

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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JULY 29, 2021
Start: 9:58 A.M.
Recess: 10:10 A.M.

HELD AT: COUNCIL CHAMBERS, CITY HALL

B E F O R E: CHAIR I. DANEEK MILLER

COUNCIL MEMBERS: I. DANEEK MILLER
ERIC DINOWITZ
HELEN ROSENTHAL
FRANCISCO MOYA
ADRIENNE ADAMS

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

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3 CHAIR MILLER: Good morning. I'm I.
4 Daneek Miller and I'm Chair of the Committee on Civil
5 Service and Labor. I want to thank you for joining
6 us today for a vote on 2252A. This is Bill that was
7 sponsored by Speaker Corey Johnson that would require
8 labor peace agreement for city human service
9 contractors. A labor peace agreement and arrangement
10 is an arrangement between labor union and an employer
11 in which both sides agree to wave certain rights
12 under federal law regarding union organizing and
13 related to and any related activity. LPAs or labor
14 peace agreements frequently allow employees to
15 unionize and without interference from employer, and
16 also generally allow employers to operate without
17 fear of work stoppage or boycotts. Often state,
18 local governments will pass local ordinances to
19 ensure LPAs, as condition of doing begin business, in
20 other words, the government entities will require
21 those doing business at a government location or
22 those entities will require those conducting business
23 with government while also receiving financial
24 assistance from it to sign LPAs in order to continue
25 doing business with the government. During the

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2 committee's hearing on this Bill this past May, we've
3 heard from a number of advocates and stakeholders
4 about the potential impacts of the Bill on the human
5 service sector. Intro 2252 would make LPAs mandatory
6 for human service contractors that have contracts
7 with the city no later than 90 days following the
8 award or the renewal of the city's human service
9 contract. The applicant for the contract would be
10 required to submit an attestation ensuring that the
11 applicant has entered into a labor agreement with the
12 relevant labor union. Each year, the city service
13 contractor would submit an updated version of the
14 certification identifying any changes from the
15 original version. The city controller would be
16 responsible for monitoring, investigating, and
17 ordering compliance by all contracting parties with
18 the law. In addition, the controlled would conduct
19 an annual report to the mayor and the city council
20 analyzing the implementation and enforcement of such
21 section of the law. I'd like to thank my staff, Ali
22 Rasoulinejad (SP?), John Marty (SP?), and the great
23 Joel Goldbloom (SP?). Certainly, Council staff,
24 Nusat Thomas and Nevin (SP?). We've been joined by
25 Council Members Dinowitz, Rosenthal, Moya, and Adams.

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2 Does anyone wish to, does anyone wish to speak on
3 Intro 2252? Council Member Rosenthal.

4 CM ROSENTHAL: Thank you very much.

5 Council Member Miller, you're an amazing leader.
6 You're an amazing union leader. You've taught me so
7 much about the power of union, and in many ways, you
8 are a big part of why I'm voting yes on this Bill. I
9 support workers in the human services sector. They
10 are predominantly women and women of color. Many are
11 single moms raising a family on one income. For the
12 past eight years, many of us have worked with the
13 sector to get government to fund the providers enough
14 money to pay their workers a decent wage, provide
15 full benefits and a pension, and pay enough overhead
16 for the programs to function. Let me tell you, it's
17 been an uphill battle. Government has gotten away
18 with underpaying this sector for their work since
19 they began as a mission-driven, non-profit born from
20 faith-based institutions. It's been a great ride for
21 government. Cuomo is lauded for requiring a minimum
22 wage of \$15.00 an hour. I support that, we all
23 support that. We're all very excited, but New York
24 state contracts in the human services sector were
25 never increased to pay those workers \$15.00 an hour,

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2 never increased. So, the man who made the mandate
3 happen, never funded the non-profits that government
4 contracts with to do the work to pay those workers
5 \$15.00 an hour, putting the non-profits in an
6 untenable situation. Summarily, our own Mayor Di
7 Blasio is lauded for free UPK. I too, am delighted
8 and excited. I remember being at several victory
9 rallies, but city government under funds the contract
10 for non-profits who contract with the city to provide
11 UPK and so those non-profits cannot afford to pay the
12 same wages that teachers who are represented by the
13 UFT and get higher wages, the non-profits pay those
14 UPK teacher considerably less money because the
15 contract does not include money to pay the non-profit
16 teachers as much as those who are working in our
17 school, our public schools. So, for that reason,
18 there is high turnover in the non-profits that
19 provide universal Pre-K. Of course, there is. Those
20 teachers know they can get paid more if they work for
21 a city public school, and who is it that loses? Our
22 children because they don't have one teacher all year
23 long. They have several teachers all year long. The
24 truth is, government itself is responsible for having
25 left these roughly 250,000 contracted employees in

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2 poverty. Today, we're passing legislation that
3 basically says we have lost the battle to get
4 government to pay good wages with good benefits to
5 the human services sector. Let's try a different
6 approach and build on the strength and wins of
7 unionized labor which has successfully negotiated for
8 higher wages for their municipal workers, to bring
9 those wages up for those in the non-profit sector.
10 After my eight years fighting with government to do
11 the right thing by their contracted non-profits, I'm
12 ready to bring in the power of the union, but there
13 do remain questions raised by this legislation that
14 must be addressed. One, there is no money attached
15 with this Bill. So, if unions are able to negotiate
16 to get better wages and benefits for their members,
17 who pays for it? The non-profit literally is capped
18 and doesn't have the money to pay, and they will be
19 put in the unfortunate situation of looking like the
20 bad guy. Secondly, if two non-profits provide the
21 services and only one of the non-profits is
22 unionized, and manages to get raises for those
23 workers, somehow, we can talk about ways, but
24 somehow, it means that two non-profits, possibly
25 working, I know in my District, were right across the

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2 park from another non-profit that does the exact same
3 work, so if one of the non-profits, lets say on the
4 eastside gets unionized, gets more money for their
5 workers, and finds a way to pay those workers, what
6 do you think is going to happen with the workers on
7 my side of the park, on the upper westside where
8 they're not unionized and they're getting the same
9 shabby wages that the contract, the government
10 contract allows them to pay. These are serious
11 issues which must be resolved, and I've spoken with
12 many people who have agreed to address those issues
13 and I look forward to that work. Thank you very
14 much, Council Member Miller for giving me a chance to
15 explain my vote.

16 CHAIR MILLER: Thank you so much, Council
17 Member Rosenthal. Any other members of the committee
18 like to speak? I want to thank you for your ongoing
19 advocacy over the past seven and a half years on
20 behalf of human service workers. You've been
21 unrelentless in doing so, you have been their voice
22 for seven and a half years on this committee. We
23 have submitted that the best way to support workers
24 is through the right to organize and the right to
25 supporting collective bargaining. What we have seen

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2 is individual workers not having the resources and
3 the ability to negotiate and fair compensation on
4 their behalf, and so again, the tenants of the
5 organized labor movement is the right to organize and
6 the right to collective bargaining, and we support
7 that, and I would just also say that unions and
8 employers aren't always adversaries. Sometimes they
9 work collaborative to ensure that they're supporting
10 the services that are being delivered and equally as
11 important those that are delivering the services, and
12 I look forward to that. I know that you and I will
13 both be paying attention to this, but this is a great
14 day for human service workers here in the city of New
15 York. So, with that, William?

16 LEGISLATIVE CLERK: Good morning, William
17 Martin, Committee Clerk, roll call, Committee on
18 Civil Service and Labor, proposed Introduction 2252A.
19 Chair Miller.

20 CHAIR MILLER: I vote I.

21 LEGISLATIVE CLERK: Rosenthal.

22 CM ROSENTHAL: With reservations, I vote
23 I.

24 LEGISLATIVE CLERK: Adams.

25 CM ADAMS: I.

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2 LEGISLATIVE CLERK: Moya:

3 CM MOYA: I vote I.

4 LEGISLATIVE CLERK: Dinowitz.

5 CM DINOWITZ: I.

6 LEGISLATIVE CLERK: By a vote of 5 in the
7 affirmative, zero in the negative, and no
8 abstentions, item has been adopted by the committee.

9 CHAIR MILLER: Okay. With that, this
10 hearing is adjourned.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 1, 2021