

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CIVIL SERVICE & LABOR

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December 16, 2008
Start: 10:30 am
Recess: 11:35 am

HELD AT: Council Chambers
City Hall

B E F O R E: JOSEPH P. ADDABBO, JR.
Chairperson

COUNCIL MEMBERS:
James F. Gennaro
Larry B. Seabrook
Melissa Mark-Viverito
Robert Jackson

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

Amy Peterson
President
Nontraditional Employment for Women

Nitzan Pelman
Executive Director
Citizen Schools

Paul Fernandes
Chief of Staff
Building and Construction Trades Council of Greater
New York

Jack Kittle
International Union of Painters and Allied Trades,
District Council 9

James Conway
International Union of Operating Engineers Local 14

CHAIRPERSON ADDABBO: Good

afternoon, everyone, welcome to today's hearing for Civil Service and Labor. My name is Joe Addabbo and I have the privilege and honor of Chairing this Committee, so thank you all for being here.

I want to thank my colleagues who are here with me today, we have Council Member Larry Seabrook, we have Council Member Melissa Mark-Viverito, we have been joined by Council Member Robert Jackson. I want to thank the staff who has put this hearing together, to my right here, our legal counsel, Tracy Udell; to my left, our policy analyst, Shauneequa Owusu, I'd like to thank my legislative aide Jeff Gottlieb. We have been joined by Council Member Jim Gennaro.

Today's Civil Service and Labor Committee is in two parts. The first part we're going to be voting, we're going to take a vote on Intro 837, which is commonly known as the Residency Bill. You know, basically what this does is allows city workers who are members of DC 37 to live--to work in the city and after this proposal has been signed by the Mayor, will be

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2 allowed to live outside the city. The counties
3 designated by the legislation is Nassau County,
4 Westchester, Suffolk, Orange, Rockland, or Putnam
5 County. They will be required to live in the city
6 and work for the city for a period of two years
7 and then be free to go to those counties and then,
8 obviously, any current member who has lived in the
9 city for two years on the job is free to go.

10 It is an odd way, in my opinion, of
11 dealing with the housing issue that faces this
12 city, but it does allow choice amongst our workers
13 and we always advocate for choice for our city
14 workforce. It is long overdue, but we are here
15 today finally to vote on Intro 837. After voting
16 in today's committee, it will then be voted by the
17 full council this coming Thursday.

18 As a prime sponsor of this
19 legislation, I'm going to ask Council Member
20 Robert Jackson to make a statement at this point.
21 Council Member Jackson?

22 COUNCIL MEMBER JACKSON: Well thank
23 you, Chair Addabbo, let me first thank you for
24 being the Chair of the Civil Service and Labor
25 Committee and congratulate you on your election to

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2 the New York State Senate and I believe this will
3 be your last hearing under the Chair of the Civil
4 Service and Labor Committee and you are to be
5 congratulated for doing a great job on behalf of
6 the entire City Council as the Chair representing
7 all of us. And you have always, ever since I've
8 known you, working seven years in the City
9 Council, as the former Chair of the Parks and
10 Recreation Committee, you have always been a start
11 [phonetic] fast individual, meaning that you have
12 represented the people of your district in our
13 great city and always a professional. And as I
14 said to you many times before in traveling to Far
15 Rockaway, I cross the Joseph Addabbo Senior
16 Bridge, which is named after your father. My
17 understanding, I didn't know him, but everybody
18 talks, he was a great Congress member and I am
19 sure that you will do a great job representing
20 yourself, your family, and the over approximately
21 330,000 constituents that you will be representing
22 in the New York State Senate. So congratulations
23 to you.

24 CHAIRPERSON ADDABBO: Thank you,
25 Council Member Jackson, thank you.

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2 COUNCIL MEMBER JACKSON: But also
3 concerning Intro Number 837, as many of you know,
4 my colleagues, this is a bill that was introduced
5 approximately several months ago with respects to
6 the whole issue of residency for the people that
7 are covered under the contracts of DC 37 and any
8 other contracts that may apply, allowing these
9 individuals that are covered under this agreement
10 to be able to relocate if they wish outside of the
11 five boroughs of New York City to the surrounding
12 six counties, as the Chair indicated, Nassau,
13 Suffolk, Rockland, Orange, Westchester, and Putnam
14 Counties in order to live and reside, and continue
15 to work in New York City.

16 But also, as you know, the current
17 law and this Bill continues in fact that any new
18 employees that obtained and accept employment in
19 the covered titles must move within the confines
20 of the five boroughs within 90 days, that's the
21 law. And, as you know, some people say, well, why
22 is that necessary? Well, as I've said many times
23 before and I say here this morning, that I
24 represent District 7 in northern Manhattan and
25 that's 163,000 individuals and, in fact, in

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2 looking at Chair Addabbo, some of the Iowa I
3 [phonetic], you know, we're going to be dealing
4 with funding on that pretty soon and, based on the
5 2000 census, the poverty level, those individuals,
6 those families that are below the poverty level in
7 my district is above 30% below the poverty level.
8 So when it comes to employment, city employment,
9 as per the covered titles and, as you know, these
10 covered titles, employees can earn up to--start
11 off with 26, 27, 28, 30, \$32,000 or even a little
12 bit more. I know that tens of thousands of people
13 that I represent would love to have these jobs,
14 and I know that that's also reflective of many
15 other districts in New York City, because Miguel
16 Martinez, our colleague who just walked into the
17 room, he's in northern Manhattan with me, and
18 Melissa Mark-Viverito represents East Harlem and
19 Inez represents West Harlem, and just north of
20 96th Street, that includes all of our areas, the
21 families that are below the poverty level average
22 about 30 or 31%, so these jobs are important to
23 our constituents.

24 But I am very, very pleased, Chair
25 Addabbo, in order to be the prime sponsor of this

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2 Intro on behalf of a consensus agreement that was
3 reached between the parties, and so I'm glad that
4 I'm here today in order to say a few words in
5 order to support Intro 837, and I urge my
6 colleagues to support this bill. This is a bill
7 that has been reached through many, many, many
8 conversations between ourselves and between the
9 Speaker and her staff and the representatives of
10 DC 37, both the Political Action Director and the
11 Executive Director of DC 37, along with many other
12 union presidents. So this is a bill that is
13 reached by a compromise and I urge all of our
14 employees--I mean urge all of my colleagues to
15 support Intro 837. Thank you.

16 CHAIRPERSON ADDABBO: Thank you,
17 Council Member Jackson, for, again, your kind
18 words and I appreciate that very much, especially
19 about my dad.

20 And thank you very much for your
21 efforts on this bill. It is a good sign when we
22 can negotiate and get this bill moved forward
23 after so long. We are hopeful that eventually,
24 you know, this right to move elsewhere and still
25 work for the city is afforded to others in our

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2 city workforce and hopefully we can expand upon
3 that in the very near future for our other city
4 workers.

5 At this point, I'm going to ask for
6 the roll to be called because I know my colleagues
7 have other hearings going on in other parts of the
8 building and across the street. So I will call--
9 have the roll called for this particular Intro,
10 Intro 837 and have the names called now.

11 MR. WILLIAM MARTIN: William Martin,
12 committee clerk. Council Member Addabbo.

13 CHAIRPERSON ADDABBO: Yes.

14 MR. MARTIN: Gennaro.

15 COUNCIL MEMBER GENNARO: Mr.
16 Chairman, I wish to speak on my vote, if that's--

17 CHAIRPERSON ADDABBO: Sure.

18 COUNCIL MEMBER GENNARO: --okay. I
19 just want to thank you for your leadership, Mr.
20 Chairman, in bringing us to this good day today,
21 and Council Member Jackson for your prime
22 sponsorship of this bill. I thank everyone for
23 their hard efforts in getting us to this good day,
24 I'll be adding my name as a prime sponsor of this
25 bill as well.

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2 And to, Council Member Jackson,
3 will say that I did have the pleasure of meeting.
4 Joe Addabbo, Senior, several times, and so I was
5 happy to have had that--those couple of encounters
6 with a very, not only a great man, but a good man,
7 and so you're certainly following in his
8 footsteps, Joe, as I say you are a good man,
9 you'll be--hope you can straighten out Albany,
10 okay? And so we look forward to you taking that
11 on.

12 And so, with that, I proudly vote
13 yes.

14 MR. MARTIN: Seabrook.

15 COUNCIL MEMBER SEABROOK: Thank you
16 very much [off mic] like explain my vote. First
17 of all, I certainly want to say that this bill,
18 even though in its original state, I was a firm
19 supporter, but I do understand in politics you got
20 to compromise at that which it is and so,
21 therefore, I'm in support of this bill [off mic]
22 important subject, so it reaches a level of
23 allowing equality for a union in which I had the
24 opportunity to serve in DC 37 as well.

25 And let me just say congratulations

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2 to you, Senator-elect, that you are going to be--
3 going to a place that I had the opportunity to
4 serve many years. But I also want to say that I
5 had the opportunity to serve in government with
6 your father and it was a--he was a tremendous
7 person and we went to, in fact, a number of
8 meetings together when we're seeking support and
9 when we went to District Council 65, as well, and
10 so I had the opportunity to be with him on a lot
11 of occasion and he was a heck of a guy and
12 certainly the chip certainly does not fall far
13 from the block. And I want to extend all the well
14 wishes to you and certainly you would do very well
15 there in Albany and you have done a fantastic job
16 as Chair here.

17 Thank you very much and I have to
18 run across the street.

19 CHAIRPERSON ADDABBO: Okay. Thank
20 you.

21 [Pause]

22 MR. MARTIN: Mark-Viverito.

23 COUNCIL MEMBER MARK-VIVERITO: Yes,
24 I also would like to speak to the vote one moment.

25 First of all, I want to say, Chair

1
2 Addabbo, then we will miss you here. I am one of
3 the newcomers to the City Council, so we've been
4 serving just about three years and it's been a
5 pleasure to serve on this committee with you, and
6 your commitment to these issues is one that I
7 admire. So thank you for all your effort.

8 And I have also asked to be a prime
9 sponsor of this bill and I think for all the
10 reasons we've debated this issue very strongly and
11 for all the reasons and arguments that Jackson has
12 made, Council Member Jackson has made with regards
13 to the importance of this bill and the compromise
14 bill, I think we're arrived at the right place,
15 and I thank you for your leadership on this and
16 for standing strong.

17 And so, with that, I will vote aye.

18 [Pause]

19 MR. MARTIN: By a vote of four in
20 the affirmative, zero in the negative, and no
21 abstentions, item is adopted, members please sign
22 the committee report. Thank you.

23 CHAIRPERSON ADDABBO: I want to
24 thank all my colleagues again for their vote of
25 confidence and thanks for, again, their

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2 friendship, not only their support but their
3 friendship while being a Council Member and I
4 thank them and I wish them well and I look forward
5 to working with them on a different level. But
6 thank you for your support in this committee.

7 And I am glad that we finally got
8 forward on Intro 837, the Residency Bill. Again,
9 it's a benefit to many of our city workers and,
10 you know, regardless what the Mayor's office made
11 do with the bill when their time comes to have a
12 say on it, we are of the opinion that if we need
13 to, we will override that veto if we have to, for
14 the sake of our workers. So, again, I look
15 forward to advancing Intro 837. That concludes
16 our portion on the Residency Bill.

17 The second part of this hearing is
18 about apprenticeship programs. [Pause] Excuse me
19 one second. [Pause] The second part of the
20 hearing is about apprenticeship programs. We are
21 looking to how to increase participation in these
22 apprenticeship programs throughout the city and as
23 we enter pathways to trade professions.

24 Apprenticeship programs in New York City help to
25 develop a city workforce and arms its workers with

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2 the tools that they may need to obtain the secure
3 permanent, productive employment in a skilled
4 craft, especially during these tough economic
5 times. Apprenticeship is the process of learning
6 a skilled occupation through both on-the-job
7 training, practical pay experience, and learning
8 the related technical knowledge in the classroom.
9 In New York State, there are over 300 registered
10 apprenticeship programs.

11 We want to ensure that the workers
12 that are going out to the workplace are trained,
13 qualified workers, again, throughout the city.
14 And we are today going to look at how these
15 skilled workers play such an important part of our
16 role in the city workforce in order to ensure that
17 the city's workforce is a productive and vibrant,
18 both now and in the future. And we will explore
19 current pathways to trade professions in the city,
20 to review barriers that may restrict some of these
21 workers.

22 We're also going to look at how the
23 city can invest better in these apprenticeship
24 programs, what investments we need to make for our
25 city workforce and these qualified, trained

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2 workers and which programs work throughout the
3 city and why.

4 So I, again, I appreciate the staff
5 that has put this hearing together.

6 [Pause]

7 So we're going to call up panel of
8 three: Amy Peterson, from Nontraditional
9 Employment for Women; Nitzan Pelman for Citizen
10 Schools, and Paul Fernandes of Building and
11 Construction Trades.

12 [Pause]

13 I want to thank this panel for
14 being here today, thank you very much. Please,
15 just state your name for the record, and give your
16 testimony, please.

17 MS. AMY PETERSON: Hello, I'm Amy
18 Peterson, I'm the President of Nontraditional
19 Employment for Women. Thank you for inviting me
20 here today and thank you for your continued
21 support, the City Council has been a tremendous
22 supporter of ours, both in funding for our
23 facility, funding for our programs, and also in
24 helping us to reach out to the communities that
25 you serve.

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2 We recruit women from all over the
3 city, 85% of the women we recruit are minority.
4 The majority of women that we serve are low-
5 income, a lot of them are single parents, a lot of
6 them have struggled with a number of issues in
7 their lives and certainly have struggled to find a
8 well-paying career that they can succeed in. And
9 they come to Nontraditional Employment for Women
10 with an interest in building and using their hands
11 and they go through our program, it's a six-week
12 program. We're about to engage on a citywide ad
13 campaign to try to get more and more women into
14 our program. They come to our program, they go
15 through a six-week program focusing on trades
16 math, hands-on training that's taught by union
17 carpenters, union electricians, union painters.
18 And once they graduate from our program, we
19 recommend them and place them in the unions.

20 The unions have been incredibly
21 supportive of our program and the apprenticeship
22 programs specifically have set a goal and have met
23 that goal in most of the unions of placing women
24 in 10% of the classes that are starting--that
25 started in 2006 and that is continuing, and we

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2 hope that will continue ongoing. We've placed 425
3 women in the trades since that requirement was put
4 in place.

5 And what we hope that the City and
6 the City Council will continue to do is ensure
7 that contracts that the city let's go to
8 contractors that are linked to these
9 apprenticeship programs, 'cause they're the way
10 that we get women into entry-level positions that
11 pay well, \$15 an hour on average, that have health
12 benefits, that have training, a 4-year or a 5-year
13 training program, and a path to higher wage jobs.

14 And we also request that the City
15 Council look at ensuring that city contracts
16 require women in the trades on the projects, the
17 federal government has a goal of 7% and the city
18 does not have that goal, and that would really go
19 to ensuring that once women get into the unions,
20 that they're actually getting called out for work
21 and are able to take advantage of the
22 opportunities that are out there. Thank you.

23 [Pause]

24 NITZAN PELMAN: Hello, my name is
25 Nitzan Pelman and I'm the Executive Director of an

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2 organization called Citizen Schools. We are a
3 national organization that's been around for 13
4 years, but we're newcomers to New York City, we
5 actually just moved into the East Harlem district,
6 Council Member Mark-Viverito's district just about
7 four months ago.

8 We work exclusively with middle
9 school students, so I'm actually a little bit
10 aberrant in terms of my proposal to this hearing,
11 but essentially we do have an apprenticeship model
12 that's embedded in our program because we believe
13 that already at the middle school level, we see
14 that as the inflection point for many kids,
15 especially in low-income neighborhoods where
16 they're either going to make conscious or
17 subconscious decisions to stick with school for
18 the long haul and a lot of the reasons why kids
19 and middle schools will make conscious or
20 subconscious decisions not to stick with school is
21 because they don't find learning relevant in their
22 schools. And so we try to--what we do is we
23 partner with public schools and we extend the
24 learning day in those schools by three hours each
25 day. So we offer students 12 extra hours of

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2 learning time a week and we do a bunch of
3 different things with students. But one of the
4 things is we ask people in the private sector and
5 in the public sector what are you passionate about
6 and what are you excited about, and how can you
7 bring that to our students in a very, very hands-
8 on way and they commit to teaching a 10-week
9 apprenticeship with our students.

10 So this past semester, we had
11 engineers from Google that designed video games
12 with students and brought science and math to
13 life. We had journalists who taught personal
14 memoir writing and have the students design their
15 own personal memoirs that they then presented to
16 editors at Forbes magazine and at Random House.
17 We had students work with forensic scientists, we
18 had students work with the robotics teams at Pace
19 University. We had students working in lots and
20 lots of industries and fields, we had students
21 work with small-business owners and design
22 environmentally friendly tote bags and we're sort
23 of using creative ideas to make these designs come
24 to life.

25 At the end of each semester, the

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2 students present what we call a Wow, which is the
3 culmination of their work products to a large
4 audience of people and that gives them an
5 opportunity to present what they've learned, and
6 also use what we call 21st-century skills like
7 public speaking, using their teamwork skills,
8 their leadership skills, their technology skills,
9 skills that they've learned in those
10 apprenticeships in front of large audiences of
11 people. So we're both honing in on the content
12 knowledge that those volunteers are teaching our
13 students and also those 21st-century skills that
14 we think are important for kids to compete in the
15 global economy.

16 We've now gone through one round of
17 this, we had 60 apprenticeships in New York City.
18 Well over a hundred volunteers taught these
19 apprenticeships with us, gave well more than 15 to
20 20 hours of their personal time over the course of
21 the semester, and at the end of January we start
22 our next cycle of apprenticeships, 60 brand-new
23 apprenticeships will happen. Students get two
24 different apprenticeships a week and they get to
25 work with those individual volunteers in 90 minute

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2 blocks, so they get two different--they might work
3 with Travelocity employees one day a week and then
4 they work with a group from Google, let's say, on
5 the other day.

6 And that's what we do and we think
7 that--and as result of this, we call our
8 volunteers citizen teachers because we believe
9 that citizens have a role to play in changing the
10 life trajectories of our students and also helping
11 to bring relevance to the learning process for
12 students, so that they make these commitments to
13 stay with school. And also so that they become
14 exposed to professions and to people that they may
15 not have been otherwise. And so I think that this
16 is an interesting model and we are seeing a
17 tremendous outpour of volunteers who are very
18 excited about this. It's a deep level of
19 volunteerism, but it gets to a lot of the things
20 that from an apprenticeship standpoint sounds like
21 all of you here today are interested in. So thank
22 you for listening to us.

23 [Pause]

24 MR. PAUL FERNANDES: Good morning,
25 Mr. Chairman, members of the committee, my name is

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2 Paul Fernandes, I'm the Chief of Staff of the
3 Building and Construction Trades Council of
4 Greater New York.

5 Our organization consists of
6 affiliated unions, of 15 national and
7 international unions around the country, which
8 represent 100,000 working men and women in the
9 five boroughs. I'm also the president of the
10 Edward J. Malloy Initiative for Construction
11 Skills, which some of you may know as Construction
12 Skills 2000, which is a nonprofit organization
13 that administers pre-apprenticeship training
14 programs for New York City public high school
15 youth, New York City Housing Authority residents,
16 and other adult residents of the city, who are
17 facing an economic challenges.

18 I have submitted written testimony.
19 I won't read it verbatim, but let me begin by
20 talking briefly about the four recognized routes
21 that the--across the universe of the unionized
22 construction industry are recognized as ways to
23 access apprenticeship opportunities in New York
24 City. The first is through the traditional
25 recruitment process, and I would urge members of

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2 the committee and the general public to visit the
3 New York State Department of Labor's website where
4 all of those recruitments are advertised on a
5 regular basis so that the general public can be
6 aware of what the qualifications are for each
7 trade and any particular recruitments that are
8 ongoing.

9 The other three ways that you can
10 get into the building and construction trades
11 unionized apprenticeship system, all enjoy what
12 are called direct entry privilege and what that
13 essentially means is that you don't have to go
14 through the recruitment process that, assuming
15 that you're qualified in all the respects, you can
16 effectively cut through the red tape and bypass
17 the waiting lists and any of the recruitment
18 requirements that the state Department of Labor
19 otherwise has. The reason that these three
20 programs that I'll mention in a minute enjoy those
21 direct entry privileges is because, number one,
22 they promote equal opportunity and they have an
23 established record of increasing diversity in the
24 building trades, and, number two, they provide
25 additional pre-apprenticeship or other training

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2 that allows individuals who enter our partnership
3 system to have a much better system of being
4 successful and making good use of the training
5 dollars that we invest in them.

6 The three programs are construction
7 skills, as I mentioned, which I'm the president of
8 and it deals with the New York City public high
9 school system. We also have an agreement with the
10 New York City Housing Authority, which has
11 financed some of our operations, and also has been
12 very cooperative in helping us to identify adults
13 in New York City housing developments, who are
14 interested in careers in the building trades.

15 Just this past fall, we were pleased to announce
16 that we placed over 1,000 New York City resident
17 who has gone to the construction skills pre-
18 apprenticeship training program into a unionized
19 apprenticeship program in New York City and I
20 think what's probably more impressive than that
21 number is the fact that 89% of the individuals who
22 have completed that program are African-American,
23 Hispanic, Asian, and other minorities and more
24 than 80% of those individuals who get placed into
25 apprenticeship programs in the eight years that

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2 we've existed have remained actively employed in
3 the industry, which is probably double the rate
4 that you would typically see in similar programs
5 that take at-risk populations and access career
6 opportunities in a skilled industry.

7 The two other programs that have
8 these direct entry privileges are Nontraditional
9 Employment for Women, which Amy serves as the
10 Executive Director of, which provides pre-
11 apprenticeship training which for women and also
12 enjoys the direct entry option to get into the
13 trades.

14 And the third is a program called
15 Helmets to Hardhats, which is a national program
16 funded by the Department of the Defense, which
17 works with the building and construction trades
18 nationally and here locally in New York City to
19 allow returning veterans or even veterans of
20 previous foreign service, whether it be in the
21 Vietnam era or the first Persian Gulf War, as well
22 as people who are serving currently, it allows
23 veterans who have been honorably discharged to get
24 this preferred access into the building and
25 construction industry. The one difference with

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2 Helmets to Hardhats being that because many of the
3 members of the armed services have a higher skill
4 level, especially if they've worked in mechanized
5 units, they don't necessarily have to go through
6 pre-apprenticeship or apprenticeship training,
7 they may actually be qualified to enter the
8 industry as a journey person, which is the highest
9 skilled job classification that we have.

10 So those are the four universally
11 recognized ways that you can get into the
12 unionized apprenticeship system. There are other
13 ways that individual trades may utilize, but the
14 four methods that I've mentioned are universally
15 accepted by all the building and construction
16 trades unions.

17 The important thing in providing an
18 increase in the opportunities that are available
19 to apprentices is to provide job opportunities.
20 There are four ways that I know of in New York
21 City that that's being done today: the New York
22 City School Construction Authority and the Port
23 Authority of New York and New Jersey have for the
24 better part of the last two decades had
25 apprenticeship participation requirements in their

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2 major public works contracts that stipulate that
3 contractors and subcontractors on these major
4 projects have to either have a collective
5 bargaining agreement with a union that runs an
6 apprenticeship program or, if they're from the
7 nonunion sector, they have to have an
8 apprenticeship program that they themselves
9 sponsor.

10 Recently, we added the New York
11 City Housing Authority, which has similar
12 requirements on what's known as it's CM build, or
13 it's Construction Management/Build program, which
14 is more than half a billion dollars of work and,
15 in addition to that, the City of New York has
16 adopted contractual requirements on its major
17 projects that, again, contractors and
18 subcontractors have to participate in these
19 apprentice programs.

20 In order to increase opportunities,
21 what we need to do is move beyond that 'cause the
22 reality is that, although we've put requirements
23 on a lot of that public work, the fact of the
24 matter is that we did a lot of that work already
25 in the unionized sector, so it wasn't increasing

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2 the economic pie and the employment pie for our
3 community.

4 What we need to do if we want to
5 increase apprenticeship opportunities in the
6 building trades is demand the same commitment to a
7 trained and skilled workforce that we demand in
8 the public works sector of the industry, we need
9 to also make those demands on private work. In
10 the last few years, we've done that on some major
11 projects, but again, many of those projects were
12 going to unionized in all likelihood anyway. The
13 problem is that we have seen very little effort
14 made to demand that there is a commitment to a
15 trained and skilled workforce and diversity and
16 opportunity for New York City residents on a broad
17 swath of the private work, much of which gets
18 pretty generous subsidies from the city taxpayer
19 in the form of direct capital construction funds,
20 in the form of tax abatements and incentive
21 programs. And the reality is that almost nothing
22 is asked of those developers and those contractors
23 and if we want to increase apprenticeship
24 opportunities in New York City, that's the segment
25 of the market that we need to go after, we need to

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2 demand of the folks that are getting pretty
3 generous tax subsidies and benefits on private
4 work, that they be held to the same standard as
5 we've been holding public agency contractors and
6 contractors that are building some of the large
7 economic development projects that we know about
8 around the city.

9 And I would commend the Council for
10 one of those projects that's been a recent example
11 of imposing these kinds of requirements on an
12 outer borough major economic development project,
13 and that's Willets Point where the Council and the
14 Administration agreed in principle to have
15 provisions in the Request for Proposals for
16 whatever developer was chosen that would require
17 that developer to in fact pay prevailing wages and
18 to have the contractors that do work on that
19 project participate in apprenticeship training
20 programs.

21 So I thank the committee for the
22 opportunity to testify. We'll be happy to talk
23 with you here today or any other time at your
24 convenience to discuss this issue further and
25 again, thank you for having us here.

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2 CHAIRPERSON ADDABBO: I want to
3 thank Mr. Fernandes and the panel for being here,
4 thank you very much for your time and testimony.

5 We do have questions, we have
6 questions first from Council Member Melissa Mark-
7 Viverito, then Council Member Gennaro.

8 COUNCIL MEMBER MARK-VIVERITO: Good
9 morning, thank you all for being here. Just when
10 you're talking about private works, I mean like
11 when you talk about Willets Point and when you
12 talk about any sort of large-scale project that's
13 been happening in the city, there always has to be
14 some sort of a city action, so in a sense it's
15 somewhat public, I would think, you know, and
16 that's an opportunity for us as a city to mandate,
17 you know, that they participate in these programs,
18 correct? I mean, like give me are there examples
19 of just strictly of large-scale private
20 development that doesn't involve any sort of city
21 action that you can point to that would be of
22 concern to you?

23 MR. FERNANDES: I would point to a
24 specific segment of the market where there's a lot
25 of land-use actions--

COUNCIL MEMBER MARK-VIVERITO: Yeah.

MR. FERNANDES: --and obviously you couldn't impose formally through that process some of these requirements, but there's obviously leverage that's imposed during that process on developers who want to get their projects approved and have land use actions taken that are favorable to their projects.

COUNCIL MEMBER MARK-VIVERITO:

Right.

MR. FERNANDES: There's Request for Proposals and procurement efforts that are undertaken by the administration and by the Economic Development Corporation and the Housing Preservation and Development Department, where you could put requirements into the bid documents or the Request for Proposals and other requests, RFIs and things of that nature, that would impose some requirements on the contractors regardless of whether it's a very big project or--I'm not going to suggest that you would want to impose it on all projects, but there are a lot of--[clears throat] excuse me--you know, fairly substantial projects throughout this city that get city action, whether

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2 it's in the form of tax incentive programs, in the
3 form of city land being disposed, whether it's
4 through sale or lease for development efforts.
5 During that process there needs to be a better
6 focus on, okay, these entities are getting
7 development rights and we're giving them, in some
8 cases, favorable consideration, including tax
9 incentive programs, even some cases direct capital
10 construction funds, if you're availing yourself of
11 all those advantages, then there ought to be
12 something that's demanded of you.

13 COUNCIL MEMBER MARK-VIVERITO: No.

14 And I agree--

15 MR. FERNANDES: [Interposing] And I
16 would--I'm sorry to--

17 COUNCIL MEMBER MARK-VIVERITO: Yeah,
18 yeah.

19 MR. FERNANDES: --I just want to
20 give you credit because I know that we worked
21 together earlier in the summer on the 125th
22 Street--

23 COUNCIL MEMBER MARK-VIVERITO: Yes.

24 MR. FERNANDES: --rezoning where we
25 had some of those considerations included in the

1
2 process that was hopefully moving towards some
3 fruition of developing parcels in that
4 neighborhood that would have some major job
5 creation--

6 COUNCIL MEMBER MARK-VIVERITO: Yes.

7 MR. FERNANDES: --components that
8 would include the ability of the local community
9 to share in those opportunities.

10 COUNCIL MEMBER MARK-VIVERITO:

11 Right. No, and I want to thank you for the
12 partnership because I know that in light of that,
13 you know, we have a working commitment that we're
14 going to get some apprenticeship positions and
15 slots in East Harlem, so I'm thankful to you for
16 that.

17 But, yeah, but I guess the question
18 is, it seems likely we really have an ability to
19 make this standard practice and I think the
20 pressure and there's been consistency I think in
21 through some of these large land--these large
22 development projects which we've had some level of
23 input on to make it more standard and I think that
24 that's, I think what you're striving for, and I
25 would hope all of my colleagues are striving for

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2 the same thing, but it seems to be becoming more
3 commonplace and I'm glad to see that because it
4 obviously benefits us.

5 Just an additional question, and I
6 think the--I have a Youth Build program in my
7 district and I want to understand a little bit
8 like what your relationships are, you and, you
9 know, maybe NEW with regards to these Youth Build
10 programs, which is federally funded and, you know,
11 it's young people that are learning certain
12 trades, but are these young people that just get
13 naturally get slotted into your apprenticeship
14 programs? Like if you have a relationship, could
15 you just explain to me what your relationship
16 would be with a program. Like that?

17 MS. PETERSON: Well we have had some
18 women who have gone through these build program
19 and as long as they're 18 and have their high
20 school diploma or a GED, then they could enter our
21 program. And once they go through our program,
22 then they can have direct entry access to the
23 unions. So we have had people who have gone
24 through Youth Build program, can then work with
25 us, go through our six-week pre-apprenticeship

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program, and we have had that in the past.

COUNCIL MEMBER MARK-VIVERITO: Do think that there's a stronger partnership that we could cultivate there--

MS. PETERSON: [Interposing] Yeah, I'd love to do that.

COUNCIL MEMBER MARK-VIVERITO: You know, I respect your organization and I've worked very closely with the Executive Director--

MS. PETERSON: Right.

COUNCIL MEMBER MARK-VIVERITO: --but do you have any experience with Youth Build programs--

MR. FERNANDES: [Interposing] We've had very limited experience with the Youth Build, individual unions may have had some experience. I believe Youth Build's HUD funded--

COUNCIL MEMBER MARK-VIVERITO: Yes, it's HUD funded.

MR. FERNANDES: --so I think probably the best way to wed Youth Build with the programs that we do now with NYCHA is to try to identify the individuals who are in those programs who meet qualifications for entry into the

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2 construction skills program that's available to
3 the public high school students and try to figure
4 out how it is that we can, you know, kind of
5 bridge that divide so that the Youth Build
6 population has the same ability as other New York
7 City high school students to apply for the
8 openings that we at Construction Skills offer.

9 COUNCIL MEMBER MARK-VIVERITO: Yeah,
10 so I'll pursue that a little more, I'll talk to
11 the organization and see what we could do.

12 And the last thing is, you know, we
13 talk about apprenticeship, apprenticeship, and I'm
14 learning a lot as I go along, as we all know, but
15 at what point do you stop being an apprentice?
16 Like at what point, I mean, you know, you go
17 through this training and then, you know, you
18 start getting put on job sites. At what point do
19 you just become--I mean, I don't know what's the
20 next step after apprentice?

21 MR. FERNANDES: The apprenticeship
22 programs in New York City are all regulated by the
23 New York State Department of Labor. Depending on
24 the trade, the apprentice programs and
25 construction lasts anywhere from two to five

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2 years. They require that you complete 144 hours
3 at a minimum of classroom instruction for each of
4 the years that you're in the program and, in
5 addition to that, they require that you have work
6 experience on the job that's fairly substantial.
7 Depending on the strength of the economy, the
8 number of hours that you would have to complete in
9 terms of the on-the-job training portion of the
10 program could be as short as that two to five
11 years or in lesser or, you know, weaker economic
12 circumstances, it may take you longer than that
13 period of time to complete your training, but I
14 have to say, in the last 10 years, generally
15 they've been able to complete their training on
16 schedule.

17 So after that two to five years,
18 depending on the trade, you then would graduate
19 the apprenticeship program, the State Department
20 of Labor issues a certificate attesting to the
21 fact that you've completed the training and they
22 would then become recognized as a journeyperson,
23 which, both on private projects in the unionized
24 sector and also under the state Labor Law also
25 federal Labor Law, allows you on public works

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2 projects to be paid the highest journeyman wage or
3 the highest prevailing wage. And that occurs when
4 they complete the apprenticeship training.

5 COUNCIL MEMBER MARK-VIVERITO: And I
6 know that this is not the purpose of the hearing,
7 but just with regards to that journeyman and
8 journeywoman position, in terms of how you get
9 slotted for a job, it's based on seniority or--

10 MR. FERNANDES: [Interposing] Each
11 individual union has different procedures and
12 practices that govern how it is that people are
13 assigned work, so it would be difficult for me on
14 a universal basis to say that this is a practice
15 that the whole industry adopts. Each individual
16 union has its own practice, whether its a hiring
17 hall or referral system or [pause] So each--you
18 have to really look at each individual union for
19 how it is that they [pause]

20 COUNCIL MEMBER MARK-VIVERITO: So
21 you highlight, and I think that that's a great
22 aspect in the testimony about, you know, the
23 program and the way it's structured now, that
24 there's a lot more diversity, which is obviously
25 something that has been criticized in the past and

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2 I know that, as a member of the Black Latino
3 Caucus, it's conversations that we've had with the
4 trades about the need for more diversification,
5 particularly in the construction trades. So you
6 have the diversity within the apprenticeship
7 slots, now they become journeymen and women, do
8 you--I mean have you seen a greater
9 diversification now in those positions as a result
10 of this program? I mean, it's relatively new, I
11 know that your--

12 MR. FERNANDES: Well, I mean the--

13 COUNCIL MEMBER MARK-VIVERITO: --the
14 expectation is that when everybody completes their
15 training that--

16 MR. FERNANDES: Sure.

17 COUNCIL MEMBER MARK-VIVERITO: Okay.

18 I mean--

19 MR. FERNANDES: Two things well,
20 maybe more than two things, over the last 20
21 years, there's been a sea change in the diversity
22 of the construction industry in New York City. If
23 you go back to the 1990 census it was probably
24 about 40% minority workforce in New York City,
25 today it's more than 55% minority. So that is the

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2 product of efforts like this, some of which began
3 in the we had [off mic] always the 1970s with
4 something called the New York Plan for Training,
5 which was then formalized under certain provisions
6 of city law under like Executive Order 50, for
7 example. That program, you know, was phased out
8 and we've had pretty substantial recruitment
9 efforts to go into the local community. There's a
10 whole bunch of factors that affect the changes, I
11 think these programs have had a substantial effect
12 on improving the diversity of the industry,
13 there's probably demographic changes in the
14 population of the city that have affected that,
15 there have been civil rights cases and changes
16 that are made in practices that the apprenticeship
17 programs used to recruit. All those things
18 combined have played a role in dramatically
19 increasing the diversity of the industry and I
20 think, to your larger question, we're recruiting
21 people, are they then staying in the industry and
22 getting opportunities on a long-term basis so that
23 you're not just getting entry into the industry,
24 that you're actually changing the composition of
25 the workforce for the long-term and also for the

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2 higher-paying positions that are available and the
3 evidence is overwhelming that that's occurring.

4 We, in the industry, spend more
5 than \$20,000 per person to train them. It would
6 be a pretty dumb investment on our part to train
7 someone that we didn't have any interest in seeing
8 be successful and in seeing work for the long-
9 term, where they can contribute into our benefit
10 funds to make our pension and health benefit funds
11 solvent. So the overwhelming evidence is that the
12 diversity of the industry is changing, it's
13 changing pretty rapidly. The thing that I think
14 these programs provide that's important is the
15 pre-apprenticeship component, which gives some
16 populations that may have had some historic
17 barriers to entry, the opportunity to get advanced
18 training so that when they get in the position to
19 take advantage of an apprenticeship opportunity,
20 they can make good use of it, so that if they come
21 into an apprenticeship program, they actually have
22 a leg up on someone who's being recruited off the
23 street. I think the success rates that we pointed
24 to for construction skills at least, and I'll let
25 Amy speak to Nontraditional Employment for Women,

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2 we know that 80% retention is higher than the
3 retention rate that we see for other populations.

4 MS. PETERSON: I think it is
5 critical though that there be a requirement for
6 women and minorities on projects. So the unions
7 have very much opened their doors and said we're
8 going to put women and minorities into the unions-
9 -

10 COUNCIL MEMBER MARK-VIVERITO:
11 Right.

12 MS. PETERSON: --but the contractors
13 need to actually be calling and they can call the
14 union halls and say I want women on this project,
15 I want minorities in this project, I want people
16 that live in this neighborhood on this project.

17 COUNCIL MEMBER MARK-VIVERITO: Okay.

18 MS. PETERSON: So and at all levels
19 of the apprentice level, but at the journey level,
20 and so, you know, to get through the
21 apprenticeship program, you go through the
22 training, but you also have to work a certain
23 amount of time. So getting the call at the union
24 hall saying they want these specific people
25 working is important and that needs to come from

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2 the owner. And so when the city's funding a
3 project, that requirement's important to us.

4 COUNCIL MEMBER MARK-VIVERITO: Thank
5 you.

6 CHAIRPERSON ADDABBO: Thank you,
7 Council Member Melissa Mark-Viverito. Council
8 Member James Gennaro.

9 COUNCIL MEMBER GENNARO:. Thank
10 you, thank you, Mr. Chairman, thank you for being
11 here today.

12 I wanted to I guess pose a question
13 or a thought to Mr. Fernandes or Ms. Peterson or
14 anybody on the panel. I'm the home union--I'm the
15 local Council Member for Local 3, the IBW and
16 various constituents through the years have come
17 to my office with--they think that I'm some kind
18 of, you know, employment office or whatever and
19 we've been able to be helpful. I reached out to--

20 MR. FERNANDES: We know the feeling.

21 COUNCIL MEMBER GENNARO: What's
22 that?

23 MR. FERNANDES: We know the feeling.

24 COUNCIL MEMBER GENNARO: I have
25 reached out to my friends in the, you know, trade

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2 union community and have gotten people into
3 apprentice programs, but I'm wondering whether or
4 not it might make some sense, if you think it
5 would be helpful for, you know, my office to sort
6 of partner with your organization and have some,
7 you know, community event, town hall or whatever,
8 that focused, you know, on this issue and of, you
9 know, getting people with good skills and good
10 backgrounds connected to these kinds of
11 apprenticeship programs, we'd be happy to, you
12 know, sponsor that and, you know, work with you to
13 get the proper connections made. Does that sound
14 like something that makes sense?

15 MS. PETERSON: Yeah, we would love
16 to do that.

17 COUNCIL MEMBER GENNARO: Okay.
18 You're hired.

19 MS. PETERSON: Great.

20 COUNCIL MEMBER GENNARO: You know,
21 you're hired. And so thank you, thank you, we'll,
22 you know, talk after the hearing or--

23 MS. PETERSON: Great.

24 COUNCIL MEMBER GENNARO: --whatever
25 and see if we can get something like that in

1
2 motion, maybe it could even be at Local 3 or
3 whatever, we could, you know, have that as a
4 setting for it if that's okay with them. I don't
5 want to speak for them, but--

6 MS. PETERSON: [Interposing] We
7 actually, Local 3 is recruiting now and we have a
8 number of women testing, so they've been very
9 supportive of us.

10 COUNCIL MEMBER GENNARO: Oh, super,
11 okay, Ms. Peterson we should talk, okay?

12 MS. PETERSON: Right.

13 COUNCIL MEMBER GENNARO: Great.

14 MR. FERNANDES: We also host every
15 two years at the Javits Center a Career Expo where
16 the entire industry brings the trades in, in some
17 cases bringing in the exhibitions that they have
18 that are used nationally to give a better sense
19 to, not only the high school students, but the
20 public housing residents and other populations and
21 also I think it's important the educators in the
22 public high school system who work very closely
23 with us, to give them some more exposure to the
24 opportunities that are available. I think most of
25 the kids and most people in the city may see a

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2 project and they may know what a carpenter is, an
3 electrician, or a painter or plumber, they
4 probably don't know that there's 11 or 12 other
5 trades and many--

6 COUNCIL MEMBER GENNARO: Right.

7 MR. FERNANDES: --and specialties
8 within those trades that have opportunities that
9 are available to them. So we would invite,
10 whether it's your Council office or any other
11 Council Member's offices to work with us in
12 getting people to attend those events.

13 We also have our staff that
14 regularly goes into the public high schools
15 throughout the city, as well as public housing
16 developments working with NYCHA to recruit people
17 for the opportunities that we have.

18 COUNCIL MEMBER GENNARO: Great,
19 great, great, I was, you know, we also have Thomas
20 Edison High School, which is, you know, a
21 vocational school in my district so there is--

22 MR. FERNANDES: [Interposing] And
23 they're a partner, they work with the Construction
24 Skills program.

25 COUNCIL MEMBER GENNARO: Oh, I see.

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2 MR. FERNANDES: They do.

3 COUNCIL MEMBER GENNARO: Okay. Well
4 that sounds like a--sounds like the beginning of a
5 beautiful relationship. So thank you, thank you
6 for your cooperation. Thank you, Mr. Chairman.

7 CHAIRPERSON ADDABBO: Thank you,
8 Council Member Gennaro, and let me take this
9 opportunity to thank Ms. Peterson, she has worked,
10 Nontraditional Employment for Women has worked
11 with my office and I appreciate your helping my
12 constituents as well.

13 To this panel, let me ask two
14 questions to sort of crystallize, you know, boil
15 down into summary form, 'cause you've all touched
16 upon it, the two questions that I have had in
17 formulating this hearing. That being, those two
18 questions being, what makes for a successful
19 apprenticeship program in a nutshell? And,
20 secondly, what can the city or state do, and
21 you've mentioned it, but, again, I want to get it
22 in summarized form, what can the city or state do
23 to promote or better improve these apprenticeship
24 programs? SO that question goes out to all three.

25 [Pause]

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2 MS. PETERSON: I'll let Paul answer
3 though what makes a good apprenticeship program.
4 For us, what makes a good apprenticeship program
5 is that it's open to entry-level workers, you
6 know, women who come through our program have to
7 have a high school diploma or a GED and we test
8 them for seventh grade reading and math, depending
9 on the union they may need higher level math, and
10 we prepare them, but these are entry-level
11 positions. So what makes, for us, a good
12 apprenticeship program is the ability for somebody
13 who has an interest and definitely has the, you
14 know, ability and has gone through our program to
15 be able to be successful in an entry-level job.
16 And the support that the apprenticeship program
17 gives in both training and on-the-job training is
18 really what is important, plus the health benefits
19 and the wages and the equal wages and, you know,
20 it's very clear that our women are on the same
21 path as the men because of the way that the unions
22 are structured, and so for us is what's important.

23 The things that are important to us
24 in terms of what the city and state can do is make
25 sure that there is a linkage between the projects

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2 that the city both funds and sponsors in a number
3 of different ways with these apprenticeship
4 programs, and that there is a requirement that
5 women and minorities and local residents work on
6 these projects and those requirements are
7 enforced. And ways to enforce them is just to
8 actually link them with organizations like ours,
9 you know, if the contractors call us, we can help
10 them make sure that there are women on those jobs.
11 So that's the--it for us.

12 MR. FERNANDES: I think, first, you
13 have to start from the recruitment process, making
14 sure that you're getting a sufficient number of
15 qualified applicants. We have, to be honest,
16 rarely had a problem finding enough qualified
17 applicants for work in the industry. If you look
18 at the recruitments that are conducted by a number
19 of unions, sometimes they will appear on the
20 evening news on a weekend and you'll see for 2 or
21 300 applications for apprenticeship opportunity,
22 you may see 4,000 people lined up outside the
23 door. So getting qualified applicants has never
24 been much of a problem, but that's the first step.

25 The next step is to have a bona

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2 fide program, to have a program that's approved by
3 the state and, even beyond being approved by the
4 state, that actually has legitimate training being
5 offered in terms of the classroom instruction,
6 that it's being provided by qualified instructors
7 who have industry experience and, perhaps as may
8 be appropriate, different certifications. There
9 are, for example, OSHA certifications that allow a
10 instructor to provide instruction on safety and
11 health to the workforce and give them additional
12 certifications. You would want to have a
13 legitimate training facility. You'd want to have
14 linkages between employers who have ongoing work
15 throughout the city and the regions so that the
16 individual's employment is not linked to any
17 specific work site because, as you all know,
18 construction is by nature temporary employment.
19 One of the advantages of the unionized
20 apprenticeship system is that it's the unions and
21 all the signatory contractors working together in
22 partnership to have jointly sponsored programs,
23 that means that anyone who's in one of the unions
24 could be eligible to work with any number of the
25 employers that they have collective bargaining

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2 agreements with. That's in contrast to someone
3 who goes into a non-union sponsored apprentice
4 program where most cases they're linked
5 exclusively to the economic prospects of a single
6 employer.

7 So the thing that's important is
8 that they have the ability to, not just work on a
9 project, but that they have the ability to work on
10 any projects throughout the city and probably that
11 they be able to work on a long-term basis and, in
12 that respect, is probably useful to work with
13 apprenticeship programs that have some history of
14 success, that have a track record of putting
15 people into jobs and keeping them there. I would
16 say that those are probably the most important
17 elements of a successful apprenticeship training
18 program.

19 [Pause]

20 MS. PELMAN: Obviously, 'cause I
21 work in a very different level of population, but
22 I think starting earlier is actually really
23 important, and exposing kids to lots of different
24 opportunities that are out there when they're
25 still at a pretty impressionable stage of their

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2 own lives is pretty important and within that, I
3 mean we've been talking to Con Edison, who's going
4 to be teaching a number of apprenticeships with us
5 this upcoming semester, a couple of different
6 construction organizations and things like that.
7 I think the more diverse that you get, the
8 earlier, the better.

9 CHAIRPERSON ADDABBO: You know, to
10 that point, Ms. Pelman, when I attend career days
11 at local schools in my district, it's great to see
12 people of trade at these career days to try and
13 impress upon the students that, you know, if you
14 can work with your hands or if you're good at, you
15 know, working with others and obviously there are
16 job opportunities that may lie ahead for them.
17 It's good to see that the trades and other workers
18 participate in these career days, obviously even
19 at a young age, so to that point, I think Ms.
20 Pelman, I think you're correct.

21 You mentioned, Mr. Fernandes, about
22 recruitment, outreach. How do you, again, this is
23 all three, how do you outreach to tell people
24 about your programs and what you offer and could,
25 again, the city or state do anything to help you

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2 with outreach or promotion of the programs?

3 MR. FERNANDES: I mean ,all the
4 programs for their recruitments advertised in
5 local newspapers, citywide newspapers, they make
6 those advertisements available in multilingual
7 newspapers and in forums, so they are reaching out
8 to all the different communities, irrespective of
9 what their primary language is. They attend
10 community-based organizations forums that are
11 held. I could tell you that the Construction
12 Skills program, we go directly into about a dozen
13 to 15 high schools where the principals have
14 invited us into recruit. We go to NYCHA
15 developments, we host these community fairs, we
16 try to work as extensively as we can to link into
17 the local community, and I think the biggest
18 barrier that we found is not anything that's
19 really institutionalized today, maybe that may
20 have been the case in the past, but it's not the
21 case now, it's people don't know how to get the
22 opportunities. So how do we apprise them of that?
23 The State Department of Labor makes the
24 advertisements of the recruitments available on
25 its website.

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2 To the extent that the state has
3 any role, perhaps it would be in maybe making
4 those advertisements that better accessible to the
5 local communities, but I have to say again, based
6 on the response we get to those advertisements for
7 recruitment, it seems that a very large number of
8 people are getting the word because we get
9 probably 5 to 10 times the number of applicants
10 for these recruitments then there are actual
11 available opportunities.

12 So I think we actually are doing a
13 pretty good job of making outreach to the local
14 community. To the extent we can work with the
15 Council or [pause] capacity with the state
16 legislature or the state Senate, we'd be happy to
17 sit down and talk about how we do that.

18 MS. PELMAN: I just add, again, I
19 know we're serving different population. So the
20 students that we serve are directly connected to
21 the schools in which we decide to partner with.
22 So in East Harlem, we work with M.S. 45 on 120th
23 and 1st Avenue and Isaac Newton on 116th and
24 Pleasant and those program is open to--is a first-
25 come, first-served program so it's open to about

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2 hundred students on each campus.

3 But in terms of how do we get the
4 people to teach these apprenticeships, we had a
5 website called Daily Candy, I don't know if any of
6 you heard of it. It was a pretty popular website
7 for, I guess people in their 20s and 30s. They
8 ran an article about us in early August just
9 talking about what it means to teach an
10 apprenticeship and bring learning to life for kids
11 in middle schools and expose them to things that
12 they might not have seen otherwise. And we had
13 well over a hundred people sign up to teach
14 apprenticeships in one day from that article.

15 And since then the word-of-mouth
16 has spread incredibly fast. So I do think that
17 there is an incredible demand out there, people
18 talk about this a lot, that there is, especially
19 in an economic crisis, you've got lots of people
20 out there who have skills and who have knowledge
21 and who want to do something good and impart that,
22 and don't always even know ways in which to find
23 resources to, you know, do that on the other side.
24 And so I think we can expand these kinds of
25 programs much larger and I would really look to

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the Council for support on that.

We are starting our school selection process for next year to partner with additional schools and we already have 50 or 60 schools that have reached out to us, asking if we could bring this program to their schools too. There's an incredible demand out there on both sides.

MS. PETERSON: For us, we're still faced with the issue of women don't necessarily see themselves as construction workers. So we really need to still be able to get the message out there that women are doing these jobs and that you as a woman and as a girl and, certainly in high school and middle school, can do this.

We have just created with the help of the Lower Manhattan Development Corporation a new ad campaign that actually features our graduates and the MTA is going to post it in the subways and we're getting reduced pricing in the buses. So any opportunities for us to, I think put those ads out there, both to give them to Council Members to distribute, but to put them in other places where we could get free advertising,

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it would be great.

And for us it's always the connection between a woman whose in through our program, who's in the trades and the public, so we've done Feed on the Street campaigns, we've come out to the local communities, women riding home on the subway often get approached. But we're really looking to get our new ad campaign with the actual new graduates out there.

CHAIRPERSON ADDABBO: Thank you.

You know, as to Council Member Gennaro point, if ever you think that the Council Members' office throughout the city could be of help in recruiting or promoting any kind of program that you may have, I encourage you to mail that information to our offices 'cause, as Council Member Gennaro mentioned, many of our constituents come to us as we are employment agencies and, you know, we always want to help out our constituents, so if you think that we could be of any help, please forward us any information that you may think we could be helpful with. Question from Council Member Melissa Mark-Viverito.

[Pause]

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2 COUNCIL MEMBER MARK-VIVERITO: Just,
3 you know, follow up because I just wanted to take
4 the example of the 125th Street development, Mr.
5 Fernandes, and I know that in our conversations,
6 in the letter that you issued, you indicated that
7 as long as the project was fully union built, that
8 we could work with having the building trades
9 provide a hundred apprenticeship slots for East
10 Harlem, that is projected to be the case with this
11 project, which is probably be close to a 750
12 million or a billion-dollar project, done in
13 phases. But in that case, how do we--and it's
14 fully understood, at least on my part, that that
15 doesn't mean, you know, the apprenticeships slots
16 are opportunities for our community, how would we
17 go about making that available to the community or
18 least known? Would we do a recruitment day in the
19 community? Would we do, in terms of those 100
20 slots and creating some sort of a plan to get
21 people from the community to apply for them?

22 MR. FERNANDES: Two things
23 specifically we do or three things would be,
24 number one, work with your office to identify
25 places to have outreach made to the local

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2 community, whether that be an event that's
3 sponsored by your office or local Community
4 Boards. The second would be existing efforts that
5 we have to make outreach to the public high school
6 system, which I'm sure it includes, not only any
7 high schools that are in the immediate area, but
8 also individuals who may attend high schools
9 outside the area throughout the city, but living
10 in your community?

11 COUNCIL MEMBER MARK-VIVERITO:

12 Right.

13 MR. FERNANDES: And the third would
14 be to work with the public housing projects
15 throughout the city, working with NYCHA to
16 identify the major NYCHA properties in your area,
17 to make outreach efforts. And I recall going
18 before, I believe it was the Community Board,
19 there was an event I attended in the summer at
20 your request and--

21 COUNCIL MEMBER MARK-VIVERITO: The
22 task force--

23 MR. FERNANDES: Yeah.

24 COUNCIL MEMBER MARK-VIVERITO: --
25 that you had--the working group.

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2 MR. FERNANDES: Correct, and at that
3 meeting we met some of the folks from some of the
4 local NYCHA properties and, in fact, we have been
5 recruiting from each of those properties. We're
6 happy to add, you know, additional properties to
7 the list, but I would say those are the three main
8 ways.

9 And then the other way is when we
10 have our annual or, you know, every two years we
11 have our Career Expo at the Javits Center to try
12 to invite folks who are public high school
13 students and NYCHA residents and any other
14 populations we're dealing with to attend that
15 event, so they can get a better idea of--

16 COUNCIL MEMBER MARK-VIVERITO:

17 [Interposing] We could actually organize a
18 specific event--

19 MR. FERNANDES: Sure.

20 COUNCIL MEMBER MARK-VIVERITO: --for
21 East Harlem, you know, as a--okay. So that's just
22 in terms of how we could go about it. And I think
23 I've received communication from you or your
24 organization about wanting to meet, I'm interested
25 in getting to know more and considering that

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2 you're in my district, but it's an interesting
3 model and I think it's something that I would like
4 to see how we can get more involved in, but thank
5 you for sharing the information on what you're
6 doing.

7 And I know that we've met and I
8 appreciate that, you know, we can try and get more
9 people and I think the communities like the one
10 that I represent are ones that really could
11 benefit from, you know, our constituents being
12 part of your program. So thank you for all the
13 work you do. Thank you.

14 CHAIRPERSON ADDABBO: Thank you,
15 Council Member. I want to thank this panel for
16 their time and testimony, I look forward to
17 working with you, as my colleagues as well. You
18 know, as we promote, how do we get qualified
19 trained workers and, again, in these tough
20 economic times, how do we guide them to where
21 there is work to be had? So again, I thank you
22 for your efforts and I thank you for your time
23 today. Thank you very much.

24 Our next and last panel, a panel of
25 two, we have Jack Kittle, Head of DC 9 painters

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2 and James Conway, Operating Engineers Local 14.

3 [Pause] Gentlemen, thank you very much for being
4 here, just please state your name and give your
5 testimony.

6 [Pause]

7 MR. JACK KITTLE: Okay. Which
8 button? Thank you, Mr. Chairman, Committee
9 members. My name is Jack Kittle and I am with the
10 International Union of Painters and Allied Trades,
11 District Council 9. And I really don't have
12 anything prepared to hand in, but, you know, I
13 never read it anyway, so it doesn't matter, right?

14 I just wanted to make a couple of
15 comments for the record, if I might, Mr. Chairman.
16 Of the 300 and change apprentice programs that you
17 mention, District Council 9 and our employers
18 association sponsors six of them. And what I
19 really--I just wanted to talk a little bit about
20 two of the things that are your topics,
21 recruitment and I'll start with recruitment first.
22 And the other one is barriers, right?

23 Well recruitment as an end user for
24 the products put out by NEW and Construction
25 Skills that we heard from earlier, I want to say

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2 that that is, I think the best route to go to
3 recruit apprentices. Quantity is not our problem,
4 as Mr. Fernandes alluded to, we're one of those
5 groups that you will see hundreds and hundreds of
6 people camping out overnight every time we have a
7 recruitment. But what our biggest problem is, is
8 retention and graduation of the people that we
9 bring in.

10 Now Nontraditional Employment For
11 Women and Construction Skills, and also, as was
12 mentioned, Helmets to Hardhats, to the extent that
13 you invest in them, you really get your money's
14 worth. They send us tremendous candidates that
15 will graduate at over a 90% rate. For the money
16 that we invest to train each apprentice, that's
17 important to us. It's a tremendous waste of money
18 when we take someone through two or three years
19 and then they don't finish. So I would urge this
20 Council and the administration to continue, if
21 you're putting money into those groups, continue
22 to do it, you are getting your money's worth out
23 of them.

24 Now as to barriers, there's really
25 only one barrier and I've said this before, you've

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2 heard it. We are right now in the middle of an
3 epidemic of low road contractors racing each other
4 to the bottom in the construction industry. There
5 are reports that will tell you up to 25% of
6 construction workers are paid off the books.
7 These contractors are feeding an underground
8 economy that we just simply cannot compete with.
9 They are not the type of contractors that invest
10 in training, have no interest in the future
11 workforce. We invest quite a bit of money in
12 training, as well as, you know safety issues and
13 insurance and just can't compete with that. And
14 that doesn't give us the jobs which, in return,
15 doesn't give us the slots available in the
16 apprentice program. If we could just get a handle
17 on just the affordable housing sector, for
18 example, and just enforce current laws and force
19 them to pay their workers on the books and all the
20 other things that go with that. I don't believe
21 that you could send us enough people, we'd be
22 expanding our facility like there's no tomorrow
23 and, Mr. Chairman, you've been to our facility and
24 you see what we do. We have about 700 current
25 apprentices in the six different trades that we

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represent.

Help us somehow with that to enforce the law and stop this race to the bottom. That's all I really have to say, Mr. Chairman, thank you. I did it under two minutes, right?

CHAIRPERSON ADDABBO: Just about.

[Off mic]

MR. KITTLE: Oh.

CHAIRPERSON ADDABBO: Thank you, Jack.

MR. JAMES CONWAY: Good morning, Mr. Chairman, good morning, Council Members. My name is James Conway, I'm with the International Union of Operating Engineers Local 14. I just came here to endorse Paul Fernandes' statement. I just want to go over the \$20,000 a year that it costs each and every apprenticeship program to train an apprentice. There's three phases to it, where we spend \$20,000 a year on each apprentice.

First, we have 144 hours of classroom training. That's where we bring the apprentices in on Saturdays or at nighttime, we have an instructor, and they teach the apprentices things or procedures that cannot be learned on the

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2 job, Standard Operating Procedures, safety
3 procedures, for the trade that are broad enough
4 for the trade that they're learning. So that's
5 the first thing.

6 Second thing is we have a school,
7 which provides supplement training, that's where
8 the apprentice mimics or imitates what they
9 learned from the journeyperson, they bring it back
10 to the school, and they do the procedures in a
11 safe, controlled environment to learn the skills
12 of a journeyperson of each trade.

13 And then the third part is on-the-
14 job training where they receive mentoring, that's
15 where a journeyperson takes an apprentice under
16 their wings and feeds them feedback--gives them
17 feedback on their progress within the three to
18 five years of the apprenticeship program. So this
19 is where the \$20,000 is spent, it's spent
20 effectively, and that's why union training
21 programs work. Thank you, Mr. Chairman.

22 CHAIRPERSON ADDABBO: Thank you.
23 You know, to both gentlemen, because I believe Mr.
24 Kittle brought up a fine point about, you know,
25 contractors who try to skirt the issue and pay

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2 below prevailing wage and provide unsafe work
3 environments, you know, so enforcement is a big
4 issue.

5 Just as a point of clarification,
6 who does the oversight? Which inspector does the
7 oversight on the job, on the site to check that
8 the contractor is paying the prevailing wage and
9 in order to--that's the enforcement end, so we're
10 going to need some input on enforcement.

11 And secondly, what do we do? Do we
12 look to increase the penalties on the contractor?
13 Do we look to, obviously, not deal with that
14 contractor anymore and not provide them any more
15 contracts? What do you propose?

16 MR. KITTLE: I don't know what's a
17 big enough penalty. I think the debarment is
18 where you need to go. [Pause] Typically, when
19 someone is caught cheating on a public works job,
20 my experience is they're told to just pay what
21 they were supposed to pay anyway, pay the back
22 wages, and maybe a small slap on the wrist and
23 it's written off as a part of doing business. I'm
24 not a lawyer, you guys are, I guess. I think
25 there needs to be some criminal attachment to

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2 this, pierce the corporate veil, and hold somebody
3 personally responsible. And even as Mr. Fernandes
4 was alluding to, even the private sector almost
5 always has some sort of public benefit attached to
6 it, so as Council Member Mark-Viverito saying that
7 is public work, I agree with you, what you were
8 saying on that, somehow, they should be held
9 accountable as well.

10 Enforcement issues, to your first
11 question, on a New York City prevailing wage case,
12 it would be the Comptroller's office and on a
13 state job, I believe it's Department of Labor.
14 Now they do everything they can, as far as I'm
15 concerned, they do great job, I don't know that
16 there's enough inspectors to do what they have to
17 do. You know, and we are happy to help them
18 'cause we're out on the jobs every day, our
19 organizers are gathering the information they need
20 and we've been pretty happy with what they can do,
21 but then it goes into a legal proceedings behind
22 that and that is what it is. I don't know if that
23 answers [crosstalk]--

24 CHAIRPERSON ADDABBO: [Interposing]

25 Yeah, no, it's good. Mr. Conway, anything to add?

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2 MR. CONWAY: No, I agree with my
3 brother here, Jack Kittle, and morally and
4 ethically--

5 FEMALE VOICE: [Off mic] Into the
6 mic.

7 MR. CONWAY: --morally and
8 ethically, a contractor should not be working.
9 These are moral and ethics of training the future
10 of our city workforce.

11 CHAIRPERSON ADDABBO: You know,
12 again, I think the argument for, you know,
13 prevailing wage and good workplace environment, a
14 safe workplace environment, obviously, that
15 argument needs to be made, so obviously that's
16 something that we need to work on going forward,
17 both on a city and state level.

18 So I appreciate your input,
19 gentlemen, today. Any questions from my
20 colleagues? Council Member Gennaro.

21 COUNCIL MEMBER GENNARO: No, I just
22 wanted to thank both Mr. Conway and Mr. Kittle for
23 being great advocates for, you know, trade
24 unionists. I think we in City Hall, you know,
25 benefit from some of the, you know, views that

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2 they've always brought through, brought forward
3 through the years and I just want to thank them
4 for being great representatives of their
5 respective trades and we look forward to working
6 with them always.

7 MR. KITTLE: My answer to that is
8 ditto.

9 COUNCIL MEMBER GENNARO: Okay.

10 CHAIRPERSON ADDABBO: Gentlemen,
11 again, let me also thank you for the work that you
12 do, for not only your members, but throughout the
13 city and the work that you do. Thank you very
14 much here for your time.

15 There being no other people signing
16 up, that is our last panel and, again, this, you
17 know, apprenticeship program during tough economic
18 times should be a way we can provide jobs for our
19 residents, so we need to obviously promote and
20 invest in these apprenticeship programs, the ones
21 that do work. So I, again, I look forward to
22 working with my colleagues on the city level and,
23 as I go onto the state level, see what we can do
24 both levels of government for the betterment and
25 benefit of our workers.

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2 That being said, let me give a
3 couple of thanks. Again, I want to thank our
4 staff, Tracy Udell, Shauneequa Owusu, helping us
5 out always on this committee. My colleagues who
6 have been, you know, participating in this
7 community, thank you for your input and always for
8 your guidance, and I really appreciate your work
9 on this Committee.

10 Let me thank Speaker Chris Quinn
11 and Speaker Gifford Miller, initially, for giving
12 me the opportunity to Chair this most important
13 Committee, important for our city workforce,
14 important for the lives of their families, and
15 what they provide for their families. So, again,
16 it's been a great privilege and an honor to be
17 Chair of this Committee and I thank them for
18 giving me that chance.

19 This, again, being my last hearing,
20 I thank all those who have participated in these
21 hearings, again, and for their input in that we
22 could grow from this input and work upon the
23 testimony given, not only at this hearing, but
24 prior hearings as we make this city a better place
25 to live, work, and raise a family. Thank you very

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much everyone meeting adjourned.

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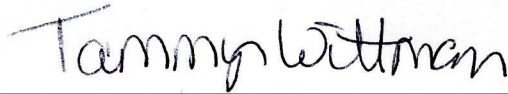
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C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature _____

Handwritten signature of Tammy Wittman in cursive script.Date January 2, 2009