A LOOK INSIDE
THIS ISSUE:

Workers are heading back to the picket lines - p4

New public art created by union workers on display at Socrates Sculpture Park - p16

NYC Labor Unions Jeer ‘Out Of Control’ Healthcare Costs - p41

www.pef.org

Public Employees Federation (Official)

@NYSPEF

#WeAreUnionStrong
On a clear evening in Washington this past summer, Sara Nelson was in her element, waiting to speak to a revved-up crowd of union members at Reagan National Airport. Dressed in a navy flight attendants’ uniform, she stood out against the sea of jewel-toned business suits and union T-shirts. If it intimidated Nelson that she was slotted to speak alongside two of the nation’s most notable progressives — Bernie Sanders and Elizabeth Warren — it didn’t show. Over the course of her seven-minute speech, Nelson, president of the Association of Flight Attendants, excoriated American Airlines executives for outsourcing catering jobs and driving down wages.

“We’re here to call bullshit on that scam!” Nelson roared into the microphone. “American Airlines is responsible — is responsible — for the poverty wages in these kitchens!” By the end, the crowd of several hundred was cheering louder for Nelson than it had for Sanders. As she stepped away from the podium, Senator Sherrod Brown (D-Ohio), who was up later, leaned over and playfully whispered in her ear: “I fucking hate you.”

Coming from Brown, one of the labor movement’s most beloved politicians, the salty jab speaks to Nelson’s emerging public profile. Though she leads a union with nearly 50,000 members from 20 airlines (the other major flight attendants union has a membership of 28,000) few people outside corporate boardrooms and airplane galleys know Nelson’s name. In the male-dominated universe of the American labor movement, however, Nelson is gaining altitude with a pace that resembles the dramatic emergence of youthful female politicians like Alexandria Ocasio-Cortez.

“She has come from — I don’t want to say nowhere — she has come from not being very well known to being a star in the labor movement,” Brown said in an interview later. “She’s just so good. She captures the crowd and you don’t want to speak after somebody like that.” Nelson’s rise can be attributed to a potent mix of progressive politics and relentless self-promotion. More than anyone else in the labor movement, she has tapped into the energy on the new left and used the media to her advantage, ascending past a ruling class of older white men to become one of the most visible labor leaders in America. She has crisscrossed the country lamenting the evils of unchecked capitalism and taken on the president with the gusto of someone running to unseat him.

Nelson’s first major burst of publicity came earlier this year during the government shutdown when she called for a general strike, a seldom-used nuclear option in which union leaders incite widespread work stoppages across multiple industries. A general strike hasn’t occurred in earnest since 1946, when more than 100,000 workers in Oakland, California, shut down the city for three days. While Nelson’s proposition was legally dubious — federal workers face severe consequences for striking without authorization — less than a week later, air traffic controllers called in sick, snarling flights up and down the East Coast. President Donald Trump caved hours later, and the longest shutdown in American history ended.

It’s an accomplishment that Nelson proclaims in almost every speech. The fact that Nelson didn’t actually do anything tangible to end the shutdown — she was not in the room negotiating with Trump and has no direct influence over the air traffic controllers, who have a union of their own — is almost beside the point. What matters, in the eyes of more than a dozen people in the labor movement who spoke to me for this article, is that...
“She’s the closest thing to kind of a charismatic labor leader we’ve had since, you know, maybe Cesar Chavez,” said Peter Dreier, a union historian at Occidental College. Nelson, 46, is now weighing a run to become first woman to lead the AFL-CIO, effectively the leader of organized labor in the United States, representing 12.5 million workers who still have the power to shape major legislation and swing elections. The election to replace the federation’s leader, Richard Trumka, who is expected to step aside, won’t happen until October 2021, well after a presidential contest that is shaping up as referendum on the nation’s tolerance for seismic left-wing change to the economy.

Nelson has tied her candidacy to the same progressive ideas that are dominating the debate among the Democratic aspirants for the White House and wants to remake the labor federation as dramatically as candidates like Sanders and Warren hope to do from the White House. She rejects the current labor leadership’s moderate approach and unapologetically calls on labor to embrace a more liberal set of values as a way to reverse decades of systemic decline in membership and influence.

The labor movement is split—thanks to Trump, whose candidacy in 2016 created a schism in the labor vote that deeply embarrassed Trumka and probably helped deliver the White House to a president who openly despises unions. Nelson, however, is not interested in pulling the factions back together. She wants to repudiate Trump—and, implicitly, rank-and-file members of AFL-CIO unions who support him for his trade policies and broader war on establishment elites.

Nelson does not fit the classic profile of an American labor leader, at least not the cigar-chomping, pugnacious image enshrined in the public consciousness by the likes of George Meany and Jimmy Hoffa. Nelson, with her signature platinum blond hair, favors silk scarves, though she swears like a sailor. She grew up as a Christian Scientist, abstaining from medical treatment until her late 20s, but now advocates universal health care. Nelson is known for popping up on TV at all hours talking about workers issues, even those that don’t directly relate to flight attendants and has hired an outside media consultant to boost her public profile. It’s all a sharp contrast with Trumka, who lives for deer hunting every fall at his Pennsylvania property and began his labor activism representing mine workers. Nelson began at 30,000 feet and would rather spend time with her young son, Jack.

Her likely candidacy also embodies the growing influence of women in the labor movement and the shift of unions away from the blue-collar manufacturing sector to more white-collar jobs in service industry and government. While union membership rates among men have fallen by more than half since the early 1980s, the percentage of women has dropped by just 4 percentage points over the same period; as of last year, the rates were nearly equal. And in public-sector unions—a sector that gained 132,000 members from 2018 to 2019 despite a Supreme Court ruling outlawing mandatory collective bargaining fees—women now outnumber men.

“She embodies the changing demography of the labor movement, which is now increasingly women and increasingly people of color,” said Nelson Lichtenstein, director of the Work, Labor, and Democracy center at the University of California Santa Barbara.

She matches the demographic shifts but she is by no means a lock to replace Trumka. She has acquired detractors throughout her career, many of whom were reluctant to criticize her on the record for fear of reprisal. They see her as less of a coalition builder than a flashy, self-involved promoter. Perhaps most significantly, she would have to outmaneuver Liz Shuler, the AFL-CIO’s well-liked secretary treasurer, who has also expressed interest in running and would be a natural successor to Trumka. But Nelson’s candidacy alone could pull unions to the left on a host of issues, according to labor scholars and activists who have followed her career trajectory.

“If you want to lead the labor movement, you have to think bigger,” Nelson told me in an interview earlier this summer at an upscale restaurant in downtown Washington. Relentlessly on message, she hardly touched her salmon and kale salad as she deftly avoided sounding eager to replace an incumbent who hasn’t retired yet.
Nelson became a flight attendant almost by accident. After graduating from a tiny Christian Science college in St. Louis in 1995, she was working four jobs, barely making ends meet. A friend called from Miami Beach in 1996 and told her about her salary and benefits as a flight attendant. The next day, Nelson drove 300 miles to Chicago and interviewed with United Airlines.

The glamour faded when her first paycheck didn’t arrive on time. Desperate and out of money, Nelson rode a jump seat from Boston to Chicago just to eat free plane food. When she landed back east she went to the airline desk, and was told her check still hadn’t arrived.

As she began to cry, a stranger tapped her on the shoulder. It was a fellow flight attendant who wrote her a check for $800 on the spot.

“She [said], number one, you’ve got to take care of yourself, and number two, call our union,” Nelson said. “I learned everything I needed to about our union and the labor movement in general.”

From her earliest days, Nelson saw the dark side of a profession that depended on women and devalued them in equal measure. Up until 1970, United flight attendants could not be married under company rules, and it was common for airlines to show flight attendants the door at 32. By the mid-1990s, when Nelson began flying, attendants had just finished waging war over policies that set body weight limits; in 1993, USAir required that a 5-foot-5-inch female attendant weigh no more than 138 pounds. Two of Nelson’s co-workers suffered from eating disorders promoted by years of shame from their employer. They died soon after.

“That was the product of those weigh-ins,” Nelson said, tears welling in her eyes. “Maybe they were prone to it or whatever, but the weigh-ins killed them. And I saw it firsthand.”

Then there was the sexual harassment.

“It wouldn’t have even crossed your mind to complain about any sexual advances by anyone—by passengers, by pilots, by anyone in the office,” Nelson said. “Most flight attendants thought we just had to deal with it. And we dealt with it by going internal, by building our union, and taking other actions … to gain respect for our roles.”

A week after the incident with her first paycheck, Nelson was recruited to do the union’s new-hire program and was soon named local communications chair. Six months later, the national union presented members with a contract proposal with United “that I thought stunk,” Nelson said. She led a charge to get it voted down; it passed by 51 percent nationally but, she said, “I did a really good job in Boston because we voted it down by 80 percent.”

“Instead of giving up, I got more involved and was a dissident voice in the union,” Nelson said. “Not really to tear the union down but to challenge the union.”

Nelson was off on Sept. 11, 2001, and had planned to spend the day doing union work. At 9:03 a.m., one of her usual flights to Los Angeles, United 175, collided with the south tower of the World Trade Center. She knew the entire crew, as well as two customer service representatives who were going on vacation. The experience crystallized Nelson’s view of flight attendants as essential guardians of public safety. In an effort to keep spreading the message, she became the union’s national communications director for the United chapter in 2002, which served as a platform to become vice president in 2011 and then president in 2014.

Nelson is reluctant to talk about the way she became president of AFA, probably because it involved ousting the cancer-stricken incumbent.
NEW YORK, NY — The City of New York has reached a tentative contract agreement with the Communications Workers of America (CWA) Local 1180, which represents more than 8,100 administrative employees and supervisors throughout City government.

“Our workers are the everyday heroes of our city, and their work deserves fair compensation,” said Mayor Bill de Blasio. “From the people who ensure emergencies are responded to quickly to the managers who ensure our SNAP centers deliver essential services to families to the administrative assistants who help deliver every single transformational project, our city is safer, fairer and more equitable because of them.”

The tentative contract term is just over 43 months, is retroactive to May 6, 2018, and expires in December 2021. The proposed agreement includes pattern wage increases of 2.00%, 2.25%, and 3.00%.

“We are happy to have finally reached an agreement on this contract that will better the lives of our members in New York City and allow them to start the new year with more money in their pockets. This tentative agreement continues the forward momentum we as a union have established thanks to the support and solidarity of our membership,” said CWA Local 1180 President Gloria Middleton.

The City and CWA Local 1180 also have agreed to substantially increase the contribution to the union’s training fund from $25 per employee to $100 per employee, and a number of other compensation enhancements, including assignment differentials for legal coordinators at the Department of Correction and employees performing case management duties at SNAP centers, increased longevity pay for all CWA 1180 members, and increased minimum salary rates for the Health + Hospitals Coordinating Manager titles. The agreement incorporates the revised salary structure for Administrative Managers created pursuant to the class-action settlement that the City reached with the union and its members earlier this year.

The total cost of the agreement through the Fiscal Year 2023 is $206 million and is covered by the labor reserve. Once this contract is ratified by CWA 1180 membership, 72 percent of city workforce will be under contract during the 2017-2021 round of bargaining.
Google accused of firing another worker in union-busting drive

Daniel Cooper - Ingadget - December 16, 2019

Google stands accused of firing a fifth employee who was suspected of attempting to organize a labor union at the search giant. Kathryn Spiers, who worked on the Chrome security team, says that she was fired for adding a pop-up to an internal browser telling colleagues about their labor rights. Spiers says that the company has "overreacted in an egregious, illegal and discriminatory manner."

In a post on Medium, Spiers says that Google was recently forced to publish a list (by the NLRB), internally, outlining the rights its employees have. And in order to ensure that all affected employees knew about it, Spiers added a pop-up notification to the company's internal Chrome browser. Apparently this is a common practice inside the company, allowing people to share "hobbies or interests" with their co-workers.

In response to a request for comment, a Google spokesperson said that it had "dismissed an employee who abused privileged access to modify an internal security tool. This was a serious violation." The company added that Spiers apparently circumvented safeguards, including getting authorization from a superior, and asking direct colleagues for code review. In addition, Google says that it would have taken similar action for any pop-up added to the browser, even in jest. A similarly-worded email from Royal Hansen, Google VP, was sent to colleagues covering the company's actions and can be read below.

"When I heard that Google had hired a union-busting firm and started illegally retaliating against my coworkers," writes Spiers, "I decided to make sure that my coworkers knew about the [list]." Spiers is referring to Google's recent hiring of IRI Consultants, a company described by the New York Times as an "anti-union consulting firm." When Google employees visited IRI's website, or the internal guidelines, a pop-up would read "Googlers have the right to participate in protected concerted activities."

Spiers says that Google's response was to suspend her immediately, and call her into "interrogations" where she was aggressively asked about "other organizing activities." She says that her treatment was "extremely aggressive and illegal," and Google did not allow her to speak to a lawyer or other representative. On December 13th, she was fired for "violating Google's security policies," but no explanation as to how was given.

This part of a growing culture of discontent inside Google which seems to be spilling over into outright hostility between management and employees. In November, four employees were fired, Google says because they were caught committing "clear and repeated violations of data security policies." The victims, however, feel they were fired in retaliation for attempting to organize protests against problematic government contracts.

Google's role has come under increased scrutiny by its employees, especially around some of its plans to work with China, the defense department and CBP. The company has also seen walkouts after details leaked that Andy Rubin, who allegedly left the company after he carried on an inappropriate relationship with a subordinate, was given a $90 million golden parachute. Google's famously open culture is apparently contracting, and the company recently ended its practice of weekly town-hall meetings in which employees could ask leaders questions.

The four employees, who were fired at Thanksgiving, are all filing unfair labor practice charges with the National Labor Relations Board, claiming the firings are attempts to prevent organizing. Spiers also alleges that a senior Google employee signed a letter "falsely accusing four of my coworkers," a reference to the "Thanksgiving Four." The NLRB has pledged to investigate the firings.
NEW YORK, NY – on December 17th Attorney General Letitia James, New York City Comptroller Scott Stringer, and 32BJ SEIU President Kyle Bragg distributed more than $400,000 in back wage plus interest to 11 building service employees.

“There is zero tolerance for cheating workers out of their hard-earned pay,” said Attorney General James. “As a result of our investigation, we were able to secure hundreds of thousands of dollars for these workers — payment that they should have received long ago. I thank Comptroller Stringer and 32BJ for their partnership in holding these bad actors accountable and ensuring that our workers get the pay they deserve.”

The settlement, which provided recompense for the building service employees, was approved by the New York City Department of Housing Preservation and Development (HPD), which administers the tax exemption program in the City of New York. The 11 workers received various amounts based upon their hours worked and date of hire, ranging from $5,500 to $80,000.

“In New York City, the dignity of work matters and we will never stand idle when hard-working New Yorkers are exploited or underpaid,” said Comptroller Stringer. “Today, these 32BJ SEIU members received the wages they earned and the justice they deserve — and we’re sending a clear message to unscrupulous developers, contractors, and landlords that they better follow the rules when they get millions of dollars in property tax breaks. I am proud of the collaborative effort between my office, the Attorney General’s Office, HPD and 32BJ SEIU, which allowed us to recover these wages and put them back where they belong — in the hands of working New Yorkers to provide for their families, just in time for the holidays.”

A joint investigation conducted by the Office of the New York Attorney General and the Office of the New York City Comptroller revealed that, in 2014, defendant Mica Gabe fraudulently induced the New York City Department of Housing Preservation and Development (HPD) to issue a Section 421-a partial tax exemption for the Brooklyn property, based on Mica Gabe’s false assurance that building service employees would be paid prevailing wages, but the two defendants failed to pay the applicable wages to employees between August 2014 and March 2016. In fact, less than two weeks after certifying to HPD that they would pay the building service employees prevailing wages, Mica Gabe began hiring doormen, porters, and a superintendent for the 180 Nassau Street property and paying them wages lower than required by law.

32BJ SEIU President Kyle Bragg said: “Attorney General James, Comptroller Stringer, we thank you for upholding the law on behalf of working New Yorkers. This is a huge victory, not only for the hardworking men and women who have kept Brooklyn Warehouse clean, safe and functioning for tenants but also for the families and communities that rely on them. The back wages will help Brooklyn Warehouse’s concierge, superintendent, doormen, porters, and other building service workers get back on their feet after being grossly underpaid. This also sends a clear message to employers across the city that workers’ wages and benefits must be paid properly. It’s not an option to break the law at the expense of working people in our state.”
NEW YORK, NY — NYC has reached an agreement with the New York State Nurses Association (NYSNA), which represents more than 8,500 nurses across the NYC Health + Hospitals system (H+H) and City Agencies.

“Nurses are vital to the health and well-being of our city,” said Mayor Bill de Blasio. “With our agreement with the New York State Nurses Association, we’re paying a fair wage and addressing longstanding issues of recruitment and retention to ensure these nurses have the support they need to continue to provide excellent care to all New Yorkers.”

The agreement includes compounded wage increases of 2.00%, 2.25%, 0.25%, and 3.00% over nearly 45 months, is retroactive to June 6, 2019, and expires on March 2, 2023.

“Throughout this negotiation, Mayor de Blasio and his representatives in the contract negotiation demonstrated a fundamental commitment to the people of New York City. They listened intently to the nurses and others speak about conditions in the public hospitals and the contract reflects what they heard and learned. We thank the Mayor for the respect he showed us and for a contract that supports nurses and patients and the many communities we serve. The respect is very much mutual,” said Jill Furillo, RN, NYSNA Executive Director.

In addition to the financial package, the City has agreed to collaboratively address nurse-to-patient staffing ratios with NYSNA. Also, NYSNA will have the right to opt into the NYS Paid Family Leave Program during the terms of the contract. To address recruitment and retention issues, H+H and NYSNA have agreed to changes in certain salaries and differentials for specific subsets of the bargaining unit.

“This is a great win for the nurses of NYC H+H and Mayorals, and the patients we care for. With this contract and its many important provisions, including nurse-to-patient ratios, we can raise the level of patient care. That’s the real winner. Thanks to my fellow NYSNA nurses for their extraordinarily hard work and devotion to the people of New York City. We greatly appreciate NYC H+H President and CEO Dr. Mitchell Katz for his dedication to the public’s health. We are so proud to be a part of a system that stands for healthcare as a human right,” said Judith Cutchin, RN, NYSNA Board Member, and President, NYSNA's NYC H+H/Mayoral Executive Council.

The total cost of the NYSNA settlement through the Fiscal Year 2023 is $336 million, which is covered by existing resources.
Heartless school board breaks a city’s heart; layoffs in Rochester set to take effect Jan. 1

Ned Hoskin - NYSUT News - December 20, 2019

More than 1,000 Rochester teachers, parents and students showed up at Thursday’s “Rally to Spare Our Students” and the city school board meeting to demand that the board reject the superintendent’s ill-conceived plan for disruptive mid-year cuts.

As dusk fell, local union presidents Adam Urbanski of the Rochester Teachers Association and Angie Rivera of the Rochester Association of Paraprofessionals, stood on a soapbox in a light snowfall to announce that the projected layoffs had been reduced significantly.

Hundreds of pickets on Broad Street outside the RCSD building howled with hope! But they wanted even more. As Rivera said: “We need zero cuts!”

The good feelings didn’t last.

At the end of the night, after hearing testimony from 92 people, all of whom pleaded for a reprieve, the board voted to enact the proposed midyear cuts that NYSUT President Andy Pallotta labeled “a disaster” and “a national disgrace.”

While the union and community protest significantly reduced the number of layoffs, the school board approved 155 layoffs, including 109 teachers and 10 paraprofessionals, effective Jan. 1. Initially, the superintendent proposed cutting 287 jobs.

When the final vote was cast, emotional educators erupted in outrage. They hugged and cried and disrupted the rest of the meeting as they made their way to the exits.

“It’s shameful what this board did tonight,” Urbanski said outside the room. “Absolutely shameful.”

“There is no reason to have confidence in this board of education or in this superintendent. They had time. Christmas break is coming. We could have worked together to try to work something out. We didn’t break off discussions, and the legislature is not coming back into session until January.”

If the board waited, Urbanski said, the state Legislature could have taken action to resolve the budget deficit, and anyway the school board should have waited until the end of the school year to enact brutal layoffs and reduction in services.

“There was the opportunity to do all that,” he said, “and to make cuts to this central office, which this superintendent refuses to make, and this board is too scared to stand up to him.”

TWITTER MOMENTS: Tell the story of the rally and board meeting in your tweets, photos and videos.

Pallotta said NYSUT and the RTA and RAP would hold a special event in Albany Jan. 14 to highlight the plight of the district. Earlier, he told the board that if the state had met its obligation to provide $85 million in Foundation Aid to RCSD, this would never have happened.

Ever since the layoffs were proposed several weeks ago, RTA and RAP members told the district that cutting teachers and support staff would disrupt the relationships they’ve built with their students.
Students were so upset after layoffs were proposed that thousands walked out of schools to protest. “Cut your salary, not our teachers,” their picket signs read, targeting district administrators, and “My biggest concern should be grades, not losing my teachers.”

Students rendered heartfelt testimony Thursday night. Said one girl: “You’re saving money, but at what cost? Our education? When I heard the news, I cried my eyes out. Please don’t take my teachers.”

In recent weeks, parents, educators and community members, along with allies across the country, took to wearing red, repeating the “Red for Ed” demonstration of solidarity that has become so common in this era of teacher uprisings.

It has become a national story. The day before the board vote, presidential candidate Sen. Bernie Sanders, I-Vt., tweeted, “I stand with Rochester students!” On the day of the rally, Sen. Elizabeth Warren, D-Ma., and Vice President Joe Biden tweeted in support, too.

NYSUT and the RTA have tried to help laid off educators make a smooth transition. NYSUT legal and certification experts have provided information and consults. The RTA has hosted job recruiters from districts in Buffalo, Syracuse, Albany, Newark, Niagara Falls and more who conducted interviews with members who received notices.

On Friday, RTA and RAP members will wear black to protest the devastating mid-year cuts that will damage the schools and the community for years to come.
Chipotle accused of violating US labor law on union organizing

Reuters - December 20, 2019

The general counsel of a U.S. labor agency has accused Chipotle Mexican Grill of violating U.S. labor law by allegedly firing an employee in New York in retaliation for complaining about workplace problems and trying to organize with a union.

The office of the general counsel of the National Labor Relations Board (NLRB) filed the complaint on Dec. 12. The union involved, 32BJ, which is trying to organize workers at the Mexican fast-casual restaurant chain, received a copy of the complaint on Thursday.

Because Chipotle’s restaurants are all owned by the corporation as a single employer, it is an easier target for union organizers than fast-food giant McDonald’s, most of whose locations are owned and operated by franchisees.

Chipotle spokespeople did not provide an immediate response to requests for comment.

The NLRB’s general counsel, Peter Robb, alleged in the complaint that a manager at a restaurant in Manhattan in May threatened to fire employees if they engaged in union activities — even implying they might face physical violence — and promised promotions to other workers who provided information about the organizing.

The complaint, which was filed with the NLRB, also alleges similar manager intimidation at another Manhattan store. One employee who complained about scheduling and other problems was fired.

The complaint asks that Chipotle reimburse the fired employee for expenses incurred from work searches and for tax relief from any lump sum back pay awards. The complaint seeks no other remedy.

The NLRB’s general counsel operates independently from the Board and is responsible for investigating and prosecuting unfair labor practices. Robb, who has been general counsel since November 2017, was appointed by President Donald Trump.

The parent of 32BJ, the Service Employees International Union, is involved in the Fight for $15 and a Union, which has long sought to organize workers at McDonald’s.

That effort suffered a setback of sorts last week when the full NLRB board approved McDonald’s’ proposed settlement allowing the fast-food company to avoid a ruling on whether it is a “joint employer” of franchise workers and could be made to bargain with unions.

While Fight for $15 and a Union said it would appeal, the decision suggests it may be a long road for organizers if they are not able to target the parent corporation and must instead bargain with thousands of individual U.S. owners.

Chipotle must respond to the complaint by Dec. 26 and a hearing is set for March 2 in New York.
2019 Year in Review: Workers Strike Back

Joe DeManuelle-Hall, Dan DiMaggio - Labor Notes - December 20, 2019

2018 could have been a tough act to follow. It’s not every year that a grassroots movement of teachers captures the nation’s attention.

But workers across the country rose to the occasion, making 2019 one of the most exciting years for the labor movement in recent memory.

TEACHERS KEPT AT IT

In terms of the number of workers who went on strike, 2019 is on pace to match 2018.

Teachers again made a huge showing—this time leading in big, heavily unionized school districts. United Teachers Los Angeles kicked it off in January with a seven-day walkout in the country’s second-largest school district.

Union reformers built that strike, which drew huge crowds of supporters to rally against privatization. The Union Power caucus won leadership of the local in 2014, pledging to team up with parents to demand better staffing and quality schools, not just the wage increase that the previous administration had emphasized.

Denver teachers grabbed the baton in February, striking for three days and winning reforms to a convoluted pay system. Strike leader Tiffany Choi was later voted in as union president on a program of democratizing the union, strengthening community support, and taking on the billionaire-backed “education reformers.”

Continuing their 2018 struggle, West Virginia teachers struck again for two days, defeating a bill that would have sucked funds from public schools and opened the door to privatization. Teachers saw the bill as legislative retaliation for their strike last spring.

Oakland teachers struck next—another reformer-led union taking the fight to one of the most intense fronts in the war with the privatizers. Teachers at eight charter schools held wildcat strikes to join public school teachers on the picket lines.

In the fall, Chicago teachers and school employees struck back, targeting new Mayor Lori Lightfoot. Her promises to leave behind the old ways of her predecessor, union nemesis Rahm Emanuel, didn’t last long. But the unions forced her to find money she said wasn’t there, putting a nurse and librarian in every school.

Their campaign broke ground in expanding the imagination of what a union can bargain for, with demands for affordable housing, which they didn’t win, and support for homeless students, which they did.

Little Rock teachers waged a one-day strike against the racial re-segregation of schools and against a move by the state of Arkansas to retract their union recognition.

Educators in the Boston suburb of Dedham, Massachusetts, defied a court injunction (carrying the threat of fines and jail time) and went on strike anyway. They won all their demands, including a raise and a sexual harassment process. Seeing the writing on the wall, another nearby school district, Newton, hastily settled a teacher contract it had spent a year resisting. And continuing from 2018, “Red for Ed” rallies at state capitols brought out thousands in Indiana, South Carolina, North Carolina, Virginia, and elsewhere. The list goes on and on.
PRIVATE SECTOR STEPPED UP
Meanwhile, private sector workers in a number of union strongholds got in on the act, showing that strikes can still inflict significant economic damage on employers.

Locomotive manufacturing workers struck for nine frigid February and March days in Erie, Pennsylvania, and beat back the demands of new owner Wabtec, which wanted to unilaterally impose a two-tier system and strip workers of the rights they had won through decades of battles with General Electric.

Thirty-one thousand workers at the New England grocery chain Stop & Shop struck for 11 days in the run-up to Easter, costing the company between $90 and $110 million—3 percent of its annual profits—and fend off the worst of the company’s concessionary demands on health care, time-and-a-half, and pensions.

AT&T workers went out for four days across the Southeast, halting the company’s effort to raise their health care costs. The workers also won big wage increases and pension and 401(k) enhancements. It was the biggest private sector strike in the South in a decade.

Twenty thousand grocery workers in the Pacific Northwest used their contract campaign to highlight a gendered pay disparity. The union’s analysis found that women were twice as likely as men to be hired into jobs on the lower of two pay schedules, with an average gap of $3.50 an hour. They authorized a strike but avoided one, settling a contract that raised wages for lower-paying jobs and formalized the steps to advance into higher-paying jobs.

And in the midst of deepening accusations of corruption against the leaders of their union, 49,000 General Motors factory workers went out on the longest national strike the U.S. auto industry has seen in decades. In six weeks they cost the company $3 billion in profits.

The strike ended with a contentious settlement that brings current second-tier workers up to top pay faster and provides a pathway to permanent employment for some temps. However, the tiers will persist for new hires, and the union conceded the closure and sale of the Lordstown plant and two other facilities.

Beyond the schools, a public sector standout union was AFSCME Local 3299, representing 25,000 campus and hospital workers in the University of California system. This year they waged their fourth and fifth short strikes in a long-running contract campaign—since 2017—that takes aim at racism in the state’s higher education system.

The number of workers on strike is not the only way to measure the strike’s power, of course. We need no better example than the 10 air traffic controllers called in sick during the government shutdown in February, leveraging their unique position to end the political stalemate. Transportation Security Administration agents had also been calling out in record numbers during the shutdown, slowing down airport operations.

HOLD THE CHAMPAGNE
But while the numbers of strikes, strikers, and “days of idleness” have reached 30-year highs, they’re still far below the levels that workers sustained during the entire post-WWII period through 1979.

Only 1 in 16 workers in the private sector belongs to a union. Successful union drives are few and far between—an exception being the recent organizing boom among journalists. Union busters continue to break the law with impunity. The most high-profile organizing drive this year, by auto workers at Volkswagen in Tennessee, went down to defeat. A union drive among Delta’s 25,000 flight attendants has sparked some hopes, though it follows several failed efforts.
Organizing among immigrant workers has suffered, as the Trump administration has revived high-profile workplace raids. In the largest such raid since 2006, 680 Mississippi poultry workers were detained, just hours after some of them had dropped their children off for the first day of the school year.

Unions had braced for major membership losses following last year’s Janus v. AFSCME decision at the Supreme Court, which made the entire public sector “right to work.” Fortunately, these losses mostly have not materialized so far.

Still, right-wing state governments haven’t let up in their onslaught against public workers. The governor of Alaska, for example, tried to require state workers to opt in to the union every year; the policy is currently held up in the courts. Rather than raise taxes on oil companies, the governor has set about slashing public services.

One anchor of resistance has been the union of cooks, deckhands, engine workers, and pursers who operate the ferries that are crucial to isolated coastal communities along the Gulf of Alaska. These workers teamed up with local residents to battle cuts to the ferry system. (Their slogan: “We believe in ferries!”) So when they went on strike in July, the ferry workers enjoyed community support—people even took stranded strikers into their homes and fed them.

But overall, while unions are fighting to win back some of what we lost during the Great Recession, it’s an uphill battle—and most are still failing to harness members’ potential power, which is especially unfortunate given the tight labor market.

**INSPIRING ORGANIZING**
The almost entirely non-union tech sector saw flashes of activity. This fall, 1,000 Amazon tech workers walked out in Seattle to demand the company do more on climate change. Some of them had previously flown to Minnesota to show their solidarity with warehouse workers who walked out during the company’s “Prime Day” sales blast in mid-July.

Workers at the Boston headquarters of online furniture retailer Wayfair walked off over the company supplying beds to the Immigrations and Customs Enforcement agency’s infamous detention centers.

Amazon warehouse workers in Chicago and Sacramento who don’t have a formal union have banded together under the banner of local “Amazonians United” groups. Through petitions and marches on the boss, they forced the e-commerce giant to pay them when the warehouse shut down during a heat wave, improved health and safety, and got fired workers un-fired.

Drivers for companies including Uber and Lyft built a grassroots campaign in California to support the passage of a law that would make drivers employees rather than independent contractors.

Rideshare Drivers United in Los Angeles, a driver-led organization, built their organization up through one-on-one outreach. RDU was the first driver organization to call for a strike to line up with Uber’s stock launch in May, and helped to coordinate efforts across the country.

**GLOBAL UPRISINGS**
Globally, 2019 has been a year of major uprisings. In many, unions played an important role.

In Chile, protests that initially targeted a public transit fare increase erupted into a broad-based attack on the country’s political leadership. Unions—first the militant dockworkers, later joined by miners, construction workers, public sector workers, and more—joined in on the movement, helping to leverage the pressure that won a referendum on the country’s constitution.
As of this writing, workers in France are engaged in an ever-growing strike against changes to the country’s pension system. Unions in Colombia have joined the movement against their country’s leadership in the form of days of national strikes. Postal and transport workers in Finland brought down their prime minister.

In Hong Kong, millions took to the streets to defeat a bill that would have allowed residents to be extradited to mainland China’s opaque legal system, where labor activists continue to be arbitrarily detained for organizing. The Hong Kong Confederation of Trade Unions has reported an upsurge in interest from workers interested in forming unions.

Puerto Rican unions, meanwhile, helped overthrow the U.S. territory’s governor as part of the largest general strike in the island’s history.

CRACKDOWN
As always, when we stand up, bosses and their cronies try to beat us down. This year has been no different.

The Trump National Labor Relations Board has continued its attacks on workers’ rights, rolling back many of the advances of the Obama Board, including on faster unionization elections, graduate students’ right to unionize, and joint employer responsibility. To make matters worse, they reversed longstanding precedent on employers’ ability to unilaterally implement mid-term contract changes.

Two particularly egregious cases of the courts coming down on job actions are on the top of many labor activists’ minds, and are a healthy reminder that the legal system is rarely the friend of workers.

TWU and IAM, who jointly represent mechanics at American Airlines, were targeted by the courts with a “permanent injunction” for alleged slowdowns at the airline during contract negotiations. Facing stiff financial penalties, the unions had to do a government-mandated tour of denunciations around the alleged job actions.

The ILWU, meanwhile, is fighting a $93.6 million jury award over work slowdowns at the Port of Portland. The award could force the international, which has $8 million in assets, to enter bankruptcy proceedings. The ILWU has appealed to the judge to dramatically lower the award.

KEEP AN EYE ON OUR OWN
And while attacks from the bosses, government, and government bosses continue, we’re also reminded that we have to keep a sharp eye on some of those on “our” side, as well.

The leadership of the UAW is falling like a house of cards amidst federal indictments, with rumblings of a government takeover. The head of the largest federal employee union is on leave while facing allegations of sexually harassing staffers.

In California, leaders of the Teamsters and SEIU in California tried to undermine the potentially transformative legislation on the misclassification of workers as independent contractors by attempting a back-room deal with Uber and Lyft. The failed scheme was done under the guidance of the Machinists, who have a head start with the Uber-backed Independent Drivers Guild in New York.

And backstabbing continues to haunt the building trades. New York City construction unions—with the exception of the leadership of the Carpenters—fought a lengthy battle to make the next phase of Hudson Yards, the largest private real estate development in U.S. history, all union. But they were stabbed in the back by the Ironworkers international leadership, who ousted a militant New York City business manager and ordered members to cross the picket line or have their local trustee.
Meanwhile, members throughout the labor movement are pushing for more democratic presidential endorsement processes inside their unions, hoping to avoid a repeat of the 2016 debacle in which many unions lined up early behind Hillary Clinton’s doomed campaign and thumbed their noses at Bernie Sanders’ insurgent, pro-worker primary run. With a more crowded Democratic primary field this time around, most unions have yet to endorse, though United Teachers Los Angeles members recently voted to back a Sanders endorsement, which pushed the national leadership of the Teachers (AFT) to publicly declare that other locals were free to make their own endorsements as well. National Union of Healthcare Workers endorsed both Sanders and Warren in a membership vote.

REFORMERS RISING
Across the labor movement, there are members organizing to make their unions stronger and more democratic. In both the public and private sector, reformers are recognizing that unions need to be strengthened from the bottom up.

In the NewsGuild, 32-year old journalist Jon Schleuss of the L.A. Times ousted a three-term incumbent on a pledge to increase transparency and democratize the union. Baltimore and Denver teachers elected new leaderships, who were battle-tested in campaigns around heat in schools (in Baltimore) and a strike over merit pay (in Denver.)

Teamsters in Charlotte, Philadelphia, and New Orleans elected new leaders, supported by Teamsters for a Democratic Union. These wins provide momentum to the effort to unseat IBT President James P. Hoffa in 2021.

And those are just a few examples of groups that have taken leadership. Other groups, like the Philadelphia’s Caucus of Working Educators, continue to show us that there’s a lot of progress to make even without having won leadership. They’ll take that energy to the Philadelphia Federation of Teachers leadership election next year, with a slate of members who have been hard at work organizing in their worksites.

We'll have an opportunity to hear from participants in many of the year's most important struggles at the Labor Notes Conference in April. Visit labornotes.org/2020 for more info and to register. Hope to see you there!
New York, NY – More than 20,000 building service workers across the city will remain on the job throughout the holiday season, after their union and the organization representing property owners and contractors on Friday reached a tentative agreement on a new four-year deal.

According to 32BJ SEIU, the agreement preserves workers’ all-important healthcare package, raises the average cleaner salary to $29.47 per hour before benefits – and institutes stronger protections against sexual harassment in the workplace.

“All I wanted for Christmas was a strong new contract, not just for my family, but for the families of all my brothers and sisters in the union, and I am so happy we have that now,” building cleaner and bargaining committee member Kristinia Bellamy, said in a statement.

The Realty Advisory Board [RAB] issued a statement saying that “both sides thoughtfully considered the economic and regulatory headwinds facing the industry to reach a fair and responsible agreement.”

“We are proud to have reached a fair deal that thoughtfully considered the regulatory and legislative challenges – as well as a softening real estate market – facing the industry,” RAB President Howard Rothschild said. “In anticipation of leaner economic times ahead, the wages and benefits we agreed to are a responsible solution for the next four years.”

The tentative agreement came after 32BJ building service workers marched up Sixth Avenue and voted to authorize a industry-wide strike on Wednesday, December 18, if a deal was not reached before the existing contract expires at year’s end.

“As a breast cancer survivor, I know first-hand the life-saving difference our quality, affordable health care makes,” Bellamy added. “Having that, wages that help us keep up with the rising cost of living in this city, and the benefits and work conditions that allow us to build a better future for our families and our communities is what helps us keep our city strong.”

Illegal firing charges in elections rose from 17% to roughly 20% as shown in this recent study.

But tellingly, when surveyed, campaigns reported a much higher rate of firings (from 34% in the early 2000s to nearly 41% in 2016-17), indicating that the problem was underreported.

Sweeney says these violations are on the rise in part due to an increase in union Organizing.

Though Unions have faced declines throughout the years there have been signs of an uptick.

In 2018, a total of 485,000 people went on Strike - the highest number since 1986.

32BJ President Kyle Bragg released a statement saying that the bargaining committee’s hard work paid off in a “strong new agreement.”

“New Yorkers work hard to build justice in our communities,” Bragg said. “When we have good wages, strong benefits and fair working conditions, we can build our city’s middle class and a secure future for our children.”
Several other energetic and powerful unions, including Teamsters Joint Council 16, 1199SEIU and IUOE Local 94, along with a cadre of elected officials, made it clear during the Sixth Avenue march and rally earlier this week, that they were fully prepared to support 32BJ building service cleaners should they go out on strike.

“Our hospitals are side-by-side with your buildings,” 1199SEIU Secretary-Treasurer Maria Castaneda said ahead of December 18’s strike authorization vote. “It’s about time [building owners and contractors] share in the profit that they made.”

Union members not only secured a deal that includes higher wages — they also beat back the bosses who had sought to push premium sharing and a two-tier wage system on employees.

32BJ expects members to officially ratify the new contract by the end of January.

An industry-wide strike would have hit the city hard, involving more than 1,300 buildings including the Empire State Building, Rockefeller Center and World Trade Center — not to mention the offices of Google, Facebook, Goldman Sachs and Deutsche Bank.
Employers are increasingly preventing Employees from forming Unions in the workplace, according to a new report from the Economic Policy Institute (EPI), a Left-Leaning Think Tank.

What’s more, the report finds, many of these efforts are illegal.

Employers were found with violating Federal Law in roughly 42% of all Union Election Campaigns, with 20% involving a charge that a Worker was “illegally fired” for Union Activity.

But these numbers only represent elections supervised by the National Labor Relations Board (NLRB).

Christian Sweeney, Deputy Organizing Director of the National AFL-CIO, says that in reality, these numbers are likely an underrepresentation.

The National AFL-CIO is the country’s largest coalition of more than 50 major Unions and represents some 12.5 million American Workers, from Pilots to Teachers.

“Even the undercount shows ‘this is a huge problem,’” Sweeney said. “The numbers are based on charges filed with the NLRB, but the NLRB ‘doesn’t work that well.’”

In addition to firing Employees, in nearly a third of all elections, EPI notes, employers were charged with “illegally coercing, threatening, or retaliating against Workers for supporting a Union.”

Sweeney says none of these tactics are new, pointing to recent news stories about companies like Google that have been called out for alleged Union-Busting.

“It’s ‘unfortunate’ that when you start an organizing campaign,” Sweeney says, “that when people ‘want to start’ a Union ‘that the strategies have to include that the employer will violate the law.’ ‘It’s disheartening, but not altogether surprising.’”

Illegal activities aren’t the only Union-Busting moves employers use.

The EPI estimates that each year, employers spend $340 million on consultants to create “Union Avoidance” Strategies and Tactics.

“The main goal of Union Avoidance Consulting Firms, is to prevent a Union Election from taking place - and if that fails, to ensure that Workers vote against the Union,” according to the report.

And if these violations are concerning, the report highlights Anti-Union activities are on the rise.

Data from the early 2000s indicates that Unfair Labor Practices (ULPs) existed in 30% to 40% of Union Elections.

By 2016-17, that rate had risen to as high as 54%.
Illegal firing charges in elections rose from 17% to roughly 20% as shown in this recent study.

But tellingly, when surveyed, campaigns reported a much higher rate of firings (from 34% in the early 2000s to nearly 41% in 2016-17), indicating that the problem was underreported.

Sweeney says these violations are on the rise in part due to an increase in union Organizing.

Though Unions have faced declines throughout the years there have been signs of an uptick.

In 2018, a total of 485,000 people went on Strike - the highest number since 1986.
United Steelworkers Sue Alcoa To Keep Retiree Life Insurance: Alcoa “Agreed To Provide These Benefits. Abruptly Cutting Off This Coverage Is Not Only Immoral, It’s Unlawful.”

Labor News Services - December 23, 2019

(PITTSBURGH, PENNSYLVANIA) - The United Steelworkers (USW) Union has filed a lawsuit to protest Alcoa’s termination of Life Insurance Benefits for 8,900 Union-represented Retirees.

Alcoa operates a plant in Massena, New York that employs 350 union members.

Alcoa informed the Retirees by letter on December 4th that it would eliminate life insurance coverage effective December 31st, 2019.

The USW said the company included a check equal to a fraction of the face value of their life insurance coverage and a Federal 1099 tax form, since the payment would be taxable.

“We negotiated these Retiree Life Insurance Benefits with the company and they are a critical part of our Collective Bargaining Agreements with Alcoa,” said USW International President Tom Conway in a news release. “The company agreed to provide these benefits. Abruptly cutting off this coverage is not only immoral, it’s unlawful.”

“Families rely on the contractual death benefit to assist with funeral and other expenses,” said Mike Millsap, the Director of USW District 7 and Chair of the USW’s Alcoa Bargaining Committee, in a news release. “It is deeply disturbing that Alcoa would show so little respect for its Retirees, many of whom devoted decades of work helping the company grow and thrive.”

The lawsuit was filed as a class action in the Southern District of Indiana.

Three Alcoa Retirees have joined the complaint as proposed class representatives.

The Wenatchee Aluminum Trades Council, a coalition of Unions representing Workers at an Alcoa facility in Washington State, is also a plaintiff.

The USW said it’s also studying other announcements that the company made regarding the Health Care Benefits for certain Retirees effective in 2021.
NY lawmakers call for minimum staffing rules at hospitals, nursing homes"

Bethany Bump - Times Union - December 23, 2019

ALBANY — Dozens of lawmakers are calling on New York’s Department of Health to establish minimum staffing regulations for the state’s hospitals and nursing homes once it completes a study on the topic due at the year's end.

In letters sent to Health Commissioner Howard Zucker last week, lawmakers said conducting the study was an “important and necessary step,” but called for further action once it’s complete.

“Studying the problem alone will not be sufficient to protect patient safety in our state,” they wrote. “We are strong supporters of minimum statewide healthcare worker-patient ratios in hospitals and nursing homes. We believe that the costs of understaffing, in terms of the lives and health of New Yorkers in healthcare facilities, are significant and must be addressed.”

Legislation that was passed in this year’s state budget required the department to conduct a study following years of intense debate around the topic and ongoing concerns for patient safety. Nurses say they’re being overworked because their employers refuse to hire more staff in an effort to save money, and that it affects their ability to provide adequate care to patients. Short-staffing, especially in emergency and acute situations, results in nurses being assigned more patients than they can safely handle, they say.

The issue has been the subject of rallies in the Capital Region this past year, including several held by Albany Medical Center nurses who are fighting for a contract, and two held by caregivers at Good Samaritan Village in Delmar, whose employer just filed for bankruptcy and is trying to sell the facilities.

“The Greater New York Hospital Association estimates compliance would cost $2 billion a year. Department of Health spokeswoman Jill Montag said the department is reviewing the letter and looks forward to sharing the study’s results, though she did not provide a date for its release.

The study, she said, was informed by peer-reviewed literature and other published materials, as well as engaged stakeholders, such as the hospital and nursing home associations, direct health care workers, unions, and patient and community health advocates.

Two companion bills were introduced in the state Legislature this year that would have required minimum staffing ratios based on unit, but they never made it out of committee. Efforts to enact ratios through legislation have been ongoing since at least 2009.

California is the only state thus far that’s been successful in enacting staffing ratios at its hospitals. Massachusetts voters rejected the idea in a referendum last year.
NEW YORK, N.Y.—The metal crossbars shimmer as the solar-powered lights below them cut through the evening’s cold rain and fog. Those crossbars, galvanized electrical conduit and aluminum tubing, twist upward in a double-helix pattern around a spine whose vertebrae are the conduit holders electricians call “Mae Wests.” The undulating outer edges are held together by staircases of gangboxes.

“It pops,” a worker at Socrates Sculpture Park in Queens says as the lights come on at dusk.

Titled “Muscle Memory,” the 10½-foot-tall sculpture on the Astoria waterfront was designed and built mostly by the Workers Art Coalition, a group of artists and building-trades members, says Barrie Cline, who teaches at SUNY Empire State’s Harry Van Arsdale Jr. School of Labor Studies and helped coordinate the project.

International Brotherhood of Electrical Workers Local 3 member Paul Vance was lead artist. Local 3 members Lowely Cheung and Sue Sheinen, both former students in Cline’s public-art classes, “contributed a lot of the crucial shoring up the structure and siting it in the park,” and the two women “spearheaded” having it illuminated by solar power.

The double-helix shape, Vance’s idea, was “DNA-inspired,” Cline says.

The project was intended to show workers’ “material intelligence,” their collective knowledge and teamwork, and seeing materials in a different way. The networks of conduit electricians build on the job “can be really beautiful,” says Cline, but they’re usually covered up by walls.

The spiraling-ladder shape, the Workers Art Coalition says, was intended to evoke Sherry Arnstein’s Ladder of Citizen Participation, a 1969 guide to public voices in decision-making whose eight steps rise from “manipulation” to “citizen control.” Vance had done a similarly shaped sculpture for a 2018 show on that theme at the Lower Side Side art space ABC No Rio.

Designing and building it involved creating something that would work as art, be emotionally accessible to the public, and be structurally sound and safe enough to be out in the open for six months. They didn’t want it to be “Art with a capital A” isolated on a pedestal of reverence, says Cline, but they also didn’t want kids using it as a jungle gym.

“It’s not about preciousness, it’s about safety,” says Chris Zirbes, manager of the Socrates Park studio where the sculpture was fabricated. “We don’t have guards like MOMA,” the Museum of Modern Art.

They tested its durability, he says, by “getting four people to climb it at once. It didn’t break.”

That was one place where the workers’ and park staff’s experience came in, says Cline. “They know how to figure out and judge what works in that kind of public space.”

While Vance was lead artist, she says, credit was given by “distributed authorship,” so that people who helped build it and suggested ideas or ways of doing things would also be recognized. This was about “valuing how things are produced,” Cline explains, in contrast to the usual practice of naming only one individual artist, or, on a more extreme level, the art-world stars who hire lesser-known artists for low wages to execute their concepts for paintings or sculptures.
In addition, Cline says, there hasn’t been much representation of workers in U.S. art since the federal Works Progress Administration’s public-art projects in the late 1930s.

“What does a 21st-century monument look like when made by workers?” she asks.

“It feels good to design, collaborate, and participate in something in public space that shines a light on a particularly interesting group of people and workers who are constantly under-appreciated and misunderstood,” Vance said in a Workers Art Coalition statement.

“The union provides me with a living-wage job. That is the ‘bread’ part for me, and working on art projects is the ‘roses’ part of life,” said Lowely Cheung, who installed the solar panels for the lights along with Sue Sheinen.

Legion Lighting, a Brooklyn lighting manufacturer that has worked with Local 3 for more than 70 years, developed portable solar floodlights for the site after being approached by Cheung and Sheinen. People with smartphones can use QR codes to listen to a sound collage of oral histories by Local 3 members.

Cline says she doesn’t know what will happen with the sculpture when its six-month term in Socrates Park is up in March, but would like to see it find a permanent home.
NEW YORK, N.Y.—“It’s been three years with no money. It’s tough,” says Jason, one of the 1,800 workers at the Spectrum cable-TV company who’ve now been on strike for more than 1,000 days with no sign of management offering a palatable deal. He’s gotten some electrical and data work through their union, International Brotherhood of Electrical Workers Local 3, but it’s not steady, and the pay and benefits don’t match up with what he had at Spectrum.

“A lot of families lost their homes,” he says. “A lot of people died from stress.”

He doesn’t want to give his last name. Troy Walcott, the Local 3 member who was lead organizer of a rally at City Hall Dec. 23, to mark the walkout’s 1,001st day, says strikers are reluctant to talk about their hardships in public—foreclosures, losing medical coverage, having their savings for their kids to go to college wiped out. Some of the about 150 strikers and supporters who turned out wore black Santa hats to symbolize what organizers called “1,000 days of coal.”

“We’re still out here struggling,” he told the crowd. “A lot of people have forgotten.”

One reason for that, he said afterwards, is that the city’s leading local-news TV channel, New York 1, is owned by Spectrum, and “they won’t say a word about us.”

Local 3 members walked out in March 2017 after Spectrum, which bought the city’s cable-TV franchise for $57 billion in 2016 from Time Warner, demanded to change workers’ health benefits to a high-deductible plan and replace their pensions with a 401(k) plan. “There’s been no movement on anything for the past year. The company’s still pushing decertification,” Local 3 business agent Derek Jordan told LaborPress. “Spectrum’s just a bad company.”

Spectrum, which has continued to operate by hiring strikebreakers, is trying to have Local 3 decertified as the union representing its workers. A company spokesperson did not answer questions about the state of the negotiations.

“One reason for that, he said afterwards, is that the city’s leading local-news TV channel, New York 1, is owned by Spectrum, and “they won’t say a word about us.”

The rally was organized by rank-and-file Local 3 members, with the union leadership supporting them but staying in the background. “We wanted it to be that the members are putting something together,” says Walcott.

The demonstrators sang parodies of Christmas carols, with “The Twelve Days of Christmas” adopted as “Four foreclosed homes, three starving dogs, two many past-due bills, and spit on worker rights and dignity.” The version of “Jingle Bells” opened with “Stealing from New York/ In some deceitful ways” and the chorus directed the traditional kids’ parody at Spectrum executives—“Rutledge hell, Kevin smells, Quigley laid an egg.” “Joy to the world, when scabs are gone,” they sang. “Let’s bring back Local 3.”

The main hope the workers have now is that the City Council will vote against renewing Spectrum’s franchise when it expires in July. “Christmas in July is coming,” City Councilmember Costa Constantinides (D-Queens), one of a dozen-odd elected officials who spoke. “Spectrum has been on the naughty list for a long time.”
Three years ago, Governor Andrew Cuomo promised to get tough on Charter/Spectrum
“It’s not as if the city doesn’t have leverage to force Charter to do the right thing,” said Councilmember Rory Lancman (D-Queens), referring to Charter Communications, Spectrum’s parent company. “The city has failed you. We have failed you.”

Justin Brannan (D-Brooklyn) told LaborPress before the rally that the Council was “exploring options” and seeking legal advice on whether something could be done about the franchise agreement.

Barry Grodenchik (D-Brooklyn) called Spectrum’s actions “a full frontal attack on working people” and said there was “no way on God’s green Earth” he would vote to renew the franchise. The Council has the power to approve franchises, he told LaborPress later, and “this company has thumbed their nose at New York City.”

Former City Comptroller John Liu got applause when he called for cable TV to be publicly owned and use union labor.

One model for that, says Walcott, is Chattanooga, Tennessee, where EPB, the city’s publicly owned electric-power company since the New Deal era, now also provides cable-TV and high-speed Internet service. Another possibility, he adds, is some combination of public and worker ownership.

“For elected officials like me who talk a big game about supporting working people, it’s about showing up,” Brannan told LaborPress. “That these guys have been on strike for 1,000 days without getting anything, it’s disgusting.”
Minimum wage increasing in New York state next week

Geoff Herbert - Syracuse.com - December 26, 2019

Workers across New York state may see their paychecks increase starting next week.

Minimum wage will increase from $13.50 to $15 an hour on Dec. 31 for small businesses in New York City with 10 or fewer employees; larger NYC businesses are already required to pay workers $15 an hour. Long Island and Westchester County will boost minimum wage from $12 to $13 on Dec. 31, then to $14 an hour on Dec. 31, 2020, and $15 an hour in 2021.

Upstate New York, meanwhile, will see minimum wage increase from $11.10 to $11.80 per hour on Dec. 31. Minimum wage will next increase to $12.50 an hour a year later.

Beginning in 2021, a schedule for future minimum wage increases in Upstate NY will be determined by the state budget director and the Department of Labor.

Minimum wage increases began in 2016, but the phase-in is different between NYC, Long Island, Westchester County and the rest of the Empire State due to differences in costs of living. Upstate New York cities like Syracuse, Buffalo, Albany and Rochester, for example, first saw an increase to $9.70 three years ago but may not see a $15 minimum wage until 2024.

Minimum wage is also going up for tipped workers, such as restaurant wait staff and bartenders, to $10 an hour in New York City; $8.65 an hour on Long Island and in Westchester; and to $7.85 for the rest of the state. Fast-food workers already receive $15 an hour in NYC, and outside the state they’ll see minimum wage go up from $12.75 an hour to $13.75 an hour beginning New Year’s Eve.

“In New York, we believe in a fair day’s pay for a fair day’s work, and we won’t stop fighting until every hardworking New Yorker is paid the fair wages they deserve,” Gov. Andrew Cuomo said in a statement.

The state Department of Labor established a hotline (1-888-469-7365) where minimum wage workers can call to report employers who do not comply with the phase-in schedule.

Cuomo said in 2016 that the minimum wage increases were designed to ensure New Yorkers can earn a decent living with a full-time job.

“The concept was we value work and if you work full time you should have a decent living. That was the concept of FDR,” Cuomo said, referring to the former New York governor and president who pushed through the first minimum wage. “You can’t raise a family on $18,000 a year in the state of New York.”

“Raising the minimum wage can be a stimulative factor for the economy....You give a person on minimum wage a raise, you know what they do? They spend it,” Cuomo said. “When you look at the past times when the minimum wage has been raised, the economy has actually increased. Employment has actually increased.”

The Democrat & Chronicle reports a recent analysis by the state’s Division of Budget found unemployment has fallen to “some of the lowest levels on record” since the minimum wage increases began. However, critics argue the analysis doesn’t take into account rising Medicaid costs and the state’s declining population; more than 1 million people have left New York in the last decade, according to Census data.
Stacey Duncan, the president of the Greater Binghamton Chamber of Commerce, told the D&C that the increasing wages may not have hurt employment rates, but they may have made it difficult for employers to add staff.

"While the merits of the idea of increasing the wages are, I think, good, the unintended consequences is actually doing the opposite. It's actually stalling growth," Duncan said.

Similar concerns have been raised for national employers who raised minimum wage across the U.S. Target said it would pay all of its workers at least $15 an hour by the end of 2020, but some store workers have told CNN that they’ve seen their hours scaled back over the past two years, making it difficult to keep their health insurance and pay their bills.

“I got that dollar raise but I’m getting $200 less in my paycheck,” one Florida employee told CNN, seeing her hours go from 40 hours a week to half as much. “I have no idea how I’m going to pay rent or buy food.”
(ALBANY, NEW YORK) - Governor Andrew Cuomo has unveiled the 12th proposal of his 2020 State of the State agenda - making the New York Buy American Act permanent.

The Buy American Act requires all structural steel and structural iron used in all State road and bridge construction projects with contracts worth more than $1 million to be made in America.

The current law is set to expire April 2020 and making this law permanent will continue to require State agencies to use high-quality American-made structural iron and steel, creating Union jobs and helping ensure infrastructure projects last long into the future.

"No State in the country is building like New York. Our Nation-leading, $150 billion infrastructure program is literally changing the face of the Empire State - and we have no intention of slowing down," Governor Cuomo said in a statement.

"Making the Buy American Act permanent will not only help ensure the safest, best quality steel and iron are being used in our infrastructure projects, it will also create even more jobs for New Yorkers and support our growing 21st Century economy," Cuomo said.

Since taking office, Cuomo has been committed to investing in New York State's infrastructure and workforce.

In December 2017, he signed the New York Buy American Act, which requires the Department of Transportation, Thruway Authority, Metropolitan Transportation Authority, Office of General Services, State University of New York (SUNY) Construction Fund and Dormitory Authority of the State of New York to include a contract provision requiring the use of American-made structural iron and structural steel for all surface road and bridge projects with contracts worth more than $1 million.

Since its enactment, several of the State's largest infrastructure projects have used American-made structural iron and steel, including: 110,000 tons of steel for the Mario M. Cuomo Bridge; 6,850 tons of steel for the first two phases of the Kosciuszko Bridge; and 11,500 tons of steel for the Kew Gardens Interchange.

Building these projects with high-quality, safer steel made by American Workers has also helped in creating thousands of Union jobs and will help ensure these structures last long into the future, the Governor said.

Steve Phillips - WSWS.org - December 27, 2019

There were 5,250 worker fatalities in the United States in 2018, according to this year’s annual report by the Bureau of Labor Statistics (BLS), an agency of the US Labor Department. The report was released on Tuesday.

An average of 101 worker fatalities a week, the 2018 toll represents a 2 percent increase over the 5,147 workers killed on the job in 2017.

The BLS monitors the incidence of work-related fatalities, while the Occupational Safety and Health Administration (OSHA), also an agency of the Labor Department, is charged with enforcing health and safety regulations at US work places. OSHA has jurisdiction over 130 million workers at 8 million work places. In 2018, the agency had 2,265 employees and a budget of $552 million, far below the level of staffing and funding needed to carry out its stated mission.

The OSHA budget barely kept pace with inflation in 2019, increasing by a mere $5 million.

The toll of dead and injured workers has risen in parallel with the rise on the stock market. The period 2011 to 2018 saw an increase of 12 percent in lives lost, with a total of 39,150 people killed on the job. Tens of thousands of additional deaths resulted from occupational illnesses resulting from exposure to toxic substances.

The upward trend has occurred under Democratic and Republican administrations alike, which have plowed ever greater sums into the military budget while spending trillions of tax-payer dollars to bail out the financial aristocracy following the Wall Street crash of 2008. Funds for social programs, public health, the environment and infrastructure have been slashed.

The occupations with the highest fatality rates are related to the logistics, transportation and warehousing sectors, followed by construction. The BLS stated in a news release on Tuesday that 2,080 fatalities, or 40 percent of the 2018 total, were the result of transportation incidents. The BLS noted: “Driver/sales workers and truck drivers had the most fatalities of any broad occupation group at 966.” Most of these were heavy and tractor-trailer truck drivers, with 831 fatalities.

The broader trade, transport and utilities industry sectors reported 1,443 on-the-job deaths in 2018, unchanged from the year before.

A truck driver in the Northeast spoke with the WSWS, saying: “There are many dangers you face while on the road, or while making deliveries, from inattentive drivers, poorly maintained infrastructure, and congested highways. I work a regular shift, and in the mornings I frequently see trucks crashed in the median, through a guardrail, or down an embankment, which is likely to be caused by lack of sleep for the overnight drivers, who are under pressure to make delivery appointments before they run out of allowable on-duty time.”

The transportation and warehousing sectors, including companies such as Amazon and United Parcel Service (UPS), employed 5.58 million workers as of this November, according to the BLS. The WSWS has reported extensively on worker fatalities at XPO Logistics, UPS and Federal Express (FedEx), under conditions of a relentless drive to maximize profit at the expense of worker health and safety.
A Bloomberg News article from September points out that the BLS does not include Amazon workers in the nearly 700,000 workers in the “Courier and Express Delivery Services” category. Amazon has been rapidly transitioning toward delivering the products it sells.

Bloomberg found through a records request filed with OSHA that the agency is planning to step up its inspections of warehouses, but that Amazon will not be included because it is classified as an e-commerce rather than a warehousing company.

A Gizmodo.com article published last month, on conditions faced by workers at the new Amazon fulfillment center on Staten Island in New York, reported a high incidence of injuries. It cited one worker who said that a coworker who was five months pregnant suffered a miscarriage because “The managers just refused to put her in a different section where she might have had less bending, stretching and things to do.”

The greatest number of work fatalities occurred among older workers, with 1,114 deaths among those 45 to 54, 1,104 among those 55 to 64, and 759 among those over 65. These age groups accounted for a combined 57 percent of fatalities in 2018.

The BLS also reported a 12 percent increase in on-the-job “unintentional overdoses” from alcohol and drugs, from a total of 272 in 2017 to 305 last year. There was an 11 percent increase in workplace suicides, from 275 to 304.
The transfer of criminally insane patients from Kirby Forensic Psychiatric Center on Wards Island to a nearby facility will take place next month, with the union that represents center staff, the Public Employees Federation, now on board with the move after state officials addressed its safety concerns.

The move will involve about 200 people, including dozens considered dangerous, as well as staff that supervises and cares for them.

Union Raised Objections

Residents from the Manhattan Psychiatric Center, also nearby, have already been transferred from the Meyer Building facility to a renovated Dunlap Building, which is in between the Kirby and Meyer buildings on the southwest side of Wards Island.

PEF officials, including the union’s president, Wayne Spence, were vehemently against the Kirby patients’ relocation to the new building, citing a lack of safety features to guard against the patients, some of whom can be extremely violent. Concerns about the impending move were first reported by The New York Times.

Union officials were assuaged following a walk-through of the new facility on Dec. 18 with state officials, as well as officials from the State Correctional Officers & Police Benevolent Association and the Civil Service Employees Association.

Kirby, which opened in 1985, is a 200-bed maximum-security facility run by the state Office of Mental Health. Its staff, among them Nurses, Pharmacists, Psychiatrists, Psychologists and Recreation Counselors, cares for the patients, who have been involuntarily committed following either criminal or civil infractions, and been determined to be dangerous and unsuited for incarceration in other state facilities. That population will be separated from Manhattan Psychiatric Center patients.

'No Compromise on Safety'

State officials began renovations of the Dunlap building in 2012 in anticipation of transferring Kirby patients there, according to OMH.

The move has been on tap for at least a year, after being discussed for years. OMH said the Kirby building is antiquated and lacks amenities such as central air conditioning, and modern security and camera systems.

The union recently filed a complaint with the Public Employment Relations Board, but it was found deficient. Mr. Spence earlier this month said the union was considering seeking an injunction in State Supreme Court to at least delay the move. “My fear is that my members will lose their lives,” he said at the time.

Asked about any deal with state officials, Mr. Spence said there were no concessions on his part. “I wasn’t going to compromise on my members safety,” he said during a Dec. 23 phone interview. “Everything that my staff said should be addressed, will be addressed,” he said.

Following earlier walk-throughs of the Dunlap Building this year, Dr. Catherine Mortiere, a forensic and clinical psychologist who works at Kirby, produced a report detailing safety and other deficiencies at the facility.
“Dr. Mortiere outlined a number of concerns in her reports,” Mr. Spence said in a subsequent text message. “Our main concern was to investigate the issues she raised in her report and to make sure the space was safe for occupancy. A number of items have been addressed immediately.”

Preventive Steps

Those included erecting separation walls, the installation of bedroom furniture that can’t easily be moved or taken apart, the addition of dome mirrors, the capping and covering of electrical outlets, and the securing of windows, among other modifications and additions.

Others are pending, but PEF officials have been assured they will be taken care of.

“It bears repeating that the efforts by local PEF leadership to push their concerns on the safety and security of staff in the new space resulted in a walkthrough finally being scheduled, not to mention real change being made prior to it,” Mr. Spence said.

The renovated Dunlap facility has 207 beds allocated for Kirby patients.

Manhattan Psychiatric Center patients will be on one side of the building, and Kirby patients will be on the other side, with residential, treatment and recreational spaces completely separate, state officials said.

About 450 PEF members work at both hospitals. All of the staff will transfer to the Dunlap facility, he said.

“The Office of Mental Health has fully renovated the Dunlap tower to better serve all patients treated on the Ward’s Island complex. We have collaborated with union representatives and other vital stakeholders to ensure the Dunlap tower will provide both patients and staff with the modern amenities needed to ensure quality care, safety and security,” Jessica Riley, a spokeswoman for OMH, said in a statement.

Darlene Williams, the co-chair of PEF’s health and safety committee, said that although state health officials were well-meaning in wanting to transfer the patients out of Kirby and the Manhattan Psychiatric Center, the Dunlap Building’s architects were not fully cognizant of all of the incoming population and did not sufficiently consider safety of the staff.

Upgrades Needed

“I understand why the state wanted to modernize these buildings, because we have patients being housed in really old, dilapidated places,” Ms. Williams, an Occupational Therapist at New York State Psychiatric Institute in Washington Heights, said. But, she added, “they designed the [Dunlap] building for mental-health patients, not forensic patients...You can’t design for cute when you are dealing with borderline psychosis.”

Ms. Williams said state officials were confident outstanding issues would be corrected by the time Kirby patients are transferred. That move should happen sometime in January, according to OMH.

An additional walk-through will be scheduled before the patients are transferred, she and Mr. Spence said.

“We will meet as a team as we move forward,” he said. “Everything will be addressed before the opening.”
The de Blasio administration announced Dec. 23 a $21-million spending plan to help those with serious mental illnesses who are at risk for committing acts of violence, including the expansion of mobile treatment teams that connect homeless people with mental health services.

More than $9 million of the funding will go to the expansion of the mobile teams, which were launched in 2016 as part of First Lady Chirlane McCray’s ThriveNYC initiative.

In order to refer more residents to treatment, the city will train more staff at the Department of Homeless Services, NYC Health + Hospitals, and other agencies where employees come in contact with those who have serious mental illness, to connect people with services.

‘Obligation to Address’

“We have an obligation to address our broken mental health system and do all we can to connect people who are struggling to treatment,” Mayor de Blasio said. “That includes the small percentage of those with mental illness that, left untreated, are at risk of committing violence against themselves or others.”

The administration will also invest $11 million towards creating outreach teams within NYC H+H in order to provide resources for the mentally ill who frequent emergency rooms.

Additionally, the city plans to create an interagency coordination team between the public hospital system and DHS in order to smoothly transfer services provided to homeless people experiencing mental-health issues.

“Through close partnerships, innovative approaches, and new proactive interventions, we will continually enhance our efforts to support New Yorkers in need, from addressing housing crises to resolving mental health challenges through a holistic range of services,” said Social Services Commissioner Steven Banks.

“As we all work together to close gaps in programs and strengthen our safety net for all, we are determined to keep doing better by those we serve, as well as those who may need our services, but may not be ready to accept assistance yet.”

NYC H+H CEO Mitchell Katz said that as the city strengthens its safety net for people with serious mental illnesses, “a coordinated approach to behavioral health care is critical.”

“Constant communication between all agencies who serve this population, will ensure that they receive the necessary care and services they need and deserve,” he added.

Help 900 More a Year

The city estimated that about 900 additional people each year would begin receiving treatment thanks to the changes. The funding will also go to hire more staff at the Department of Health and Mental Hygiene to process the higher number of mental-health referrals expected from the reforms. The administration projected that referrals would increase by about 20 percent.

More Social Workers, Housing Specialists, and legal-assistance staff will also be hired.
The changes were announced after the Police Department and DOHMH conducted a review of how the city uses Kendra’s Law, which allows judges to order mental health treatment for individuals against their will. The review was prompted by the October murders of four homeless men in Chinatown, allegedly by Randy Rodriguez Santos, who had a history of mental-health issues and had previously been arrested several times for violent incidents.

Nearly 2,500 people last year required treatment under Kendra’s Law, a 27 percent increase since 2014. As part of its initiative, the de Blasio administration plans to boost the number of court-mandated treatments.

Shelly Nortz, Deputy Executive Director for Policy at Coalition for the Homeless, called the Mayor’s plans “a mixed bag.” While she supported the use of mobile treatment teams, “expanding the use of court-ordered treatment using Kendra’s Law is not the answer to homelessness—in fact, the vast majority of people with assisted-outpatient treatment orders have no history of homelessness at all,” she said.
New York Synagogue Attack: Machete-Wielding Suspect Captured In NYC After At Least 5 People Wounded In Monsey

CBS New York - December 28, 2019

MONSEY, N.Y. (CBSNewYork) – At least five people have been stabbed in an attack at a synagogue in New York’s Rockland County. That attacker is now reportedly in custody after fleeing the scene.

CBS2’s Tony Aiello has confirmed a man entered Rabbi Rottenburg’s synagogue on Forshay Road in Monsey and stabbed several people just before 10 p.m. Saturday.

The suspect has been identified as 37-year-old Grafton Thomas, of Greenwood Lake, New York, in Orange County.

Thomas, covering his face with a scarf, reportedly entered the building and pulled out a machete to attack the victims during a Chanukah celebration. Thomas reportedly chased after and stabbed victims as they fled the synagogue before running off and escaping in a gray Nissan Sentra.

“He took out his knife, sword from a holder and started hitting people back and forth. Nothing, he didn’t say anything. He screamed after me when I came out here, he screamed after me, ‘Hey you, I’ll get you,’” one witness told CBS2’s Marc Liverman. “He moved to the front door. He could go straight into the kitchen and the dining room’s the first thing. First, he went into the dining room and hit a few people there. Then he went into the kitchen and hit one guy there, and then he came back to the dining room.”

“I ran into the other room because I tried to save my life. I saw him running down this way, so I ran out and two ladies came along with me. They’re still hysterical,” witness Aron Kohn said.

Shortly after midnight on Sunday, Ramapo police announced Thomas had been arrested. Police tell CBS2 he was taken into custody in Harlem.

Tony Aiello reports at least four people were taken to area hospitals with injuries. Two of the victims were rushed to Westchester Medical’s trauma center due to the severity of injuries.

Both the Clarkstown Police Department and the Orthodox Jewish Public Affairs Council reported a total of five stabbing victims.

Sunday morning, Gov. Andrew Cuomo said one of the victims was still in “very serious and critical condition with wounds to the head.”

So far, police haven’t released any other information on the victims, although OJPAC co-founder Yossi Gestetner says one of the victims is a senior.

“The least severe case is someone who has been stabbed only in the hand,” he said.

The rabbi’s son was also one of the victims of the attack. The rabbi told Cuomo his son is recovering.

Officials said around 9:40 a.m. Sunday that two victims were still in the hospital, but their exact conditions are unknown.
This incident happened amid a rash of anti-Semitic attacks this week.

“What’s going on? That’s the question that we don’t have the answers, and people are genuinely scared,” Rockland County Legislator Aron Wider said.

“The people that were stabbed tonight, what did they do? Did the perpetrator even know who they were, or just knew that they were Jews?” said Dov Hikind, founder of Americas Against Antisemitism.

Local law enforcement in the New York area and local leaders are responding to the attack.

“We will NOT allow this to become the new normal. We’ll use every tool we have to stop these attacks once and for all. The NYPD has deployed a visible and growing presence around Jewish houses of worship on the streets in communities like Williamsburg, Crown Heights and Boro Park,” New York City Mayor Bill de Blasio added in a tweet.

“It’s important for me to express to the rabbi and to all the people of the state of New York that this is intolerance meets ignorance meets illegality. This is an intolerant time in this country. We see anger, we see hatred exploding. It is an American cancer in the body politic. It literally turns one cell in the body against others. And we have seen it here in the state of New York. This is about the 13th incident of Antisemitism in just the past few weeks. Comes during a period of high holidays for the Jewish people. It is intolerant. It is ignorant. But it is also illegal. And at the end of the day, it’s not just about words, it’s about action, and we have seen enough in New York. This is violence spurred by hate. It is mass violence and I consider this an act of domestic terrorism. Let’s call it what it is. These people are domestic terrorists. And the law should reflect that and they should be punished as if it was an act of terrorism. And we’re going to take the lead here in the state of New York and do just that and I’m going to propose that in the beginning of January when I lay out my state of the state address,” Cuomo said.

“Violence of any kind will not be tolerated here in Rockland. I stand with the people of this County in condemning this attack and ask all to offer their thoughts, hopes and prayers for a speedy recovery for the victims of this heinous crime. As a former Police Commander, people need to know that law enforcement in Rockland will leave no stone un-turned as they bring those guilty of this crime to swift and severe justice,” Rockland County Executive Ed Day said in a statement Saturday night.

President Donald Trump responded to the attack on Twitter, saying in part, “We must all come together to fight, confront, and eradicate the evil scourge of anti-Semitism.”

Gov. Cuomo has directed the state’s Hate Crimes Task Force to investigate Saturday night’s attack.

“I am horrified by the stabbing of multiple people at a synagogue in Rockland County tonight. We have zero tolerance for anti-Semitism in NY and we will hold the attacker accountable to the fullest extent of the law. NY stands with the Jewish community,” Cuomo added.
Workers and advocates call for more protections and quicker implementation of overtime proposal

Forest Wilson - Colorado Independent - December 28, 2019

Workers and advocates packed a downtown Denver meeting room to urge the Colorado Department of Labor and Employment to more quickly implement its proposed expansion of overtime protections and to include agricultural workers among those eligible.

Dozens of workers from the Colorado Carpenters’ Union, marijuana industry and construction joined workers’ advocates and community representatives in front of a panel of CDLE officials at a public hearing on the department’s proposal to overhaul overtime standards and break requirements. The Colorado Overtime and Minimum Pay Standards Order, also known as the COMPS Order, would raise the salary cutoff for overtime pay and expand the workers covered by overtime and work-break standards.

To the dismay of some of the advocates, including representatives from Coloradans for the Common Good, a non-partisan advocacy organization, the new protections do not include agricultural workers who are exempt from federal minimum wage requirements under the Fair Labor Standards Act. Reagan Humber, a Lutheran pastor and member of CCG, said he and other members of CCG fasted the entire day to bring awareness to the need of agricultural workers to be included in work protections.

“The laborers are not getting paid, not all of them, especially thousands of farm workers here in Colorado,” he said. Many don’t receive the minimum wage, or get enough rest during the work day, let alone overtime pay.”

The COMPS Order does include one new provision that might help the thousands of agricultural workers in Colorado: a requirement for a 10-minute break for every four hours of work. The break requirement in the proposal extends to all industries, not just agriculture.

Chad Vorthmann, a representative of the Colorado Agriculture Council, said the council supports the proposal. But he also said policy proposals should avoid “burdensome regulations” and keep in mind that the agricultural industry has small profit margins.

Greg Happner, a former warehouse worker in the marijuana industry, said before the panel he was “taken advantage of” by his former employer. He said the 60 to 70 hours per week he worked as a salaried employee, with no overtime, made him miss out on family time, personal time and affected his health.

“I still know a lot of people being taken advantage of like that just from those warehouses… who are all on salary, all being underpaid, all being well overworked,” he said. The new overtime rule would ensure that workers who are sacrificing family and personal time at least get compensated for it, Happner said.

One of the major changes of the COMPS Order proposal is extending overtime protections to every industry, unless it is specifically exempted. Federal overtime law requires that employers pay one-and-a-half times a worker’s wage if that employee works more than 40 hours per week or 12 hours in a day. In Colorado, currently, overtime protections only apply to workers in four specific industries: retail and service, health and medical, customer support and food and beverage.

Some of the workers that would be exempted by the proposal include professionals such as lawyers and doctors, executives, administrators and supervisors, as long as they are paid a “sufficient salary”, according to a CDLE fact sheet on the proposal.
Workers and advocates call for more protections and quicker implementation of overtime proposal

Forest Wilson - Colorado Independent - December 28, 2019

Workers and advocates packed a downtown Denver meeting room to urge the Colorado Department of Labor and Employment to more quickly implement its proposed expansion of overtime protections and to include agricultural workers among those eligible.

Dozens of workers from the Colorado Carpenters’ Union, marijuana industry and construction joined workers’ advocates and community representatives in front of a panel of CDLE officials at a public hearing on the department’s proposal to overhaul overtime standards and break requirements. The Colorado Overtime and Minimum Pay Standards Order, also known as the COMPS Order, would raise the salary cutoff for overtime pay and expand the workers covered by overtime and work-break standards.

To the dismay of some of the advocates, including representatives from Coloradans for the Common Good, a non-partisan advocacy organization, the new protections do not include agricultural workers who are exempt from federal minimum wage requirements under the Fair Labor Standards Act. Reagan Humber, a Lutheran pastor and member of CCG, said he and other members of CCG fasted the entire day to bring awareness to the need of agricultural workers to be included in work protections.

“The laborers are not getting paid, not all of them, especially thousands of farm workers here in Colorado,” he said. Many don’t receive the minimum wage, or get enough rest during the work day, let alone overtime pay.”

The COMPS Order does include one new provision that might help the thousands of agricultural workers in Colorado: a requirement for a 10-minute break for every four hours of work. The break requirement in the proposal extends to all industries, not just agriculture.

Chad Vorthmann, a representative of the Colorado Agriculture Council, said the council supports the proposal. But he also said policy proposals should avoid “burdensome regulations” and keep in mind that the agricultural industry has small profit margins.

Greg Happner, a former warehouse worker in the marijuana industry, said before the panel he was “taken advantage of” by his former employer. He said the 60 to 70 hours per week he worked as a salaried employee, with no overtime, made him miss out on family time, personal time and affected his health.

“I still know a lot of people being taken advantage of like that just from those warehouses… who are all on salary, all being underpaid, all being well overworked,” he said. The new overtime rule would ensure that workers who are sacrificing family and personal time at least get compensated for it, Happner said.

One of the major changes of the COMPS Order proposal is extending overtime protections to every industry, unless it is specifically exempted. Federal overtime law requires that employers pay one-and-a-half times a worker’s wage if that employee works more than 40 hours per week or 12 hours in a day. In Colorado, currently, overtime protections only apply to workers in four specific industries: retail and service, health and medical, customer support and food and beverage.

Some of the workers that would be exempted by the proposal include professionals such as lawyers and doctors, executives, administrators and supervisors, as long as they are paid a “sufficient salary”, according to a CDLE fact sheet on the proposal.
The second major function of the proposal defines what that “sufficient salary” should be for exempt workers. Without the COMPS proposal, beginning in 2020, the federal salary maximum will be $35,568 per year for a worker to be disqualified from overtime. But, because federal law allows states to set a higher cutoff, the COMPS Order proposes to raise the salary cutoff to $42,500 beginning in 2020. The standard would then increase by $3,000 every year, starting in 2021, until it reaches $57,500 in 2026. After that, the cutoff would be tied to the Consumer Price Index.

That six-year phase in and salary cutoff was another point of contention at the hearing. State Rep. Emily Sirota (D-Denver) said she supports the expanded protections in the COMPS Order, but urges a four-year phase-in so the cutoff would be $57,500 by 2023.

“This would correct the erosion of overtime protections for Colorado workers more quickly, immediately providing protections to nearly 100,000 more workers, while still maintaining the important phased-in approach to implementation,” Sirota said.

Others echoed Sirota’s call for a quicker phase-in of four years, and Marilyn Winokur, also with Coloradans for the Common Good, recommended raising the salary cutoff to $62,000.

Several lawyers representing both employees and employers also spoke at the hearing, recommending clarification on some of the wording of the proposal and changes to some finer details. The transcript of the hearing will be posted on the COMPS Order rulemaking page.

The public can submit comments on the proposal on CDLE’s website until Dec. 31. CDLE expects the rule to be finalized on Jan. 10, 2020, and the expanded protections are expected to take effect on March 1, 2020. The new salary exemption cutoffs are expected to take effect July 1, 2020.
Correction Officers’ Benevolent Association President Elias Husamudeen, the only leader of an entry-level union in the eight-member uniformed coalition that reached a 36-month deal providing 7.95 percent in raises for the affected employees, said Dec. 24 that he had turned his attention to securing an additional 2.25-percent raise for his rank and file that Police Officers obtained nearly three years ago.

“The two-and-a-quarter is important to everybody,” Mr. Husamudeen, who took a lead role in the negotiations after joining the coalition midway through its talks with Labor Commissioner Renee Campion, said in a phone interview. “I’m not going to say how I’m looking to get the two-and-a-quarter.”

PBA Sacrificed ‘Unborn’

That additional raise was won by the Police Benevolent Association under a deal reached Jan. 31, 2017 by reducing the salary scale for future hires to even out the costs to the city so that they matched the final five years of a uniformed-coalition deal negotiated in December 2014. The other police unions in the coalition—the Captains Endowment Association and the Detectives’ Endowment Association—have placed a particularly priority on getting the added raise but have stressed the difficulties placed on them by matters including a lower attrition rate for their members than exists for Police Officers.

Because of that disparity, city officials are insisting that added concessions must be made by those unions to offset the additional costs that would be entailed. While CEA President Roy Richter declined to discuss the issue following the Dec. 18 agreement, Paul DiGiacomo, who in mid-January succeeds longtime DEA President Michael J. Palladino, conceded he faced “an uphill battle” in trying to minimize the pain that future promotees to the Detective ranks would face in order to fund the added 2.25- percent hike.

Mr. Husamudeen is the one union leader in the coalition—which also includes unions representing Correction Captains, those in the various Warden ranks, fire officers, and sanitation officers and chiefs—for whom the task is not compounded by attrition. Correction Officers have traditionally had a higher turnover rate than cops, meaning that if he opted to pay for the 2.25-percent raise by reducing the pay scale for future hires, he would figure to have to give up slightly less in compensation for his “unborn” as opposed to the PBA’s.

Covers ‘Unique’ Items

He said he would try to convince Ms. Campion that “what’s good for Correction Officers is good for the city,” adding, “We’re looking now to see what’s gonna be best for our members” in what is known as “unit bargaining,” which will allow the eight unions in the coalition to discuss items that are often unique to their rank and files.

As part of those talks, the COBA president said, his bargaining committee will be “looking at some noneconomic issues to help my members, and with the reduction in the inmate population, how to make the jails safer for officers and for inmates.”

It is expected that most, if not all, of the union leaders in the coalition will not submit the wage-contract terms to their members for ratification until their individual unit negotiations are concluded. Several of them have made clear, however, that the city’s use of a “uniformed differential” worth a bit over one percent more than the bargaining pattern set for civilian-employee unions would be a powerful selling point for the eventual ratification votes.
That allowed them to get the raises—2.25 percent, 2.5 percent and 3 percent—paid on the first day of each contract year in the 36-month accord. Civilian contracts for the two-largest city unions, District Council 37 and the United Federation of Teachers, cover 44 and 43 months respectively while having gaps in the second and third payments that amount to at least seven months in which there are no raises. They provide increases of 2, 2.25 and 3 percent for DC 37 and 2, 2.5 and 3 percent for the UFT.

‘Good Deal for Members’

“We ended up with what I thought was a pretty good deal,” Mr. Husamudeen said. “Thirty-six months with no zeroes as opposed to 43 months with seven months of zero is what I consider a good deal for my members.”

And, he said, while he was drafting a letter to his rank and file laying out the terms, “so far the reaction that I’ve gotten from my members has been a very good response.”
A clear-eyed look at Monsey attack: It looks like New York’s mental health failures were partly responsible for the attack at a rabbi’s home

D.J. Jaffe - New York Daily News - December 31, 2019

After Grafton Thomas attacked five Hasidic Jews in Monsey, N.Y., Gov. Cuomo called it an act of “domestic terrorism,” and feds have charged Thomas with hate crimes, citing web searches about Hitler and anti-Semitic comments in his journal. Those closest to Thomas say he was neither a terrorist nor a hater.

They blame his actions on untreated schizophrenia, a horrific brain disorder that scatters the mind and disconnects it from reality.

The truth, of course, is that a crime such as this one could be motivated both by anti-Semitism and by mental illness. The motives aren’t mutually exclusive.

The Daily News reports that Thomas has a long history of mental illness and hospitalizations.

Law enforcement said he was “rambling nonsense” when police took him into custody. His long-time pastor couldn’t understand why he wasn’t institutionalized, telling one reporter, “There hasn’t been anyone who has given a real solution to deal with a grown man who is dealing with schizophrenia, other than ‘Go home and call us if something happens.’”

That is certainly the case in New York, and it’s Cuomo who bears the brunt of the blame for the state’s failed mental health policies. He continues to close psychiatric hospitals, refuses to take the lead in amending New York’s involuntary commitment standard, and, like Mayor de Blasio, is surrounded by people who refuse to focus mental health services on delivering treatment to the most seriously mentally ill.

Many think of “deinstitutionalization” as a thing of the past. But it’s going on today in New York. Between 2010 and 2016, New York lost 1,741 state psychiatric beds. Many that are left are dedicated to criminally involved patients like Thomas has now become.

Hat crime perps shouldn’t get get-out-of-jail-free cards »
At the state’s South Beach Psychiatric Hospital on Staten Island and Creedmoor in Queens, inpatient beds are being renamed “transitional” or “outpatient” beds, and patients formerly required to stay in treatment are now free to avoid it.

Local communities are seeing an increase in homelessness and mayhem as a result.

If Cuomo allows New York-Presbyterian Hospital to move forward with its plan to eliminate 30 psychiatric beds at Allen Hospital in Inwood, the problem will only get worse.

Cuomo has also refused to follow up on his promise to amend the state’s involuntary commitment law. In his 2018 State of the State speech, referring to the seriously mentally ill, Cuomo stated, “While we aggressively protect an individual’s civil liberties, we believe in helping people in need.” Leaving the sick to “fend for themselves is not progressive, charitable or ethical or legal.”

But that’s exactly what he’s doing. Back then, Cuomo asked the audience to “tell us what law stops them from helping sick homeless people, and we will change the law this session.” But he never pushed to change it.
New York law still requires seriously mentally ill individuals to become a danger to themselves or others before they can be treated over their objection. The law should be amended to prevent violence, not require it. Cuomo should follow other states and work with the Legislature to add “grave disability,” “need for treatment” and “lack of capacity” standards to supplement New York’s “danger to self or others” standard.

Finally, Cuomo should focus his mental health department on addressing the needs of the most seriously mentally ill by making Kendra’s Law permanent and closing loopholes in it.

Kendra’s Law is for a small group of the most seriously mentally ill who have multiple hospitalizations or run-ins with police. That describes Thomas. It allows judges to order them to stay in treatment for up to one year while they live in the community. People in it were four times less likely than members of the control group to perpetrate serious violence. They also found it cuts costs to taxpayers by replacing expensive incarceration.

We can write off this attack on bigotry or we can do the honest thing, which is look unflinchingly at all its likely causes.
NYC Correction officer attacked by inmate at Manhattan jail

Thomas Tracy - New York Daily News - December 31, 2019

A city Department of Correction officer was hospitalized with severe facial injuries after he was attacked by an inmate in a Manhattan jail, authorities said Tuesday.

The officer was assigned to the Manhattan Detention Complex next to Manhattan Criminal Court Monday when the inmate “brutally assaulted” him, Elias Husamudeen, the president of the Correction Officers’ Benevolent Association said.

“An inmate housed at MDC with a violent history and three warrants for his arrest brutally assaulted one of our correction officers simply for doing his job,” Husamudeen said. “The officer sustained five broken orbitals in his eye socket and a broken nose and will be undergoing surgery this afternoon.”

Sources identified the inmate as 22-year-old Adam Davis. The wounded officer was directing Davis back to his cell about 6:30 p.m. Monday when he allegedly refused to go inside and began fighting with the guard.

Steps have already begun to remove Davis from the general population, DOC spokesman Jason Kersten said.

Davis has been in jail since July, when he was arrested for committing a burglary and couldn’t pay the $5,000 bail, officials said.

He was re-arrested on Nov. 12 for assaulting another correction officer at MDC, which is commonly known as the Tombs, according to court papers.

Husamudeen said the violence against his officers shows that “simply having a borough jail is not enough to decrease the violence our members face every day.”

“Closing Rikers is not enough,” he said. “We need to make the jails safer today and we need to ensure that inmates who commit violent assaults like this one are removed from the general population.”