I think it is

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2 1384 and I will double-check and correct the record
3 if I'm mistaken which would create a new mandatory
4 obligation for employers to honor requests from
5 workers to remit voluntary contributions to
6 organizations of a workers choice. The mechanism
7 is very similar to union dues deduction mechanism
8 and the intent is to enable workers to fund and
9 support organizations that they are collaborating
10 with on, you know, making changes in their
11 workplace, in their lives. There's no law like
12 this is the country. It's specifically what we've
13 identified. We do think we have some jurisdiction
14 over as a municipality and if it passes, you know,
15 there's more work to be done on the bill as
16 introduced but if it passes I think it really does
17 open up a new possible door for supporting workers.

18 COUNCIL MEMBER DROMM: Would those
19 organizations be known as vote-cope type
20 organizations? Is it for political purposes or
21 other purposes?

22 LIZ VLADECK: It's not. It's for other
23 purposes. It's voluntary contributions to non-
24 profit organizations. Since we cannot regulate in
25 the area of labor unions either federal -- under

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2 federal law in the private sector under state law
3 for the public sector, it is specifically about
4 non-profit organizations that are working with
5 workers on, you know, whatever issues are of
6 concern to them.

7 COUNCIL MEMBER DROMM: We are also
8 facing some issues around the possibility of a
9 Constitutional Convention here in New York State
10 which actually, you know, protects the Constitution
11 as it is written now, protects are pension rights
12 as members of unions and workforces. Is there any
13 movement on a national level regarding the
14 weakening of pensions?

15 LIZ VLADECK: Yeah, so I, I would have
16 to follow up with you on, you know, that question
17 is broadly framed. I know that in particular we
18 had been hopeful about a new rule that would have
19 prevented municipalities to introduce legislation
20 to require workers to have contributions
21 automatically deducted and remitted to a 401(k) to
22 look for a new model for some kind of a standing
23 permanent reliable pension fund for workers. I
24 believe that the Trump Administration has closed
25

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2 that gap and now that is innovation we won't be
3 able to pursue at least at the present time.

4 COUNCIL MEMBER DROMM: Okay. Thank you
5 very much.

6 LIZ VLADECK: Thank you.

7 CHAIRPERSON MILLER: Thank you, Council
8 Member Dromm and that brought up some really
9 interesting questions and I know the interest we
10 want to move this thing along, this hearing, but
11 this is very important and we have the Deputy who
12 is very astute and learned and we want to make sure
13 that we really take advantage of this access that
14 we have this morning here. From an OLR
15 perspective, Office of Labor Relations, and Council
16 Member Dromm certainly brought up some of his
17 concerns over at DOE but there are a number of
18 services that get delivered every day to the
19 citizens of New York City here whether it's in
20 public education, Department of Transportation,
21 Health and Human Services and otherwise so we want
22 to talk about what impact we may see on delivery of
23 some of these services. We don't have to get into
24 the specifics of agencies but I know obviously
25 there's been some -- a lot of talk and movement

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2 around national policing policies and not to
3 mention funding the same around public education,
4 healthcare and things of that nature. What could
5 you anticipate or foresee not just from a funding
6 perspective but certainly from a policy perspective
7 that may impact us here in the City of New York?

8 RENEÉ CAMPION: I am the First Deputy
9 Commissioner at the New York City Office of Labor
10 Relations. As you are all aware, the New York City
11 Office of Labor Relations under Executive Order 13
12 is responsible on behalf of the Mayor for
13 negotiating city contracts with all of its city
14 public sector unions. The commissioner is also
15 responsible for acting as liaison on behalf of the
16 Mayor in the private sector for any issues that
17 come up and that he is asked to participate in. I
18 am having trouble trying to frame your question and
19 trying to just focus on it. Could you clarify in
20 relation to public sector employees?

21 CHAIRPERSON MILLER: So outside of
22 collective bargaining so from a funding perspective
23 obviously there may be some federal dollars that
24 fall within these agencies obviously, what impact
25 would that have and then some of the policy that is

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2 coming out off -- number two would be some of the
3 policy that we're seeing through whatever through
4 Executive Order through legislative attempts, what
5 impact can we see if those came to fruition: number
6 one, the lack of funding; number two, would be
7 policy and laws coming out whether or not it was --
8 to give an example, there was a decree that came
9 out of the federal monitor around stop and frisk
10 and so there's been a lot of conversation with the
11 federal judge and his team as to what would be the
12 next steps around that and as part of that there
13 has been negotiations around the police and cameras
14 and some other things that have gone on through
15 negotiations with community of colors and the Black
16 Latino Asian Caucus and other organizations
17 throughout the city. Do you foresee some of the
18 national policing regulations that are trying to be
19 implemented having an impact on that so we would
20 take that as well as what's going on in affordable
21 healthcare and other things? Are any of these new
22 policies that are being introduced do you see as
23 potential negative towards the services being
24 delivered here by the city agencies?

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2 RENE CAMPION: So let me start with to
3 the extent that there are reductions in funding
4 overall on a citywide basis as a result of
5 reductions in federal funding or state funding on
6 the city that would likely have an impact on how we
7 would pursue -- we must -- collective bargaining in
8 the City of New York is alive and well. I will
9 start with that. As we are all aware of, we have
10 reached 199 and a half percent of our collective
11 bargaining agreements. We will always bargain and
12 negotiate with our city unions. If the budgets, if
13 the various budgets are impacted we will have to
14 deal with that as it comes. We will have to access
15 that and analyze that. It is hard to at this
16 juncture to sort of have a -- to see exactly what
17 kind of impact that would be. The policies that --
18 if there are policy changes to the extent that they
19 impact mandatory subjects of bargaining that we as
20 a city would need to negotiate with our unions, we
21 will negotiate those as we historically have and
22 will continue to do so. The policies as far as
23 specifically about policing, there have been many
24 discussion that have gone on over the past several
25 years with each of the police represented unions

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2 involving different issues and the city has
3 negotiated with them and continues to negotiate
4 with each of them on the issues that impact them.
5 Your question regarding DOT I am less familiar
6 with. I am not hundred percent sure about.

7 CHAIRPERSON MILLER: So obviously
8 there's been a lot of chat around infrastructure
9 and so obviously that would impact DOT as well and
10 I understand a lot of federal dollars are more
11 around equipment than it is around actual operation
12 or manpower but certainly it is something to take a
13 look at because you can have equipment and if you
14 don't have someone to operate that doesn't really
15 matter. In the long-term macro do we see it having
16 an impact on diminishing funds. Again, each and
17 every agency now is not only do they -- if they are
18 providing funds they are providing funds with a
19 caveat that they have to be used in certain ways or
20 they can't be used in a certain way or they have to
21 be opened up. In particular, we have seen a lot of
22 around the DOT that we have not seen a highway
23 trust bill for decades, right, but when you see one
24 that has come out of the last Republican Congress
25 it included like 33 percent privatization so

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2 certainly that would have a real impact on the
3 workforce there so those are some of the things
4 that we are paying attention to that we would be
5 able to protect or offset and whether or not we can
6 move forward with some of these projects if they
7 included those type of caveats and certainly
8 something that we would not like to see. Are we
9 preparing to move forward without that is the same
10 as losing services because we have to committed
11 ourselves and reaffirmed ourselves to being a
12 sanctuary city and certainly they have already
13 began to look at the loss of funds because of that
14 so what impact would that have on the services that
15 are being delivered. In particular, again, you
16 know, around public safety that is a big issue as
17 well I think and someone's comment was mentioned
18 about whether or not city agencies are going to
19 work collaboratively to enforce some of those
20 federal regulations, are the police department
21 going to work with ICE, are we -- the DOE and other
22 agencies going to provide assistance while they
23 enforce some of those new regulations so those are
24 some of the things from an OLR perspective, you
25 know, how do we address that?

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2 RENEE CAMPION: So from OLR's

3 perspective we would work with each of the
4 individual agencies, any agency that is impacted in
5 any way as a result of policy changes, cuts that
6 come from the state or federal level, OLR would
7 work with each individual agency to assess what the
8 impact, if any, there would be on its workers, on
9 its workforce and we would work together with the
10 unions as well as with the agency to figure out how
11 to proceed and what would be the best way of
12 proceeding based on the policy change if that was
13 to happen, we would be part of that process to the
14 extent it impacted our individual, our public
15 sector workers.

16 CHAIRPERSON MILLER: I am really glad

17 to hear that because I know that there was a
18 director of memorandum that came out from the
19 administration to the DOE and some of its employees
20 as to how to deal with the situation where ICE may
21 go into the building and what that would be. So I
22 would hope that in the future that there is
23 conversations with UFT and 94 and 32BJ and Local
24 237 and the people that are represented in those
25 school buildings that they are properly equipped

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2 and have the resources to be able to address that.
3 So there are certainly unintended consequences to
4 some of these things that we're saying and we're
5 saying that, you know, if we're going to do this we
6 are going to do it collectively and it's really
7 good to hear that. Certainly not just that we're
8 fighting it or the admin is fighting it but the
9 people on the ground that are delivering those
10 services really have the type of tools and
11 equipment that they have to continue to provide
12 services and not jeopardize themselves in doing so.
13 Council Member Dromm?

14 COUNCIL MEMBER DROMM: Just to
15 reiterate, you're saying, you know, I think it
16 estimated that Betsy Devos is able to concoct her
17 scheme of putting vouchers forward and taking away
18 Title I funding from the Department of Education
19 would be a cut of about \$148 million to the
20 Department of Education. So I'm glad that you
21 raised that issue and to caution you and especially
22 as it relates to when we have to come down should
23 we face a cut like that should the priorities of
24 the administration in terms of how we deal with
25 personnel or how we deal with cuts like that moving

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2 forward so not something to just laugh at or
3 whatever. Thank you.

4 CHAIRPERSON MILLER: So in general I
5 just ask in the future that we bring in those
6 bargaining units that are representing those
7 workers and so forth that in some cases we're
8 increasing their responsibilities or altering terms
9 of conditions of employment and forcing you to deal
10 with other agencies in other ways and while we have
11 the best of intentions we want the best outcomes so
12 we ask that we make sure we get -- before we go, I
13 have this -- the previous Secretary of Labor Perez
14 had outlined a strategy and plan. He had five
15 specific goals including improving worker safety,
16 securing retirement and health and other benefits.
17 With these regulations, we've already seen them
18 being repealed obviously. What are we doing to
19 offset that and protect some of the strides that we
20 have made here in the city.

21 LIZ VLADECK: Well when it comes to
22 workers' rights standard and protections of labor,
23 I think we're doing what we've always been doing.
24 I think we heard very clearly from the Trump
25 Campaign what their values were and what their

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2 priorities were and they're following through with
3 their initial policy attempts. We've also been
4 very clear as an administration. The Mayor has
5 been clear, the Council has been clear about what
6 our priorities are, what our commitments are, what
7 our values are and we strive to fulfil those every
8 day with legislation we are moving forward, new
9 programs, new laws, our approaches to enforcement
10 and education. I mean, you know, I think the Mayor
11 said very early after the election this doesn't
12 change our values. We are still who we are.

13 CHAIRPERSON MILLER: Okay. Excellent.

14 I really appreciate that commitment from the
15 administration and finally Mr. Neil, there are
16 actually two programs of all the cuts that were
17 being made within the Department of Labor that have
18 been actually -- the budgets have been beefed up
19 and they are state run apprentice programs as well
20 as reemployment and eligibility assessment
21 programs. Is there a reason why those programs
22 have been targeted as something that the federal
23 government wants to invest additional resources in
24 and what impact would that have on other programs?

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2 CHRIS NEIL: I can only speculate but
3 the reemployment dollars are for workers that have
4 lost their jobs that are dislocated and trying to
5 get back to work and so presumably there's some
6 overlap between that strategy and the, you know,
7 some of the folks in certain parts of the country
8 that voted for President Trump. In terms of
9 apprenticeship, we are supportive of
10 apprenticeship. Obviously there are a ton of
11 apprenticeship programs that are extremely
12 successful in the construction trades. Under
13 President Obama, there was a movement towards
14 trying to encourage more nontraditional
15 apprenticeships in areas like healthcare and tech.
16 I suspect the Trump Administration sees there's an
17 evidence base there that's worth investing in that
18 might tie to more of the trades and so they may
19 want to invest in that. Again, speculation but I
20 think that's why those are two areas why there
21 might be increased investments.

22 CHAIRPERSON MILLER: Thank you. And
23 before we -- we always get skeptical when we think
24 that there is often that and for me in the
25 transportation background is always kind of the

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2 urban dollar versus roads versus highways versus
3 public transportation and I think we see that again
4 so we have to pay attention in particular any time
5 they want to beef up something that will probably
6 adverse affect us. So I want to thank the panel
7 for your testimony. It has been thorough. If we
8 have further questions, we will email them out to
9 you for the committee and we look for to it and
10 certainly looking forward to being a part of the
11 hearing next week.

12 LIZ VLADECK: Thank you.

13 CHAIRPERSON MILLER: Okay. So the next
14 panel will be from Local 94, Kuba Brown. Barbara
15 Ingram from DC37. John O'Malley from 1180 and Jose
16 Pinero from 32BJ.

17 [pause]

18 CHAIRPERSON MILLER: You can begin.

19 JOSE PINERO: Good morning, Committee
20 and Chair Miller and Committee members and thank
21 you for the opportunity to testify here today in
22 support of these resolution. My name is Jose
23 Pinero and I am a member of 32BJ. I am testifying
24 here today on behalf of Kyle Bragg, Secretary
25 Treasurer of 32BJ. Our union represents over

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2 163,000 property service workers including over
3 85,000 members in New York City. 32BJ members are
4 cleaners, janitors, security officers, window
5 cleaners, airport workers and all the building
6 services workers. Our members' lives reflects the
7 experience of tens of millions of Americans. We
8 hail from 64 different countries and speak 28
9 different languages but we are all united by one
10 belief that everyone who goes to work should be
11 able to support their families and build a decent
12 healthy life. Collective bargaining has long been
13 the instrument that has turned this belief into a
14 reality for working people all across our country.
15 By uniting their voices at the bargaining table,
16 generations of Americans have won fair wages and
17 benefits that allowed them to enter the middle
18 class. 32BJ is proud to be part of New York City
19 strong labor tradition. For more than 80 years, we
20 have fought for and won contracts for our members
21 to have raised industry standards by guaranteeing
22 workers a reliable wage, health insurance for their
23 families and a chance to a secure retirement to
24 quality pension plans. As to collective bargaining
25 has recently opened the door to a better future for

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2 thousands of able workers in New York City major
3 transit hubs. Workers campaigning for three years
4 to win the union on their job and contract that
5 delivers job security, improve training and safe
6 work conditions. Law that undermine the ability of
7 a worker to stand together and collectively bargain
8 service only to perpetuate the power and balance
9 that exists in our economy and denying a working
10 people a fair share of the prosperity they helped
11 to create. At this time of growing inequality,
12 there is more important measure that the government
13 of all levels can take and guarantee collective
14 bargaining rights for all workers. On behalf of
15 32BJ members, I applaud the Council for moving this
16 resolution and urge all members to pass this we
17 need strongest support. Thank you.

18 JOHN O'MALLEY: Morning Chairman

19 Miller, Committee members. My name is John
20 O'Malley. I am the Legislative Coordinator for CWA
21 Local 1180 standing in for President Arthur
22 Cheliotas. Thank you for the opportunity to
23 testify here today on behalf of our membership and
24 support of the resolutions urging Congress to vote
25 against proposed right to work and also affirming

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2 the right to collectively bargain for our workers
3 in the City of New York. Labor unions are
4 organized workers demanding democracy in our
5 workplaces, in our communities and in our nation.
6 Workers organized in the union serve as the
7 equalizer against intimidation and exploitation by
8 the rich and powerful. Organizing skills learned
9 by union workers are easily applied to issues in
10 the communities where they live ensuring active,
11 civic participation. Most times if there's a
12 tenants, a homeowners or a block association a
13 union activist helped to form it. The Labor
14 Movement took children of the mines and factories
15 and put them in schools. Social Security, Civil
16 Rights, Medicare came at the support and leadership
17 of American labor. Union raised wages, shortened
18 hours, provide pensions and health benefits for
19 their members and all Americans by setting
20 standards all employers had to meet to attract good
21 workers. Union members set these standards and
22 became the backbone of the middle class. Today,
23 labor unions support campaigns such as the Fight
24 For 15, immigrant rights, equal pay for women,
25 LGBTQ rights and Medicare for all. The decline of

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2 the middle class in the last 30 years has shown us
3 that when the one percent attack and wound labor
4 unions, all American workers bleed. If anyone
5 thinks labor unions are irrelevant today then ask
6 why greedy corporations are spending billions of
7 dollars trying to destroy them. American workers
8 suffered tough times but they challenged unjust
9 laws with industrial-strife and a never-ending
10 struggle for social and economic justice. They
11 made an important breakthrough in the depths of the
12 Depression when in 1935 Congress passed the
13 National Labor Relations Act which reads in the
14 first section, it is declared to be the policy of
15 the United States in order to eliminate the cause
16 of certain substantial obstructions to the free
17 flow of commerce and to mitigate the elimination of
18 these obstructions when they've occurred by
19 encouraging the practice and procedure of
20 collective bargaining and by protecting the
21 exercise of workers a full freedom of association,
22 self-organization, the designation of
23 representatives of their own choosing for the
24 purposes of negotiating the terms and conditions of
25 their employment or for other mutual aid or

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2 protection. According to the NLRA, lack of
3 bargaining power by these workers prevents
4 competitive wage rates and conditions within and
5 between industries. The NLRA also lists some areas
6 where experience has proven how to safeguard the
7 flow of commerce and to promote the friendly
8 adjustment of disagreements over wages, conditions,
9 et cetera. According to the policy of the United
10 States of America, the solution is to promote
11 unions and collective-bargaining but that only
12 covered workers in the private sector. It didn't
13 include farmworkers, didn't include government
14 employees, didn't include railway and airlines.
15 But in 1962 President Kennedy addressed this at
16 least for the federal public workers. His
17 Executive Order Number 10988 established that the
18 United States of America as the employer of
19 thousands of federal workers in the public sector
20 recognize their right to organize into labor union
21 and bargain collectively. Many of the same reasons
22 cited by the NLRA for private employers were given
23 as reasons that public employees should have the
24 right to bargain collectively as well. That was 55
25 years ago this past January. Also 50 years ago is

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2 the anniversary of New York State's Taylor Law.

3 This law finally gave public sector workers in the

4 State of New York the right to join a union and

5 bargain collectively. It also promoted friendly

6 adjustments of dispute by restricting the right to

7 strike in exchange for a continuation of conditions

8 while bargaining, mediation fact-finding and

9 finally agreement. This is a progression of labor

10 policy that has been the result of understanding

11 that to promote the peaceful adjustment of disputes

12 is better than allowing disagreements to turn into

13 frustrations and finally strike. These policies

14 are also designed to balance the power between

15 employee and employer recognizing that the

16 individual employee cannot possibly match the power

17 of an employer without the ability to associate

18 collectively. This concept is not unique to

19 employment policy as we have other associations

20 that are designed for the same collective purposes:

21 tenant associations, community boards, et cetera.

22 So today you will hear comparisons between states

23 that have high density of union membership versus

24 low density. These statistics are not in dispute

25 nor are they new to most of us. When unions are

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2 stronger, union workers have better wages,
3 pensions, working conditions but union wages and
4 benefits set the standards for nonunion workers as
5 well. All employers must offer better wages,
6 pensions and working conditions. This has been a
7 multiplier effect that allows more people to
8 purchase goods and services, buy homes, pay rents
9 and pay more in taxes. Legislation is created to
10 protect workers and the environment and universal
11 services are promoted. There is fewer strikes and
12 less violence, industries thrive, there's more
13 workplace safety and fewer worker's compensation
14 claims, service to the customers or to the public
15 is superior. The middle class is sustained and
16 provides the economic engine to keep the economy
17 going. In addition to that, having a strong union
18 movement acts to level out many workplace issues of
19 inequality. When you have a union, there's less
20 racial inequality, less gender inequality, less
21 inequality in all other forms and having a strong
22 union empowers people to seek out and achieve
23 upward mobility. For example, our union supports
24 our members with tuition assistance at the Murphy
25 Institute of CUNY. It is soon to be a School of

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2 Labor and Urban Studies of CUNY. You are also
3 going to hear today about the devastating effects
4 that might befall us if we weaken unions in New
5 York City. These horror stories are also not in
6 dispute. The results will likely begin with the
7 weakening of union structure and leadership, there
8 will be less revenue coming in because people who
9 benefit from the services will no longer be willing
10 to pay for what they can get for free and as money
11 dries up so do the benefits. There will be a
12 reduction of services to the members such as
13 tuition assistance or direct representation or
14 bargaining power. Our ability to research and
15 higher experts to uncover the data needed to
16 support our members will diminish. As we win fewer
17 cases and achieve less in each contract, the
18 downward spiral will begin. All the benefits I
19 listed before will be lost, wages will be
20 diminished, people will not be able to live in the
21 same neighborhoods or buy the same items, there
22 will be shortcuts on safety, there will be
23 discipline instead of training and unions will not
24 be able to adjust to grievances in a peaceful way.
25 Some may think that this would be a good thing and

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2 maybe it will save a couple dollars for a short-
3 term but when the frustration level becomes
4 untenable, it will likely manifest in worker
5 explosion and a depression of wages can be observed
6 already in the 27 other states that have right to
7 work laws already on the books. In New York, we
8 ever a rich history regarding the evolution of this
9 policy and the laws that I mentioned early. The
10 National Labor Relations Act is also known as the
11 Wagner Act after its author, Senator Robert R.
12 Wagner of New York. Jack Kennedy was obviously the
13 brother to another US Senator from New York and
14 George W. Taylor was the Chair of the Commission
15 formed by Governor Nelson Rockefeller to enact such
16 changes. So we ask you today that you remain
17 mindful of our ancestors when you decide to vote
18 affirmatively to protect workers right in New York
19 City keeping the progress going, not halting it or
20 rolling it back. There are two resolutions being
21 considered today: the first establishes the right
22 of New York City workers to collectively bargain
23 and the other asks Congress to vote against any
24 right to work legislation proposed. These are no-
25 brainers. We have been fortunate in New York to

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2 have benefited from our strong constitutional
3 protections of our public pensions and our right to
4 education, healthcare and many other items. We
5 have also benefited from a long history of
6 collective bargaining and all the benefits
7 associated with it and we are fortunate that New
8 Yorkers opted out of federal right to work
9 provisions. That allows us to protect our workers
10 and promote the sustainability of the middle class
11 and upward mobility of our citizens. So please
12 allow us to continue these practices despite the
13 fact that another New Yorker, who is in the White
14 House, does not support New York workers. Thank
15 you to Chairman Miller and sponsors of the
16 legislation for purposing these resolutions.

17 KUBA BROWN: Good morning, Chairperson
18 Miller and members of the Committee. For those who
19 I have not met yet, my name is Kuba Brown and I am
20 the Business Manager of International Union of
21 Operating Engineers, Local 94 and 94A and B. I
22 want to thank you for the opportunity to speak to
23 you on behalf of more than 6000 men and women I
24 represent in IUA Local 94 as well as all working
25 men and women, union and non-union alike. The

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2 members of our union operate the most sophisticated
3 commercial and residential buildings in the world.

4 We also operate power plants, work [inaudible] as
5 well as public schools. Through collective
6 bargaining, we have guaranteed wages, vacation and
7 holidays, have a defined benefit pension plan,
8 health insurance and employee funded training fund.

9 In addition, our union has been able to create a
10 newly funded sick fund as well as a college

11 scholarship fund for our members. Just as

12 important are [inaudible] to represent our members
13 anytime a dispute arises with management. We have

14 been able to develop and grow these programs and
15 provide representation because of the dues our

16 members pay to the union. Dues are the life blood
17 in the organization of labor. Right now, unions

18 across the country are seeing the ability to

19 collect dues disappear. Having it taken away by

20 devilishly named right to work law. The reality is
21 they should rename SEPTA service law. Under right

22 to work, members are free to refuse to pay dues,

23 their share or [inaudible] but not be denied any

24 rights and protections enjoyed by all other union

25 members. There are already 28 right to work

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2 states. The most recent added since 2011 when Witt
3 Scott and Scott Walker, with the support of his
4 legislature, used budget amendment to destroy the
5 teachers and other public union employees. Even as
6 we watched each of those states turn on their
7 unions, [inaudible] can't happen in New York. I am
8 sure the union workers in Michigan, Indiana, West
9 Virginia all once strong union states thought the
10 same thing until it happened and their union
11 brother and sisters in those states dropped paying
12 dues. I admit right to work would be a very hard
13 sell in New York. However, in November, the New
14 York ballot will include a reprimand called for
15 Constitutional Convention. If approved, who knows
16 if right to work or any anti-labor position will be
17 discussed. What concerns me right now is anti-
18 labor forces backed by the Coke brothers are now
19 pushing their right to work legislation in
20 Congress. The bill now has more than 20 co-
21 sponsors. If right to work becomes a law of the
22 land, it will not only be the death nail for the
23 unions but the middle class. The numbers don't
24 lie. Let's start in Wisconsin. According to
25 University of Michigan study since 2011, total

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2 teacher compensation of Wisconsin has dropped eight
3 percent or \$6500. According to the Federal Bureau
4 of Labor Statistics, percentage of union members in
5 the state dropped from 15.2 percent in 2008 to 8.1
6 percent in 2016. Nationally, 10.7 percent of the
7 workforce or 14.6 million workers are represented
8 by unions. By contrast in 1983 when the BLS
9 conducted its first account, 20.1 percent of
10 American workers or 17.7 million men and women were
11 union workers. If anyone isn't convinced a union
12 card matters, according to the same BLS report
13 weekly earnings for non-union workers was \$802 or
14 80 percent of those in unions whose average weekly
15 earnings were \$1004. Those are only the wage
16 earnings and do not include the health, welfare,
17 pension, sick days, vacation, union representation
18 and other benefits. So in November, families
19 included in many life-long union families
20 frustrated by having to work for low-wages if they
21 found work at all, voted Donald Trump who promised
22 to fight for the American worker and make America
23 great again. It may be great for billionaires in
24 his cabinet and the Coke brothers; for the workers
25 not so much. Along with his right to work

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2 legislation, Congress has currently voted to
3 nullify two of President Obama's labor initiative,
4 the fair pay and safety work rules, which requires
5 federal contractors and subcontractors to disclose
6 any labor violations that occurred during the
7 previous three years and the OSHA regulation
8 requiring employers to maintain accurate injury and
9 illness records. While Trump promised a huge
10 trillion dollar infrastructure program in recent
11 days, he has made that plan contingent on
12 healthcare and tax reform. He even he talked about
13 public-private partnership and changes in Davis-
14 Bacon Act which ensures workers on these projects
15 to be paid the minimum wage. He has also appointed
16 Neil Gorsuch to the Supreme Court will also
17 certainly lead to a re-hearing of Friedrich's
18 versus the California Teachers Association which
19 would permit public employees to stop paying union
20 dues or agency fees. As we used to say when I was
21 growing up in Brooklyn, talk is cheap and what it
22 is happening in Washington right now is putting the
23 future of the middle class in jeopardy. Thank you
24 for the opportunity to speak today.

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2 BARBARA INGRAM: Good morning, Chairman
3 Miller and members of the Committee. My name is
4 Barbara Ingram Edmunds and I am the Director of
5 Field Operations for District Counsel 37. I know
6 you know us well and we've very pleased and happy
7 to be here at this very important time with my
8 fellow brothers here at the table on this important
9 issue. As you know, we represent the lion's share
10 of the civilian workforce of New York City and
11 various agencies throughout the city and some
12 authorities as well. DC37 is proud to support
13 these two resolutions under consideration by your
14 Committee for the following reasons. This Council
15 is well aware of the litigation that is headed to
16 the United States Supreme Court under the caption
17 of Janus versus AFSCME which repeats the arguments
18 raised in the Friedrich's case as you just heard
19 from our brother and it is important for us to be
20 out ahead of this. Not to get into too much detail
21 but one of the things I did want to point out is
22 that currently members can get a dues rebate once a
23 year that is advanced to them for position or the
24 portion of the dues that pays for political and
25 ideological issues and that is something important

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2 to note but as you know, the proponents of right to
3 work favor that unions that are exclusive
4 representatives provide all the benefits of
5 collective bargaining, negotiations of contracts,
6 administration of grievances and representation and
7 grievance proceedings for all workers in the unit
8 whether or not all of them are contributing to the
9 financial support of the union. Overall, DC37
10 maintains that the exclusive representation of all
11 workers in a bargain unit does not violate the
12 First Amendment and promotes labor peace as you
13 have already heard. Moreover, the collection of
14 agency fee dues does not violate the First
15 Amendment and it negates the risk of free riders.
16 It also ensures that the union is able to meet its
17 obligation to all members of the bargaining union.
18 That is to be a strong advocate across the table in
19 protecting those important benefits, wages, all the
20 terms and conditions of employment that you already
21 heard about that ensure that we have the power that
22 we need at the table for a fair opportunity when we
23 are workers covered by this collective bargaining
24 laws that are currently in place. Without
25 contributions from all covered employees, unions

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2 are not able to meet all these obligations under
3 the law and basically what the right to work law,
4 if they were passed affecting our state, would
5 destroy our unions. It would basically kill the
6 financial core that gives us the ability to
7 represent all at the bargaining table or when it
8 comes to grievances and other forms of
9 representation and disciplinary action. We also
10 support the rights of states and municipalities to
11 bargain with exclusive representation of their
12 employees for this creates labor peace, promotes
13 workforce management and productivity and as you
14 have already heard from the speakers it ensures the
15 addressing of the inequalities that are
16 particularly faced in our communities in terms of
17 working people and communities of color. Unions
18 provide and do that bridge as well for women in
19 terms of having that ability to have a decent, fair
20 contract and working conditions. So I would end
21 with this that we appreciate the time that you
22 provided us with to share our concerns and to
23 support this important resolutions and we hope that
24 whatever you do on your part will help ensure that
25 harmonious labor relations between labor and

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2 management, protecting working people, the labor
3 unions and the workplaces in communities and
4 families throughout New York City prevail with the
5 work that you're doing through your Committee.

6 Thank you so much for this opportunity and we'd be
7 happy to answer any questions that you have.

8 CHAIRPERSON MILLER: Thank you to you
9 all. I don't usually do this but I am going to
10 take a privilege to really thank you for your
11 thoughtful and insightful testimony that you
12 brought here today. It will all be posted because
13 the world needs to see how we've become the town
14 that we are, why we fight to maintain our position
15 as a strong labor town and what the impact,
16 certainly what the impact on this Administration
17 would be and I think that you guys have really
18 covered it and articulated the needs to continue to
19 fight and move forward quite well in detail in
20 every way so you haven't left much but I do have
21 some questions that were already written out and
22 the team out together so I want you to be able to
23 address those as well. These are for anyone. If
24 it happens to be a specific question I will ask but
25 just in general how will we characterize the first

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2 100 days of this Administration from a labor
3 perspective? Anyone?

4 BARBARA INGRAM: Well for our union,
5 District Counsel 37, asked me and I would say that
6 along with the coalition of many of the other
7 unions both in city that we've been working with as
8 well as the state we've been deeply concerned and
9 we have expressed our concerns both through
10 lobbying against the Supreme Court now associate
11 Justice Gorsuch as well as the successful efforts
12 we had in ensuring that the initial push for the
13 Labor Secretary nominee did not occur. We are
14 still deeply concerned and we will continue to
15 fight vigorously against any anti-worker, anti-
16 community, anti-immigrant, anti-worker, community
17 of color actions by this administration and we fell
18 that based on the executive orders from overtime to
19 many other actions that they've taken that we are
20 going to have to continue to be in the forefront
21 not only working with unions but also working with
22 our community partners and other individuals and
23 states and city municipalities like you all to
24 ensure that he does not, the Trump Administration,
25 does not continue to erode the critical benefits so

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2 we have not seen very positive things coming out of
3 the administration but we are continuing to fight
4 and we will continue to do that on behalf of our
5 members and the communities we serve.

6 KUBA BROWN: I think it all comes down
7 to education. I have been on a 12 year educational
8 program with my members, educate on all the
9 devastation coming to the labor movement. I think
10 our politicians in our city and our have to be
11 educated too for a young generation that hasn't
12 lived through it. I've been around for 40 plus
13 years. I'm 66 years old. I've seen unions in its
14 heyday when they were great. Right after World War
15 II, my grandfather, my father and how everybody
16 benefited from the union, even the non-union guy.
17 The non-union guy benefited because the cooperation
18 that it wanted at their door paid them more, gave
19 them free medical and free pension plan and at the
20 same time they were devising a way to get rid of us
21 and shame on us for being not wise enough to see
22 them coming after us. They took each one of us and
23 [inaudible] negotiate separately so we broke away
24 from all the half bills, all the groups that when
25 we stuck together and did the country and did the

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2 right thing. The most powerful union in this
3 country one day was the Teamsters. Mr. Hoffa, as
4 much as everybody puts him down, he controlled this
5 country better than the President of the United
6 States. He could shut both coasts down and both
7 border, Canada and the US, and he took care of his
8 membership and he was there for the working men and
9 everybody benefited. If you really want to go into
10 history, learn about the Kennedy Administration.
11 As wonderful as they were, they are the ones who
12 started the five percent outsource in the work in
13 this country with the [inaudible] worker's union.
14 If you remember after World War II they were the
15 largest employer in New York City at the time.
16 Over the years, five percent of the work went out.
17 What do we have here today? Three percent and
18 every major corporation did the same thing, started
19 outsourcing working so what are left are the viable
20 jobs in this country today? Union jobs. And as
21 much as we have diminished, we still maintain our
22 employees but look at the rest of the population.
23 What do they get? Go work in McDonald's, Burger
24 King. If everybody is not educated in real life,
25 the devastation is coming to this country and right

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2 to work killing the middle class. There is not
3 middle class anymore in this country. We had a
4 middle class. Everybody and everybody must be
5 educated and understand. I believe in right to
6 work but I want viable jobs and viable benefits for
7 people. I want to see people be able to retire at
8 65, not to work until they die. We're cutting this
9 country in two. We used to be -- slavery again,
10 indentured slavery, working for the big man.
11 Didn't we have a Revolutionary War to kick King
12 George out of our country? Well now we have
13 corporate America. Does anybody realize there is
14 no difference what corporate America is doing to
15 this country? I'm sorry, you got me going. You
16 know when I get going it is a very hot item with me
17 but at the end of the day education is the thing.
18 I don't believe our politicians, your constituents
19 are by members. Once I disappear, how much longer
20 do you think they are going to have what they have?
21 Five years, six years? And what about our children
22 and future generations? We have to work together.
23 You have to protect your constituents. I have to
24 protect my members. If we do it jointly and work
25 together and get everybody on the same page, maybe

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2 we can bring back the middle class in this country,
3 maybe we can make it great because that man in DC
4 is not going to make it great. Sorry once again
5 for blowing off some hot steam. You asked for it
6 though.

7 UNIDENTIFIED SPEAKER: The first 100
8 days of the administration seems to be
9 characterized by some devastating appointments to
10 critical positions, some removals of old and
11 existing and long-standing positive policies and
12 also some establishment of some pretty scary stuff.
13 Compared to the hundred days preceding that during
14 the candidates time period, I think there's a stark
15 difference between what was being talked about
16 then, the populist message, the protection of the
17 working man and so forth and now you look at all
18 the policies and all the people that he has put
19 into place is the exact opposite but none of it has
20 really yet come to fruition. I think a more
21 important question is what's going to happen in the
22 next hundred days because now that all of these
23 people and policies are in place now he can
24 actually start putting his plan into action and it
25 is going to be our job not just as labor and not

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2 just as government but to break down the silos that
3 are between all of us and really to create a
4 movement to try to fight this and make sure we
5 fight off all of these advances in the wrong
6 direction.

7 JOSE PINERO: We have seen in this
8 administration that they putting together a team
9 that determine to destroy the rights of workers and
10 the unions and this troubled time should give us a
11 wake up where all unions should stand together and
12 work together to send a powerful message because if
13 we work and we fight separately it will be a
14 bloody, a bloody -- that will be hard work, fight.

15 CHAIRPERSON MILLER: So besides wages
16 and benefits and other victories that we've seen
17 and been able to negotiate through collective
18 bargaining and I know Ms. Ingram mentioned some of
19 the things around protecting rights to fair areas
20 in discipline and so forth. What potential loss
21 and rights of workers looking at other than the
22 obvious that we are seeing here because often I
23 know union members only see what they see in their
24 paycheck and not the things that protect the day-
25 to-day and those are the things I think as you said

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2 they impact on organized communities have on those
3 communities around them in raising up standards,
4 labor standards around them but all of those labor
5 standards don't always follow beyond wages and
6 sometimes benefits as we talked about earlier,
7 discipline policies and so forth like that. What
8 are we -- some of the things that we see that
9 concern us coming out of Washington DC these days.

10 UNIDENTIFIED SPEAKER: One thing that
11 comes immediately to mind is something that was
12 mentioned earlier and that is the fiduciary rule
13 that came out under the Obama Administration
14 several months ago and it is important to note that
15 the fiduciary rule came out as a rule from the
16 Labor Department but it came after well over a
17 decade of study after study after study revealing
18 that when a person takes their life savings or even
19 just some money that they have from selling a house
20 or something like that and goes to a financial
21 advisor, the financial advisor does not advise you
22 based upon what your needs are, they advise you
23 based upon what their needs are and it's sort of a
24 wonky discussion to get into but the best way I can
25 describe it is there's a big difference between

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2 going to somebody and asking them what is the best
3 type of food I should eat for the nutrition for my
4 body or do you go to the butcher and say hey what
5 do you think the best kind of food is I should eat
6 because the butcher who is selling you the meat is
7 going to say you should eat lots more meat and
8 that's what's has been going on over and over
9 again. The great thing is that after all the
10 intellectual studies were done and the academic
11 studies were done, we came out with a rule that
12 protected the public, not just union members not
13 just people in the city not just people in New York
14 State but it protected all people and now the Trump
15 Administration has undone that rule based upon the
16 private interest of certain people that influenced
17 him. So these are the kind of things that unions
18 certainly take the lead on but doesn't just protect
19 them, it protects everyone. There a lot of other
20 examples like protecting universal service for
21 Internet. There are things like protecting the
22 needs of uninsured people or people on Medicaid to
23 have health insurance. I mean unions are often the
24 leaders or the coleaders in some of those things
25 but they are not necessarily things that only

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2 benefit union members. There are things that
3 benefit the public in general.

4 KUBA BROWN: If you take consideration,
5 Obama's Administration with the fair pay and
6 workplace safety that protected everybody. Even
7 with the minimum wage laws, whether you were union
8 or non-union, at least you got a decent wage. You
9 may have not got the benefits but you had it.
10 Right now with every strike of his pen, he is not
11 only decimating unions he's decimating decent jobs
12 for middle class people. We have to get out there
13 like I said and I'm repeating myself and I
14 shouldn't have to. Everybody has to get educated.
15 There's not enough in the press. There's not
16 enough we're doing with my members and your
17 constituents. We have to get [inaudible] explain
18 to him, what are you losing. We all voted for him
19 because he was going to make it better. Hasn't
20 been better in his first hundred days. How much
21 are we losing? How much protection is the citizen
22 in this country losing? What is being taken away
23 from you? Less money, less pay, less benefits and
24 the guy on top he's getting richer and richer. Not
25 getting out there is a big problem.

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2 CHAIRPERSON MILLER: Again, I want to
3 thank this panel for the information they've
4 brought forth. It is plethora and wealth of
5 information that has been provided and I'm make
6 sure this gets out and gets posted and gets to my
7 colleagues and others who really need to read this
8 information and to join this coalition that
9 protects and stands for working families here in
10 the city. Thank you for your testimony and look
11 forward to continuing to work with you in the
12 future. Our final panel was Ms. Marni von Wilpert
13 from the Economic Policy Institute and Ruth Milkman
14 from the Murphy Institute.

15 RUTH MILKMAN: Good morning, everybody.
16 Can you hear me? I am Ruth Milkman from the City
17 University of New York Graduate Center and the
18 Murphy Institute. A lot of what I have to say has
19 already been touched on in the earlier testimony so
20 I will try to be brief and you have the written
21 testimony. I just want to start by pointing out
22 that we don't really know yet the full implications
23 of the election of Donald Trump and equally
24 important of the current composition of the U.S.
25 Congress for organized labor but there certainly

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2 are, as you have already heard, a lot of
3 indications that the hard won gains of the US Labor
4 Movement are under threat to an unprecedented
5 degree. I think that prospect is particularly
6 important here in New York City because we are the
7 nation's most highly unionized city. I handed out
8 copies of this report that some of you have seen
9 before which documents this in much more detail but
10 I will just hit a couple highlights. The most
11 recent data we have shown that over a quarter of
12 all wages [inaudible] living in New York City's
13 five boroughs were union members and that has
14 actually increased from about 22 percent in 2012.
15 It's more than double the national average so we
16 have a lot to lose here. In contrast to the
17 national trend of steady decline in private sector
18 union density, union density just means the share
19 of all employed workers who are union members, here
20 in New York in the private sector union density has
21 actually risen somewhat since the great recession
22 and private sector union density here in the city
23 is about 19 percent which is three times the
24 national level. The public sector unionization
25 rate here is also exceptionally high. For the city

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2 it was 71 percent in the most recent data which is
3 double the national rate. So as you know, the
4 potential threats to unions now emanating from
5 Washington include a proposed national right to
6 work law which would amend the 1935 Wagner Act or
7 the National Labor Relations Act as it is
8 officially known to prohibit the union shop in
9 which all workers in a bargaining unit must join
10 the union after being hired. That would be a
11 national prohibition not just in individual states
12 as is the case already. The prospects of passage
13 for that proposed amendment are far from certain
14 however. What is far more likely is the National
15 Labor Relations Board which administers the act
16 will have a conservative majority by the end of
17 this year when three of its five members will be
18 Trump appointees and that will likely led to
19 rulings far more hostile to union rights than those
20 we've seen in the last eight years. Even more
21 certain is that, this has already been discussed a
22 little bit, is the recent appointment of Judge
23 Gorsuch to the Supreme Court will led to a major
24 decision affected public sectors unions across the
25 nation. What I consider the timely death of

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2 Anthony Scalia led to a split Supreme Court
3 decision in the Friedrich's case as you know but
4 virtually everybody expects a different outcome on
5 this issue now that there is a conservative
6 majority on the Supreme Court. A series of cases
7 are winning their way forward with the same basic
8 thrust as Friedrich's. The most likely of which to
9 come up soon is Janus V AFSCME which is a case
10 brought by a group of Illinois public employees and
11 litigated by none other than a national right to
12 work legal defense foundation. Janus like
13 Friedrich's poses a direct threat to public sector
14 unions here in New York and around the nation. As
15 you know, current law allows public sector union to
16 collect agency fees from nonmembers who are covered
17 by collective bargaining agreements and those fees
18 are intended to cover the cost of union
19 representation as some of the previous speakers
20 very eloquently explained. It is widely expected
21 that Janus will be decided in favor of the
22 plaintiff's, that is against the unions and that
23 agency fees will be prohibited by US law. So it is
24 hard to predict the effects of this but I did look
25 up a number of data that I think are interesting in

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2 this regard. We can determine the current number
3 of agency fee payers in key unions here in the city
4 from public records. So here are a few examples
5 from New York City public sector unions. DC37 has
6 19,400 agency fee payers according to the most
7 recent report that was filed with the federal
8 government. That is 16 and a half percent of the
9 bargaining unit. In the Transit Workers Local 100
10 there's about 5000 agency fee payers or 12 percent
11 of the total membership. In my own union, PFC
12 CUNY, there are 3600 agency fee payers, 14 percent
13 of the membership. So if the predictions are
14 correct that Janus will be decided in such a way to
15 prohibit agency fees not only will these worker
16 fees be eliminated to union resources but in
17 addition an unknown number of current members may
18 no longer be members once they learn that they are
19 not obliged to pay anything for union
20 representation. Here I think we can learn from
21 what happened in Wisconsin where as you know under
22 Scott Walker state legislation restricting public
23 sector collective bargaining was passed in 2011 and
24 in Wisconsin public sector union density has fallen
25 from 50 percent in 2011 before this law took effect

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2 to 23 percent today. In other words, it has been
3 cut by more than half. So there are other issues
4 as well. Republicans in Congress have already
5 introduced bills that would make it easier to fire
6 workers with union sympathies. They have
7 introduced bills to repeal the Davis-Bacon Act
8 which requires prevailing wages for federally
9 funded construction projects and in addition, I'm
10 sure you're very aware, a variety of new threats to
11 immigrant workers who make up almost half of the
12 city's workforce are looming and the proposed cuts
13 to the US Department of Labor budget proposed by
14 the Trump Administration threatened to weaken
15 federal enforcement of existing wage and hour laws,
16 enforcement that was strengthen significantly under
17 the previous administration. So in short, New York
18 City and its labor movement have a great deal at
19 stake in this new political era and I am glad to
20 see these resolutions that you all are considering
21 and I hope the Committee will continue to monitor
22 these developments and take appropriate action.

23 Thank you.

24 MARNI VON WILPERT: Good morning, Chair
25 Miller. Thank you for having me. My name is Marni

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2 van Wilpert. I am a labor law attorney at Economic
3 Policy Institute in SC. At EPI, we are committed
4 to watching the federal government, Congress, the
5 White House, federal agencies to assess policies
6 that are coming out that affect workers and
7 employee rights to see what their impact is going
8 to be on a fair economy and we built a website so
9 far that is tracking all of the executive orders,
10 the presidential memoranda, all the bills that were
11 dropped that my colleague discussed and how they
12 are going to impact a fair economy because there's
13 so much coming at us it's been hard to track it
14 all. So that is on EPI's website. I have prepared
15 testimony which I have submitted but most of it has
16 been discussed so I want to add things that I think
17 would be helpful. As we know the right to work law
18 was introduced in Congress. It has 22 sponsors in
19 the Senate which is about half the Senate although
20 it is not clear whether it would pass and 20
21 sponsors in the House. We are up to 28 states now
22 who have right to work laws. Missouri was the 28th
23 as of February. As we all know, right to work is
24 misleadingly named. it actually doesn't create
25 rights for employees, it takes away their rights to

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2 democratically decide in their workplaces how
3 they're going to assert their rights. We have seen
4 what President Trump has said but we are also
5 trying to shine a light on what he has done so that
6 is the most worrying aspect of the presidential
7 administration to me is what's going on in the dark
8 behind closed doors. President Trump has said
9 publically that he wants to create American jobs by
10 revitalizing America's infrastructure but then he
11 quietly signs legislation eviscerating the fair pay
12 safe workplace act or rule and the OSHA record-
13 keeping rule which is a big deal especially here in
14 New York City with all the deaths on construction
15 sites in especially non-unionized workforces. So
16 the federal attack on unions will also jeopardize
17 the safety of New York's workers because it will
18 not allow unionized workforces to increase the
19 safety programs. Trump also says publically that
20 construcion workers are the backbone of America
21 yet he quietly authorized the Department of Labor
22 to delay implementation of the Silica Exposure Rule
23 for construction workers. That rule would have
24 protected 2 million of those very construction
25 workers from lung cancer causing silica death

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2 exposure. There is no need to delay it. When the
3 rule was first -- finally implemented back in 2016,
4 it had a one-year grace period built in allowing
5 employers a full year to adopt the simple wetting
6 down systems or vacuum systems that they would have
7 had to adopt. Why do we need extra time when they
8 already had year grace period. But, that is what
9 he's done. Finally Trump says publically that he
10 wants to fight for workers who have been left
11 behind in our economy yet he quietly installs
12 people in the Department of Labor like Jeffrey Buff
13 who has spent his entire career trying to bring
14 down prevailing wage laws like Davis-Bacon. So is
15 he really standing up for workers or is he trying
16 to cut their wages? At EPI we're trying to shine a
17 light on what he does and we are glad to be here to
18 support City Council who is also shining a
19 spotlight on him and we support the resolutions to
20 allow New York workers to collectively bargain and
21 against the right to work laws and I'd be happy to
22 answer any questions.

23 CHAIRPERSON MILLER: Thank you so much.

24 So while I have you here and I know this has been
25 answered but if you had to access the intent based

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2 on what we've seen in the first 100 days and this
3 is different, the intent, where are they going with
4 this?

5 RUTH MILKMAN: I agree with my
6 colleague here that a lot of the tweets and
7 rhetoric that come out of the White House are kind
8 of a curtain behind which a much more systematic
9 approach to eviscerating the historically
10 established rights of working people are being
11 attacked. So it is very hard to detect intent
12 because it is not publicly visible. Instead we see
13 this sort of set of antics that distract everybody
14 from what's actually happening but there's a lot of
15 very clear signs that bad things are going to come
16 out of this administration and not just the
17 administration but also the Republican Congress
18 which has its own, they are not all exactly the
19 same, but it has its own agenda, very hostile to
20 organized labor and to working people regardless of
21 whether they are union members or not as we have
22 already heard.

23 MARNI VON WILPERT: I would
24 characterize the intent as fraud on workers. There
25 are a lot of problems in our economy that have left

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2 a lot of workers behind and we have to address
3 them. Presentiment Trump and the Republicans in
4 Congress are trying to capitalize on the need for
5 workers to have jobs, to have security in their
6 retirement and they're perpetrating fraud on them
7 so while he talks about every worker needs a right
8 to safe workplace and fair pay, like you said, he
9 eviscerates the fiduciary role which is still in
10 play, a 60 day delay we will see what happens. All
11 of the bills coming into Congress have these names
12 from Republicans such as the Working Families
13 Flexibilities Act which is sponsored by Senator
14 Robi and it is a way to make sure employers don't
15 actually have to pay your overtime. But again, it
16 is a fraud on workers. It is pitched as worker
17 flexibility. Same thing with the Davis-Bacon
18 Repeal Act. He says oh we're going to cut down
19 costly government budgets so we can push through
20 more transportation and infrastructure spending but
21 that's a fraud on workers again because if it is
22 going to cut budgets not by cutting money out of
23 the big managers in companies and contractors but
24 by taking money out of employees pockets. All of
25 these bills, right to work, are named in a way that

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2 seems that they are good for workers but in the end
3 are not so that's why I characterize it as fraud.

4 CHAIRPERSON MILLER: I know that you
5 have written extensively on women in the workplace.

6 RUTH MILKMAN: On what?

7 CHAIRPERSON MILLER: Women in the
8 workplace.

9 RUTH MILKMAN: Yes, I have.

10 CHAIRPERSON MILLER: You know that you
11 have written on women in the workplace so that's
12 correct, right, so could you elaborate on the
13 impact that some of the policy that has come out of
14 DC so far would have on women in the workplace.

15 RUTH MILKMAN: There's a couple
16 different things I'll just mention. One is that
17 many of us were expecting if the election had come
18 out differently than it did that the Family Act,
19 which would provide a nation paid family leave
20 program for the first time in the United States
21 catching us up to the rest of the world I might
22 add, would become law. It is actually -- one of
23 the main sponsors of it is our Senator Kirsten
24 Gillibrand. That has virtually no prospect of
25 happening right now because of the outcome of the

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2 election so that's one thing that makes an enormous
3 difference or could have made an enormous
4 difference to working families. The other thing I
5 will just mention is that insofar as the attacks on
6 organized labor are successful that actually hurts
7 women who are now almost half of the nation's
8 unionized workers. The gender gap between non-
9 union and union workers has -- between women and
10 men in the organized labor ranks has actually
11 closed and what that reflects is the strength of
12 sector unionism which is a sector that employees
13 vast numbers of women so if Janus has the effects I
14 was predicting earlier it's women and I might add
15 people of color who will be disproportionately
16 impacted.

17 CHAIRPERSON MILLER: Thank you. Ms.
18 von Wilpert, could you speak specifically about
19 some of the work that your organization has been
20 doing and highlighting the Perkins project as well.

21 MARNI VON WILPERT: Yes, sir. So we
22 named the Perkins Project after Francis Perkins who
23 was the Secretary of Labor under FDR and what we --
24 another new Yorker, yes. What we're doing is we
25 are a policy response team so I am one of two labor

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2 lawyers who was recently brought on to EPI to try
3 and build our economic analysis and our policy
4 research together so that's what we're doing.

5 That's why we built the website that is tagging
6 everything coming out of Congress so we can keep

7 track of it so that when it's time to hold our

8 politicians accountable come 2018, come 2020 we

9 have their track records built. So I also came

10 from the National Labor Relations Board which is

11 where I was practicing before I came to EPI and I

12 want to highlight something else we're watching

13 that is going to affect women and everyone in this

14 country but the Supreme Court will be hearing next

15 term a case called Murphy Oil versus the National

16 Labor Relations Board and this is about forced

17 arbitration and employment. The NLRB couple years

18 ago decided that it is against the National Labor

19 Relations Act to require employees as a condition

20 of employment to sign away their rights to the

21 court in collective action because that is a form

22 of collective action in your workplace. The

23 Supreme Court has taken it up. John Roberts took

24 it up when Scalia was on the court and then when

25 Scalia died, we got an order saying we are actually

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2 going to kick this case to the next term so it
3 could have been heard right now but he didn't want
4 only an eight justice court which means we know
5 which way he is leaning so that is going to be
6 heard in the fall of 2017. Had that case gone the
7 way we wanted it to, it would have meant that
8 forced arbitration would be off the table for
9 employment and all of the women at Fox News, for
10 example, that want to sue their employers in open
11 court would have had a chance to. That is likely
12 going to be gone. Same thing with huge employment
13 discrimination cases are going to come before the
14 Supreme Court. As we know, the Seventh Circuit
15 recently decided that sexual orientation
16 discrimination as part of Title VII. That is going
17 to come before the Supreme Court as well and we're
18 quite worried about who Gorsuch is going to vote on
19 that. So other things at the NLRB and cut me off
20 if I'm talking too much, we are -- the Joint
21 Employer Standard is one of the things I found most
22 compelling about working at the NLRB in the last
23 few years and that is because our economy has
24 shifted so much to temporary workers and contingent
25 workers but they get hired by the temp companies to

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2 go work at a plant and then when they form a union,
3 the plant owner says we're not your employer, we
4 can't bargain with you, but we're the ones telling
5 you how to operate the plant, how to put on the
6 safety equipment, your hours of work and so they
7 are caught between a rock and hard place so the
8 NLRB finally said listen if both of y'all are going
9 to hire these workers you're both going to bargain
10 with the union. This is currently in DC Circuit
11 Court of Appeals. We are waiting for a decision
12 any day but like my colleagues said we have three
13 openings on the board so if that switches back to
14 republican majority that could be gone.

15 CHAIRPERSON MILLER: We have a lot of
16 work to do. Obviously we can't lobby for those
17 members, those appointees to the board. We would
18 be lobbying, you know -- I think that would be an
19 exercise futility but what could we do to kind of
20 ensure that we have the type of balance that we've.
21 I know it would take years coming out of the past
22 administrations to balance out the board and to see
23 some of the decisions that we've been able to see
24 over the past few years. I am going to leave you
25 there. I just have a question. This is one of my

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2 pet peeves and one of the conversations that I
3 always bring up when we talk about organized labor
4 and that is the proliferation of the non-union
5 right to work workforce in the deep South in the
6 auto industry. Has there been any particular
7 studies, reports or have we taken any special looks
8 at that from earnings, safety's perspective?

9 MARNI VON WILPERT: That is a great
10 question. I am really not familiar with any.

11 RUTH MILKMAN: I am not aware of any
12 new studies on that but the really alarming thing
13 is that Michigan now has a right to work law too.
14 It's not just the South anymore so this is going to
15 affect workers in many industries including autos
16 all over the country.

17 CHAIRPERSON MILLER: So I know there's
18 obvious disparity in wages and I think I read the
19 New York Times piece a few months back which really
20 talked about safety and not only in the
21 manufacturers that are in those deep South states
22 of Alabama, Mississippi and so forth but also the
23 manufacturers that provide parts there who are
24 brutal, absolutely brutal. They had men and women
25 working on lines who have not been trained that

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2 brought lost limbs. There was no process obviously
3 that was -- worker's comp involved and all kinds of
4 other things and it was just a horrendous,
5 horrendous experience for those workers there and
6 certainly even union still exist in UAW and
7 Michigan and so there is still some protections for
8 them.

9 MARNI VON WILPERT: I can add a little
10 bit of information to this which is that the plants
11 in the south that are non-union are all owned by
12 companies based in other countries like BMW. So
13 the US manufacturing assembly plants in the auto
14 industry are all unionized. However, that is not
15 true in the parts industry. That is where the UAW
16 has really lost ground. I don't know the latest
17 figures but it is less than half of the parts
18 workers are unionized all over the country, not
19 just in the south. So that is where you see the
20 real abuses and I think more generally we know that
21 especially with the cutbacks that are coming in
22 labor law enforcement from the government and that
23 is just not at the federal level sadly but many
24 other places, not here I guess but that - unions
25 are the main watchdog for this stuff so insofar as

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2 they're weakened you are going to see more and more
3 of that.

4 CHAIRPERSON MILLER: I often raise that
5 question because often is being touted that they
6 are bringing these jobs to these locations and if
7 you look at what the jobs have been and what they
8 potentially can be what they have created is really
9 a race to the bottom and such a low standard
10 amongst workers in those industries there and so I
11 think it is something that we probably should take,
12 pay more attention to as kind of a microcosm of
13 what can be if in fact we lose our right to
14 collective bargaining and some of the latest
15 standards that are being diminished. I think that
16 is precisely what we will get and that's why I
17 really say a question. Thank you so much for your
18 testimony. Again, all of this will really relevant
19 and insightful testimony will be posted for the
20 world to see and with that I'd like to thank
21 everyone for coming out today, giving testimony
22 from the unions. Obviously, our advocates and
23 distinguished professors and policy people and the
24 administration. I would like to thank all the
25 union folks that have come out as well and to those

1 COMMITTEE ON CIVIL SERVICE AND LABOR
2 watching that you can watch this again at
3 newyorkcitycouncil.gov and dissect it and this
4 information will also be posted on our site so
5 tweet at us, I. Daneek Miller, and we will
6 certainly get back and love to finish this
7 conversation. Look forward to working with
8 everyone. With that, this hearing is are now
9 adjourned.

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11 [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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date May 4, 2017