

*THE STATE OF WORKERS' RIGHTS IN NEW YORK CITY,  
ADVANCES AND SETBACKS IN TURBULENT TIMES.*

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*PROCEEDINGS  
July 17, 2018*

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THE STATE OF WORKERS' RIGHTS IN NEW YORK CITY,  
ADVANCES AND SETBACKS IN TURBULENT TIMES.  
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30-10 Thompson Avenue  
Long Island City, New York

July 17, 2018  
7:02 p.m.

PROCEEDINGS taken at LaGuardia  
Community College before Robert X. Shaw, CSR.

B E F O R E:

Lorelei Salas, DCA Commissioner  
Carmelyn Malalis, CCHR Commissioner  
Bitta Mostofi, MOIA Commissioner

-and-

Leah Obias  
Jill Maxwell

ELLEN GRAUER COURT REPORTING CO. LLC  
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11    Ernesto Salazar.

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## 1 PROCEEDINGS

2 COMMISSIONER SALAS: Good evening  
3 everyone.

4 I am Lorelei Salas, Commissioner of  
5 the Department of Consumer Affairs. I  
6 would like to thank the New York City  
7 Commission on Human Rights Commissioner  
8 Carmelyn Malalis and the Mayor's Office  
9 of Immigrant Affairs Commissioner Bitta  
10 Mostofi for joining me and our office of  
11 Labor Policy and Standards tonight to  
12 host this public hearing.

13 DCA's mission is to protect and  
14 enhance the daily economic lives of New  
15 Yorkers to create thriving communities.

16 And we play a key role in  
17 furthering Mayor De Blasio's  
18 administration goal to tackle inequality  
19 by ensuring that hard working New  
20 Yorkers can make a decent living free of  
21 exploitation and abuse.

22 With federal government priorities  
23 shifting away from enforcement of  
24 long-standing workplace standards, our  
25 office of labor policy and standards

## 1 PROCEEDINGS

2 (OLPS) is filling the gap by providing a  
3 voice for all workers in New York City.  
4 OLPS educates workers, employers, and  
5 the public about workplace laws so that  
6 all New Yorkers -- regardless of  
7 immigration status -- have access to  
8 these important rights including minimum  
9 wage, overtime, and paid sick leave.

10 We are committed to helping build a  
11 new generation of workplace protections  
12 in NYC, which is why we are hosting our  
13 second public hearing tonight on the  
14 state of workers rights in New York.

15 Tonight's public hearing will  
16 consist of four panels of workers who  
17 will testify on the issues they face in  
18 today's workplace and how they are  
19 defending and advancing their workplace  
20 rights, followed by open testimony from  
21 workers, advocacy groups, labor unions,  
22 nonprofits, and community-based  
23 organizations.

24 Tonight, it is our goal to gather  
25 the information needed to build upon

## 1 PROCEEDINGS

2 last year's report and to provide the  
3 City with clear next steps to improve  
4 workplace laws and standards in New York  
5 City - particularly for low-wage,  
6 immigrant and vulnerable workers. I  
7 would now like to introduce our  
8 Commissioners.

9 LEAH OBIAS: Thank you.

10 COMMISSIONER SALAS: Carmen.

11 COMMISSIONER MALALIS: Good  
12 evening.

13 My name is Carmelyn Malalis.

14 And I am the Chair of the  
15 Commission -- New York City Commission  
16 of Human Rights.

17 Thank you for being here tonight.

18 We are very pleased that the  
19 Department of Consumer Affairs convened  
20 tonight to have the workers rights  
21 hearing.

22 For those of you who do not know,  
23 the Commission on Human Rights is the  
24 City agency that is responsible for  
25 enforcing New York City's very broad and

## PROCEEDINGS

1  
2 very protective anti-discrimination and  
3 anti-harassment protections.

4 If you live or if you work in New  
5 York City, you are protected under our  
6 law, in virtually all areas of City  
7 living, in work, in housing, when trying  
8 to access public accommodations on the  
9 streets.

10 If you see or you experience any  
11 sort of the discrimination or harassment  
12 we want you to please report it and call  
13 our office at 311 and ask for Human  
14 Rights or call us directly at  
15 718.722.3131.

16 In the last two years complaints of  
17 discrimination and harassment dealing  
18 specifically with race, national origin,  
19 religious discrimination, discrimination  
20 based on immigration status, many of the  
21 issues that workers throughout New York  
22 City face those -- they have increased  
23 by over 30 percent, just in the last two  
24 years.

25 At the same time, employment-based

## PROCEEDINGS

1  
2 type complaints remain amongst our  
3 highest.

4 And in fact, last year we saw that  
5 employment or workplace related claims  
6 of discrimination practices comprise  
7 over 50 percent of all of the cases that  
8 we had at the Commission on Human  
9 Rights.

10 It is really important for people  
11 to know and understand that there is a  
12 local government agency that is there  
13 looking out to protect people and to  
14 protect workers, all New Yorkers,  
15 regardless of their immigration status,  
16 here in New York City; regardless of  
17 what you might hear about changes of the  
18 law on the federal level, or federal  
19 protections, you remain protected under  
20 the laws of New York City.

21 And in fact, with New York City  
22 having such huge focus on protecting  
23 both, its workers rights communities as  
24 well as its immigrant communities, we  
25 have made these types of protections and

## PROCEEDINGS

1  
2 these types of cases a priority.

3 And we certainly want to make an  
4 examples of employers who would  
5 discriminate or harass or would  
6 otherwise treat differently workers  
7 because of any of the categories -- and  
8 protection under the law.

9 So, I am grateful for hearing such  
10 as this, it helps you in government to  
11 better understand what are the areas  
12 that we need to know about to better  
13 serve you.

14 What are the areas where we think  
15 we are communicating to you about your  
16 rights and about your ability to access  
17 government and where can we be doing  
18 better.

19 As for folks who are testifying I  
20 want to say thank you.

21 It is only because you are making  
22 yourselves available today to us to  
23 provide this information to government,  
24 that we are able to make our services  
25 better, and better able to serve people

## 1 PROCEEDINGS

2 as we are supposed to be.

3 Because I say this all of the time,  
4 if someone works in government they  
5 serve you, you are the boss.

6 And that is really how it should  
7 be.

8 I know especially tonight, both  
9 with the weather and the time of the  
10 evening, you can be many places.

11 You have families, you have  
12 friends, you have jobs, and other  
13 responsibilities, and the fact that you  
14 are taking your time now to speak to us,  
15 together, is truly amazing and I am very  
16 grateful.

17 Thank you so much to everyone that  
18 is about to testify and will be  
19 testifying tonight.

20 COMMISSIONER SALAS: Thank you.  
21 Would you like to speak?

22 COMMISSIONER MOSTOFI: My name is  
23 Bitta Mostofi. I will be very brief, to  
24 keep us going.

25 I just wanted to introduce myself,

## 1 PROCEEDINGS

2 as a Commissioner of MOIA, Immigrant  
3 Affairs.

4 And our office really, our job is  
5 to promote programs and policies that  
6 advance the well-being and health of  
7 immigrant New Yorkers.

8 Immigrant New Yorkers make up 46  
9 percent of our City workforce, they are  
10 key drivers from food service to  
11 healthcare.

12 Um, there are unsafe working  
13 conditions, and there is increased work  
14 force enforcement by the federal  
15 government.

16 And so, you know we are very keenly  
17 interested.

18 And in collaboration with DCA and  
19 the Human Rights Commission, we are here  
20 tonight to listen to all of you to  
21 understand what the impacts are day in  
22 and day out for you in your workplaces,  
23 in the City, and for us to  
24 specifically be responsive to those  
25 needs.

## 1 PROCEEDINGS

2 So, I think in this moment and  
3 time, and in which there is increased  
4 and heightened concerns about federal  
5 enforcement, it takes a tremendous  
6 amount of courage and bravery to speak  
7 up and exercise your rights and make  
8 your voices heard.

9 I want to echo my colleague.

10 Thank you for being here for  
11 participating and making it clear that  
12 certainly as a City, New York City is a  
13 strong City of immigrants, and we  
14 believe that it is truly our duty to  
15 advance rights and protections for  
16 everybody.

17 So we are here to listen to you and  
18 we look forward to working with you  
19 going forward.

20 Thank you.

21 COMMISSIONER SALAS: So, now we are  
22 going to start and Obias is going to be  
23 moderating the Panel.

24 LEAH OBIAS: Good evening everyone.

25 My name is Leah Obias, the director

## 1 PROCEEDINGS

2 of New York State Labor Policy and  
3 Standards, and I will be moderating the  
4 first portion of our program.

5 And just a couple of quick  
6 logistical announcements before we  
7 begin.

8 First, again, when you are  
9 testifying, please remember to speak  
10 slowly and loudly for the interpreters  
11 and for our court reporter, who is  
12 recording all of the testimony.

13 Each testimony should be no longer  
14 than three minutes.

15 So, we have many speakers tonight,  
16 and I will be supporting the process by  
17 keeping time.

18 There is also a count-down clock in  
19 front of you to also remind you when  
20 your time is up.

21 So, our first set of panelists is  
22 already situated on the stage.

23 Thank you. And who we have here is  
24 Elba Rijos from 1199, Sharda Gurung,  
25 from Adhikaar, Edith Mendoza, from

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Elba Rijos

Damayan, and Jacqui Orié from NDWA and  
Silvia Gaston from the Workers' Justice  
Project.

(Applause)

MS. RIJOS: My name is Elba Rijos.

Okay. I am kind the nervous.

I am a home care worker and a  
member of 1199.

I am happy to be here tonight with  
my fellow coworkers standing up for our  
rights and fighting for our community.

I love to be a home care worker,  
being able to help my clients so that  
they can stay home and it is very  
rewarding.

I see myself, I see them like my  
mom and my parents, they are my loved  
ones. They also need help in their  
healthcare.

Doing this work has made me realize  
the true meaning of caring for others  
and going the extra mile for somebody  
else.

With the support of my union 1199,

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Elba Rijos

and also being able to advocate other home workers, home care workers and -- we fight for the laws that New York State has passed.

The law ensures that home care workers -- so that we can deliver continuous quality care for our clients.

It made me so angry to hear that the agencies are breaking this law, while trying to make it look like they are complying.

I heard so many stories about, they said they will pay wage, they saying they are opening --

But my friend that works for them, they soon realize that they have to pay thousands of dollars before they can even um, even, before they can use the healthcare.

Also, they bully them.

If they call out sick, they bully them to come back to work, if they don't, if they don't go in, they bully them not to pay the sick pay.

1                   Sharda Gurung

2                   These agencies are keeping Medicaid  
3 dollars that are meant for workers and  
4 clients and driving down the quality of  
5 which is bad for our clients, this is  
6 our right.

7                   I am calling the government and the  
8 -- laws -- home care workers --

9                   We are so happy that the government  
10 and our union 1199 works so hard to  
11 practice law.

12                  Now, we need your help to stop them  
13 from breaking this law.

14                  Home care workers care for the most  
15 relevant members of our community.

16                  It is the only right that we should  
17 be further compensated and accessible,  
18 that the agencies are breaking and  
19 keeping the money that is meant for  
20 working people.

21                  Thank you for your time.

22                  (Applause).

23                  LEAH OBIAS: Thank you.

24                  MS. GURUNG: My name is Sharda  
25 Gurung. I am a nanny and domestic

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Sharda Gurung

worker at Adhikaar. I have been there 6 years. Workers rights, immigrant rights and healthcare workers --

My friends --

I am reading the testimony because she could not be here due to work arrangements.

I have been to employment agencies in New York City to find a job.

The agency charges one to 200, \$250 for workers like us, telling us they, they will find a good job.

Then they say 20 to 30 of us do the same job without giving us any information about the job.

When we go to the interview we find it doesn't pay well, plus they do not give us transportation money.

When we complain, and ask for our money, they do not give it back.

Instead they give us job info and the interview.

Someone looking for a job, we are already -- so that \$100 will not --

1                   Sharda Gurung

2                   I have a lot of friends who have  
3 not received their money back.

4                   The agency also discriminates  
5 against workers, the older workers.

6                   They send to send younger workers  
7 for interviews, as opposed to --

8                   Going other agencies that take the  
9 fees from the employer, not the worker,  
10 but even with -- if we do not speak  
11 English, they do not expect our  
12 application.

13                   How can we ensure the agency like  
14 this are complying and not exploiting  
15 workers like us.

16                   We as immigrant workers don't want  
17 any -- having to go back to this --  
18 agencies, who take money from the  
19 employer and the worker and do not even  
20 give us a decent job.

21                   Thank you.

22                   (Applause).

23                   LEAH OBIAS: Edith Mendoza.

24                   COMMISSIONER SALAS: Sharda, I know  
25 you are providing this testimony on

1                   Sharda Gurung

2           behalf of your colleagues.

3                   The Department does enforce  
4           employment agency laws in New York City  
5           and we definitely want to hear from you.

6                   Which agency was this, where is it  
7           located? And we have inspectors who go  
8           out and visit these places.

9                   As you may know, it is sometimes --

10                   There are so many of these  
11           employment agencies that are not even  
12           always visible to sight.

13                   So while the inspectors might be  
14           walking the streets they can't always  
15           see them.

16                   We actually depend a lot on people  
17           that tell us where those agencies are  
18           located.

19                   Often times they are on a second  
20           floor and in houses.

21                   So we want to get this information  
22           tonight from you so that we can go and  
23           inspect that and make sure that --

24                   They are supposed to be given the  
25           money back.

1 Edith Mendoza

2 Let us talk about this afterwards.

3 MS. GURUNG: There are lot of  
4 agencies in our community, they all do  
5 that.

6 COMMISSIONER SALAS: So definitely  
7 tonight speak to us. Thank you.

8 MS. GURUNG: Thank you.

9 MS. MENDOZA: Hello. Good evening  
10 every one.

11 My name is Edith Mendoza. I am a  
12 worker organizer and a board member.

13 I am with a German diplomat.

14 I came to the U.S. in 2015,  
15 dreaming of giving my family a better  
16 life.

17 The moment I started to work in the  
18 three-story house it darkened my dreams.

19 I was assigned to work for 35 hours  
20 a week with overtime pay and benefits,  
21 and it was violated.

22 I found myself forced to work for  
23 80 to 100 hours a week.

24 I worked one and-a-half years every  
25 single day with the diplomats.

1                   Edith Mendoza

2                   I had to wake up at 6 a.m. and work  
3 until 1 a.m.

4                   I also did laundry, I did the suing  
5 in the middle of the night.

6                   My job is hard enough being a nanny  
7 for four boys, all are 11 and  
8 one-and-a-half-years old young.

9                   I also did regular house chores and  
10 home cleaning.

11                   I would clean six bedrooms, and a  
12 huge house, even the fireplace.

13                   I would have to do the task before  
14 the kids got home from school. I did  
15 this all by myself.

16                   I did much harder work outside of  
17 the house: Car washing.

18                   They had two cars, out of the  
19 driveway, during the winter.

20                   We took rubber jacket boots or  
21 gloves.

22                   I scrubbed and washed the house --  
23 the fences in the summertime.

24                   I had to carry things of water back  
25 and forth. My body was tired so much I

1                   Edith Mendoza

2           did not have proper heating and,  
3           including in my room. My health  
4           deteriorated and still feel the impact  
5           of that today.

6                   I was often dizzy, my eyes got  
7           blurry, I thought that I would collapse.

8                   I suffered from continuous bleeding  
9           for three months. I begged the  
10          employers to allow me to take a day off  
11          to see a doctor, but I was refused many  
12          times, and threatened to be fired.

13                  I was a hard worker and I realized  
14          that they did not care, they did not  
15          care at all.

16                  I wanted to run away, but was  
17          terrified to lose my work status.

18                  I would become unable to support my  
19          family, but I found a way out.

20                  In June of 2016, I finally escaped,  
21          I got a visa just -- 2018. I am happy  
22          for that.

23                  By organizing in the way -- I  
24          understood the nanny and self respect --  
25          serving the people, I understood the job

1 Edith Mendoza

2 compelled me to leave my own children.

3 I learned why domestic workers like  
4 me became taken advantage by the  
5 abusers.

6 This gave me the purpose, to stand  
7 and fight back against traffickers and  
8 --

9 And family separation.

10 I asked the City and the public to  
11 pay close attention to this.

12 The issue of workers and survival  
13 -- I hope that we can have unity, and  
14 the City does more to respect this  
15 industry, the City puts resources  
16 towards to protect the industry, to  
17 protect the interests, and organizations  
18 and -- for all emigrant workers.

19 Hope for the domestic workers and  
20 end slavery.

21 Thank you.

22 (Applause).

23 COMMISSIONER SALAS: I have a quick  
24 question. Edith, thank you so much for  
25 sharing your story.

1 Edith Mendoza

2 You mentioned that you were working  
3 80 to 100 hours a week. Right? Can you  
4 share with us how much you were getting  
5 paid, per hour, per week.

6 MS. MENDOZA: Yes. I had been  
7 working 80 or 100 hours a week, because  
8 of so much work.

9 I have also to care for taking care  
10 of the four kids, with the baby -- one  
11 and a-half-years-old and do all of the  
12 house chores.

13 And I also cooked, iron, laundry,  
14 and suing all of the torn clothing  
15 during the nighttime.

16 And also, sometimes you are during  
17 the summertime I do the clean the  
18 fences -- and do all sorts of, 6  
19 bedrooms and 6 bathrooms.

20 So, it took me a long, long time  
21 and not even have rest.

22 COMMISSIONER SALAS: Did you get  
23 paid any wages for your work?

24 MS. MENDOZA: I did not even get  
25 paid any overtime or -- I only received

1                   Jacqui Orié

2                   um, 350 for a week.

3                   COMMISSIONER SALAS: Thank you.

4                   MS. MENDOZA: Thank you.

5                   MS. ORIE: Good evening.

6                   My name is Jacqui Orié. I am a  
7                   nanny in New York City, for over 18  
8                   years.

9                   In 2017 I met another domestic  
10                  worker who was doing outreach with NDWA.  
11                  That began my deep involvement with the  
12                  National Domestic Workers Alliance.

13                  In a program called ground breaker,  
14                  with the National Domestic Workers  
15                  Alliance and this testimony is a joint  
16                  statement at ground breakers.

17                  Our responsibility is to educate  
18                  and empower and inform domestic workers  
19                  of their value in the industry and in  
20                  this society.

21                  We want protections like basic  
22                  leave and bigger issues like sexual  
23                  harassment, on no retaliation, and even  
24                  how to screen from potential victims.

25                  When we are outside we speak with

1                   Jacqui Orié

2           hundreds of nannies and have in-depth  
3           conversations about their work  
4           conditions.

5                   We want to find the domestic  
6           workers whose rights have been violated  
7           and we want to bring them to our  
8           domestic worker legal clinic so that  
9           they can fight for wages that they have  
10          already worked for.

11                   Because of our continued outreach,  
12          the domestic workers are learning more  
13          about the enforcement process.

14                   And we have seen changes in the  
15          number of workers who are interested in  
16          learning about enforcing their rights.

17                   Many workers come to our legal  
18          clinic, but they question and --

19                   And more workers are getting money  
20          back, because of our sustained efforts.

21                   It is a big difference. And it is  
22          not easy for workers to come forward.

23                   We spend a lot of time talking and  
24          encouraging and informing. However the  
25          structure of the domestic work is very

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Jacqui Orié

difficult to overcome, without this big effort to change this work sector.

For nannies this -- most employers have a 50 hour work week having a worker. Many workers believe that a regular work week is a 50 hour week.

They do not realize that they have to be paid at time-and-a-half after 40 hours.

Workers accept this agreement in order to survive in New York City.

Although we have one right for workers in the workers bill of rights, at NDWA, in our attempts to educate workers, in this political climate workers are still very careful of sharing their contact information.

The retaliation is real.

There is a lot of surveillance of workers, the expectations are very high for very low pay.

If an employer does not get what they want, they threaten workers.

If a worker speaks about overtime,

1                   Jacqui Orie

2           the employer often fires them.

3                   And if a worker actually does stand  
4           up for themselves, they are punished by  
5           being blacklisted from getting future  
6           work.

7                   The domestic workers cannot afford  
8           to be fired because they too are  
9           parents, they have families to support.  
10          They are immigrants who cannot afford to  
11          be exposed.

12                   The cost of living in New York City  
13          is so high that any crisis can put a  
14          worker and her family at risk of losing  
15          everything.

16                   When you have a work force that has  
17          no benefits for workers, no health  
18          insurance, no retirement plan, how can a  
19          worker come forward, there is no safety  
20          net.

21                   And how can the City help?

22                   The system helps us by building a  
23          better system of enforcement worker  
24          rights.

25                   I know I am going over my time.

1                   Jacqui Orié

2           Can I have a second?

3                   LEAH OBIAS:   Sorry.   The time is  
4           up.   Sorry.

5                   MS. ORIE:   Thank you.   (Applause).

6                   COMMISSIONER SALAS:   My question is  
7           just to tell me a little more about what  
8           the City can do?

9                   MS. ORIE:   Thank you.   Okay.   So  
10          the City can help hire care workers to  
11          work as ground breakers so we can reach  
12          more workers.

13                   They can also help fund the NDWA  
14          and other local organizations to conduct  
15          training for workers like myself.

16                   We want to have visible public  
17          campaigns to inform employers of their  
18          responsibilities as domestic worker  
19          employers, and the value the domestic  
20          workers that work in their homes.

21                   We want see employers riding the  
22          trains home being reminded to respect  
23          and value the domestic worker in their  
24          home.

25                   The continued involvement in the

1                   Silvia Gaston

2           domestic work organizations on enforcing  
3           the worker rights -- to trust that the  
4           City is truly concerned about them.

5                   Quarterly meetings can be held in  
6           the New York City public libraries.

7                   Domestic workers consider the  
8           library a safe place. We would even  
9           hold worker rights training in the  
10          library if we are allowed to, when  
11          nannies bring the babies to story time.

12                   That is it. Thank you.

13                   COMMISSIONER SALAS: Thank you.

14                   (Applause)

15                   MS. GASTON: Tu Experiencia de  
16          Busqueda de Trabajo En EE.UU. A los  
17          Estado Unidos a los 8 anos. A los 13  
18          anos empece a trabajad empacado en un  
19          supermercado y, desde entonces, que  
20          estuve trabajando en distintas  
21          factorieas.

22                   (Speaking in Spanish Via the  
23          Interpreter).

24                   -- that were available to me and  
25          they were available to help my family.

1                   Silvia Gaston

2                   And that is when they taught me how  
3                   to value myself and to value everything  
4                   that I wanted with my goals.

5                   And I also learned how to become,  
6                   educate myself in regards to, you know,  
7                   OSHA, CPR, English, and many projects  
8                   that we have available there,  
9                   educational, projects.

10                  And I represent also the women,  
11                  single parents that can come for obvious  
12                  reasons they can't be here.

13                  To represent, I represented them.  
14                  I represent the problems that they have,  
15                  immigration, domestic violence. Because  
16                  there are many problems, domestic  
17                  violence with women and men.

18                  And the project of liberal justice  
19                  has a lot of problems, programs coming  
20                  up. There are more coming.

21                  There are more people coming in  
22                  order to get --

23                  Then we have a plan to bring people  
24                  to talk about, help them with bank  
25                  accounts, and many of them lack

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paperwork so they do not know how to open the bank accounts.

And there are more people too that are right there, many, it is not just women, but, it is not just women that are being abused but there are also men that arrive.

Thank you very much.

Thank you. Good night to everybody. Thank you.

COMMISSIONER SALAS: Thank you so much to the panelists.

LEAH OBIAS: Thank you.

(Applause).

LEAH OBIAS: We would like to welcome our second panel: Silvia Reyes, from Carroll Gardens Association, and [REDACTED] from El Centro del Inmigrante. Francisco Mejia from Laundry Workers United, and finally Jose Payares of NICE, Community and Power.

Thank you.

COMMISSIONER SALAS: As did the first panel, would you introduce

1                   Silvia Reyes

2                   yourselves before your testimony.

3                   And just a reminder, please keep  
4                   your testimony to three minutes and the  
5                   clock is there.

6                   MS. REYES: (Speaking in Spanish  
7                   Via the Interpreter).

8                   We try to reach people for their  
9                   rights, who want to improve so we  
10                  organize, create a connection with them,  
11                  to let them know that we are there for  
12                  them.

13                  And this way we can educate them  
14                  about what educational programs we are  
15                  offering. CFR, any kind of need that  
16                  they may have.

17                  And I know sometimes it is very  
18                  complicated, it is, with some of the --

19                  But it is very for -- put yourself  
20                  in their place and know how to create  
21                  that empathy.

22                  So that is what we are trying to do  
23                  at this moment and in the community.

24                  I think that the best way for the  
25                  City to help us is to educate the

1                   Silvia Reyes

2           employers.

3                   At this moment we have an education  
4           for the domestic workers, but not for  
5           the employers.

6                   And many times they forget that the  
7           person that takes care of your kids or  
8           cleans are house, they are a domestic  
9           worker.

10                   And at that moment they just look  
11           at somebody like another piece of  
12           furniture that doesn't exist, they don't  
13           see, so I do think it is necessary to  
14           begin educating the employers, that they  
15           also have responsibilities.

16                   That they are in your house and  
17           taking care of family and cleaning your  
18           houses, you have the responsibility to  
19           make sure that they have free time, they  
20           have vacation, that they are comfortable  
21           and they treat them like a human being.

22                   And that is it.

23                   Thank you so much for your time.

24                   (Applause).

25                   LEAH OBIAS: Thank you.

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[REDACTED]: Good evening.

My name is [REDACTED].

I represent El Centro del  
Inmigrante.

I came here when I was 20 years and  
old and always working, working open to  
closing -- sometimes 12 hours, 13 hours  
and 14 hours a day.

I have no family here.

So, I live in America as an  
immigrant, and it is very tough,  
especially when you are alone.

El Centro helps me get many jobs  
and they are to make sure it is paying  
for the work that is done.

Even though El Centro helps us, we  
have many issues we face, issues that  
can only be solved with the worker  
knowing their rights.

For example, some bosses say yes to  
all the rules and regulations, but  
actually we start at work, his whole  
attitude changes.

He begins to violate some rules

1                   Francisco Mejia

2                   such as the lunch break.

3                   They want us to stay longer than we  
4                   have to.

5                   They try to elevate this to it is  
6                   cheaper than what we agreed to.

7                   Now with this Trump administration,  
8                   some employers start, say we are low  
9                   class. They feel even more superior to  
10                  us, and I hope this can change soon, and  
11                  I hope that the City can enforce better  
12                  laws to help the immigrant workers.

13                  Thank you very much.

14                  (Applause).

15                  LEAH OBIAS: Thank you.

16                  MR. MEJIA: (Speaking in Spanish  
17                  Via the Interpreter).

18                  You work for the store for the  
19                  distribution, to -- to Manhattan has a  
20                  union and it represents other workers,  
21                  and the drivers.

22                  It is a union company, and we have  
23                  different standards the employer must  
24                  comply with.

25                  And us workers, we depend on the

1                   Francisco Mejia

2           sick days, we depend on the benefits,  
3           the health benefits.

4                   Like the people that I work with  
5           and myself are worried because the  
6           company, another distribution company  
7           like ours they are reducing the  
8           responsibilities that they have as  
9           employers, and they are hiring  
10          independent companies.

11                   The products, the Amazon products  
12          are many times, they are delivered by a  
13          person that doesn't, that don't appear  
14          to have the same quality.

15                   So this has started an organization  
16          called the Amazon Delivery Service,  
17          where the drivers deliver the  
18          merchandise, they are not even employees  
19          of Amazon. They are, they have, the  
20          responsibility of an employer, in  
21          individuals.

22                   Many of these individuals are small  
23          businesses, that work, work, they don't  
24          work in the appropriate places or in the  
25          appropriate way for this type of work.



1                   Jose Payares

2                   In this construction work sometimes  
3 we are obligated to do labor that is  
4 dangerous.

5                   And even though we have training  
6 and know -- what they are supposed to,  
7 sometimes it is by need that we are  
8 obligated to do this.

9                   But there are also -- also exists  
10 people who we have worked with who have  
11 had the opportunity to get training,  
12 have received the right training, and  
13 many times um, these employers take  
14 advantage of people who had a little bit  
15 more training to, many times the  
16 construction companies give us work to  
17 subcontractors.

18                   And they subcontract a lot of the  
19 work and take -- at the end you don't  
20 really know who does the job, and all  
21 this, comes in the reduction of --

22                   So you are also reducing costs to  
23 the maximum and then, the worst part of  
24 it is that the employers don't,  
25 employees don't have security in place

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Jose Payares

and most of these contractors don't offer the proper safety requirements.

And many times they don't comply with the security measures to protect their employees.

And they don't really talk about the security measures on a personal basis.

We are also talking about tools that are not in good condition and they are old or dangerous.

They are in bad condition because they really don't think of improving their equipment.

We know that there is a lot to be done.

In the rights to the employees, we also need to show the workers their rights.

And I wanted to thank you, the Department of Consumer Affairs and any other organizations that are here today who have permitted us this step to talk to you about security and our issues.

1  
2           Please help us. We ask you that  
3 you please help us with this situation.

4           Thank you very much.

5           (Applause).

6           LEAH OBIAS: Thank you.

7           COMMISSIONER SALAS: Thank you.

8           I just want to say Jose, you seem  
9 nervous about speaking, but you did a  
10 wonderful job.

11          MR. PAYARES: Thank you.

12          COMMISSIONER SALAS: The question  
13 -- to go back to [REDACTED].

14          Can you tell me a little more  
15 about, you spoke about working 12 or 13  
16 hours, the long hour shifts.

17          In your experience, what are the  
18 kinds of violations that you feel you  
19 are experiencing from your employer.

20          [REDACTED]: Repeat the question  
21 again.

22          COMMISSIONER SALAS: What kinds of  
23 violations would you say of the law did  
24 you experience when you worked?

25          [REDACTED]: When I worked?

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I got experience when I started working like I mean, you know, like I mean, people are using me when I started.

So, you know, I was here like I mean, when I was 19 or 20 years old when I came here.

I did not know that much about this country with the rule, where to go, or who to speak to, to listen to me.

I did not know anything about this.

And people are misguide me usually.

And you know, eventually -- reported some thing to the police or some other people to, and, I did not find out any organization at that time to join them to tell them about myself.

Even I couldn't call the cops.

I mean, if I had an accident at the job, I couldn't even call the cops to, you know, to tell them about me because I am scared, I am an immigrant.

People said don't call the cops.

They will put you in a jail or

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something like that. That is why, I mean, other like, I mean 6 years ago, I was hurt on the job, in the construction job.

And I did not even call the cops.

And the employer, he took me to the hospital and treatment, all of the treatment. I said okay, all right.

I did not go nowhere.

And when people using me, as they use me -- don't abuse me. And enough is enough.

Like I mean, you know -- they are, then I found out about the El Centro, and they find the work and they, and a lot of other things that are really going on there too.

I meet the different type of people. You know --

They tell them to come to the meetings, come to the events, and you should know about what is going on, on the outside.

So that is why I am joining to the

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El Centro, and I am new, this is my first speech for this time.

And that is, I got expedience with the people to organize.

COMMISSIONER SALAS: Thank you.

Thank you, everyone, for your testimony.

COMMISSIONER MALALIS: I have a question for you.

Do your members have stories or situations, on sites, there is different treatment for folks who are undocumented versus folks who are thought to not be undocumented, or situations in which there is different treatment for different people depending on where they are from, like what their national origin is?

MR. PAYARES: I think it is something that happens continuously.

Discrimination is almost everywhere and the work site, and I have seen that they pick different people depending on where they come from, but not being

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documented or being legal, they don't care about that. No. Not all of the time.

But, I have seen discrimination for race or nationality.

COMMISSIONER MALALIS: Just as a reminder. If there are situations where we know that in the construction industry there is, unfortunately, discrimination that takes place in different areas.

The Commission of Human Rights is very interested in addressing those issues in its various forms.

If your membership has any issues because of different race or different national origin, please report it to the Commission on Human Rights.

We would love to take some of those cases.

And if there is anyone here who has situations like that, our Deputy Commissioner for Law Enforcement is actually here tonight.

1  
2           Please feel free to go see her as  
3 well. We would like to hear about those  
4 situations.

5           Thank you so much for your  
6 testimony.

7           MR. PAYARES: Thank you.

8           ██████████: I want to thank the  
9 Commissioner. Thank you very much.

10          COMMISSIONER SALAS: Thank you.

11          (Applause).

12          LEAH OBIAS: I would like to invite  
13 up our next panel.

14          Stephen Yearwood from 32BJ.

15          Elias Rojas, Brandworkers.

16          Shani Rahman, Fast Food Justice.

17          And Manuela Blanco.

18          (Applause).

19          COMMISSIONER SALAS: Welcome.

20          MR. YEARWOOD: Okay. Good evening,  
21 Commissioners.

22          Thank you for the opportunity to  
23 testify here tonight.

24          My name is Stephen Yearwood, and I  
25 am a resident of Brooklyn and a member

1                   Stephen Yearwood  
2                   of our union Local 32BJ SCIU.

3                   32BJ represents over 165,000 men  
4                   and women working in services including  
5                   in the 5,000 here in New York City.

6                   Our members include janitors,  
7                   security officers, window cleaners, and  
8                   -- (inaudible) -- workers like myself.

9                   Our membership is extremely diverse  
10                  but we are united in our fight to raise  
11                  standards in our industry and improve  
12                  the lives of our families and  
13                  communities.

14                  As a -- (Inaudible) -- the  
15                  development spread across the five  
16                  boroughs, our union has been organizing  
17                  workers in newly developed buildings to  
18                  -- good paying jobs.

19                  The City's prevailing wage law is  
20                  important to the work we do.

21                  The law requires the projects in  
22                  receipt of certain subsidies and  
23                  buildings where the -- (Inaudible) --  
24                  prevailing wages for the workers.

25                  The law creates a level play field



1                   Elias Rojas

2           regularly updated.

3                   The availability of this  
4           information will go a long way to  
5           ensuring that the law is effectively  
6           implemented and benefits the hard  
7           working men and women who clean and  
8           maintain our City buildings, and keep  
9           safe and secure the tenants inside.

10                   Thank you.

11                   (Applause).

12                   MR. ROJAS:  Elias Rojas.

13                   (Interpreter inaudible).

14                   Mi nombre es Elias Rojas, trabajo  
15           doce en Tom Cat Bakery. Yo fui uno de  
16           los empleados que recibio la carta de 19  
17           en Tom Cat Bakery cuando paso una  
18           auditoria alli.

19                   En muchos lugares me preguntaban si  
20           tenia permiso para trabajar en el pais.  
21           No me sirvio los anos de xperience que  
22           tuve en Tom Cat.

23                   En El caso de nosotros solo nos  
24           dieron diez dias, pero la compania habia  
25           recibido esa auditoria meses atras, y

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Elias Rojas

nos avisaron. Yo esperaba un indemnizacion de parte de las compania, pero nada, hasta que hicimos una protesta enfrente la compania con muchos aliados.

Y logramos una reunion con el presidente de la compania.

Ye se quedaron mas reuniones pendientes.

Y nos deajo plantados dos veces. Con el apoyo de brandworkers empezamos una compania encontra de tc. Y tenemos dos demandas uno es que td regrese a negociar con nosotros.

Y el otro es que tc se comparomete a no dejar a inmigracion entrar en la fabricia sin permiso y que notifiquen a los empleados en tiempo si hay alguna auditoria.

Y seria bueno que todos las companias tambien aplicaran esas reglas para estar preparados a apoyar sus empeados.

La compana es un ejemplo para

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Elias Rojas

ostros trabajadores inmigrantes -- si tienen un caso similar como el de nosotros, que se unen y lucen por sus derechos, ya muchas empresas que se aprovechan del estatus de sus empleados, y que busquen ayuda, con organizaciones como brandworkers para resistir los ataque en contra de la comunidad imigrante.

Y seguimos adelante con nuestra compana hasta ganar el objetivo.

COMMISSIONER SALAS: I have a quick question.

The question is, how many years, how long have you worked for the company, was it a full-time position?

MR. ROJAS: (Speaking in Spanish).

COMMISSIONER SALAS: Was it a full-time job for you?

MR. ROJAS: Yes.

(Interpreter inaudible).

COMMISSIONER SALAS: Okay.

Ms. RAHMAN: My name is Shani Rahman.

1                   Shani Rahman

2                   I am a member of Fast Food Justice.

3                   I want to start by thanking the  
4 Commissioners for allowing our testimony  
5 today.

6                   Fast Food Justice is a nonprofit  
7 organization with over 2,000 members and  
8 still growing. We advocate for the  
9 interest of 60,000 fast food workers in  
10 New York City. Fast food workers like  
11 myself have organized to improve our  
12 lives.

13                  By the end of the year we will be  
14 making \$15 per hour, twice what we were  
15 making five years ago.

16                  More recently we fought and won the  
17 fair works --

18                  We are supposed to get two weeks  
19 advance notices of our schedules, extra  
20 pay for last minute changes and time  
21 between shifts that allows us enough  
22 rest, and access to more hours before  
23 new workers can be brought in.

24                  New York City has also, New York  
25 City also has a paid sick and safe leave

1                   Shani Rahman

2           law that covers us.

3                   Over the past year we have been  
4           working with the Department of Consumer  
5           Affairs to ensure that the industry  
6           complies with the new fair work week law  
7           and pays sick pay to those entitled to  
8           get it.

9                   Before I joined Fast Food Justice I  
10          did not know about those laws and what  
11          my rights were.

12                  After I joined I learned that we  
13          were supposed to be getting our  
14          schedules two weeks in advance, and that  
15          many employers were not paying the  
16          premiums that they owed us for last  
17          minute schedule changes or doing --

18                   (Inaudible)

19                  When I joined Fast Food Justice my  
20          organizer took me to DCA, and DCA opened  
21          an investigation into the violations of  
22          these laws that workers were claiming.

23                  DCA has been very responsive and  
24          has conducted through investigations.

25                  Thanks to DCA I feel confident that

1                   Shani Rahman

2           I will get the premiums I am owed just  
3           like many other fast food workers had,  
4           as a result of DCA investigation.

5                   I am grateful to DCA for taking our  
6           complaints seriously, FFJ, Fast Food  
7           Justice members from across New York  
8           City have filed complaints with DCA  
9           involving hundreds of workers.

10                   There are 60,000 fast food workers  
11           in New York City, and thanks to DCA we  
12           are beginning to see changes in the  
13           industry.

14                   But as more complaints are filed,  
15           DCA will need more resources to  
16           appropriately staff these  
17           investigations.

18                   A big part of the problem is that  
19           many workers don't know their rights,  
20           just like I did not until a few months  
21           ago.

22                   Fast food workers would benefit  
23           from a mass education campaign informing  
24           workers and employers about the new fair  
25           work week laws and paid sick time.

1                   Manuela Blanco

2                   Thank you again for hosting the  
3 Panel to hear our concerns, and we are  
4 looking forward to continuing to work  
5 with you all on these important issues.

6                   (Applause).

7                   COMMISSIONER SALAS: Thank you.

8                   MS. BLANCO: Good evening,  
9 everyone.

10                  My name is Manuela Blanco.

11                  I am 29 years old, I am originally  
12 born in Mexico, but I have been in  
13 America, New York since I was seven  
14 months old.

15                  I am a mother of three wonderful  
16 children, one who is turning 8 today,  
17 and I have been a cashier for ten years.

18                  My last job was at a meat  
19 supermarket in Mount Vernon.

20                  I have had a full-time 44 hour  
21 shift and only was getting paid 39  
22 hours. My schedule would change without  
23 notice, which was not fair as well.

24                  And any time I had a doctor's  
25 appointment or medical reason to be out

1                   Manuela Blanco

2                   --

3                   (Inaudible)

4                   My employer never provided sick pay  
5                   leave knowing that I had three children  
6                   at the time he hired me.

7                   On November 15, 2017, right before  
8                   I got to work my son's school called me  
9                   asking me for me to pick him up because  
10                  he had fever and was vomiting.

11                  I immediately notified my employer,  
12                  and I asked, he asked, I am sorry, that  
13                  I leave my child with the sitter because  
14                  he needed my shift to recover, because  
15                  the other cashier, until 7:30 had --

16                  (Inaudible)

17                  I refused to go in.

18                  The following morning all three  
19                  children were sick. And imagine that.

20                  Of course I wouldn't go in.

21                  I headed to pediatric that day and  
22                  received a kind message, text message  
23                  that I was being fired.

24                  And that was very unfair.

25                  So I immediately spoke with Lorie

1                   Manuela Blanco

2           Davidson, and she told me she would try  
3           to help me get my job back and DCA  
4           contacted me, spoke with me and the  
5           employer about my case, and here I am  
6           today.

7                   DCA took measures contacted me --  
8           the supermarket and now the employers  
9           there know and the future employers know  
10          that they have sick pay leave.

11                  If I did not have speak'en up,  
12          neither would I have been compensated  
13          for the sick leave and neither would the  
14          situation has changed at the meat  
15          supermarket.

16                  Workers rights are now --

17                  (Inaudible)

18                  I believe that anyone, everyone  
19          should seek help when needed and no one  
20          should feel threatened or fear of firing  
21          because they must care for a sick child.

22                  I have three children and my kids  
23          come before my job.

24                  My situation was very unfair and  
25          there are times that I feel that the

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Manuela Blanco

employer thought that I wouldn't speak up because I am an immigrant and not protected, and temporarily --

Thank you.

COMMISSIONER SALAS: Thank you.

Can you tell us how did you come to file a complaint with the DCA, how did you know about us?

MS. BLANCO: Through a friend of mine, Lorie Davidson.

And I spoke with her and she gave my information to DCA and DCA contacted me and resolved the problem.

COMMISSIONER SALAS: I wanted to address a couple of the comments from Stephen and Shani. There needs to be more transparency and to have information available so that workers know first of all what the employers are subject to, what --

But also, the need to do more outreach.

We will be starting a new push awareness campaign some time later this

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Manuela Blanco

year, to make sure that the workers know, not just about the basic laws but the new laws that are in place, like -- the scheduling for workers.

We will be definitely doing more and definitely we will be working to ensure that we are targeting the outreach to the communities that still don't know about their rights.

Thank you.

MS. BLANCO: Thank you.

(Applause).

COMMISSIONER MALALIS: The best way for us to reach other workers is through you.

And so, if there are ways that you think we have not been reaching out to folks, if you think to yourself, why doesn't the government do X, Y and Z, so many people would find out about their rights under the law.

Please tell us. We very much want to hear about that.

MS. BLANCO: Thank you.

1                   Clemente Martinez

2                   COMMISSIONER SALAS: Thank you.

3                   LEAH OBIAS: Great. Thank you all  
4 so much again.

5                   COMMISSIONER SALAS: Thank you.

6                   MR. YEARWOOD: Thank you.

7                   COMMISSIONER SALAS: The fourth  
8 Panel.

9                   LEAH OBIAS: Clemente Martinez,  
10 Make the Road.

11                   Glenda Sefla, Nail Salon Workers  
12 Organizing Project, Workers United.

13                   Mathurin Lobe, NYTWA.

14                   Christina Vanderveen Gupta,  
15 Restaurant Opportunities Center.

16                   Camilo Montes, RWDSU Car Wash  
17 Campaign. Welcome to the stage.

18                   So we will start with Clemente.

19                   MR. MARTINEZ: (Speaking in  
20 Spanish).

21                   (Interpreter Inaudible)

22                   -- defines the immigrant rights and  
23 the American dream.

24                   Like many immigrants we come to  
25 this country seeking opportunities.

1                   Clemente Martinez

2                   We have to work hard for little  
3 money. I work in restaurants,  
4 delivering food. We are more than  
5 50,000 employees.

6                   I have worked, I worked many long  
7 hours, with one job, very tiring and  
8 dangerous, making less than minimum wage  
9 without any extra payments.

10                  And I depend on tips to -- a recent  
11 study that shows that the -- get paid  
12 the limited -- any tips they get, many  
13 times they were criminalized.

14                  The electric bicycles instead of  
15 helping us, the City ignores us, making  
16 our lives more difficult, letting the  
17 police always give us tickets and take  
18 our bicycles away from us, simply  
19 because we are using a tool that is  
20 necessary for our work.

21                  During this situation, during the  
22 last few years, we need to increase the  
23 salary for these workers, we need to  
24 increase their tips.

25                  We have testified in audience and

1                   Clemente Martinez

2            protested, asking for any increases in  
3            our salary just like everybody, every  
4            other worker, just so it would be a  
5            salary, a better salary to cover the  
6            needs.

7                    We have done quite a few protests.  
8            The press conference about electric  
9            bicycles and we presented the solutions  
10           to the City so that they would stop  
11           criminalizing us and I am very grateful  
12           to the City during these years in  
13           particular the official, in regards to  
14           labor relations issues, labor relation  
15           issues, where they pay immigrants in the  
16           workplace, employee sick days.

17                   Recently, the City gave their -- to  
18           the delivery people, we decided to, they  
19           decided to continue criminalizing the  
20           electric bicycles.

21                   Our proposal was considered as  
22           needs that were -- were necessary, to  
23           people to help those that have moneys  
24           and those that work against us.

25                   And we continue working so that we

1           Clemente Martinez

2           improve our condition.

3           Let's hope that the City starts to  
4           work with us.

5           Thank you. (Applause).

6           COMMISSIONER SALAS: Thank you.

7           Could I ask you a question? Do you  
8           understand? Okay.

9           (Speaking in Spanish via an  
10          Interpreter).

11          You described a the electric  
12          bicycles as tools.

13          Is it your, is your --

14          Does your employer provide you with  
15          the electric bike or do you have to buy  
16          it yourself?

17          The electric bicycle is the tool.  
18          Did you buy the bicycle?

19          MR. MARTINEZ: (Speaking in Spanish  
20          via an Interpreter).

21          The, they buy the electric bicycles  
22          for us. Because we work -- we have a  
23          need for it.

24          The owner doesn't --

25          COMMISSIONER SALAS: Can you tell

1                   Glenda Sefla

2           us how much money you invested in the  
3           electric bike?

4                   MR. MARTINEZ: (Speaking in  
5           Spanish).

6                   COMMISSIONER SALAS: Okay. Thank  
7           you so much.

8                   MR. MARTINEZ: Thank you.

9                   MS. SEFLA: (Speaking in Spanish  
10          via an Interpreter).

11                   Glenda Sefla.

12                   We are the United Workers, an  
13          institution that has two years old, and  
14          we are official.

15                   We are working to improve our  
16          conditions in this industry. The  
17          majority of the women are immigrants  
18          that work in this institution.

19                   For many years we have been  
20          exploited. I want to focus at the  
21          moment we have various problems.

22                   I want to focus on the two biggest  
23          problems. One is security and -- we  
24          have to have, we have to comply with  
25          regulations for ventilation --

1                   Glenda Sefla

2                   ventilation, but the smell, the lack of  
3                   ventilation creates cancer and asthma  
4                   and problems in the reproductive system.

5                   We also want to say that we are  
6                   still not getting the appropriate  
7                   equipment to work.

8                   There is salary, it is very low.

9                   And it is very complicated because  
10                  there is a lot of robbery of salary. We  
11                  are considered workers that live off  
12                  tips, and we don't make enough tips, and  
13                  the owners do not make themselves  
14                  responsible to see if we are legally  
15                  getting the minimum salary.

16                  We also work more than 50 hours and  
17                  we don't get paid for over time. We  
18                  still don't have lunch.

19                  We can't -- when we are busy we  
20                  have to wait, we have to wait in  
21                  between, to five or six o'clock, and the  
22                  problems with salaries are connected  
23                  with our health.

24                  We, at the work -- our workers, we  
25                  are working with these workers to

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Glenda Sefla

improve the industry, we establish --  
the school to help these women have  
access to the --

We have to be a member to -- to be  
able to go through a series of  
educational steps to learn what your  
benefits are.

Leadership roles, helping women,  
teaching women to learn what their  
rights are.

Last year we started working with  
the campaign that, for just salary and  
the tips would be something extra.

This industry has a lot of small  
stores and we want to change, one by  
one.

We want to create a big impact and  
want changes in this industry.

And then we are working to educate  
ourselves and to educate other workers,  
and the solutions, the owners are also  
-- the owners should be educated on what  
the laws are.

We will continue organizing

1                   Mathurin Lobe

2           ourselves and expecting because we  
3           deserve to work well.

4                   We deserve to be treated like human  
5           beings and not like machines that  
6           produce money.

7                   Thank you. Thank you for putting  
8           this place together.

9                   You listened to us.

10                   (Applause).

11                   COMMISSIONER SALAS: Thank you.

12                   LEAH OBIAS: Thank you.

13                   MR. LOBE: NYTWA.

14                   Mathurin Lobe, I represent the New  
15           York Taxi Worker Alliance.

16                   Thank you Commissioners of the DCA,  
17           Human Rights and Emigrant Affairs from  
18           the office and panelists, and the  
19           public.

20                   It is sad that we are here today,  
21           especially -- we drivers, we just lost  
22           one of our fellow drivers again last  
23           week, Mr. Simmons, a good friend of mine  
24           personally.

25                   Commissioner, years ago, last year

1 Mathurin Lobe

2 I wrote a report to the DCA about what I  
3 was personally going through.

4 I was shocked and amazed that the  
5 New York City agency cannot solve a  
6 system where -- our costs are --

7 One year after I paid \$78,006, they  
8 are telling me to go to court.

9 The judge, they wrote me a letter  
10 where we don't have the laws to back  
11 your claim up because some company -- on  
12 jobs.

13 I want to say because the  
14 Commissioner for Immigrant Affairs, from  
15 the Mayor's office is here, thank you  
16 Commissioner. You have to tell the  
17 Mayor what is it doing for the drivers  
18 in New York City?

19 Seven drivers have died.

20 We don't see the Mayor or none of  
21 them. One driver shot himself in the  
22 head, right there at the Borough Hall.  
23 The Mayor said nothing.

24 Now, I have about one minute left.

25 It is very, very strange, okay,

1                   Mathurin Lobe

2           very strange, I am an immigrant, I came  
3           here about 20 years from Africa, big  
4           American visions, big nation, greatest  
5           in the whole world and homelessness.

6                   After I worked my butt off for many  
7           years, the taxi industry, drove yellow  
8           cabs, in those days, all you needed was  
9           one good rush hour, you got a couple  
10          hundred bucks, we would say go and  
11          chill.

12                   Nowadays you work 20 hours, lucky  
13          you make 50 bucks.

14                   Thank God for Uber, and the  
15          solution program. This administration,  
16          the drivers in New York City to put a  
17          cap and stop that nonsense.

18                   Drivers die.

19                   Some of us will resist it, because  
20          got a scholarship as a student of  
21          theology, I was able to trust God and  
22          stay strong and go to church and pray.

23                   But today, it is sad to see that  
24          there is no law. Somebody rip the  
25          people off. I will give you this copy.

1 Mathurin Lobe

2 Read the copy. Nobody can do  
3 nothing.

4 That is New York City, baby.

5 (Applause).

6 New York City. You failed the  
7 drivers.

8 COMMISSIONER SALAS: One second.

9 I want to say first, I am really  
10 sorry for your loss.

11 With respect to the other issue, I  
12 would love to see the paperwork, if  
13 there is anything that we can do, we  
14 will.

15 I am not sure that we have the --

16 I would love to see that after the  
17 meeting.

18 MR. LOBE: 30 seconds. There is a  
19 company called American Lease in the  
20 Bronx, American Lease.

21 I wrote it down here for you.

22 Investigate this company. You can  
23 do that. There is a 100 violations, as  
24 a matter of fact I have a couple of laws  
25 that when the FTC, you know, FTC, Uber

1                   Christina Gupta  
2           settled the case for \$20 million,  
3           because there were 15 violations, they  
4           broke the law.

5                   As a yellow cab taxi driver, if I  
6           break a single law on the street, my  
7           license be already suspended, I pay a  
8           fine, go to the court.

9                   How can a company like this break  
10          the laws and then nothing against them.

11                   They are supposed to protect the  
12          public interest.

13                   Big corporations, big Wall Street  
14          run around ripping everyone like myself.

15                   The lady on the second panel, I  
16          have to go --

17                   I couldn't hear.

18                   Abused and the City can do nothing  
19          about it.

20                   (Applause).

21                   MS. GUPTA: Hello.

22                   My name is Christina Gupta.

23                   I am here as a restaurant worker.

24                   I just wanted to say how deeply  
25          moved I am by the story of people who

1                   Christina Gupta

2           live here in the City and work in the  
3           City.

4                   And all these different sectors  
5           serving the communities. And we work.

6                   It has been an important year for  
7           me. I am a 30 year restaurant employee.

8                   I have a -- it is hard work.

9                   I learned about RC United this  
10          year, after seeing -- speak at Hunter  
11          College for human rights for the Human  
12          Rights lecture that my niece brought me  
13          to that.

14                   And I did not realize that people  
15          were caring about restaurant workers.

16                   Tonight again I have a voice here  
17          with you and I thank you for that.

18                   I appeared at two hearings in front  
19          of the Department of Labor, talking  
20          about raising the sub minimum wage for  
21          workers to the regular minimum wage and  
22          I know that is a state issue.

23                   We are hoping that the City can  
24          support that as well.

25                   It is a huge industry in New York

1                   Christina Gupta

2           City.

3                   It is an industry that is related  
4           to tourism and people don't realize that  
5           it is not really that glamorous, and  
6           the tourists come and they dine in the  
7           restaurant and we work really hard to  
8           serve them and give them hospitality and  
9           you don't get a tip.

10                   I am a single woman.

11                   I am a single mom.

12                   I have two daughters, both  
13           graduated college, one in the City  
14           University and one in state university.

15                   I want to be a good example to  
16           them.

17                   And I have been having a really  
18           hard time at work.

19                   Our schedules have been posted,  
20           this Saturday before the Monday of the  
21           week where we start, sometimes Saturday  
22           afternoon.

23                   One of my fellow servers text'ed  
24           our manager, because the schedule was  
25           changed at the last minute, was told not

1                   Christina Gupta

2                   to bother me after 9 p.m. ever, don't  
3                   reach out to me.

4                   Our staff has been cutting, our  
5                   restaurant has been cutting labor so  
6                   that full-time employees are getting 1  
7                   and 2 shifts sometimes.

8                   What they are doing is they are  
9                   trying to make up for what they know the  
10                  rise in the minimum wage is going to be  
11                  for the restaurant employees, so they  
12                  are -- jobs where we open the restaurant  
13                  with no morning porter, we have no  
14                  barista, and I was serving from 6, from  
15                  7 to 3:30 p.m.

16                  We are all helping each other.

17                  It is over taxing, it is a -- it is  
18                  wonderful because we are professionals  
19                  and we are making connections, so they  
20                  are just --

21                  There are just so many issues that  
22                  are going unnoticed and we don't have  
23                  anyone to talk to.

24                  We do not have people to turn to  
25                  because we don't know what our breaks

1                   Christina Gupta

2           are.

3                   United, we are speaking, learning  
4           about the one fair wage.

5                   I don't know what to tell my  
6           coworkers, although I am the head server  
7           there and how to deal with my day to day  
8           life.

9                   There are restaurants in New York  
10          City that treat their employees really  
11          well, there are, but where I work is not  
12          necessarily one of them.

13                  And I just really want people to  
14          understand that we are here to serve  
15          people and we need help too to live  
16          healthy and happy lives and to make a  
17          living in the City.

18                  And that is just the beginning of  
19          it. Thank you.

20                  Thank you so much.

21                  (Applause).

22                  LEAH OBIAS: Thank you.

23                  COMMISSIONER SALAS: Christina,  
24          thank you for sharing your testimony.

25                  So, a couple of things.

1                   Christina Gupta

2                   You work in restaurant right now,  
3 right? It is not a fast food  
4 restaurant.

5                   MS. GUPTA: That is the interesting  
6 thing. I don't know what we are  
7 qualified as. We are maybe possibly  
8 qualified as a fast casual.

9                   There is a retail operation like,  
10 you know, as part of it, like a grab and  
11 go section.

12                   COMMISSIONER SALAS: Certainly we  
13 can speak off line about that, and the  
14 scheduling issues.

15                   The fair work week laws apply to  
16 fast food workers only and don't apply  
17 to the restaurants themselves.

18                   That is the situation now.

19                   And the retail industry there is  
20 also a -- 3 day notice of schedules.

21                   We can definitely talk about your  
22 situation. What I want to say is that  
23 we have the City --

24                   We have come out in support for  
25 eliminating the tip wage, and workers in

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Camilo Montes

restaurants should be earning a minimum wage and the testimony is made clear.

There is testimony submitted separately.

We have support of that.

If there is more than we can do, we will.

MS. GUPTA: Thank you.

COMMISSIONER SALAS: Thank you.

MR. MONTES: Camilo Montes.

I work in a car wash.

(Speaking in Spanish via an Interpreter).

I have been working for years in the car wash, it is a difficult job.

It is not easy.

You spend a lot of time outside in the sun, in the cold, in the rain, in the winter.

To wash your car, the workers are outside.

When it is busy, the reality is, it is -- the place is too busy in the business, the clients leave and don't

1                   Camilo Montes

2           leave a tip. The fact is, we have been  
3           working, we have been working for hours,  
4           and the owners and managers don't want  
5           to pay overtime and they send us home  
6           early.

7                   And this really is -- because if  
8           the rain and, we don't have any tips.

9                   So, in reality, they are taxing us  
10          and it is affecting us.

11                   And the thing is, to help -- and --

12                   This is something very -- this is  
13          something that is not fair at all.

14                   We don't have enough, we don't have  
15          enough --

16                   They send us home so --

17                   How will we pay the rent?

18                   Independently, the reality is this  
19          is a great help, the owners of the  
20          companies that we work for.

21                   But, I would like you to do  
22          something about that.

23                   (Applause).

24                   LEAH OBIAS: Thank you.

25                   COMMISSIONER SALAS: Thank you.

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Any questions? So, I just want to say one thing, to be clear.

We don't screen our people for testimony and when they feel that there is something missing --

People to come and tell us when they think we could be doing more.

We appreciate that. We welcome that. And there is more work to be done and we hope that this is a space in which you are being heard and thank you for coming out tonight.

(Applause).

LEAH OBIAS: Thank you to all of the panelist and to all of the organizations who mobilized the members today and supported the panelists and providing testimony in providing testimony.

Another round of applause for the workers who testified.

(Applause).

So with that I am going to turn it over to Jill Maxwell, to moderate the

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open portion testimony of our meeting.

JILL MAXWELL: Thank you.

Hello everybody.

Thank you so much for the testimony that has happened so far.

Thanks to everybody who is about to testify.

And I hope that as many of you as possible can stick around.

We have about 15 people who want to testify, which means that we should be done in under an hour, but it is not going to feel like an hour because we will be moving really quickly.

A few reminders for those people who are going to be testifying.

First of all, we are interpreting this and also there is a court reporter here so please try to speak slowly and loudly and clearly.

We will um -- everybody will have three minutes and I am going to be keeping time.

We don't have the benefit of

1                   Saduf Syal

2           watching the clock.

3                   So I will be telling you when the  
4           time is up.

5                   I will be calling people in groups  
6           of three so that you can lineup at  
7           either the microphone that is at the end  
8           of these aisles here, and just be ready  
9           to go. Okay.

10                   So, the first --

11                   One more thing.

12                   If you still are hanging on to your  
13           written testimony, you can just drop it  
14           off on your way out at the table where  
15           you checked in. Okay.

16                   The first three people, you can  
17           just make your way to the microphone, is  
18           Saduf Syal, Nancy Rankin and Amy Torres.

19                   New York City worker cooperative.

20                   Sorry if I mispronounced your name.

21                   Time Noted: 8:40 p.m.)

22                   MS. SYAL: Hello. My name is Saduf  
23           Syal.

24                   I am the director at the New York  
25           Workers Cooperative, which is the trade

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Saduf Syal

association representing workers  
cooperatives in the City.

Thank you to DCA, and the  
Commission of Human Rights for holding  
this important hearing.

I also would like to thank you for  
your interest and previous support of  
worker co-ops, both in terms of the  
financial literacy training that you  
support as well as the research that you  
have been doing on prices than in New  
York City.

And also the general interest both  
from the part of the solutions to many  
of the problems that we have been  
hearing about tonight.

Really, just to emphasize, or give  
you an example of the ways that workers  
cooperatives are solutions to some of  
those issues.

Over the past year we have been  
working in partnership with the National  
Domestic Workers Alliance and NDWA and  
also groups like Center for Family Life,

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Saduf Syal

to hold further conversations between worker cooperatives that are in the domestic work industries as well as domestic workers outside of domestic workers to talk about the issues that they are facing in cleaning, health care, child care.

Those that worked in worker cooperatives had better salaries, scheduling and fair expectations, protection, and respect.

Among others, but at the same time, it is also important to note that worker cooperatives cannot solve everything and there are still a number of issues that they faced in common, such as the on going need for health and safety training, language barriers, and racism on the job.

But to bring home the point that a lot issues like wage theft, and other things that we here about here tonight, they are not encountered by worker owners and worker cooperatives.

1                   Nancy Rankin

2                   The work is more fair with clear  
3                   expectations, higher levels of respect,  
4                   greater training and much more support.

5                   And so really, to offer worker  
6                   cooperatives as the solution is what we  
7                   are here to do tonight, as well as my  
8                   associates who will speak after me about  
9                   worker cooperatives.

10                  But I want to also note that this  
11                  is a solution that has been identified  
12                  here by immigrant communities  
13                  themselves, and supported by  
14                  organizations, as a way of workers to  
15                  come together pull together their own  
16                  democratic businesses and really take  
17                  the exploitive bosses out of equation.

18                  So this work also is being done in  
19                  a variety of ways.

20                  JILL MAXWELL: Thank you. Your  
21                  time is up.

22                  (Applause).

23                  MS. SYAL: Thank you.

24                  JILL MAXWELL: Thank you.

25                  MS. RANKIN: Nancy Rankin.

1                   Nancy Rankin

2                   Thank you so much for the  
3                   opportunity to testify today on the  
4                   importance of outreach and enforcement  
5                   of labor standards.

6                   My name is Nancy Rankin, I am vice  
7                   president of policy research and  
8                   advocacy at the Community Services  
9                   Society, a nonprofit organization that  
10                  works to advance upward mobility, of  
11                  income New Yorkers.

12                  Earlier this year we released a  
13                  report expanding workers rights,  
14                  examining public awareness of working  
15                  standards.

16                  The analysis is based on findings  
17                  from our annual scientific survey --

18                  Since the City -- effect in 2014,  
19                  access to sick days, has climbed to 40,  
20                  71 percent, for low income workers  
21                  covered by the law.

22                  This substantial progress can be  
23                  credited to the extent of the public  
24                  outreach in advertising, surrounding the  
25                  launch of paid sick days as well as

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Nancy Rankin

strong enforcement by the DCA Office of Labor and Policy and Standards, thanks to that.

Yet despite the efforts gaps remain, nearly half of the -- part-time employees and 44 percent of low income workers in the small businesses, still --

And since enforcement is largely complaint driven, awareness of the law is, matters --

Yet 63 percent of the low income workers said they still fail to get the paid sick days, said they had -- little or nothing about the right to pay sick time.

And they are aware of the law, and the workers are likely to have retaliation and cannot lodge complaints.

Since we released our findings we are pleased that DCA has announced the launch of the new campaign to raise awareness of the sick leave law.

This is very promising, but we are

1                   Amy Torres

2                   concerned about the scale.

3                   And we urge the City to expand the  
4                   efforts with additional funding for both  
5                   outreach and proactive investigation and  
6                   to strengthen awareness.

7                   Why not require posters about the  
8                   right to pay sick leave at every  
9                   pharmacy, clinic, and doctor's office.

10                  This would be a very low cost means  
11                  of informing the people, precisely when  
12                  they, when it is very relevant to them.

13                  In addition, provide an opportunity  
14                  for the Mayor to urge New Yorkers to  
15                  stay home and keep children home from  
16                  school, if they have flu symptoms, to  
17                  remind them if they do that, it has  
18                  become a law and it gives people a right  
19                  to sick time in New York City.

20                  JILL MAXWELL: Thank you. Your  
21                  time is up.

22                  MS. RANKIN: Thank you (Applause).

23                  JILL MAXWELL: Okay.

24                  MS. TORRES: Hello. My name is Amy  
25                  Torres, director of Policy and Advocacy

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Amy Torres

at the American Planning Council, CPC.

Thank you for convening this important meeting to hear about issues that working New Yorkers are facing.

And really, I am humbled by the dedication of folks that have shown up to bring light to some of the issues that were discussed tonight.

And I thank the people came out in the rain.

And since there is still a sizable audience in the room demonstrates the importance of these issues.

CPC is a social services provider serving over 60,000 community members per year.

We also function as a large human services sector employer.

We employ over 700 social services staff, but as a parent company we also employ 4,000 home attendant home care workers, as well.

So my recollection and in sites today are really from the perspective of

1                   Amy Torres

2           both our work in the community and also  
3           our position as a human service  
4           employer.

5                   So, I think the point about  
6           outreach and engagement are really  
7           critically important.

8                   The City has done a great job at  
9           providing language access, but we also  
10          want to highlight how human services  
11          function as a gateway point.

12                   Lot of folks said that they had not  
13          heard about something and until a friend  
14          told them.

15                   They hadn't heard about something  
16          until they were in a class.

17                   I think supporting service where  
18          education is a critical proponent where  
19          people are able to navigate their rights  
20          in English, and hear about the other  
21          City services and benefits available to  
22          them are critically important.

23                   And we appreciate the leadership in  
24          pushing for adult literacy classes.

25                   Critically important is being able

1                   Amy Torres

2           to accrue and access capital and also  
3           understand financial literacy so they  
4           have done great job in persuading  
5           predatory lenders --

6                   (Inaudible)

7           Programs that allow people to open  
8           lines with local credit unions are also  
9           critically important.

10           As an employer I want to talk a  
11           little bit about New York City's  
12           leadership capacity, to change on a  
13           state level, and even in some ways for  
14           the national policies.

15           As well, the size of our work force  
16           really means that New York City has a  
17           position to enact changes on the local  
18           level that support human service  
19           workers.

20           Our work force has grown double  
21           since 1990, the amount of human service  
22           workers in New York City.

23           But we still face chronic under-  
24           funding in our contracts, chronic  
25           delays, and, in contract procurement and

1                   Ruth Lopez-Martinez  
2           in our ability to explore solutions for  
3           better um, pay for our staff.

4                   JILL MAXWELL: Thank you.

5                   (Applause).

6                   The next speakers are Marcello  
7           Koccolat, Ruth Lopez-Martinez and Rachel  
8           LaForest.

9                   (Statement to be submitted by  
10           Marcella Koccolat)

11                   MS. LOPEZ-MARTINEZ:

12                   (Speaking in Spanish).

13                   (Through an Interpreter)

14                   -- about the workers and the  
15           traditional businesses that we have seen  
16           all our lives, there is an employer and  
17           workers.

18                   And I am very convinced that the  
19           cooperatives have the solution that we  
20           request, and can find a dignified job.

21                   The cooperatives, the group of --

22                   We have joined together to create a  
23           democratic work environment where the,  
24           you are also -- and can vote, together  
25           with responsibilities and equal rights.

1 Ruth Lopez-Martinez

2 We believe that this, there is a  
3 solution for the immigrants and in fact  
4 the people that have documentation.

5 And it is, five years ago, we  
6 gained strength and there is a lot for  
7 us to do and I believe that we are  
8 growing.

9 And we can grow to a higher level.

10 We really have great growth --  
11 today we have -- we have been able to  
12 look at the City of New York and at this  
13 moment we will be able to grow and not  
14 only dedicated to take care of our  
15 children, to -- to do tutoring, but we  
16 have educated ourselves and businesses,  
17 and finances, accounting and every  
18 administrative -- that is important to  
19 grow a business.

20 What can the City do? We have not  
21 really come out of our shell.

22 People don't really know us well.

23 We have at this moment a lot of  
24 people who are working with us.

25 We need much more help. And I

1 Rachel LaForest

2 wanted everybody who is here to know  
3 that cooperatives are the solution.

4 We need you all to open doors for  
5 us, to hire us, to open a lot of  
6 barriers for us, to give us a quality  
7 job.

8 Because we are owners and our  
9 objective -- and only way for us to have  
10 more business really, is a quality kind  
11 of work, with benefits. We need to  
12 educate ourselves more.

13 Thank you.

14 (Applause).

15 MS. LaFOREST: Two minutes.

16 Three minutes. I have cut most of  
17 mine in half. Thank you.

18 Good evening, everyone.

19 Thank you to your respective  
20 agencies.

21 My name is Rachel LaForest, and I  
22 am the executive director of the Retail  
23 Action Project, which is a worker center  
24 connected to the retail wholesale and  
25 department store unions.

1 Rachel LaForest

2 We organize grocery workers, car  
3 wash and apparel retail workers which is  
4 the section of the industry that I am  
5 primarily responsible for.

6 A lot of folks touched on big  
7 picture, the political backdrop that  
8 this is all laid against.

9 We feel that municipalities have an  
10 equal role to play.

11 Government agencies are a network  
12 of elected officials, government staff,  
13 community based organizations and other  
14 local institutions.

15 But I want to speak first to what  
16 we are learning from talking to our  
17 members and from the training that we  
18 run; largely about the paid safe and  
19 sick time and about on call.

20 Most of what we hear and learn from  
21 our members through our training is that  
22 many of them have not been clear that  
23 there is paid safe or sick time.

24 Most of them that don't know or  
25 understand the distinction between safe

1 Rachel LaForest

2 and sick, or that there is even this  
3 safe provision.

4 I know that it is a newer component  
5 to the law.

6 So we do spend a good amount of  
7 time on it.

8 They also are often confused by how  
9 it is recorded on their paycheck, if it  
10 is captured at all.

11 So, there are many retailers that  
12 combine the sick time that would be  
13 accrued through this new law with the  
14 regular PTO or paid-time-off that they  
15 may grant on their own.

16 And that accrual is conflated and  
17 combined on their paychecks.

18 So it is very hard to determine  
19 whether or not they are in fact accruing  
20 what is owed them.

21 With on-call, there is definitely a  
22 decrease in formal on-call.

23 We hear actually on our end no  
24 reports of it.

25 But we do hear about informal

1 Rachel LaForest

2 on-call scheduling, where you are called  
3 on a day that you are not scheduled to  
4 work to see if you can come in. Right?

5 And the reason why it feels like  
6 informal on-call is because we are  
7 finding that there is often retaliation  
8 against saying no.

9 So there is both retaliation around  
10 it.

11 I am submitting written testimony  
12 any way.

13 There is retaliation for requesting  
14 information about sick time, for  
15 requesting to take paid sick time or  
16 safe time, and for declining informal  
17 calls to show up to work, when you are  
18 not scheduled for it.

19 We have a whole slew of  
20 recommendations, everything from using  
21 local PTAs to get the word out to  
22 engaging City Council people and local  
23 Assembly folks to get the word out.

24 But I will submit it in my written  
25 testimony. Thank you.

1 Sonya Guior

2 COMMISSIONER SALAS: Thank you

3 (Applause).

4 JILL MAXWELL: The next three  
5 speakers are Sonya Guior, Megha Lama and  
6 Seriny Lama.

7 MS. GUIOR: Good evening.

8 My name is Sonya Guior, and I am a  
9 senior policy analyst.

10 Thank you for everyone sharing  
11 their stories tonight, and Commissioners  
12 Salas, Malalis and Mostofi.

13 The State of workers rights in New  
14 York State -- the Taxi and Limousine  
15 Commission is the regulatory agency  
16 responsible for licensing and regulating  
17 for hire transportation in New York  
18 City.

19 We currently license over 180,000  
20 drivers and the number has increased 440  
21 percent since 2015.

22 The TLC has watched this number  
23 rise hand in hand.

24 And there is the growing popularity  
25 of -- companies such as Uber and lift.

1 Sonya Guior

2 As with other sectors in the for  
3 hire industry --

4 Drivers fees, are considered  
5 independent contractors, and therefore  
6 have no protections in place for them  
7 when it comes to a mandated minimum  
8 wage, healthcare coverage or retirement  
9 contributions.

10 The testimony provided by over 100  
11 drivers during our April, 2017  
12 commission hearing on driver income and  
13 expenses meetings with industry  
14 stakeholders, including driver groups  
15 and the TLC survey of drivers all  
16 reinforced the growing sense by drivers  
17 that their earnings are falling.

18 As a response to the growing  
19 evidence of declining driver pay, TLC  
20 commissioned an academic study,  
21 including driver income and earnings to  
22 provide a comprehensive review of driver  
23 earnings data --

24 The data shows that drivers  
25 earnings declined we almost \$3 hour for

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Sonya Guior

the medium driver from 2016 to 2017.

For 85 percent of these drivers, this decline has resulted in a net income of less than \$17.22 per hour.

The team of economists also analyzed the impacts of the proposal that would insure a minimum pay for trips including a component to cover costs, such as the vehicle lease, insurance, gas, and administrative fees.

Should the new standard be implemented, driver net earnings would increase by 22 percent, about \$6,000 per year for drivers.

We look forward to hearing comments from drivers at this hearing and other workers that have come to identify issues on workers rights.

We also look forward to continuing to work with the agencies to ensure protection of workers' rights and identify issues.

Thank you again for the opportunity to speak publicly on these issues today.

1                   Megha Lama

2                   Thank you.

3                   (Applause).

4                   MS. M. LAMA: Good evening.

5                   My name is Megha Lama and I am an  
6 organizer of nail salon workers.

7                   And thank you for the opportunity  
8 to speak in front you all.

9                   Of the legislation and regulations  
10 that this state passed in 2015, there  
11 remains a multitude of issues that still  
12 plague the industry workers.

13                   Our membership reports that there  
14 are still violations of overtime  
15 practices.

16                   Currently, the industry is in full  
17 swing of the summer and this forces  
18 workers in situations where they are  
19 made to work over time, without the over  
20 time pay.

21                   They tell us that their managers  
22 will clock in and out for them, making  
23 it seem as though they are not working  
24 overtime in the books.

25                   The majority of nail salon workers

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Megha Lama

are women and also mothers.

We have had members tell us that nail salon owners ask them if they have children or not, in the hiring process.

They seek workers without children.

In another form of discrimination, one member recently shared with us that her child fell ill at school and when asking her employer if she could leave to attend to the child, the employer threatened her to cut back hours or at worse fire her.

This leaves me to another issue.

No requirements to provide notice of termination.

This leaves workers in an incredibly vulnerable situation where they feel like they must keep their mouth shut in the face of clear injustices in the workplace.

In these situations, it is clearly not enough workers to know their rights.

For many this work is their main form of income to support themselves,

1                   Megha Lama

2           their families, and as many immigrants,  
3           their families back home, families  
4           thousands of miles away.

5                   What does it say to these workers  
6           who are professional technicians?

7                   What does it say to them about what  
8           we think about their profession and its  
9           values, where the government allows  
10          employers to fire them with zero notice.

11                  These are women of color, who work  
12          in a highly risky environment, exposed  
13          to harmful chemicals, literally back  
14          breaking work where they are subjected  
15          to sexual harassment from clients.

16                  And yet despite these hardships  
17          they are able go through a rigorous  
18          licensing exam and a process to receive  
19          the certification necessary to do their  
20          job well.

21                  We meet members daily that have  
22          enough -- and have 10 to 15 years of  
23          experience under their belt, yet, are  
24          forced to work 10 to 12 hours a day for  
25          5 to 6 dollars per hour.

1                   Seriny Lama

2                   I ask all of those here listening  
3                   today who have the power to do something  
4                   to understand one thing that there is --  
5                   that to understand that improving  
6                   working conditions does not end with  
7                   legislation.

8                   There must be coordination.

9                   JILL MAXWELL: Thank you.

10                  MS. M. LAMA: Thank you so much.

11                  (Applause).

12                  MS. S. LAMA: Hello. My name is  
13                  Seriny Lama.

14                  I am a domestic worker organizer.

15                  And I came here last year and spoke  
16                  about the employers being empowered by  
17                  the federal administration to retaliate  
18                  against workers speaking out.

19                  There are laws to protect workers  
20                  we know.

21                  The domestic workers, we have the  
22                  domestic worker -- of rights and yet  
23                  nothing has changed.

24                  I would like to again request the  
25                  City to do more to hold the employers

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Seriny Lama

accountable so the burden is not on the workers or work -- to follow the laws.

We testify, we organize, and we report but we don't see a lot of changes.

For example, I will bring up my experience with the hot line, paid sick leave in 2017.

She was a domestic worker that got injured at work, instead getting paid sick leave she was told not to come back to her work.

She was ready to file a complaint.

I went to her house because I was told the complaint would be made on the phone.

When I called in, I interpreted, the operator interpreted the problem that she had, and when I followed up about a month-and-a-half, they could not find her complaint.

We tried her name, her address, and still could not find the complaint.

The worker would call every week

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Seriny Lama

and ask what happened, if there were any updates, and eventually she just gave up.

I have the job of telling her that her complaint was lost and we might have to re-file.

She did not want to re-file.

I want to acknowledge that the second time around we had a better experience with DCA, because we did not use the hot line.

One of our biggest challenges the workers face is accents.

Even though 311 and the hot line seem easy for most, it is very difficult for our workers to navigate, even to get to the department, whether it is sick leave or the Human Rights Commission or action, it requires the physical interpreter present to even get to an interpreter.

Even if the workers file the complaint, if the complaints are getting lost this the system.

1                   Seriny Lama

2                   How is this empowering the workers?

3                   This is why workers choose not to call.

4                   The City must take responsibility  
5                   to find better and more appropriate and  
6                   efficient ways to serve the worker  
7                   community.

8                   And in addition, earlier you had  
9                   said about to take charges around like  
10                  the employment agency.

11                  We have actually made a complaint  
12                  around fraudulent employment agencies,  
13                  back in 2016 and nothing has happened.

14                  Right.

15                  So it is very difficult for us to  
16                  encourage workers to convince them to  
17                  file a complaint when things don't  
18                  happen.

19                  We as emigrant workers experience  
20                  enough barriers and we do not need more  
21                  barriers just to get justice.

22                  Thank you.

23                  (Applause).

24                  JILL MAXWELL: Thank you.

25                  COMMISSIONER SALAS: I have a quick

1                   Seriny Lama

2                   question before you go.

3                   You mentioned a help line. Are you  
4                   talking about the 311? What's the hot  
5                   line?

6                   MS. S. LAMA: We called it 311.

7                   We called 311 and 311 connected us  
8                   to, with the employment agency, it was a  
9                   discrimination case, it went into, the  
10                  Human Rights Commission and the DC went  
11                  to the -- to paid sick leave.

12                  I had to be present with her to be  
13                  able to even get to the paid sick leave  
14                  department. Right.

15                  COMMISSIONER SALAS: Okay. That  
16                  shouldn't be the case.

17                  311 has the interpretation, and  
18                  they have access to the language line.  
19                  Right? But definitely, I mean, before  
20                  you go today I want you to connect with  
21                  my staff at DCA and make sure that we  
22                  know -- for you to have contact  
23                  information from the agency separately  
24                  so that in case again, if for some  
25                  reason 311 doesn't work for you, we

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Seriny Lama

would like you to reach out directly and  
trouble shoot.

For the most part we get the  
complaints from 311 without an issue.

I hear you.

A SPEAKER: I would also add, the  
agencies work directly with 311, so that  
there is like code works that they know,  
they don't have to say a lot of  
information that for instance, if  
someone calls 311 and they said  
discrimination or they said human  
rights, without having to provide more  
information, they are supposed to come  
directly to us.

If that is not happening, please  
let us know.

A SPEAKER: That is a little  
difficulty with the communities who  
don't speak English. Right?

Forever our communities, just to  
say -- NYC, is not easy.

So maybe the accent is different  
and you can't be connected because your

1                   Seriny Lama

2                   accent is different. So there are  
3                   issues that come, like that come up all  
4                   the time.

5                   COMMISSIONER MOSTOFI: I would add,  
6                   311 is also responsible for collecting  
7                   complaints around the language access.

8                   So the inability to or if you try  
9                   to receive a service and you did not  
10                  receive language access, so perhaps we  
11                  can work with you to sort of better  
12                  understand how to set up that  
13                  infrastructure from 311 directly.

14                  Because, it should work for  
15                  everybody. If it is going to be  
16                  imperfect, I think I acknowledge, in  
17                  many ways, but there are, if there are  
18                  ways that we can facilitate improving  
19                  that experience, we want to hear that.

20                  MS. S. LAMA: Okay. Thank you.

21                  COMMISSIONER SALAS: Thank you so  
22                  much.

23                  (Applause).

24                  JILL MAXWELL: Thank you. I will  
25                  call the next three people.

1           Nadia Marin-Moli

2           Nadia Marin-Moli, Jose Francinco,  
3 and Ernesto Salazar.

4           MS. NADIA MARIN-MOLI: Hello. Good  
5 evening.

6           I am here on behalf of the New York  
7 Committee for Occupational Safety.

8           You have our testimony and I will  
9 cut a lot of the testimony about the  
10 construction industry, about nail  
11 salons, which I was going to mention.

12           There are statistics from our  
13 report.

14           We do an annual report on the  
15 construction field. So, a lot of the  
16 information is in the testimony.

17           I am going to skip --

18           I will go to the question of  
19 enforcement, the health and safety  
20 clause and the recommendations.

21           A lot of the things that people  
22 talked about tonight, enforcement is the  
23 possibility of OSHA, the Federal Safety  
24 Health Administration, as you know.

25           And unfortunately, OSHA enforcement

1                   Nadia Marin-Moli  
2           has been declining. Since 2010 their  
3           budget has been cut, and according to  
4           the -- the current level of staffing is  
5           far below international standards.

6                   So the current level of staffing  
7           provides one inspector for every 76,402  
8           workers.

9                   So it is 1/7th of what it would  
10          need to be to possibly enforce our  
11          health and safety protection.

12                   Again, this is from the AFL/CIO.

13                   And in addition to the lack of  
14          staff, decreasing, rather than  
15          increasing the inspection, in 2017, New  
16          York City, there, inspection dropped by  
17          62 percent.

18                   And in addition, the Trump  
19          administration attacked the immigrant  
20          workers making workers less safe.

21                   The administration spoke of  
22          bringing on nearly 26,000 new  
23          immigration customs enforcement  
24          employees and the number of OSHA  
25          inspectors is 1,000 for the entire

1                   Jose Francinco

2                   country.

3                   They can't do their job.

4                   We would propose and ask for your  
5                   support and enforcement, with worker  
6                   organizations, and we have a new  
7                   cooperation in Manhattan --

8                   The testimony here, to increase the  
9                   enforcement organization.

10                  You will have licensing powers in  
11                  the City level accountable for all of  
12                  the work that you currently do and the  
13                  policies to protect the immigrant  
14                  workers.

15                  Thank you for allowing us to speak.

16                  (Applause).

17                  JILL MAXWELL: Thank you.

18                  JOSE FRANCINCO: (Speaking in  
19                  Spanish).

20                  (No Interpretation)

21                  (Applause.)

22                  JILL MAXWELL: Ernesto Salazar?

23                  Okay. We have two more people.

24                  And then I don't know -- if anybody  
25                  else is not on my list that would like

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Kristine Azzoli

to testify you can do so after this last person.

So feel free to get in line after the last name that I called.

The last two people on my list are Kristine Azzoli and Sofia Bugdady.

MS. AZZOLI: Hello.

I am going to jump right in.

My name is Kristine Azzoli.

I am with the craft workers.

My trade is cleaners. Restoration specialist. Some people as know --

We are exposed to some of the highest levels of silica in the construction trade. What we do is we do work on landmarks buildings, schools, hospital, NYCHA buildings and we keep New York City standing.

We often hang off the side of skyscrapers to do our work.

But let me tell you that some of that work scares me a lot -- we rig our own-selves and we have protection.

We control it. But what we are

1 Kristine Azzoli

2 given from contractors, we have no  
3 control over.

4 I work for a union. A lot of  
5 people that I know, and that spoke today  
6 don't have a protection of the union.

7 Even though you are not in the  
8 union it is not all roses.

9 Unions are fighting for -- against  
10 benefits that are not being paid,  
11 against standards.

12 I know that New York City has  
13 higher standards as far as protection  
14 from power lines, and New York City has  
15 now passed higher OSHA standards,  
16 require, OSHA 30 -- and it is great to  
17 protect the workers.

18 And you hear what -- this is what  
19 has to be and go out in the workplace,  
20 this is what it is.

21 What can you do about it?

22 And I can stand up here and talk  
23 about trade issues, but I will not do  
24 that.

25 The higher issue is we can go home

1 Kristine Azzoli

2 safe to our families.

3 In my trade, it is dealing with  
4 masonry materials.

5 We hope to work eight to nine  
6 months a year.

7 When you end up coming back from a  
8 lay off over the winter, or time off in  
9 between jobs, of any kind, you have less  
10 of an ability to stand up for yourself  
11 and say no, I will not work under these  
12 conditions because you have to get a  
13 thousand hours to get your medical, a  
14 thousand hours to get your dental, and  
15 on a B plan, if you have a family, it  
16 doesn't necessarily stand up.

17 Sorry. I did not have much time.

18 But if I could ask you to do one  
19 thing it is come up with higher silica  
20 standards.

21 If you can enforce things, we  
22 encourage you to do that.

23 I am not here to pat on the back  
24 what New York City has done. I am here  
25 to tell you that we have a lot of

1                   Sofia Bugdady

2           issues, and to keep working on it.

3                   And thank you for trying to protect  
4           the workers.

5                   (Applause).

6                   JILL MAXWELL: Thank you.

7                   MS. BUGDADY: My name is Sofia  
8           Bugdady.

9                   (Inaudible)

10                   If there is way that we could get  
11           to be immigrants to have some kind of a  
12           work shop for the parents so that they  
13           can understand that there are these laws  
14           and --

15                   Thank you.

16                   (Applause).

17                   COMMISSIONER SALAS: I think that  
18           is great idea.

19                   One thing that I want to say is  
20           that we have a new initiative called  
21           Empower NYC that is basically the, to  
22           make sure that we are providing  
23           financial counselling, coaching to  
24           individuals with disabilities in New  
25           York City.

1 Sofia Bugdady

2 MS. BUGDADY: Yes. We are working  
3 with them. That is great piece for the  
4 not being worried about -- but their  
5 right to --

6 To call apparent and say that their  
7 child is sick and they say I can't get  
8 off from work.

9 COMMISSIONER MOSTOFI: Thank you  
10 for coming here and testifying.

11 I think the one thing that we have  
12 done is we actually, my office partners  
13 with the parent coordinators in the  
14 schools around the City to provide a  
15 forum.

16 Generally speaking the forums cover  
17 a range of issues.

18 But we also can partner with you to  
19 identify what the issues are that most  
20 acutely impact the community that you  
21 are working with, the parents and the  
22 school and the kids and we with work  
23 around those needs.

24 I will connect with you afterwards.

25 COMMISSIONER MALALIS: You can

1                   Jorge Rivera

2                   contact the Human Rights.

3                   We are contacted often when people  
4                   need to reach out to schools, whether  
5                   they are dealing with the schools or  
6                   other institutions, because the children  
7                   are not receiving, the children with  
8                   disabilities are not receiving the  
9                   accommodations that they need or not  
10                  receiving the services that they need.

11                  And quite often, outside of law  
12                  enforcement related, our community  
13                  outreach team will reach out to the  
14                  different schools or reach out to  
15                  teachers to talk them through what is  
16                  necessary.

17                  So, there is some -- there is  
18                  someone from Human Rights behind you and  
19                  they will talk to you.

20                  MS. BUGDADY: Thank you.

21                  JILL MAXWELL: Okay. Go ahead.

22                  Thank you.

23                  MR. RIVERA: My name is Jorge  
24                  Rivera.

25                  I am part of the work force

1                   Jorge Rivera

2           development program.

3                   I work for the small not-profits to  
4           the small non-profits.

5                   One thing that was mentioned  
6           earlier today that I would like to keep  
7           advocating for is NYC has had a lot of  
8           change.

9                   Someone said OSHA 30 is mandatory.  
10                   Why not in the workers programs,  
11           invest money in workers rights.

12                   Because every day in New York City  
13           hundreds of thousand of people are in  
14           the programs to look for work and in  
15           reality all they do is teach them  
16           interview skills, resume writing and  
17           networking.

18                   Why not open the doors and say let  
19           us see about workers rights, know your  
20           rights before you go into a job.

21                   And also be able to open the doors  
22           with anyone that comes to the door.

23                   If you are undocumented, they will  
24           not let you into the programs because  
25           you don't have a Social Security.

1                   Jorge Rivera

2                   Let's be open to everyone.

3                   Let everyone learn the same thing  
4 as everyone else.

5                   Everyone wants to learn how to  
6 write a resume, and interview skills and  
7 workers rights.

8                   So, before we tackle how to find a  
9 job, let people know that you have  
10 rights before you go to the jobs.

11                  Because let's face it, every day we  
12 are trying to find a way to survive.

13                  And right now, as part of a work  
14 force program myself, I do teach workers  
15 rights before I send them on a job  
16 interview.

17                  And hopefully in New York City,  
18 Work Force One, the back to work  
19 programs can invest in a proposal next  
20 year or next year on investing some  
21 little funding to help teach the career  
22 counsellors to teach workers rights  
23 before they send people out into the  
24 world and look for work.

25                  Thank you.

1                   Jorge Rivera

2                   (Applause).

3                   JILL MAXWELL: Thank you.

4                   COMMISSIONER MALALIS: If you go on  
5 to the Commission's website,  
6 WWWNYC.GOV.HUMANRIGHTS, we list all of  
7 our training and a lot of them are  
8 workers rights related.

9                   And then separately, we are  
10 oftentimes contacted by different  
11 organizations or agencies, or industry  
12 groups to go to their sites or to come  
13 into one of our offices to do these  
14 type, these exact types of workplace  
15 training.

16                   And we offer them in a variety of  
17 different languages as well as now in  
18 the American sign language.

19                   So, take a look at the offerings  
20 and feel free to contact the agency on  
21 that.

22                   MR. RIVERA: I understand that.

23                   It is more like the HRA federal  
24 contracts that they mandate people to go  
25 to work.

1                   Jorge Rivera

2                   The way the workers look at people  
3 nowadays, there is a quota.

4                   I am not here to teach them  
5 workers' rights.

6                   It should be mandated to have  
7 workers rights because I want to prepare  
8 them.

9                   I know we fight the battle at the  
10 end of the tunnel, and we are training  
11 to fight back.

12                   Let's get the new generation up,  
13 let them be knowledgeable and give them  
14 the right -- give them the right words  
15 and weapons to defend themselves.

16                   When the 15 dollar rule comes into  
17 play, a lot of things will happen.

18                   Employers may look at us in a  
19 different way.

20                   Why not just get red Doe for the  
21 big upcoming change in the next couple  
22 of months. Thank you.

23                   JILL MAXWELL: Excuse me. Would  
24 you repeat your name for the record.

25                   MR. RIVERA: Jorge Rivera.

1                   Jorge Rivera

2                   JILL MAXWELL:  Would you spell it.

3                   MR. RIVERA:  Sorry.  J-O-R-G-E.

4                   Rivera.

5                   I work for GOALS.

6                   I used to work for -- Make The  
7                   Road.  I have been in the workforce for  
8                   a very long time.

9                   I know that the teaching of the  
10                  skills is important, for the last ten  
11                  years.

12                  JILL MAXWELL:  Thank you very much.

13                  MR. RIVERA:  No problem.

14                  JILL MAXWELL:  Is there anybody  
15                  else that would like to testify that was  
16                  not on the list tonight that I just ran  
17                  through?

18                  Great.  I will turn it over to the  
19                  Commissioner for some closing remarks.

20                  COMMISSIONER SALAS:  Just to thank  
21                  everyone.

22                  We are still meeting here after  
23                  9:30 at night, and the putting this  
24                  hearing together.

25                  This is where the real work starts.

## 1 PROCEEDINGS

2 We will take the feedback and the  
3 testimony and the great ideas and great  
4 recommendations, and really thinking  
5 about what is realistic and what we do  
6 next in the next couple of the years as  
7 soon as we can.

8 So, I thank my colleagues for being  
9 here tonight.

10 COMMISSIONER MALALIS: Thank you.

11 Thank you for staying to the very  
12 end.

13 It is great that you testified and  
14 great that you stayed here, your fellow  
15 workers in New York City and what they  
16 are doing.

17 I find that these are also -- where  
18 people, where people get to meet and  
19 know each other.

20 People in the construction industry  
21 talking to people who dodo paid care,  
22 and talk to folks who are taxi workers.

23 Thank you so much for showing up  
24 and being here tonight.

25 COMMISSIONER MOSTOFI: I echo all

## PROCEEDINGS

of that.

And we hope to hear from you.

COMMISSIONER SALAS: Thank you.

(Applause)

(Time noted: 9:35 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF NEW YORK )

I, ROBERT X. SHAW, CSR, a Notary  
Public within and for the State of New  
York, do hereby certify:

That the above record is a true  
record of the proceedings taken on July  
17, 2018.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage; and that I  
am in no way interested in the outcome  
of this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 1st day of August, 2018.

  
\_\_\_\_\_

ROBERT X. SHAW, CSR

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## 1 ADDENDUM

2  
3  
4 **State of Workers' Rights Hearing – July 17, 2018**  
5 **Testimony Transcription Additions**  
6  
78 **I. Transcribed in Spanish and translated from Spanish into**  
9 **English by OLPS**  
10

11 Silvia Gaston

12 Pg. 30, line 22 – Hello everyone and good evening. Today I am  
13 going to tell you a little bit about my life. My name is Silvia  
14 Gastón and I came to the United States when I was 8 years old.  
15 And when I was 12, I starting working in packing at  
16 supermarkets. After that, I started to look for work at  
17 factories, cleaning clothing. After that I sold food and I  
18 learned to cook. Then, I had a basement apartment and I set up a  
19 table for serving meals. I had to close my business because the  
20 neighbors complained. I have two children that are the most  
21 important thing in my life. And I had to look for more  
22 possibilities and find a place where there was work. I came to  
23 Brooklyn for my children. It was in April when I became a part  
24 of the fairness in employment project. I learned that there were  
25 a lot of projects that could provide for me and my family and it  
26 taught me to value myself and everything that I wanted related  
27 to my goals.

28  
29 Elias Rojas

30 Pg. 49, line 13 – My name is Elias Rojas, and I am a member of  
31 Brandworker. So, tonight I am going to talk to you about the  
32 campaign that we have against Tom Cat Bakery, which is located  
33 in Long Island City.

1 Pg. 49, after line 18 - Among the mistakes that the company  
2 made, one was that they only gave us 10 days, but they had been  
3 audited months before. After working for the company for many  
4 years, I expected compensation that was in keeping with several  
5 years of working for the company. But they didn't offer me  
6 anything. They didn't care at all whether or not we were  
7 unemployed.

8 Page 50, line 24 - In my case, after being unemployed, since it  
9 was really hard for me to find a job, I got experience doing  
10 what I had wanted at Tom Cat. But it wasn't of use to me. But  
11 with our campaign we have made it such that some restaurants  
12 have stopped serving Tom Cat bread. And we are going to continue  
13 until Tom Cat realizes that a lot of its customers aren't  
14 alright with what they did.

15

16 Clemente Martiness

17 Pg. 62, line 17 - Recently the City again turned its back on  
18 food delivery employees. They started criminalizing the use of  
19 electric bicycles. The mayor took our proposals and needs into  
20 consideration, but he instead decided to support those that  
21 have money.

22

23 Camilo Montes

24 Pg. 78, line 18 - Actually the tip credit is beneficial for  
25 business owners, not the employees. The employees are the ones  
26 who are really impacted.

27

28 **II. Transcribed in Spanish by OLPS and translated from Spanish**  
29 **into English by Eriksen Translations Inc.**

30

31 José Francisco

32 Pg. 112, line 20 - Good evening. My name is José Francisco and I  
33 work at a laundromat called Unitex. I am proud that my union  
34 called Workers United has always fought to improve the standards

1 for laundromat employees. A few years ago we fought and managed  
2 to get a law called the "Clean Act" approved. This important law  
3 requires the laundromats to deliver clean clothing to the public  
4 and to ensure ventilation that is beneficial to the customers  
5 and employees. It also guarantees that all industrial laundries  
6 comply with the guaranteed health and safety standards. [This  
7 includes the] cleanliness of sheets and garments. Our hospitals  
8 and restaurants are proud because we also know that if this  
9 industrial laundromat does not comply with the standard of  
10 cleanliness, then most of the time they are not complying with  
11 other standards either, such as those related to the treatment  
12 of employees and health and safety conditions. We would like to  
13 thank DCA for the support. It has been a year of justice during  
14 which a laundromat named Carnegie Cleaner, a company with all  
15 sorts of unscrupulous violations, has not received a "Clean Act"  
16 license. Nevertheless, there are still some laundromats that do  
17 not have the "Clean Act" license and they have million dollar  
18 contracts with you and with hospitals here in New York State. We  
19 are here in order to make it necessary to comply with this law.  
20 Those laundromats that do not have a "Clean Act" license do not  
21 pay insurance for their employees and they have multiple labor  
22 violations. This is unacceptable. It is important for there to  
23 be compliance with the law. The way that there will be  
24 compliance with this law is through enforcement, along with the  
25 support from you, our political representatives, who stand  
26 together with the union.

# Certificate of Accuracy

STATE OF NEW YORK)

SS:

COUNTY OF KINGS)

This is to certify that the attached document:

## **State of Workers' Rights Testimony – Addendum\_EN**

is, to the best of my knowledge and belief, a true, complete, and accurate translation from the Spanish language into the English language.

  
\_\_\_\_\_  
Courtney Weiner

Sworn to and subscribed before me

this 18<sup>th</sup> day of September 2018

  
\_\_\_\_\_  
Notary Public

**FARINES RAMOS**  
Notary Public, State of New York  
Reg. No. 01RA6300309  
Qualified in Bronx County  
Commission Expires March 31, 2022

1                   **State of Workers' Rights Hearing - July 17, 2018**  
2                   **Testimony Transcription Corrections**

3  
4  
5 A portion of the transcript has been redacted to protect a speaker's  
6 privacy.

7  
8 **Manuela Blanco**

9 Pg. 57, line 7 - DCA took measures contacted me -- the supermarket and  
10 now the employees there know and the future employees know that they  
11 have sick pay leave.

12  
13 **Elva Ladiz Rios**

14 Pg. 14 - 1199SEIU's panelist was Elva Ladiz Rios, not Elba Rijos.

15  
16 **Clemente Martines**

17 Pg. 60 - Make The Road New York's panelist was Clemente Martines, not  
18 Clemente Martinez

19  
20 **José Francisco**

21 Pg. 112 - Workers United's panelist was José Francisco, not Jose  
22 Francinco