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**Viewpoint: Employment-Based Health Care Is an Anchor around the Neck of the U.S. Working Class**

Joe Maniscalco - Labor Press - February 15, 2020


A right-wing congressman with a 7 percent lifetime voting score from the AFL-CIO crying crocodile tears for union health care plans can easily be dismissed as just another absurdity of America’s political dysfunction.

But when Sen. Joe “The Working Man’s Friend” Biden repeats the charge almost word for word, and when AFL-CIO President Rich Trumka insists—on Fox News, no less!—that “if there isn’t some way to have our plans integrated into the system, then we would not support [Medicare for All],” something is up.

Talking points, after all, don’t appear out of thin air. They’re carefully crafted and disseminated by lobbyists and publicists, often on behalf of corporate interests.

Trumka was soon joined by Teachers (AFT) President Randi Weingarten. Six months earlier she had given Medicare for All a full-throated endorsement. But in a September 23 Politico article, she walked that back in favor of a fictitious system where “employer-based insurance would be allowed to exist to the extent that plans met or exceeded the standards set by the Medicare plan.”

It’s mind-boggling to see national labor leaders defend a system that’s the biggest cause of strikes, lockouts, and concession bargaining.

For a generation, U.S. unions have traded wages and other benefits for ever-shrinking coverage from employers, or for the ever-increasing employer contributions required to maintain similarly shrinking benefits from union-sponsored health and welfare funds.

**ACCIDENT OF HISTORY**

Linking health care to employment makes the U.S. unique among industrialized countries.

Our system emerged as an accident of history, when President Franklin Roosevelt’s promise to enact a post-World War II “Second Bill of Rights” was stopped dead by a resurgent employer class.

In 1946, the American Medical Association led the fight to defeat the Wagner-Murray-Dingell Bill, which would have created a publicly funded national health insurance program. The following year Congress passed the Taft-Hartley Act. This, combined with an orgy of anti-communism and race-baiting, set the powerful postwar labor movement into a long retreat.

Unable to raise the common standard of living by making health care a basic right for all, labor helped craft a “second-best” solution, linking it to employment. Corporate America piled on and offered elaborate benefits to recruit employees and to keep unions out.

This system was flawed from the beginning. It created tiers of coverage that reinforced job-based race and gender disparities. It produced massive “churn” that disrupted continuity of care even for the best-insured.
Particularly after the 1970s, when for-profit insurance and health care providers began to expand, more and more administrative inefficiency was built into the system to facilitate profits. By this century the U.S. health care system was twice as expensive as the OECD average.

Nonetheless, in the post-World War II period many unions were able to negotiate a robust “private welfare state” that provided health care security for tens of millions of people.

These benefits were almost never handed to workers. Unions had to wage tough fights to expand and defend employer-based health care.

By the 1980s, in almost every contract negotiation, employers demanded to reduce coverage and transfer more costs to the worker. Nonunion workers fared even worse.

Unlike attempts to cut Social Security or Medicare, which almost always fail due to massive popular opposition, cuts to employment-based benefits happen company by company and arouse little popular opposition.

Today, even the few union members who have been able to preserve good benefits find themselves as islands in a sea of inadequate and precarious health care coverage.

A SYSTEM IN CRISIS
Like it or not, employment-based health care is unsustainable. The Milliman Medical Index reported that in 2018, health care costs for a family of four with decent coverage exceeded $28,000 per year.

The employer paid $15,000 of that. The other $13,000 was paid by the worker through co-insurance, out-of-pocket charges, co-pays, deductibles, and so on. The percentage paid by the worker has gone up nearly every year since it was first tracked in the 1990s.

Every worker trades wages for health care. This puts unions at a huge bargaining disadvantage. It goes a long way toward explaining why wages are stagnant despite low unemployment and rising profits.

And even the best employment-based health care is not there when we need it most: when we lose our jobs, change jobs, go on strike, or struggle with long-term illness.

What was once a source of pride in the “union advantage” has become an anchor around the necks of the U.S. working class. That is why unions representing a majority of organized workers now support HR 1384, The Medicare for All Act of 2019. And it’s why the AFL-CIO’s 2017 convention unanimously voted to support policies to “move expeditiously to a single-payer Medicare for All system.”

THE OBVIOUS SOLUTION
Medicare for All would take health care off the bargaining table and increase union bargaining leverage in nearly every negotiation.

It would allow union-sponsored health and welfare funds the opportunity to reallocate revenues that are currently sunk into the world’s most expensive and inefficient health care system.

Savings could be applied to new “union advantage” programs, such as enhanced disability benefits, supplemental unemployment, tuition and training programs, legal services, or childcare and eldercare. Some revenues could be reallocated to shore up endangered pension plans.
Medicare for All would also provide better coverage than any employment-based plan in existence today.

Don’t confuse the constricted benefits offered under today’s Medicare program—after more than 50 years of underfunding and privatization attempts—with the greatly expanded and improved benefits that we’re proposing under Medicare for All.

HR 1384 would cover hospital services, prescription drugs, mental health and substance abuse treatment, reproductive, maternity, and newborn care, oral health, and more—all without a single co-pay, deductible, or out-of-pocket cost.

Nonetheless, too many national labor leaders continue to sing the praises of employment-based benefits. Too many others give merely rhetorical support for Medicare for All; they pass resolutions to please union activists, but devote most of their mobilizing and legislative efforts to incremental and defensive fixes.

Only a few national unions have begun to commit the kind of resources and organizing needed to defeat the concentrated power of the medical-industrial complex.

UNION BACKPEDALING
As momentum for Medicare for All builds, we are witnessing more backpedaling—and even outright opposition—within the labor movement.

What is driving this opposition? In union-dense states, some union leaders still think they have a seat at the table. They may sincerely believe that they can bargain better, more secure benefits that won’t be vulnerable to annual budget debates.

Many union leaders may also believe that “the members aren’t ready” to support Medicare for All. Behavioral scientists have observed that people are more motivated by the fear of losing something than by the prospect of gaining something. Fear of losing health insurance is a major driver of working-class insecurity.

Lobbyists and publicists for the medical-industrial complex focus on this theme. Some of the same fear has infected union members. But anyone who’s ever been through an organizing campaign knows you have to confront such fears and articulate a vision that will inspire and unify workers.

In the wake of the Janus decision, which made public sector union membership completely voluntary, many leaders are convinced that the best way to keep membership up is to show workers how the union adds “value.”

Negotiating health benefits is one way to do that without necessarily having to engage in risky internal organizing and mobilizing that may end up undermining existing union leadership.

WHY ELSE?
Some unions have raised the specter of job loss as a reason to oppose Medicare for All. This is a legitimate concern. Studies have shown that close to 2 million workers will be displaced by new administrative efficiencies.

While both the House and Senate bills include funding for transition benefits for these workers, people are rightly skeptical of promises, after decades of the working class bearing the cost of environmental-, trade-, and automation-related job losses.

We must center these worker concerns in the political and legislative battles to come. Failing to do so will give our opponents the opportunity to divide workers against each other.
Unions have also expressed concern that employers will get to keep all the wages that unions have traded away over the years to maintain decent private insurance coverage. This assumes that, in the transition to Medicare for All, unions will be so weak or incompetent that they can’t recapture those already bargained monies.

A number of institutional factors can also discourage union support for Medicare for All. Union health and welfare funds often have substantial investments in union facilities and provide a range of member services. There’s a vast web of relationships between union officials and health care vendors, brokers, intermediaries, attorneys, and various hangers-on.

A BETTER WAY

However, the biggest factor by far is many union leaders’ fear of disrupting their own relationships with the establishment politicians who oppose Medicare for All.

Unions are multi-issue organizations. Many of their bargaining and organizing goals are affected by local and national political concerns. So unions routinely pull their punches to maintain these relationships.

This political practice engenders cynicism and apathy among members, and provides the space for right-wing populism to take root in some sections of the working class. Medicare for All can be an important wedge issue in building out an independent working-class politics.

As Washington State Labor Council President Larry Brown put it, “Unions do not serve their members well by trying to circle the wagons around an unsustainable model of employment-based health care.” Our labor movement will thrive when we express the aspirations of all workers and speak on behalf of the entire working class.
Brooklyn, NY – This week, Housing Works employees striving to unionize with the Retail, Wholesale and Department Store Union [RWDSU] officially filed for a federal election with the National Labor Relations Board [NLRB] — and although it might have been just what the advocacy group’s CEO wanted all along — they are confident they will win.

Housing Works employees endeavoring to unionize in the face of low pay, inadequate health insurance, insufficient time off and high turnover rates, have spent months hoping that organization CEO Charles King would sign onto a neutrality agreement. But King, while insisting that he and the Housing Works leadership are not anti-union, has steadfastly refused to do so.

This past Thursday, King refused another request from workers to voluntarily recognize the union. The following day — St. Valentine’s Day — a delegation of Housing Works employees left their Lawrence Street offices in Downtown, Brooklyn and marched more than 400 union cards over to the local NLRB outlet located at 2 Metro Tech.

“It could be what he wanted all along — I don’t know,” Adam Obernauer, RWDSU Director of Retail Organizing told LaborPress. “We didn’t want to go ahead and file with the NLRB because we wanted to find a process that was mutually agreed upon, that was less stringent upon the strict guidelines of the NLRB.”

With about 600 Housing Workers in total, union supports are confident they have the overwhelming numbers needed to duly designate RWDSU as their workplace representatives.

But it won’t be a slam dunk given the make up of the NLRB under the Trump administration.

RWDSU views workers who signed union cards as one bargaining unit — a position King and the Housing Workers leadership could challenge.

“They could challenge that, they could challenge many things throughout the process because the NLRB is not necessarily favorable to working people today under the Trump administration — that’s the risk that we run,” Obernauer said. “But because we couldn’t come to an agreement, we had to move forward in this way.”

King alluded to a potential bargaining unit issue in a statement released in response to this week’s NLRB election filing, in which he reiterated the organization’s contention that Housing Works has been neutral throughout the entire RWDSU organizing campaign while steadfastly protecting the “rights of employees.”

“And we have committed to bargain in good faith if a majority of our employees in an appropriate unit vote for union,” King said. “As we have told our employees throughout this process, we want to do what the majority of them want within the legal guidelines established by the NLRB.”

King further blames a lack of governmental funding for many of the work issues employees have with his organization. In his response to the NLRB election filing, King added. “Our focus remains on continuing to work with our employees to advocate in City Hall and Albany for changes in our funding that will benefit our employees and to focus on the needs of our clientele.”
Pro-union Housing Works employees, however, say that the numbers and “sense of solidarity” that they have as “colleagues and comrades” is “something you can’t replace.”

“We kind of have been acting as a union as well,” Downtown Brooklyn Care Manager Rebecca Mitnik told LaborPress. “We feel more empowered to confront our working conditions; things on site. In terms of how the NLRB process goes forward — I just hope our employer does not fight our bargaining unit. But it seems like they may. However, that will cause big problems on their end because that’s like 30-something LLCs. That’s a lot of paperwork — and we really are one unit.”

Earlier this month, the House voted 224-194 to pass the Protecting the Right to Organize Act. The Pro-Act has been hailed as the most significant upgrade to U.S. labor law in 80 years, and seeks, in part, to outlaw captive audience meetings designed to torpedo union membership and to also enable workers to choose unionization through a simple majority or “card check.”

“If the Pro Act was enacted, we would have already certified the unit here and we could start bargaining,” Obernauer said on Friday.
New York, NY – If enacted, “Just Cause” legislation newly introduced in the New York City Council could help further change the way fast food workers — and all other low-wage earners — live and work in this town.

Already buoyed by a hard-fought for new minimum wage, Fair Work Week regulations relating to scheduling and mandatory paid sick days, fast food workers aligned with 32BJ SEIU are now spearheading a campaign to shield hard-pressed employees from being arbitrarily axed on the job.

City Council Member Brad Lander’s Intro. 1415 has 32 sponsors and seeks to prohibit fast food bosses from capriciously canning employees they don’t like, while City Council Member Adrienne Adams’ Intro 1396 has 34 sponsors and demands that when lawful layoffs do occur, they only happen based on seniority — meaning those hired last will be discharged before those who’ve been on the job longer.

“We need to do more to address the constant threat of joblessness that workers in the industry still face,” 32BJ SEIU President Kyle Bragg said ahead of Thursday’s Committee on Civil Service & Labor hearing. “We are dealing with a broken system creating uncertainty and sky high turnover. When fast food workers speak out, organize or report abuse, they become even more vulnerable to their employers.”

Fired Chipotle worker Melody Walker saw her work schedule whittled down to as little as 8 hours a week, before being let go in August, 2017, less than a year on the job.

“I did my job well and made sure I arrived early for my shift,” the mother of two said last week. “I was hopeful I had a stable job and income to support family. Things changed when a new manager took over the store.”

According to Walker, the new boss started hiring on new workers even as he was cutting the hours of existing employees.

“Things were so bad that I had to go on unemployment while I was still working,” Walker added. “It is crazy that anyone should have to get public benefits while working for a company that makes billions of dollars a year.”

Another Chipotle worker who was unceremoniously fired after three years on the job tried to appeal his termination at the corporate level, only to be told the corporation “reserves the right” to do whatever it wants.

“They fire us like we’re pieces of garbage,” he said.

People of color make up the overwhelming majority of fast food workers. Two thirds of them are women and immigrants.

“We know that big corporations use the constant threat of firing and economic devastation that will follow to keep workers from banning together and to enforce their rights when companies break the law,” Alyssa Peterson, Liman Fellow at the Center for Popular Democracy said.

“By sowing fear, the at will model leaves workers vulnerable to wage theft, injury and sexual harassment. We need ‘Just Cause’ legislation to ensure basic fairness at work.”
Chipotle has been in hot water for the last several years. In New York City, it has had to fend off more than a million dollars in fines for allegedly violating Fair Work Week regulations, in addition to facing federal charges it illegally sacked pro-union employees in Manhattan. In 2016, an NLRB judge ordered the company offer to rehire a Philadelphia man who was fired after criticizing Chipotle on Twitter.

A year earlier, outbreaks of food-borne illnesses at Chipotle outlets across the country began cropping up sickening hundreds. A newly-released report from the National Consumers League and 32BJ SEIU contends that bad management practices and worker abuses are endangering customer safety.

Chipotle has not responded to requests for comment.

“You can imagine the ways in which inadequate staffing and mistreatment of staff can wreak havoc with food preparation,” Council Member Mark Levine said last week.

Council Member Lander called “Just Cause” legislation “pretty basic protection” and the “existing standard in almost every union contract.”

That said, it’s taken a year for the pro-labor “Just Cause” bills to finally get a hearing.

“I’m glad we’re finally getting a hearing,” Lander told LaborPress. “[City Council Speaker Corey Johnson] is a supporter. We’ve had a lot going on over the last year, so there are a range of reasons why it took awhile. I’m sure there will be some adjustments and amendments, but I’m optimistic that we’ll be able to pass the legislation in the coming months.”
The amount of time that striking workers must wait to begin receiving unemployment benefits has been reduced by a new state law.

Gov. Andrew M. Cuomo signed the legislation into law on Thursday after negotiating changes to a bill adopted last year by the State Legislature.

Under the new law, private-sector employees can file for unemployment benefits after being on strike for two weeks and receive their first benefit check after a one-week waiting period.

Previously, strikers had to wait seven weeks before they could apply for unemployment and received their first benefit check in the ninth week.

New York now has the most generous unemployment benefits law for striking workers, according to Cuomo and union leaders.

“This new law will protect our brothers and sisters in labor at a time when we have a federal government that is increasingly hostile to the union movement,” Cuomo told Newsday.

New York is the second-most unionized state after Hawaii, though 140,000 fewer New Yorkers were union members in 2019 compared with a year earlier. The ranks of private-sector and government-worker unions totaled 1.73 million in 2019, according to the U.S. Bureau of Labor Statistics.

Long Island is home to about 250,000 union members.

Of the new state law, John Durso, president of the union umbrella group, Long Island Federation of Labor, said, “This is a game changer. It enables people to negotiate hard, to negotiate fairly without fear of how are they going to pay their bills.”

He and others said strikes in the private sector are rare and they are prohibited in the public sector. The last high-profile strike occurred in 2017 when delivery drivers and warehouse workers walked off the job at beer distributor Clare Rose in East Yaphank for nearly three months.

Workers only go out on strike “after their employer forces their hand by threatening to diminish their wages, benefits and conditions of employment. It is an absolute last resort,” said Mario Cilento, president of the state AFL-CIO.

The bill that was adopted last year would have allowed striking workers to apply for unemployment benefits after one week, the requirement for other employees who lose their job, but Cuomo insisted on changes.

Still, Ken Girardin, an analyst at the conservative think tank, Empire Center for Public Policy in Albany, said requiring strikers to wait two months for their first unemployment benefit check has served as “an incentive to return to work and paying them sooner could prolong strikes.”
Unionized HuffPost Employees ‘Win Significant Gains’ In Second Contract, Including Across-The-Board Annual Raises Of 3% For ‘All’ Workers

James T. Madore - WGAE News - February 18, 2020

New York, NY (February 10, 2020)—The HuffPost Union’s 125-member bargaining unit ratified their second collective bargaining agreement with the Writers Guild of America, East (WGAE).

The HuffPost Union Bargaining Committee said, “‘We are so proud of our second union contract, which was negotiated over several months and culminated in an intense four-day marathon of bargaining.

We were able to tackle a very challenging and at times emotional process because of the mutual respect, support and solidarity we felt from our entire unit from beginning to end.

By sticking together as a collective, we were able to preserve past wins on pay and severance, as well as secure critical new protections — including legal support, additional time off for night and weekend workers and a commitment to interviewing at least one diverse candidate for every job opening.

And if HuffPost gets sold, our hard-won union contract remains in place, thanks to our new successorship clause.”

The three-year agreement includes significant gains beginning with across-the-board annual raises of 3% for all workers. The majority of positions will receive a compensation increase on title minimums of 3% in 2020, 3% in 2021, and then by 3.25% in 2022 — with one exception: this year, minimum salaries for the titles Senior Reporters and Editors will increase by 4.5%; in the following two years, these minimums will go up along with the other positions by 3% and 3.25%.

A priority among the unit was to further the organization’s support for an inclusive workplace. To that end, a Diversity Committee will get $35,000 a year for journalism-related programs.

The contract also introduces the Rooney Rule to ensure the company makes “reasonable efforts” to interview at least one diverse candidate (LGBTQ+, BIPOC, disability) for every job opening, groundbreaking language for disability accommodations and accessibility, non-discrimination language and gender pronoun protections.

The contract also has a commitment to providing legal representation to employees and former employees who get sued over their work for HuffPost.

This is significant as Verizon initially wanted to condition legal indemnification upon employees being in compliance with Verizon’s Code of Conduct, which clearly was not written with journalism in mind.

After weeks of negotiations, the union secured language that makes clear that, in cases where the Code of Conduct conflicts with standard journalistic practices, employees only need to be compliant with journalistic ethics, as defined by the HuffPost Style Guide and the Society Of Professional Journalists code of ethics. And, as a result of our efforts, Verizon Media will make clear that it’s going to interpret the Verizon Code of Conduct for all its journalists—including reporters at Yahoo and TechCrunch—in a way that’s consistent with journalistic ethics.
HuffPost Union also won important gains, including the employer cannot hire a contractor for bargaining unit work on any team for more than a 12-month contract. In addition, a new Contractor Assessment Committee, comprised of both union members and management, will review how HuffPost uses contractors.

The new rules also include language that adds transparency from management on who they’re hiring on contract, what they’re doing, and how long they’re assigned to work.

Finally, the staff won important successorship language, so in the event HuffPost is sold to a new owner, the Guild’s union contract remains in effect and protects workers. The contract also preserved existing policies around parental leave, severance, just cause, and union security.

Lowell Peterson, Executive Director of the Writers Guild of America, East, said, “The Guild reached an agreement with HuffPost that makes critical gains in compensation, inclusion, successorship and the use of contractors.

A union contract is instrumental in protecting journalists and journalism during unpredictable times. We encourage everyone who crafts content for a living to join together in a union.”

ABOUT WRITERS GUILD OF AMERICA, EAST

The Writers Guild of America, East, AFL-CIO (WGAE) is a labor union representing writers in film, television, news and new media. The Guild negotiates and administers contracts that protect the creative and economic rights of its members; conducts programs, seminars and events on issues of interest to writers; and presents writers’ views to various bodies of government. For more information on the Writers Guild of America, East, visit wgaeast.org.
Target Warehouse Workers Rally To Become First Location In U.S. To Unionize

Sahid Fawaz - Labor 411 - February 21, 2020

Target workers at a New Jersey location are fed up with management and are rallying to become the first to unionize at the company.

“Former employees of the Target warehouse on High Street [in Perth Amboy, NJ] said conditions at the facility were ‘like a prison’ and workers were treated ‘like robots.’

It’s claims such as these that led to a unionization effort there and a rally Thursday at which current and former employees met with union members and city officials to call for better working conditions.

The warehouse, referred to as a work flow center, would be the first Target location to unionize if the push to join Service Employees International Union (SEIU) is successful, and officials say it could lead to a national trend.

‘Working here is very difficult, they don’t have any consideration for the workers,’ one former employee, identified as Esmeralda, of Perth Amboy, said through a translator. ‘They treat workers like robots.’

She also said workers are timid to use the restroom afraid that it would interfere with their production quotas.

Management, she said, requires employees to work mandatory overtime and has fired workers without reason. When she worked at the facility, she said there were ‘many unjust terminations.’

Another woman, identified as Anna, of Perth Amboy, said she felt like she was “in prison” when she worked at the warehouse.

‘The work is very hard,’ she said through a translator. ‘You come to work 10 hours a day.’

From the time you start until the time you finish a shift, she said, ‘you are isolated.’

Carmen, a current employee of the warehouse, claimed she was “harassed” by a manager and wasn’t offered support to grow as a worker.

[Starbucks Union Organizer Fired For ‘Drinking Water’ On The Job]

More than 50 people turned out for the rally. Throughout the event, people chanted phrases such as, ‘What’s disgusting? Union busting!” and ‘Union strong, union proud. Everybody say it loud!’

Megan Chambers, co-manager of SEIU, said the warehouse workers began discussing the unionization efforts last year.

‘When these workers at the Target warehouse started organizing with our union last year, Target called them all into meetings and told them, “Don’t even speak to the union,”’ Chambers said.”
Strike ‘Travesty’ – Charter/Spectrum Can Continue To Operate Beyond Expiring Franchise Agreement

Joe Maniscalco - Labor Press - February 21, 2020

New York, NY – Charter/Spectrum has already survived fines, revocations, default notices and Governor Andrew Cuomo threatening to boot them out of the state — now, it looks like the telecom giant is gearing up to skate past an expiring Franchise Agreement with the City of New York.

IBEW Local 3 members striking since March 2017, have been hoping that, as a “Union Town,” the City of New York would take their plight into consideration — and spike Charter/Spectrum’s Franchise Agreement rather than renew it.

But, now, that appears to be somewhat of a moot point since Charter/Spectrum can continue to operate normally whether or not its Franchise Agreement is actually renewed.

The Mayor’s Office confirmed on Thursday, that Charter/Spectrum can, indeed, operate in “holdover” mode beyond July 18’s expiration date.

Charter/Spectrum can continue to operate in ‘holdover’ with its most recent franchise agreement as outlined in the terms of the existing agreement to allow for continuity of service for customers during the renewal-decision process, according to the Mayor’s Office.

City Council Member I. Daneek Miller [D-27th District], chair of the Committee on Civil Service & Labor, referenced the grim reality earlier this week.

“I don’t know how much not having this [renewed Franchise] Agreement is going to prevent them from doing business,” Council Member Miller told LaborPress. “It is my understanding that they can continue to exist.”

In August, 2018, almost a year-and-a-half into the strike, the Civil Service & Labor Committee chair, proclaimed Charter/Spectrum didn’t stand “a snowball’s chance in hell” of having its Franchise Agreement with the City of New York renewed.

“I feel exactly the same; I think the sentiments of my colleagues remains the same,” Council Member Miller said this week. “We’re coming up on three years next month; what has occurred is one of the greatest travesties in the history of the New York Labor Movement.”

Sanela Djencic, wife of former Charter/Spectrum technician Vedat Djencic, said that she still hopes the city will consider what Charter/Spectrum has done to striking IBEW Local 3 families when it reviews the telecom’s Franchise Agreement.

“They’ve broken the union,” the Staten Island mom said. “They got away with it; it’s almost the perfect crime. They destroyed so may people’s lives.”

Over the past three years, the New York City Department of Information Technology and Telecommunications [DoITT] has issued two separate Notices of Default against Charter/Spectrum for failing to fulfill terms contained in its Franchise Agreement with the city. But that isn’t preventing Charter/Spectrum from seeking a renewal.
A body called the Franchise and Concession Review Committee [FCRC], consisting of the mayor, director of the Office of Management and Budget; the corporation counsel; the comptroller; a mayoral appointee and the borough presidents, exists to oversee Franchise Agreements.

According to Feyer, however, “the FCRC will not have anything to review until after there is a formal solicitation.”

A public comment period has been open since May, 2018, and, thus far, garnered some 200 submissions — but DoITT has still not held any public hearings on Charter/Spectrum’s expiring Franchise Agreement.

City Council Member Justin Brannan [D-43rd District] calls the ongoing strike and Charter/Spectrum’s bid to renew its Franchise Agreement with the City of New York “a total disgrace.”

“For far too long, Charter Communications has operated in a manner that indicates utter disregard for its customers, its workers, and regulators,” the Brooklyn Council Member told LaborPress. “And that’s just not gonna fly with me and my colleagues in the City Council.”

Before the start of the 2017 strike broke out over healthcare and pension benefits, Vedat Djencic worked as a cable-TV technician for 13 years. He has since left the industry. Sanela Djencic looks back on the strike as “one of the hardest and darkest periods of our lives.”

“All of our lives have changed forever; the amount of damage…who knows if we’ll ever be able to recoup,” she said. “There was a certain lifestyle that [Charter/Spectrum workers] had — and that all changed in one day. Wherever we go now, we have to start at the very bottom.”

According to DoITT, the agency expects to review whether or not Charter/Spectrum has “substantially complied with material terms of the franchise” — among “other factors” when considering renewal.

“Look, nobody ever wants to go on strike,” Brannan added. “The men and women of IBEW Local 3 wanna go back to work! They’re just not willing to live on their knees and bow to corporate greed.”

Despite the ongoing IBEW Local 3 strike and the rest of Charter/Spectrum’s track record in New York — not the least of which includes a record-breaking $174 million settlement involving consumer fraud — signals coming out of the Mayor’s Office also suggest that Charter/Spectrum may actually not have anything to worry about when it comes to renewing its Franchise Agreement with the city.

“Like all cable franchise agreements, Spectrum’s is governed by federal law, which has strict guidelines regarding when a franchise can and cannot be renewed,” Feyer reiterated in a statement.

Be that as it may, Miller insists there is “no way” he expects Charter/Spectrum will receive a Franchise Agreement — “because, certainly, the company is not consistent with the values of New York City.”

“Imagine the impact on a community when you take 100 or 200 middle class jobs away? That is a heckuva economic impact on those communities,” he said. “This is not something that we’ve taken lightly. Consequences should be that [Charter/Spectrum] should not receive a franchising agreement.”
Union members accounted for 21 percent of wage and salary workers in New York State last year, more than twice the national average.

New York had 1,732,000 union members in 2019, according to the U.S. Bureau of Labor Statistics. This is the second-highest membership in the nation next to Hawaii. Nationwide, 10.3 percent of employed wage and salary workers are union members.

Over half of the 14.6 million union members in the U.S. lived in just seven states including California, 2.5 million; New York, 1.7 million; Illinois, 0.8 million; Pennsylvania, 0.7 million; and New Jersey, Ohio, and Washington, 0.6 million.

In each of the geographical entities for which 2018-19 data are available, unionization levels were consistently higher in the public than in the private sector. New York State public-sector density was 66.2 percent, nearly double the national average of 33.9 percent in this category.
(ST. LAWRENCE COUNTY, NEW YORK) - St. Lawrence County has logged temperatures as low as -17 degrees this Winter - still, hundreds of youngsters have been trudging to and from school with no coats. For many of those students, that travesty is about to change.

Retired Ogdensburg Teacher Mary Wills made a wish last Fall and put it in writing - she wished simply that these freezing, underdressed kids could get new coats.

Through The People Project, a Union-backed coalition of community partners in the county, Wills sent the request to Operation Warm, a non-profit group that can make these things happen.

In a county with dire poverty, she thought her wish might come true, but the waiting list had 150,000 names on it.

Winter came and her wish went the way that many wishes do - blowing somewhere in the cold, icy wind.

Kids kept walking through snow and sleet and bone-chilling rain.

This past week, however, Wills was out doing errands when she got a phone call from Workers who were at her house to pick up her old hot water heater on the front porch.

They said they couldn’t get to the heater because it was blocked by stacks of giant cardboard cases.

Wills got home and found cases piled higher than many snow banks in the area.

Tearing open boxes, she found fluffy mounds of winter coats in blue, black, pink, bright green, camouflage, and a host of other colors, delivered by Operation Warm, which had received an unexpected donation.

The next day, 15 more cases arrived for a total of 200 coats in sizes 5/6 to adult large.

Wills got busy.

“I sent out an email, and within an hour, I had twelve districts reply, saying: ‘Please. Whatever you can give us. We need them,’” she said.

“Kids have been coming to school ‘without’ coats, ‘without’ a change of clothes for the next day, ‘without’ boots,” said Special Education Teacher Julie Spooner, Vice President of the New York State United Teachers (NYSUT)-affiliated Ogdensburg Education Association.

The Union has set up clothes closets in each school, where students can get donated second-hand jackets and other clothes.

“We have ‘a lot of walkers,’ ‘They need warm’ gear,” she said. “Some are coming ‘pretty far in cold weather without anything.’ ‘It’s sad.’ ‘It’s very, very sad.’”
After The Deaths Of Five Employees Diagnosed With Brain Cancer ‘Who All Worked In The Same’ DEC Office Building In Buffalo, And Now That A Sixth Has Been Diagnosed, PEF Calls on the State to Move Workers to Another Building

Western NY Labor Today via PEF News - February 26, 2020

(BUFFALO, NEW YORK) – After five Employees who all worked in the same New York State Department of Environmental Conservation (DEC) office building in Buffalo - and who all had been diagnosed with brain cancer - passed away, Public Employees Federation (PEF) Representatives are calling on the state to move current Workers to another building.

James Sacco, Jr. - who serves as PEF’s Chief Steward at the state’s DEC Region 9 Office in Downtown Buffalo and who represents 125 Union-represented state Workers in the region, is also asking for a further investigation after a sixth Worker developed the same cancer.

Some who were either diagnosed and/or died were represented by PEF and the Civil Service Employees Association (CSEA). Another, a non-represented/executive staff Employee, died in the early 2000s, Sacco said. All were in their 40s and 50s.

Sacco, who has served as New York State PEF Health and Safety Committee Co-Chairman for the New York State Department of Environmental Conservation since 2011, made the following Letter to the Editor to the PEF COMMUNICATOR available to WNYLaborToday.com:

In March 2019, an Employee of the New York State Department of Environmental Conservation (DEC) working at 270 Michigan Avenue in Buffalo learned that he had brain cancer.

He was the sixth DEC Employee working at this location to be diagnosed with this disease.

In 2013, after the fifth Employee to be diagnosed with brain cancer passed away, the New York State Department of Health performed an investigation and Cancer Incidence Study at the DEC office.

When the Health Department reported the results of the study, they told Employees the number of brain cancers in the office was a statistical abnormality.

In response to the sixth brain cancer diagnosis this past year, DEC Management requested the Health Department perform a second Indoor Air Quality Investigation.

This study was more rigorous than the study done in 2013 and used testing/sampling methods that DEC/PEF Engineers and Technicians had originally recommended for the 2013 study.

DEC/PEF Engineers and Technicians found that the 2019 study results detected four chemical contaminants in the air that exceeded Health Department Matrices (values), indicating the source of these contaminants should be identified and cleaned up. At this time the fate of the office is in flux.

The office lease has expired - however, the current plan is to remain in the building and consolidate all Employees onto the first floor.
This proposal would create office space in former commercial spaces that PEF feels may be the source of the cancer-causing contaminate.

Thus, many PEF Members feel that it is unsafe to remain in the building.

In addition to the concerns about the known contaminants, the building has a poor air handling system that has, at times, allowed odors such as gasoline and perchlorethylene to spread through the DEC workspace.

Similarly, the sanitary/storm sewer is outdated which in heavy rainstorms can result in storm water and sewer water flooding the first floor.

DEC-PEF Members appreciate management’s efforts to protect Workers’ health and now urge DEC and OGS to work together to relocate Workers to a more suitable and safe location as quickly as possible.

In an interview with WNYLaborToday.com, Sacco said the DEC Employees had “complained for the past several years” of odors that came from within the building.

“There were ‘no’ seals on pipes and there were ‘a lot of different’ odors,” he told Your On-Line Labor Newspaper. “There were ‘complaints about it for years.’”

PEF Representatives were not happy with the testing that occurred after a flood of complaints.

“They ‘didn’t do enough.’ ‘We wanted more done.’ ‘It needed to be investigated further,’” Sacco said.

PEF is upset with what has transpired, but is hopeful now that the problem has been put in a public spotlight that something more will happen due to the fact there are still about 100 Workers employed and working inside the Michigan Avenue building.

“We were ‘shocked’ (about the deaths and the subsequent DEC brain cancer response of ‘statistical abnormality’),” Sacco told WNYLaborToday.com. “We’re (now) ‘hoping for the best situation, but we will see what happens.’ ‘It’s our hope they move their Employees to another office instead of moving us to a first floor in the same building.’”
As Democrats Dither, Labor Must Step Up
Vincent J. Montalbano - Chief Leader - February 27, 2020

Are the Democrats still a political party?

This question begs to be initially answered by Will Rogers’s famous observation: “I’m not a member of any organized political party…I’m a Democrat.”

Funny line. Still sadly true 85 years after he died.

Democrats are not a party. Webster’s Dictionary defines a party as “a group of people working together to establish, promote, or gain acceptance for some kind of government, cause or theory which they hold in common; ….” (italics added).

A Long Way From FDR

The current Democratic “Party” is the opposite of everything in that definition.

FDR’s New Deal party was a party fighting and succeeding in the common goal of bringing workers, farmers, the poor and distressed out of the Great Depression and into some semblance of an economically secure life.

LBJ’s Great Society party was a party working together to improve the health of the elderly and poor, and begin the ongoing process of codifying the human rights of all Americans.

But that Great Society party was the last Democratic Party. Vietnam tore it apart; the ‘68 election closed the coffin. There has not been a national Democratic Party since then.

If the Democratic “Party” becomes the party of Bloomberg, it will have chosen a leader who closed child-care centers (which he did as NYC Mayor and which NOBODY has spoken of thus far!), terrorized innocent minority youth with stop-and-frisk, and tried to buy elections (this year’s presidential, and term limits repeal in NYC (2008-09).

It will have chosen a candidate who, as noted in a NY Times chart on Social Security on 2/9/20, has no announced position on how to protect and strengthen Social Security—the gem of FDR’s New Deal and the bedrock issue of what has been the Democratic Party.

Not announcing a position on major issues usually means one has a bad position on that issue.

If Bloomberg is the nominee, shame on labor for not stopping him. If Bloomberg is the nominee of the Democratic Party, there is no Democratic Party!

Labor Must Assert Itself

But this does not have to be. Labor can again become a movement and push the “party” for one or more candidates who truly support workers.

I know everyone is panicked about beating Trump. But there is an old and sage saying in politics: you can’t beat somebody with nobody. Picking a candidate only because we think he can beat Trump is picking nobody. Standing for nothing but wealth accumulation and the status quo is standing for nothing.
And dismissing a woman because she “can’t win,” or trashing someone else whose self-description is not to your complete liking, is depriving the voters of a somebody who may be able to defeat somebody!

So the Democratic Party is in shambles and the only other institution (Labor) capable of leading this effort to produce the best possible candidate is not taking that lead. It’s time for labor to act like a movement and “move” the Democrats into being a party again. Wag that dog, Labor. Wag that dog.
Representatives from several upstate union funds, all of them hit hard by Bernard Madoff’s machinations, are opposing the 81-year-old former financier’s request for compassionate release from prison.

Citing the decimation caused by Mr. Madoff’s $65-billion pyramid scheme to their pension funds and the consequent financial harm done to past and prospective beneficiaries, they have written U.S. Circuit Judge Denny Chin asking him to keep the convicted fraudster behind bars.

18 Months to Live

“Many of us are from families with generations of union members who saw their plans collapse,” the letter to Judge Chin said. “As hard-working laborers, we cannot physically work into our later years. We saw our retirements, for which we saved for decades, vanish overnight, all because of the overt greed of Mr. Madoff.”

The infamous financier, who was sentenced in 2009 to 150 years in prison by Judge Chin after he pleaded guilty to numerous counts of stock and securities fraud, is said to have terminal kidney disease and less than 18 months to live. He is being held at Butner Federal Medical Center, a Federal prison facility in North Carolina.

But one union representative, Gregory Lancette, a trustee with Plumbers & Steamfitters Local 267 in Syracuse, said the devastation—financial, emotional and otherwise—caused by Mr. Madoff has not let up for many individuals and families. Mr. Madoff, he said, should live out the rest of his days in prison.

Mr. Lancette said that informing his father, a recently retired steamfitter with the local, in 2003 that the retirement income he had counted on was no longer guaranteed “was one of the toughest phone calls I had to make.”

The local had invested in Mr. Madoff’s supposed enterprises through its pension actuaries, eventually investing $33.1 million, nearly half of what the local’s pension fund was worth in 1996, when it began putting money into Mr. Madoff’s enterprises.

‘Still Living’ With Fraud

The local’s investment in Mr. Madoff’s supposed wealth-management fund was significant. “You’d never hit a homer but you wouldn’t lose,” Mr. Lancette said.

When the extent of Mr. Madoff’s fraudulent ventures was fully uncovered, the local had lost its entire investment in the scheme. “There were a lot of John, Jane and Joe Paycheck, blue-collar nickels and dimes invested” in the fund, he said. “It was just a systematic failure, to be kind.”

Although the local was able to recoup about $8 million from eventual settlements and bankruptcy funds, and its pension fund is back in the green, “so many of us continue to be harmed,” he said.

And for that, Mr. Madoff deserves no empathy, he said.

“I don’t care about his health or that he’s been a good boy,” Mr. Lancette said. “We’re still living with the remnants of his crime and he should too.”
A Liverpool, N.Y., roofing local, whose business manager also signed the letter, lost 93 percent of its pension fund, forcing several retirees to return to work. Others were forced to sell their homes.

Barbara Hart, a White Plains attorney who helped recoup about $219 million for them, said Mr. Madoff “should not be able to con his way out” of what was a just sentence.

“Clemency for Madoff would be insulting to the people whose suffering he caused,” Ms. Hart said in an email.

Swindled in Oswego

An Oswego plumbers and steamfitters local saw its health and welfare fund ravaged and its retirement fund cut in half, forcing it to raise the retirement age and greatly reduce benefits.

The New York Times reported that the Bureau of Prisons denied Mr. Madoff’s initial request for compassionate release, but that he followed through with an appeal to Judge Chin.

Calling themselves “sympathetic and compassionate,” the letter’s signatories wrote that although they were grievously harmed by Mr. Madoff, he had “never expressed any remorse to us.

“To release Mr. Madoff from prison would undermine the Court’s effort to help the victims heal, and in fact would open old wounds.”
New York City Labor Calls For ‘Expansion’ Of Right To Counsel

Western NY Labor Today - February 28, 2020

(NEW YORK CITY) – Earlier this week, the New York City AFL-CIO Central Labor Council, the Association of Legal Aid Attorneys/United Auto Workers (UAW) Local 2325, the Legal Services Staff Association/UAW Local 2320, and American Federation of State, County & Municipal Employees (AFSCME) District Council (DC) 37 testified before the New York City Council calling for the city’s Housing Court Right to Counsel Law to be strengthened and expanded to include families within 400% of the Federal Poverty Line.

Currently, only tenants who fall within 200% of Federal Poverty Guidelines and live within one of a handful of zip codes have universal access to counsel in Housing Court, meaning that someone could work full time at minimum wage and not be eligible for access to an attorney.

The majority of tenants with incomes within that range work in health care, education, social services, retail, hospitality and food service, Labor Officials testified.

Approximately 56,000 to 71,000 households in this income range are sued in Housing Court each year, and 61% of them do not receive any form of housing assistance.

The New York City Labor Movement has for years engaged through the Right to Counsel NYC Coalition to collaboratively combat housing and income inequality.
Gov. Andrew Cuomo on Saturday morning tweeted that his office "just received word that our test has been approved by the FDA".

New York State is ready to start testing for potential cases of the novel coronavirus, joining New Jersey and Connecticut, Gov. Andrew Cuomo said Saturday. The news came hours before New York City health officials announced the results of the latest possible COVID-19 case in the city. The eighth person tested in New York City by the CDC does not have novel coronavirus, city health officials said Saturday afternoon.

As of Friday, New York still didn't have permission from the Centers for Disease Control to begin testing, but Cuomo on Saturday morning said his office "just received word that our test has been approved by the FDA."

"When I spoke to Vice President [Mike] Pence, I urged him to approve New York State's coronavirus test — we just received word that our test has been approved by the FDA," Cuomo said in a statement. "This will expedite wait time and improve NY's ability to more effectively manage the coronavirus situation as it unfolds."

"New York State's Wadsworth Lab will begin testing immediately," he added.

The patient tested over the weekend was a New York City resident who recently came back from a trip to Italy, according to officials. The patient's sample was sent to Atlanta for testing, before New York had received its approval.

The patient began exhibiting symptoms shortly after returning from a trip to Italy, where NBC News confirmed there are nearly 900 people infected, in addition to 21 deaths. Symptoms — which include fever, coughing and shortness of breath — are likely to appear as soon as two days after exposure, or up to two weeks later, according to the CDC.

New York City Mayor Bill de Blasio sounded off on Twitter over the testing delays, pointing the finger at the Trump administration for not heeding warnings sooner.

"We've gotten every conceivable warning about the coronavirus from health authorities across the country and globe. It's been coming like a freight train and the Trump administration hasn’t even done the basics," the mayor said in a tweet.

Meanwhile, the New Jersey Public Health Department said Friday that a lab in West Trenton had been approved to test for the novel coronavirus that causes COVID-19. Connecticut Gov. Ned Lamont also said that a state lab will be able to conduct testing shortly.

In a teleconference, the CDC said the goal is to have testing available in all 50 states by the end of next week. When presses about which states and places have the capacity, the CDC would not give specifics citing the evolving situation.

So far in the tri-state, there have been no confirmed cases of the illness that has now been found on every continent except Antarctica. NYC Health Commissioner Oxiris Barbot says that due to the federal government expanding its criteria for virus testing to include Iran, Italy, Japan and South Korea, more people are expected to be tested.
"Viruses don’t respect borders and this broader definition will help us cast a wider net to detect the virus. We expect the number of cases under investigation to grow," Barbot said.

New York City's Bellevue Hospital is one of several local medical centers that are preparing for a possible outbreak. It is home to 1,200 beds that could be readily available in case the virus becomes widespread, according to Mayor de Blasio.

As of Friday night, there were at least two cases of novel coronavirus in the United States believed to have been transmitted to a person who didn’t travel internationally or come in close contact with anyone who had it.

That first patient, a woman in California, was put in isolation and on a ventilator at UC Davis Medical Center. She did not have any contact with any people who are known to be infected, either. Her testing was initially delayed for days because she didn't meet federal criteria.

Previously, there were more than 60 confirmed cases of the novel coronavirus in the U.S., most of which stemmed from the Diamond Princess cruise ship.

While health experts maintain that the risk of getting the COVID-19 virus is low, spread of the illness is inevitable.
Gov. Andrew M. Cuomo on Sunday confirmed New York State’s first case of the coronavirus, saying that a woman contracted the virus while traveling in Iran and is now in New York City isolated in her home.

“The patient has respiratory symptoms, but is not in serious condition and has been in a controlled situation since arriving to New York,” Governor Cuomo said in a statement.

The 39-year-old-woman is in Manhattan, according to state officials. She returned from Iran last week, and was tested after going to a hospital in the city; she has since been staying at home, officials said.

Early on Monday, the governor said the woman was a “unique case.” Appearing on CBS This Morning, he said she was a health care worker so “she knew to take precautions and stay in a controlled situation.” He added that she had not ridden public transportation since returning to New York.

Later, on CNN, he said he anticipated that “there will be community spread” but that “there’s no reason for concern.”

The sample submitted for testing was analyzed on Sunday in the Wadsworth Lab in Albany, N.Y. Those results will now be reviewed by the Centers for Disease Control and Prevention in Atlanta.

New York City’s Health Commissioner, Oxiris Barbot, said the agency had already identified “close contacts of the patient” who may have been exposed to the virus, officially known as Covid-19.

“Our disease detectives have already identified close contacts of the patient, who may have been exposed, and will take appropriate measures to prevent the spread of Covid-19,” Dr. Barbot said. “Despite this development, New Yorkers remain at low risk for contracting Covid-19.”

Still the news that the coronavirus had landed in Manhattan was sure to raise the level of anxiety across this dense city, where people spend their days in close quarters. For weeks, the city has been bracing for the virus’s arrival, as it spread across much of the world.

By this weekend, many stores in the city had run out of sanitary supplies such as hand sanitizer, masks and antibacterial wipes.

“We are trying to get some products from Amazon but so far they are back ordered as well, or prices are ridiculously expensive,” Aleksandr Abdurakhmanov, the supervising pharmacist and owner of Chelsea Royal Care Pharmacy in Manhattan, said on Sunday afternoon. More than 80 people in the United States have been confirmed through laboratory testing to have the new coronavirus. Many had been passengers on a cruise ship ravaged by the virus or had been infected in China and then returned to the United States.

But there have also been several confirmed cases of person-to-person spread in the United States. And researchers say that in Washington State the virus may have been spreading for weeks, largely undetected, and that hundreds of people may have possibly been infected. Two people in Washington have died after falling ill with the new coronavirus.
The new virus is believed to have originated in the Chinese city of Wuhan late last year before spreading to more than 50 other countries. More than 86,000 people have been infected, and more than 2,800 have died. New hubs of transmission have emerged in Italy, South Korea and Iran.

Iran, the epicenter of the outbreak in the Middle East, has officially confirmed 987 cases, state news media reported.

New York officials have said for weeks that it was inevitable that the virus would show up in the city.

In a statement issued late on Sunday, Mr. de Blasio said the city’s health officials had “been in a state of high alert for weeks, and are fully prepared to respond.”

Little is known about the woman other than the fact she was one of two people who the city’s Health Department said on Sunday was being tested for the virus.

Earlier on Sunday The New York Post reported that Mayor de Blasio had described the two people who were being tested as a couple who had recently been to Iran. The other person’s results have not yet been announced.

Over the last month, there have been obstacles to widespread testing that may have limited the ability of the authorities to detect cases. Until this weekend, New York State health authorities could not test patients locally and had to send samples to the C.D.C. Because of the C.D.C.’s narrow parameters on who was eligible for testing, the number of people tested was quite limited.

Over the previous month, only nine people in New York City had samples sent to the C.D.C. for testing — all were found not to have the virus. But testing procedures changed over the weekend, when the Wadsworth Lab in Albany began administering coronavirus tests after receiving permission from the federal government.

In addition to faster turnaround, New York’s health authorities now have more control over who is tested, which could lead to far wider testing than has occurred so far.

“We’re closely watching as the situation evolves, and as we brace for the possibility for community transmission here in New York City,” a spokesman for New York City’s Health Department, Patrick Gallahue, said. “And if a change in criteria is needed, we’ll seek it.”

The authorities in New York have said they are prepared for the arrival of the virus. In New York City, some 1,200 hospital beds could be made available to coronavirus patients without interfering with anyone else’s medical care, Mayor de Blasio has said.

Coronaviruses have been behind other dangerous outbreaks in recent decades: SARS in 2002-03 and Middle East Respiratory Syndrome, or MERS, which was first reported in 2012.

New York had a close call with SARS. A doctor in Singapore who had been infected with SARS while treating patients flew to New York City in 2003 for a conference. He grew increasingly ill while in New York, eventually cutting short his trip and boarding a flight for home.

The new coronavirus appears to be less lethal than SARS or MERS, but it is spreading more quickly.

The symptoms of the new coronavirus can include fever, cough and shortness of breath, according to the C.D.C. While the illness is mild in some patients, others have pneumonia and respiratory failure.
“Fund Our Future:” Hundreds Of Union Members & Activists From Across New York State Rally In Albany For Taxes On Ultra-Wealthy

Western NY Labor Today via NYSUT News - March 1, 2020

(ALBANY, NEW YORK) - More than 500 Union Members and activists converged on the New York State Capitol in Albany on Tuesday (March 3rd) to demand new taxes on the ultra-wealthy in the upcoming State Budget and press for significant investments in public services that millions of New Yorkers rely on.

Representing Educators, K-12 and Higher Ed Professionals, Health Care Workers, Auto Workers and Retail Employees, Tenant Advocates and patriotic millionaires, Unionists and Activists called for lawmakers to implement a new Billionaires Wealth Tax, Ultra-Millionaires Tax and a Pied-À-Terre Tax.

With 112 New York billionaires sitting on $525 billion in wealth and more than 46,000 multi-millionaires calling The Empire State home, they said mandating the ultra-wealthy pay their fair share in taxes would generate more than $12 billion in revenue for the state - revenue that could be used to fully fund critical state services, such as public education, public higher education, health care, public housing and transportation.

Supporting the push for new taxes are the New York State United Teachers (NYSUT), the United Federation of Teachers (UFT), the United University Professions (UUP), Professional Staff Congress (PSC), the New York State AFL-CIO, the Retail, Wholesale and Department Store Union (RWDSU), American Federation of State, County & Municipal Employees (AFSCME) District Council 37, New York State Nurses Association (NYSNA), United Auto Workers (UAW)Regions 9 and 9A, and Communications Workers of America (CWA), as well as a number of others.

Earlier this month, Organized Labor released a poll showing that the overwhelming majority of New York voters (92%) support new taxes on the super-rich. That support cuts across all regions of the state and party lines, with 95% of Democrats, 87% of Republicans and 89% of unaffiliated voters backing the tax proposals.

What’s more, 64% of voters say implementing these new taxes on the ultra-wealthy would have a good impact on New York’s economy - and 72% say they are more likely to vote for a candidate who favors passing new taxes on ultra-millionaires.

NYSUT President Andy Pallotta: “In our travels across New York, we’ve heard from Educators, school administrators and parents who say our public school students ‘lack the basic necessities they need to thrive,’” “Their message ‘is simple: Fund our future.’ ‘And there’s no reason the champagne-and-yacht class shouldn’t be paying their fair share to help New York do just that.’”

UFT President Michael Mulgrew: “Our children, the sick, the elderly ‘cannot be made to carry the burden of closing Albany’s budget gap.’” “Albany ‘has to find its way out of the budget mess it created without shifting costs onto communities that cannot handle the extra burden.’ We’ve ‘offered a way out — new revenue from asking billionaires and ultra-millionaires to pay their fair share.’”

New York State AFL-CIO President Mario Cilento: “Health care, education, transportation, sanitation, law enforcement and infrastructure are not conceptual, ‘they are practical realities in our everyday lives.’ With a ($6 billion) budget deficit, ‘we must raise revenue in order to maintain these vital services all New Yorkers rely upon.’ ‘If we don’t, the burden will fall on lower and middle income New Yorkers because the alternative is to make cuts in the budget.’ ‘Any diminishment of services, or the Workers who deliver them, is unacceptable. It’s time the wealthy pay their fair share.’”
Bob Master, CWA District One Assistant to the Vice President: “Albany ‘cannot just cut its way out of this budget crisis.’ ‘Given the staggering levels of income and wealth inequality in New York State, the only fair solution to the budget shortfall is to require the most fortunate among us to contribute a little more in taxes so that vital public services like education, health care and housing can be protected.’”
Three Department of Correction officers have been indicted on charges of falsifying reports, evidence-tampering and other charges in connection with a bloody altercation last April involving three juveniles in their custody, the Bronx District Attorney’s Office said.

Officers Edenuel Serrano, Keith Glover and Tahiem Stewart were charged with official misconduct, first- and second-degree offering a false instrument for filing, and first- and second-degree falsifying business records.

Bloody Sheets

Separately, Officer Serrano was charged with third-degree attempted assault and tampering with physical evidence; Officer Glover with third-degree attempted assault and third-degree assault; and Officer Stewart with third-degree assault.

All three were arraigned Feb. 28 before Bronx Supreme Court Justice Lester Adler. The COs will be suspended without pay for an indefinite period, the DOC said.

According to the DA’s Office’s account, Officer Serrano had words April 8 with a 17-year-old being held at Horizon Detention Center. Accompanied by Officers Glover and Stewart, he subsequently entered the juvenile’s room and put him in a chokehold.

Two other 17-year-old detainees then joined the fray, apparently to aid the first juvenile. As the brawl escalated, Officer Stewart punched one of the detainees in the face, sending his blood onto bedsheets and the floor, the DA’s Office said.

According to video footage used in the DA’s investigation, Officer Serrano then took the sheets and passed them off to a colleague, who brought them into an area with no cameras.

Video shows Officers Serrano later leaving Horizon holding a black trash bag that he placed in his car before driving off.

The Officers did not report the incident as required, the DA’s Office said.

‘Gave a False Story’

“The three officers did not report the incident as required; when they did so under order, they allegedly gave a false story,” DA Darcel Clark said in a statement. “We will not abide misconduct or cover-ups from those who are supposed to secure our jails, and from those who work with juvenile detainees.”

The three detainees filed complaints with the State Office of Children and Family Services the next day. That office then notified Horizon administrators, who ordered the Officers to complete use-of-force reports.

The DA’s investigation subsequently determined the Officers’ reporting “was at odds with the video and with testimony from other witnesses.”

In particular, the DA’s Office said, Officer Serrano noted in his incident report that he had removed the sheets because the juvenile who slept there told him he had had a nosebleed.
DNA swabs analyzed by the Office of the Chief Medical Examiner, however, determined that the blood belonged to the detainee who had been punched.

DOC: ‘Extremely Troubling’

A spokesman for the Correction Officers’ Benevolent Association did not return an emailed inquiry about the indictments.

The department’s Deputy Commissioner of Public Information, Peter Thorne, called the allegations “extremely troubling. “The Department takes claims such as these seriously, which is why after we identified the incident, we investigated and promptly referred the matter to DOI and to the Bronx DA for criminal prosecution and have been cooperating with law enforcement since.”

The Officers’ next court date is scheduled for June 10.
City Council Member Mark Gjonaj wants the number of Parks Enforcement Patrol officers boosted, as well as an extension of their workday, in order to put a stop to homeless encampments across city parks.

The Parks Department staffs about 340 Parks Enforcement Patrol officers, who address quality-of-life complaints and issue summonses, and work in two shifts: from 7:30 a.m. to 4 p.m., or from 3:30 p.m. to 12 a.m.

Extend ‘Overnights’

At a Feb. 26 Council hearing, Mr. Gjonaj called on de Blasio administration officials to boost overnight patrols, citing homeless encampments that have been reported in the green space along the Bronx’s Pelham Parkway.

“The moment PEP officers are gone, the encampments pop up, and they break down in the morning before the PEP officers arrive,” said the Council Member, whose districts include Morris Park, Pelham Bay and Throgs Neck.

“It’s more than a quality-of-life issue, it’s a security issue. And this is not unique to my area; this is citywide.”

Deputy Commissioner Margaret Nelson said that the Parks Department was working with the Police Department and the Mayor’s Task Force on Homelessness to check areas where there have been encampments in the past, adding that PEP officers did not work when the parks were closed.

“Yes, but who’s out there from 12 to 7:30?” Mr. Gjonaj pressed.

Joe Puleo, president of District Council 37’s Local 983, said that the union would be receptive to the extended hours. He also pushed for increased staffing, saying that the current level “barely scratched the surface.”

Already Added 130

Under last year’s budget, funding was added to hire 50 Urban Park Rangers and 80 PEP officers.

“We need to keep that money for the officers and Rangers we hired for the summer—that needs to be baselined. That is the most important thing that we can do right now,” Mr. Puleo said. He estimated that the department needed “thousands” of PEP officers, not hundreds.

The number of PEP officers has dwindled since the late 1990s, when there were about 500, although it has significantly improved since 2011, when there were just 98.

“We are actually at the highest patrol strength we've been at since 2005,” Ms. Nelson said.

“I feel like the number we have is a great number that we can do our job.”

But Council Member Francisco Moya noted that despite the fact that Flushing Meadows–Corona Park was the fourth-largest park in the city and the site of attractions such as Citi Field and the Queens Zoo, it had just four officers assigned to it.
‘So Little on Protecting’

“It has always been very frustrating that we couldn’t get enough PEP officers,” Council Member Robert Holden said. “We have billions of dollars invested in our parks, yet we invest so little money to protect them.”

Local 983 representative Marlena Giga stated that even though staffing is boosted during the summer thanks to the hiring of seasonal employees, about 60 PEP officers were typically dispatched to the beaches, meaning that the parks actually had fewer officers “during the height of the season.”

Turnover has remained an issue because of low pay: although the minimum salary has increased substantially, from $32,000 a year a decade ago to about $50,000, the top salary was about $65,000 after 20 years on the job, according to the union.

“That’s why you can’t keep people very long, because you can’t live in New York City on that salary, not without a second job,” Mr. Holden said.
Ellis Hospital nurses say more staffing, security needed

Emily Burkhard - WNYT - March 1, 2020

SCHENECTADY - Nurses at Ellis Hospital are sharing their safety concerns in the wake of a patient-involved stabbing and assault that left four people injured last week.

Nurses and representatives from New York State Nurses Association (NYSNA) said we could very well see more violent situations unfold if nothing is done.

Nurses at Ellis said these issues exist at many hospitals and medical facilities across the state. That's why they're going to be at the Capitol on Tuesday pushing for legislation that would mandate minimum staffing ratios.

Nurses at Ellis said they're seeing new technology being implemented, but they aren't seeing new people being brought on to help them deliver the best care possible.

"They want us to work like a Toyota factory instead of a place where we're dealing with humans," registered nurse Fred Durocher said.

Nurses taking care of Ian Castaldo, 27, on Thursday morning had called for help with a "code gray," multiple times before he got ahold of a pair of scissors and stabbed two nurses and assaulted two more people.

A "code gray" is called when a security officer is needed to help put a violent patient in restraints.

"This is something that's there on a daily basis," Durocher said. "The police, when they have someone who they can't control but they don't know why, they can't arrest them, they bring them to us. Then they unhandcuff them and then they have to leave if they're not arrested and were there to deal with that."

Representatives from New York State Nurses Association, or NYSNA, said they had an emergency meeting on Monday to discuss potential solutions, but hospital officials told them their suggestions would be too costly.

"So when we asked about having security on units, stationed in the emergency room or units that are at risk," NYSNA representative Lisa Blodgett said.

“That was what we were met with. To actually get a clear plan, we did not get that."

A spokesperson for Ellis Medicine released this statement in response:

"The health and wellbeing of both our patients and staff is of utmost importance to Ellis Medicine, and we do all we can to ensure their safety at all times.

We intend to work with law enforcement authorities to fully investigate this incident and continue to take appropriate measures to protect our patients and staff.

The nurses involved in last night’s incident, as well as the Ellis security team, performed admirably in an extremely difficult situation. It is unfortunate that NYSNA would issue a press release exploiting the incident as a bargaining tool in our contract negotiations rather than giving their members the credit they deserve for their professionalism and excellence in patient care."
The labor agreement expired on February 28.

Blodgett said they've met with hospital staff 16 times since last summer and are no closer to striking a deal.

While safety concerns are a priority, Blodgett said establishing minimum staffing ratios will also give nurses the ability to take breaks and use the bathroom during their shifts, something that at this time isn't a guarantee.

"We want to give the best,” Blodgett said. “Give us the tools to give the best care that we can."

Blodgett said after the attack on Thursday she discovered another nurse had been assaulted at Ellis on Friday.

Stay tuned to NewsChannel 13 for updates on this story.
Cuomo Refuses To Talk With Wage Theft Protesters

Steve Wishnia - Labor Press - March 1, 2020

NEW YORK, N.Y.—More than 150 people picketed Gov. Andrew Cuomo’s Manhattan offices Mar. 2, demanding that the governor stop blocking a bill that would allow workers to put liens on the property of employers they’ve accused of wage theft.

“The governor has once again failed to take action against wage theft,” Sarah Ahn of the Workers Against Wage Theft coalition told the rally.

Cuomo vetoed the Securing Wages Earned Against Theft (SWEAT) bill, passed by the state Legislature last June, in January. It would have enabled workers whose claims are likely to succeed to freeze their employer’s assets, paralleling the “mechanic’s lien” that a landscaper or construction contractor can use against homeowners who haven’t paid their bills.

The governor said in his veto message that letting workers or the state put a lien on employers’ property before the courts or state agencies had issued a judgment against them would be considered “inadequate due process.”

SWEAT bill supporters argue that getting liens before the process starts is necessary to prevent employers accused of wage theft from transferring or hiding their assets before a judgment is issued, so workers awarded back pay can actually collect what they’re owed.

Last summer, Mahoma Lopez of the Laundry Workers Center told LaborPress, when the Sunshine Shirt laundry in Brooklyn’s Bay Ridge neighborhood was ordered to pay $75,000 in back wages, it closed and reopened three weeks later, supposedly under new management. It had been accused of paying workers less than minimum wage and not paying them overtime.

“It’s ‘different management’ but we don’t know who it is in reality,” Lopez says. Liens are “the only way we can prevent wage theft by employers who play with the system. They know there are no repercussions.”

“Right now, there’s no lien possibility for most workers,” JoAnn Lum of National Mobilization Against Sweatshops told LaborPress. “Cuomo has made New York a sanctuary for sweatshop businesses.”

Attaching assets, the Securing Wages Earned Against Theft coalition argues, “is a critical tool to prevent employers from disposing of property after being sued and before a court renders a judgment.”

Current law, it says, requires an employee seeking an attachment to show that the employer has an “intent to defraud” by transferring or hiding property, which is almost impossible to prove. There is also no way for the employees to learn the identity of the owners, it adds.

The liens the SWEAT bill would allow are fair to employers, Lum says, because they’re temporary, lasting one year unless the state Labor Department or Attorney General extends them.

Employers would be able to challenge liens by asking the worker to provide itemized details about what they’re owed, or remove them by either paying the back wages or posting a bond until the case is resolved.

If a court determines that the worker willfully exaggerated how much they’re owed, the lien would be voided.
Workers in New York are cheated out of about $1 billion a year, the coalition estimates. Lum says wage theft happens in “all kinds of industries,” but is most common in nonunion construction and low-wage service jobs, such as restaurants.

“It is not a radical idea for workers to be paid the wages they were promised,” said Caitlin Kelmar of the Democratic Socialist Alliance. It’s not enough to raise the minimum wage, she added, if the laws requiring employers to pay it aren’t enforced.

“Cuomo, stop protecting criminal bosses,” the crowd chanted, with the leader’s Spanish accent changing it to “estop criminal bosses.”

State Sen. Jessica Ramos (D-Queens) and Assemblymember Linda B. Rosenthal introduced a new version of the SWEAT bill in January. Neither house has yet given it a committee hearing.

The governor’s office did not respond to a request for comment from LaborPress. It is possible that he might introduce a wage-theft measure in the state budget, but it was not included in the budget legislation introduced in January.

As the demonstration waned, a group of 15 to 20 people entered the building to try to deliver a message to Gov. Cuomo. His office sent down a mailroom worker to bring up one of their flyers. Protesters asked to speak to a staff member.

About 15 minutes later, the governor’s office sent down another mailroom worker. Protesters said that was “disrespectful” and demanded to see an “actual representative.”

About 15 minutes after that, police told them they’d be arrested if they didn’t leave, and herded the protesters out.
Crowley Has The Most Union Endorsements Going Into Queens BP Special Election

Naeisha Rose - Labor Press - March 1, 2020

Queens, NY – With 16 union endorsements, former Councilwoman Elizabeth Crowley (D-Middle Village) is leading the field as a candidate in the upcoming Queens Borough President special election.

Crowley’s most recent endorsements come from the Uniformed Firefighters Association, the Uniformed Fire Officers Association and the Police Benevolent Association of New York City, which is the largest municipal police union in the world and represents nearly 50,000 retired and active police officers.

“For many politicians supporting cops is a photo op,” tweeted the NYC PBA. “@ElizabethCrowleyNYC has actually worked to earn our support. That’s why we’re proud to endorse Elizabeth for Queens Borough President.” Crowley accepted the PBA’s endorsement tweeting, “The brave men and women of the @NYCPBA are on the frontlines of protecting New Yorkers day in and day out. As borough president, I will do everything I can to stand with those who keep us safe.”

Crowley has support from NYC Local Insulators Local 12, IUEC Local 1, CWA 1180 and IUOE Locals 891, 14, 15 and 30. As well as the Uniformed EMTs, Paramedics & Inspectors 2507, UA Plumbers Local No. 1, SMART Sheet Metal Workers Union Local 28 and IBEW Local 3, which represents nearly 30,000 electrical workers.

SMART Sheet Metal Workers Union Local 28, IBEW Local 3 and the Uniformed EMTs, Paramedics & Inspectors 2507 have also thrown their support behind Crowley.

“Local 2507 knows that Elizabeth Crowley is a public official who fundamentally understands and delivers for working families,” said Local 2507 President Oren Barzilay. “She has always supported EMTs, Paramedics and fire inspectors, who put their lives on the line to protect and care for the public. There is no place in the world like Queens and the borough deserves the best representation at the top. Elizabeth Crowley is that leader.”

Her support for expanding a rail line and experience as a union member has also garnered her endorsements from TWU Local 100 and DC 9 – NYIUPAT.

“We need rapid transit,” said Crowley at a rally in Astoria earlier this week. “If you look at Brooklyn, they have twice as many train stops. Our trains are breaking down, they are often unreliable and a report from the comptroller’s office shows that we lose tax dollars when we don’t get people to work on time. By investing in transit, there will be a ripple effect on our economy. We have rail roads that are not being used.”

Her proposal is extend and reactivate a retired commuter line that would increase transportation in Long Island City and Jamaica to transportation deserts in Maspeth and Glendale. “We could have 20,000 jobs instead of 5,000,” said Crowley. “That is four times as many.” Crowley believes that her experience in studying architecture and urban planning, and her background in the painter’s union puts her in a unique position to oversee the ULURPS that a borough president gets to offer recommendations for.

“We need you guys not just working in Manhattan, we need you here because every corner there is a development project happening right here in Queens,” said Crowley. “I’m not like a regular politician that went to study law or political science…we need a Robert Moses type…a master planner in the office.”
CDC opens up coronavirus testing
Brianna Ehley - Politico - March 3, 2020

The CDC is broadly expanding who can be tested for the coronavirus, Vice President Mike Pence announced Tuesday, as the Trump administration scrambles to detect cases that may have been missed because of delays in testing.

Under the new guidance, “any American can get tested” if a doctor suspects the virus, Pence told reporters at the White House. He added that people no longer need to show specific symptoms as the CDC had previously required. The change could dramatically increase demand for testing at a time when public health experts are concerned that the country's testing capacity is still weeks behind.

Pence said the new testing guidelines came after several governors informed him “there was an impression that tests would not be administered to people who were only mildly symptomatic.” It also comes after a California patient last week was confirmed positive for the virus days after being denied a test under CDC criteria.

The agency previously advised doctors to only test patients if they had known exposure to someone with the virus, travel history to an affected region or had symptoms of a serious respiratory illness. The Trump administration in recent days has faced criticism for delays in testing because of earlier problems with its diagnostic tests. Pence said the U.S. plans to send 2,500 new test kits out by the end of the week, which he claimed can test 1.5 million samples. Public health labs say patients typically require at least two samples.

Pence also said private companies are expected to dramatically boost the amount of test kits on the market, though experts question whether there are enough laboratories to test a large surge of samples. As of Tuesday, officials have confirmed 77 cases in the U.S. across 13 states and nine deaths, all reported in Washington state. Seven of those deaths involved patients from a nursing home near Seattle. Pence said he spoke with Washington Gov. Jay Inslee earlier Tuesday. A CDC team is on the ground in Washington, and the Centers for Medicare and Medicaid Services has deployed investigators to the nursing home.

President Donald Trump and Pence visited the National Institutes of Health on Tuesday to discuss treatments and the development of a vaccine, which agency Director Anthony Fauci said won’t likely be ready until next year. Officials reiterated that the immediate risk to the American public remains low, though cautioned that could quickly change.

“The big unknown that I think we’re going to be able to address as we get much more widespread ability to test is the degree of infection that might be out there,” Fauci said.

Concerns of broader community spread come just as a $7.5 billion emergency funding package for coronavirus response efforts stalled on Capitol Hill Tuesday over disagreements about vaccine availability and hospital reimbursement costs. State and local health departments, already strapped for cash, say they need funding to prepare especially in the event that the virus becomes widespread in their communities.

Joining Pence at the briefing — which was not televised — were members of the coronavirus task force including Deborah Birx, who is leading the response; CMS Administrator Seema Verma; CDC Director Robert Redfield; and FDA Commissioner Stephen Hahn.

Pence said he plans to meet Wednesday with airline industry executives to discuss “contact tracing data” and greater cooperation among the airports tasked with screening people coming back into the United States.