

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall  
Philadelphia, Pennsylvania  
Wednesday, November 16, 2011  
10:10 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR  
COUNCILMAN FRANK DiCICCO  
COUNCILMAN W. WILSON GOODE, JR.  
COUNCILMAN BILL GREEN  
COUNCILMAN JACK KELLY

BILL 110057 - An ordinance amending Title 17  
of The Philadelphia Code, entitled "Contracts  
and Procurement," to provide that certain City  
contractors must offer the same benefits to  
the life partners of their employees...  
BILL 110757 - An ordinance amending Chapter  
12-2800 of The Philadelphia Code, entitled  
"Administrative Adjudication of Parking  
Violations," by providing that additional fees  
and costs shall be imposed for failure to  
answer a parking ticket...

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1  
2 COUNCILMAN GREENLEE: Good  
3 morning, everyone. This is the Committee  
4 on Law and Government. For the record,  
5 we have a quorum with Councilman DiCicco,  
6 Councilman Goode and Councilman Kelly and  
7 myself, Bill Greenlee, as the Chair.

8 Ms. Marconi, will you please  
9 read the first bill before us today.

10 THE CLERK: Bill No. 110757, an  
11 ordinance amending Chapter 12-2800 of The  
12 Philadelphia Code, entitled  
13 "Administrative Adjudication of Parking  
14 Violations," by providing that additional  
15 fees and costs shall be imposed for  
16 failure to answer a parking ticket only  
17 when a notice of violation, issued with  
18 respect to such ticket, has not been  
19 answered within a specified period of  
20 time, increasing certain penalties and  
21 costs, revising the time period required  
22 to answer a parking ticket and making  
23 certain technical changes, all under  
24 certain terms and conditions.

25 COUNCILMAN GREENLEE: Thank

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2 you.

3 Mr. Fenerty, I know you're  
4 going to be our first witness, but as  
5 you're coming up, let me just make a real  
6 quick statement.

7 I put this bill in recently  
8 because I received a number of complaints  
9 over a long period of time that people  
10 were getting notices from the Parking  
11 Authority with penalty already on the  
12 ticket that they never remember getting,  
13 and I think they didn't get that ticket  
14 for a variety of reasons, oftentimes  
15 innocent reasons. So I just want to say  
16 I really appreciate the cooperation of  
17 Mr. Fenerty, Mr. Dixon and everybody from  
18 the Parking Authority to work on this  
19 bill. We have some amendments just to  
20 cover some potential problems, but  
21 basically this bill I think will help  
22 people, and I think that's generally what  
23 we try to do in here.

24 And, again, Mr. Fenerty, I  
25 appreciate your cooperation, and

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2 introduce yourself for the record and  
3 proceed, please.

4 MR. FENERTY: Mr. Chairman  
5 Greenlee, my name is Vince Fenerty. I'm  
6 the Executive Director of the  
7 Philadelphia Parking Authority.

8 Bill No. 110757, which was  
9 introduced by yourself, Chairman,  
10 provides that a notice be added to the  
11 parking ticket notice of violation  
12 indicating that a parking ticket was  
13 issued to an individual's vehicle and  
14 that penalties will be added if the fine  
15 is not paid within ten days of the notice  
16 date mailed to them.

17 Currently, a \$20 penalty is  
18 added to the fine 15 days after the  
19 ticket is issued. The only notice of the  
20 penalty is on the back of the parking  
21 ticket. On occasion, a ticket is taken  
22 from the vehicle's windshield,  
23 intentionally or accidentally, and the  
24 motorist is not aware that a ticket is  
25 issued. When the notice of violation is

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2 sent to the registered owner, the late  
3 penalty is already applied. To address  
4 this concern, this bill requires that the  
5 first notice of violation be sent  
6 including a warning that a penalty will  
7 be applied ten days after the notice  
8 date. This will permit the person to  
9 whom the ticket was issued to pay it  
10 without the first penalty being added.  
11 The warning will also help those who may  
12 have misplaced or forgotten a ticket by  
13 reminding them that payment is due before  
14 the penalty is imposed.

15 In order to offset the revenue  
16 loss, which will result from the  
17 imposition of fewer late penalties, the  
18 bill also increases the first penalty  
19 from \$20 to \$25 and the second penalty  
20 from \$25 to \$30. This is a reasonable  
21 increase since those tickets will have  
22 had both warnings on the ticket as well  
23 as on the notice of violation that late  
24 penalties will be imposed if it is not  
25 paid in a timely manner.

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2 It is difficult to determine  
3 the cost of this measure because we  
4 cannot know how it will affect payment  
5 patterns of parking tickets. However,  
6 the improved sense of fairness that this  
7 commonsense approach will provide is  
8 worth the price. It is also important to  
9 remember that the primary purpose of  
10 parking enforcement is not to generate  
11 revenue. It is to improve compliance  
12 with parking regulations to improve  
13 access and support community and economic  
14 activity in the City. The fine is to be  
15 a deterrent to illegal parking, not  
16 merely another revenue source.

17 I believe this bill is a  
18 reasonable measure consistent with the  
19 Philadelphia Parking Authority's mission  
20 to provide parking management service  
21 which encourages the City's economic  
22 vitality. I recommend favorable  
23 consideration to this bill.

24 And I'd also like to add,  
25 Mr. Greenlee, as I told you, I'm very

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2 envious that someone at the Parking  
3 Authority didn't think of this first.

4 COUNCILMAN GREENLEE: That's  
5 okay. It's good to work together with  
6 you, Vince.

7 And I just wanted to add --  
8 and, again, thank you for your testimony.  
9 I just want to add that this will not  
10 necessitate any other notices. So there  
11 won't be other mailing, any additional  
12 notices already what we have now. As  
13 I've said before, I envision this as sort  
14 of looking like your water bill or credit  
15 card bill or something. You pay by this  
16 date, you pay this amount. You pay after  
17 that date. So it shouldn't incur any  
18 more costs that way.

19 So are there any questions for  
20 Mr. Fenerty?

21 Councilman Kelly.

22 COUNCILMAN KELLY: I just have  
23 one question. It has nothing to do with  
24 this bill, but I'd just like to know  
25 about handicap parking. What is the

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2 process of a person acquiring one of  
3 these placards that says you're  
4 handicapped?

5 MR. FENERTY: The placard comes  
6 from PennDOT. The Parking Authority --

7 COUNCILMAN KELLY: It's all  
8 PennDOT, it's all state?

9 MR. FENERTY: I have those  
10 forms, Councilman. Since I know you're  
11 retiring, you may want to apply for one.

12 COUNCILMAN GREENLEE: I was  
13 wondering why he was asking that  
14 question.

15 COUNCILMAN KELLY: I want to  
16 join the 50 percent of the motorists in  
17 Philadelphia who have them. I think that  
18 I'm one of the few that don't.

19 Thank you.

20 MR. FENERTY: Mr. Chairman, I'd  
21 just like to take one more minute, if you  
22 can indulge me.

23 COUNCILMAN GREENLEE: Sure.

24 MR. FENERTY: From what seems  
25 like my entire life, I've been appearing



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2 before City Council, and many of the  
3 committees I have appeared before  
4 Councilman DiCicco and Councilman Kelly  
5 have been part of. They've always been  
6 very supportive of the good works the  
7 Parking Authority has done. I'd like to  
8 thank them and wish them both very good  
9 luck in their retirement.

10 COUNCILMAN GREENLEE: Thank  
11 you.

12 COUNCILMAN KELLY: Thank you.

13 COUNCILMAN GREENLEE: Thank  
14 you, Vince.

15 No other questions. And just  
16 for the record, there will be some  
17 amendments. They've already been  
18 circulated, which basically clears up  
19 some language, possible language  
20 difficulties. I tried to keep it as  
21 simple as possible, which was the intent  
22 of the bill.

23 Are either Rebecca Alpert or  
24 Leonard Smith in the room? I'm sorry.  
25 Please come forward.

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2 (Witness approached witness  
3 table.)

4 COUNCILMAN GREENLEE: Please  
5 identify yourself for the record and  
6 proceed. I'm sorry.

7 MS. ALPERT: Good morning.  
8 Thanks for the opportunity to provide  
9 this testimony on Bill 110757. My name  
10 is Rebecca Alpert. I am a longtime  
11 resident of East Mount Airy and a  
12 professor at Temple University, but I  
13 appear before you today as a private  
14 citizen, and I'm most pleased to speak on  
15 behalf of Bill 110757 that would correct  
16 a problem that, judging from public  
17 response, many of us have faced.

18 It has demoralized me on more  
19 than one occasion to receive a bill for a  
20 parking ticket that I never received,  
21 knowing that I have no way to prove that  
22 my car was not in the location cited or  
23 was not in that location in violation of  
24 parking rules.

25 While this bill cannot address

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2 that problem, it will at least ameliorate  
3 the added injustice of being asked to pay  
4 a penalty in addition to the fine of  
5 which the recipient could not possibly  
6 have been aware. A bill received in the  
7 mail that allows those of us who pay our  
8 parking violations in a timely fashion  
9 the opportunity to do so without  
10 incurring additional cost is a vast  
11 improvement over the current situation.

12 I really appreciate Councilman  
13 Greenlee's willingness to tackle this  
14 problem that has daunted many  
15 Philadelphia residents and visitors and  
16 to propose this legislation. I hope some  
17 day we can also resolve the serious  
18 problem of phantom ticketing that will  
19 undoubtedly continue, but that's for some  
20 future time.

21 COUNCILMAN GREENLEE: Thank  
22 you. And just on that last point, Ms.  
23 Alpert, Mr. Fenerty and I have talked  
24 about that, and he has tried to take very  
25 proactive action, if you will, against

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2 people who have done that. So I think we  
3 already have that dialogue. And I just  
4 want to thank you, because I have to say,  
5 your letter kind of put me over the top  
6 on this. When I saw it, I said, you  
7 know, we really have to do something  
8 about this, and, again, I think this is a  
9 commonsense approach. So I appreciate  
10 your time in you coming down.

11 MS. ALPERT: It is really  
12 wonderful to have Council responsive to a  
13 simple e-mail from a private citizen. So  
14 thank you very, very much for that.

15 COUNCILMAN GREENLEE: Thank  
16 you. Thank you very much.

17 Is there anyone else here to  
18 testify on this bill?

19 (No response.)

20 COUNCILMAN GREENLEE: That's  
21 what I like, non-controversial bills. We  
22 need more of these.

23 Councilman DiCicco, where are  
24 you? No, no, no. I'm only kidding. I  
25 said we have to have more

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2 non-controversial bills.

3 Ms. Marconi, if you please read  
4 the title of the next bill before us,  
5 please.

6 THE CLERK: 110057, an  
7 ordinance amending Title 17 of The  
8 Philadelphia Code, entitled "Contracts  
9 and Procurement," to provide that certain  
10 City contractors must offer the same  
11 benefits to the life partners of their  
12 employees as are offered to the spouses  
13 of married employees, all under certain  
14 terms and conditions.

15 COUNCILMAN GREENLEE: Thank  
16 you.

17 First, I'd just like to  
18 announce this bill has been sponsored  
19 by -- introduced and sponsored by  
20 Councilwoman Reynolds Brown with a number  
21 of co-sponsors, including myself.  
22 Councilwoman Reynolds Brown unfortunately  
23 was called out due to a health issue with  
24 her mother. She will not be able to be  
25 here today, but she certainly wanted me

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2 to express her thanks to everybody that  
3 she's worked with on this bill and also  
4 hope that the Committee, after due  
5 consideration, will approve this bill,  
6 because it's something she's been working  
7 on for a long time, her and her office,  
8 and we think it really helps people and  
9 that there's sort of an obligation if  
10 you're getting City money to give proper  
11 benefits to people.

12 So with that, our first  
13 witness, unless anybody has anything to  
14 say, Committee has anything to say.

15 (No response.)

16 COUNCILMAN GREENLEE: Seeing  
17 none, Rue Landau, please.

18 (Witness approached witness  
19 table. )

20 COUNCILMAN GREENLEE: Good  
21 morning. Good to see you again.

22 MS. LANDAU: Good morning.  
23 Good to see you.

24 COUNCILMAN GREENLEE: Please  
25 identify yourself, although we all know

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2 you by now, but please identify yourself  
3 and proceed.

4 MS. LANDAU: Good morning,  
5 Councilman Greenlee and members of the  
6 Law and Government Committee. Thank you  
7 for this opportunity to testify in  
8 support of Bill No. 110057. My name is  
9 Rue Landau and I am the Executive  
10 Director of the Philadelphia Commission  
11 on Human Relations. The Commission is  
12 the City agency that enforces  
13 non-discrimination laws, particularly the  
14 Philadelphia Fair Practices Ordinance.

15 First I'd like to start by  
16 thanking Councilwoman Reynolds Brown for  
17 introducing this important bill, and  
18 hopefully she knows that we are all  
19 thinking about her today.

20 I'd also like to introduce one  
21 of my Commissioners, Rebecca Alpert, who  
22 is also here today.

23 COUNCILMAN GREENLEE: On the  
24 first bill also.

25 MS. LANDAU: On a different

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2 issue now, in support of our issue here.

3 This bill in front of you today  
4 would require certain City contractors  
5 who provide services either for or on  
6 behalf of the City to provide the same  
7 employment benefits to the life partners  
8 of their employees as they offer to the  
9 spouses of their employees.

10 The purpose of the law is  
11 simple - equal treatment. Employees with  
12 spouses and employees with life partners  
13 should receive the same compensation,  
14 salary and benefits. Since benefits such  
15 as health insurance make up roughly 20  
16 percent of employees' overall  
17 compensation, this truly is an issue of  
18 equal pay for equal work.

19 This bill does not require City  
20 contractors to begin offering new  
21 benefits. If a contractor does not offer  
22 benefits to married employees, it is not  
23 required to offer benefits to employees  
24 in life partnerships. In addition, under  
25 certain circumstances, the requirements



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2 of this bill may be waived.

3 The reality is that since the  
4 1990s many large companies have added  
5 life partner benefits as a low-cost way  
6 to attract and retain lesbian, gay,  
7 bisexual and transgender employees.  
8 According to the Human Rights Campaign,  
9 57 percent of Fortune 500 companies  
10 currently offer life partner benefits to  
11 their employees, and over 90 percent of  
12 the 615 large employers included in the  
13 HRC's 2011 Corporate Equity Index offered  
14 the benefits as well. The majority of  
15 employers offering partner benefits  
16 experience a total financial impact of  
17 less than 1 percent of their total  
18 benefits compensation.

19 Passing this law would add  
20 Philadelphia to the growing list of  
21 states, cities and counties that ensure  
22 equal benefits for same sex partners.  
23 Currently, one state and 12 cities and  
24 counties have equal benefits laws. An  
25 additional five cities have similar

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2 ordinances.

3 More importantly, passing this  
4 law would fall squarely in line with the  
5 strong history of commitment by this  
6 body, the Mayor and the City in general  
7 to promoting equality and providing  
8 protections for the LGBT community.

9 Almost 30 years ago, our City's Fair  
10 Practices Ordinance was amended to expand  
11 the protections from discrimination to  
12 cover sexual orientation. In 1998, life  
13 partnership benefits were added. And in  
14 2002, protections from discrimination  
15 based on gender identity were included.  
16 Finally, this year this body passed a  
17 host of amendments, thanks to Councilman  
18 Greenlee, to the Fair Practices Ordinance  
19 that strengthened all of the LGBT  
20 protections.

21 Our history is commendable.  
22 Passing this bill would send a strong  
23 message once again that Council is  
24 committed to promoting equality for the  
25 LGBT community.

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2 Thank you again for the  
3 opportunity to testify in favor of Bill  
4 110057. I would be happy to take any  
5 questions.

6 COUNCILMAN GREENLEE: Thank  
7 you, and thank you for all you do. I  
8 know we've interacted on a number of  
9 issues, so I appreciate all that you and  
10 the Commission have done. And I think  
11 you used the words here in the fourth  
12 paragraph. I think it sums it up.  
13 "Equal treatment." That's what it's  
14 about.

15 Any questions from members of  
16 the Committee?

17 (No response.)

18 COUNCILMAN GREENLEE: Seeing  
19 none, going along swimmingly here. Thank  
20 you, Rue. Thank you very much.

21 MS. LANDAU: Thank you very  
22 much.

23 COUNCILMAN GREENLEE: Our next  
24 witnesses -- I actually have four  
25 witnesses. I want to see if there's

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2 anybody else that wants to testify. I  
3 have Adrian Shanker, Sara Jacobson, Nurit  
4 Shein. I hope I'm pronouncing that  
5 right. And Sherrie Cohen.

6 Is there anybody else who wants  
7 to testify besides those four?

8 (No response.)

9 COUNCILMAN GREENLEE: Let's  
10 start, Adrian Shanker, Sara Jacobson,  
11 Nurit Shein. Sherrie, you can come up  
12 too. We might as well come up at the  
13 same time.

14 (Witnesses approached witness  
15 table.)

16 COUNCILMAN GREENLEE: Good  
17 morning, sir. I'm sorry. Please  
18 identify yourself for the record and  
19 proceed, please.

20 MR. SHANKER: I'm Adrian  
21 Shanker. I'm the President of Equality  
22 Pennsylvania. We have an office here in  
23 Philadelphia, and I live in Allentown,  
24 Pennsylvania.

25 COUNCILMAN GREENLEE: Go ahead.

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2 Proceed.

3 MR. SHANKER: Chairman Greenlee  
4 and members of the Committee on Law and  
5 Government, Pennsylvania sits in a  
6 crossroads right now. On the one hand,  
7 public opinion has grown and continues to  
8 grow rapidly in favor of the LGBT  
9 community. On the other, our Legislature  
10 in Harrisburg has failed in their  
11 responsibility to provide equal  
12 relationship recognition for same sex  
13 couples. Equality Pennsylvania works  
14 closely with our allies in Harrisburg,  
15 and we can assure the City Council that  
16 every time a municipality advances  
17 relationship recognition for same sex  
18 couples, our state Legislature takes  
19 note.

20 The reality is that if  
21 Pennsylvania had marriage equality, the  
22 equal benefits bill would not be  
23 necessary. Philadelphia has a history,  
24 in fact a tradition, of leading the way  
25 for LGBT equality and equal rights in

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2 Pennsylvania. In 2002, City Council  
3 amended the Fair Practices Act with  
4 language protecting the LGBT community  
5 from discrimination in housing,  
6 employment and public accommodation.  
7 Today, 23 municipalities covering more  
8 than 30 percent of Pennsylvanians provide  
9 the same protection as Philadelphia has  
10 already been doing for their residents.

11 In 1996, Mayor Rendell signed  
12 an Executive Order granting domestic  
13 partner benefits to same sex partners of  
14 City employees, and since then, the  
15 cities of Harrisburg, Pittsburgh,  
16 Allentown, Easton and Lancaster and the  
17 borough of Doylestown have enacted  
18 policies to provide partner benefits to  
19 their city workforces as well. Indeed,  
20 Philadelphia laid the groundwork for  
21 other municipalities to move forward and  
22 providing some form of relationship  
23 recognition for same sex couples.

24 Today, this body has the power  
25 to advance legislation that will once

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2 again make Philadelphia known across the  
3 Commonwealth as a beacon of progressive  
4 ideas and a leader in the struggle for  
5 equal rights for all people. The equal  
6 benefits bill quite simply will make sure  
7 that any of the City contractors whose  
8 bids are over \$250,000 will provide same  
9 sex partners of their employees with the  
10 same benefits to legally married  
11 employees. This is not only good for the  
12 LGBT community, but in actual fact, this  
13 legislation will be a benefit for the  
14 business community as well. The business  
15 community has been far outpacing  
16 governments in the race for equality. A  
17 vast majority of Fortune 500 companies  
18 already provide same sex partner benefits  
19 and have done so because they know that  
20 it is in their best interest to attract  
21 and retain a top-talented workforce.

22 Let us remember one important  
23 fact about this legislation. We're  
24 talking about partner-based employee  
25 benefits such as access to medical

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2 coverage, FMLA and bereavement leave.

3 While good people may disagree on  
4 national social issues, I think that it's  
5 pretty non-controversial to suggest that  
6 these benefits should be required for  
7 large City contractors to provide to same  
8 sex partners of their employees.

9 If we start with the basic idea  
10 that all people deserve equal treatment,  
11 equal benefits and in fact equal rights,  
12 then there is no rational reason to  
13 oppose the equal benefits bill. And once  
14 Philadelphia moves forward, the City of  
15 Brotherly Love and Sisterly Affection  
16 will truly be raised up as an example for  
17 dozens of other cities throughout the  
18 Commonwealth, as well as yet another  
19 reminder that the State of Pennsylvania  
20 actively discriminates against the LGBT  
21 community by denying equal marriage  
22 rights.

23 The reality is that this  
24 legislation has an impact far beyond  
25 Philadelphia. The impact will be heard



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2 in city halls throughout Pennsylvania and  
3 across the nation. This legislation is  
4 cutting edge policy-making and superior  
5 thought-leading by Philadelphia, and I  
6 look forward to the passage of this bill.

7 Equality Pennsylvania applauds  
8 Councilwoman Reynolds Brown on the  
9 introduction of this bill and Chairman  
10 Greenlee on consideration of this bill  
11 and urges all members of this Committee  
12 to advance this important legislation to  
13 the full Council.

14 I'll be happy to answer any  
15 questions as well.

16 COUNCILMAN GREENLEE: Thank  
17 you. We'll hear from everybody and then  
18 if there's questions, they can be  
19 addressed.

20 Ms. Jacobson.

21 MS. JACOBSON: Thank you. Good  
22 morning.

23 COUNCILMAN GREENLEE: Good  
24 morning.

25 MS. JACOBSON: My name is Sara

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2 Jacobson. I'm a member of the Board of  
3 The Liberty City Democratic Club and the  
4 Chair of its Endorsement Committee. I  
5 thank the Committee on Law and Government  
6 for accepting our testimony on the equal  
7 benefits bill.

8 Many of the members of Council  
9 came before our membership less than a  
10 year ago asking for our support in the  
11 elections. I don't know if you recall,  
12 but when we opened our candidate night,  
13 we asked you to remember our organization  
14 and its members not only on Election Day  
15 when you had our votes, but after  
16 Election Day as well when you made  
17 decisions that affect us in these halls.

18 Liberty City supports the equal  
19 benefits bill and thanks Councilwoman  
20 Reynolds Brown for introducing it, as  
21 well as the members of Council who have  
22 signed on to be co-sponsors - Councilman  
23 Kenney, Councilman Greenlee, Councilwoman  
24 Tasco, Councilman DiCicco and  
25 Councilwoman Sanchez.

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2 Liberty City was founded in  
3 1994 to build lesbian and gay involvement  
4 in the democratic party. Our goals  
5 include mobilizing LGBT voters; electing  
6 lesbian, gay, bisexual and transgender  
7 candidates to office; and promoting  
8 legislative issues of importance to our  
9 community. We have approximately 4,000  
10 members throughout Philadelphia and the  
11 surrounding counties. As you can  
12 imagine, our membership cares deeply  
13 about LGBT equality. They turned to  
14 Liberty City for guidance about important  
15 legislation like the equal benefits bill,  
16 and they vote.

17 Philadelphia needs the equal  
18 benefits bill because this bill ensures  
19 that our City doesn't endorse  
20 discrimination in its private  
21 contracting. This bill says that if you  
22 want to do big business with our City,  
23 you must do right by all its citizens by  
24 providing the same employment benefits to  
25 life partners who share the same gender

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2 identity as those given to opposite sex  
3 couples. Permitting tax dollars that go  
4 towards City contracts for businesses  
5 that don't provide such benefits would be  
6 a use of tax dollars to endorse  
7 discrimination. The equal benefits bill  
8 is inclusive, because its definitional  
9 section, as amended, uses terms like  
10 "gender identity," terms that contemplate  
11 transgender people. The bill shows  
12 leadership, placing Philadelphia among a  
13 growing list of states, counties and  
14 cities who have passed similar  
15 legislation. And this bill is smart,  
16 because it combats discrimination without  
17 costing the City a dime.

18 A mere eight days ago the  
19 members of Liberty City stood in line to  
20 vote, and when they voted, they stood up  
21 for many of you. They did so because you  
22 came to our organization and pledged your  
23 support for the issues that matter to us,  
24 issues like this bill. I ask you to  
25 stand up for us now as we did for you

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2 then eight days ago. Stand up for us by  
3 passing the equal benefits bill.

4 Thank you.

5 COUNCILMAN GREENLEE: Thank  
6 you.

7 Ms. Shein.

8 MS. SHEIN: Good morning.

9 COUNCILMAN GREENLEE: Good  
10 morning.

11 MS. SHEIN: My name is Nurit  
12 Shein and I'm the Executive Director of  
13 Mazzoni Center. Our organization is the  
14 regional lesbian, gay, bisexual and  
15 transgender health organization providing  
16 over 30,000 individuals from Philadelphia  
17 and the counties with health and social  
18 services. I am here to support  
19 Councilwoman Reynolds Brown's equal  
20 benefits bill and to applaud her for  
21 introducing it.

22 The movement towards domestic  
23 partnership benefits in the workplace is  
24 rooted in the egalitarian principle that  
25 equal work warrants equal pay, including

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2 employment benefits. So when employers  
3 extend benefits to married employees with  
4 opposite sex spouses, the same benefits  
5 should go to same sex partners.

6 About 20 percent of Americans  
7 in same sex relationships lack insurance,  
8 according to some federal data. Overall,  
9 the number of companies that extend same  
10 sex partner benefits is about one in  
11 five, or about 21 percent of U.S.  
12 employers. I think the City of  
13 Philadelphia stands to correct that.

14 As the only LGBT health  
15 organization in the region, we at Mazzoni  
16 Center witness the outcomes of lack of  
17 equal benefits every day. On average,  
18 about 35 percent of our patients are  
19 uninsured, and while we are able to waive  
20 the fees of a medical visit and/or give  
21 them a sliding scale for medical care, we  
22 are unable to provide them with specialty  
23 care and/or lab works and so on. The  
24 result is an increased burden on  
25 emergency rooms and increased costs to

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2 the taxpayer and to the City of  
3 Philadelphia. So it is not only the  
4 right thing to do, it is the economic  
5 thing to do.

6 The most important asset of any  
7 business is its employees. Employees who  
8 are treated equally and with respect are  
9 better employees and more loyal  
10 employees. So providing equal benefits  
11 to all employees is not only the right  
12 thing to do and the economic thing to do,  
13 it will also make for better business  
14 practices.

15 So we urge the Council to  
16 support this legislation, and we thank  
17 Councilwoman Reynolds Brown for ensuring  
18 that all Philadelphians are treated  
19 equally.

20 COUNCILMAN GREENLEE: Thank  
21 you. And just again for the record, I  
22 know you came in a little late.  
23 Councilwoman Reynolds Brown was called  
24 out for a family emergency, but she  
25 certainly wanted to express her thanks to

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2 everybody here who is testifying.

3 Ms. Cohen.

4 MS. COHEN: Hello.

5 COUNCILMAN GREENLEE: Good  
6 morning.

7 MS. COHEN: Good morning,  
8 everyone. My name is Sherrie Cohen and  
9 six months ago I was the first out LGBTQ  
10 democratic candidate for City Council. I  
11 am thrilled to be here on this historic  
12 day for human rights and equality to  
13 testify in support of this terrific  
14 legislation. I applaud Councilwoman  
15 Blondell Reynolds Brown, who introduced  
16 Bill 110057, Philadelphia's equal  
17 benefits ordinance, and co-sponsors Frank  
18 DiCicco, Jim Kenney, Maria  
19 Quinones-Sanchez, Marian Tasco and Bill  
20 Greenlee.

21 The bill before us today asks  
22 the fundamental question, Do we want to  
23 give our public dollars to companies that  
24 discriminate? Every day our City is  
25 giving money to City contractors who



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2 discriminate against employees based on  
3 sexual orientation and marital status.

4 In addition, the federal government  
5 provides tremendous benefits to  
6 heterosexual people who marry. In fact,  
7 in 2004, the U.S. General Accounting  
8 Office calculated that there are 1,138  
9 different federal marital benefits and  
10 protections denied to same sex couples as  
11 a result of marriage inequality. While  
12 only federal law can change these  
13 injustices, Philadelphia can provide  
14 equal pay for equal work through  
15 employment-based benefits such as health  
16 insurance coverage and retirement  
17 benefits for employees of City  
18 contractors. By requiring City  
19 contractors to provide the same benefits  
20 they provide for married, heterosexual  
21 employees to employees with same sex  
22 partners, Bill 110057 encourages  
23 companies to adopt equal benefit policies  
24 by rewarding companies that do not  
25 discriminate with the opportunity to do

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2 business with the City.

3 Bill 110057 follows an  
4 important tradition of dissociating  
5 government from private discrimination.

6 Government contracts should not be  
7 awarded to companies that discriminate.

8 Bill 110057 will increase the number of  
9 people covered by private health  
10 insurance, thereby improving public  
11 health as well as reducing the cost of  
12 publicly funded healthcare.

13 The first city that started  
14 this equal benefits movement was the City  
15 of San Francisco, which in 1997 passed --  
16 had enacted the first equal benefits  
17 ordinance. Since that time, in the past  
18 14 years, over 14,000 firms have complied  
19 with the City's equal benefits ordinance.  
20 Many of these firms are multi-state  
21 companies who adopted nationwide benefit  
22 reforms. So the San Francisco law itself  
23 has had a wide rippling effect.

24 These companies employ a  
25 nationwide pool of over 2 million people,

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2 and within an approximate 3 percent  
3 enrollment rate, which is considered on  
4 the high end of the numbers of people  
5 eligible who actually enroll in these  
6 programs, over 66,000 people  
7 approximately have taken advantage of  
8 this benefit through the programs offered  
9 by City contractors. As others have said  
10 already, there's about a dozen cities and  
11 counties and the State of California that  
12 have passed similar equal benefit bills.  
13 In fact, Broward County just last week  
14 when we were voting passed a countywide  
15 ordinance. But with all of the  
16 ordinances that have passed so far as of  
17 March 2011, the Bureau of Labor  
18 Statistics reported that in private  
19 industry, approximately 29 percent of  
20 people have access to health benefits for  
21 same sex partners. So we still have a  
22 long way to go.

23 I know -- I'll say a couple  
24 other things and then wrap up. I just  
25 want to again call everyone's attention

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2 to the fact that the cost and utilization  
3 of domestic partnership benefits is  
4 almost negligible. After more than a  
5 decade of experience with employers  
6 offering domestic partner health  
7 benefits, the cost to most employers has  
8 been very low. For example, a 2005  
9 Hewitt Associates study found that 88  
10 percent of companies experience financial  
11 impacts of 2 percent or less, and only 5  
12 percent experience financial impacts of 3  
13 percent or greater of the total benefits  
14 costs. Again, the rates of enrollment  
15 have been estimated to be very low, only  
16 1 to 3 percent. Possible explanations  
17 include that same sex domestic partners  
18 are likely already covered by their own  
19 employer or people are simply unwilling  
20 to disclose their sexual orientation for  
21 fear of discrimination.

22 A recent study by the Williams  
23 Institute, which is a think tank that  
24 advances sexual orientation and gender  
25 identity scholarship, reported last month

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2 that based on statements that CEOs have  
3 made after they have introduced these  
4 policies, they have stated that companies  
5 link these policies to improving employee  
6 morale and productivity, to meeting the  
7 needs of their diverse customers, and to  
8 sparking ideas and innovation through  
9 employees, including LGBT employees, who  
10 bring different perspectives and  
11 experiences.

12 So I join everyone here today  
13 in urging everyone in Council to vote  
14 this bill in so that Philadelphia will  
15 continue this movement of equal benefits  
16 legislation across the country.

17 Thank you so much.

18 COUNCILMAN GREENLEE: Thank  
19 you.

20 Any questions from members of  
21 the Committee for any of the panelists  
22 here?

23 (No response.)

24 COUNCILMAN GREENLEE: Seeing  
25 none, thank you all very much. Thank you

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2 for coming down.

3 Is there anyone else here to  
4 testify on this bill?

5 (No response.)

6 COUNCILMAN GREENLEE: Just note  
7 for the record that the City has come a  
8 long way just in the fact that there's  
9 nobody here testifying against this bill.

10 That concludes the public  
11 hearing of the Committee on Law and  
12 Government. We will now go into our  
13 public meeting.

14 The Chair recognizes Councilman  
15 DiCicco regarding the amendment to Bill  
16 No. 110 -- please, we got to finish here  
17 and the stenographer has to hear. So,  
18 please, just give us a minute. Thank  
19 you.

20 -- (continued) the amendment to  
21 Bill No. 110757.

22 COUNCILMAN DiCICCO: Thank you,  
23 Mr. Chairman. I move that the amendment  
24 to Bill No. 110757 be reported out of  
25 this Committee with a favorable -- I move

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2 for the adoption of the amendment. I'm  
3 sorry.

4 (Duly seconded.)

5 COUNCILMAN GREENLEE: It's been  
6 moved and seconded.

7 All in favor please say aye.

8 (Aye.)

9 COUNCILMAN GREENLEE: Opposed?

10 (No response.)

11 COUNCILMAN GREENLEE: Hearing  
12 none, the amendment is adopted.

13 Once again, Councilman DiCicco.

14 COUNCILMAN DiCICCO: Thank you,  
15 Mr. Chairman. I move that Bill No.  
16 110757, as amended, be reported out of  
17 this Committee with a favorable  
18 recommendation and a further  
19 recommendation that the rules of Council  
20 be suspended.

21 (Duly seconded.)

22 COUNCILMAN GREENLEE: It's been  
23 moved and seconded.

24 All in favor please say aye.

25 (Aye.)

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2 COUNCILMAN GREENLEE: Opposed?

3 (No response.)

4 COUNCILMAN GREENLEE: Hearing

5 none, Bill No. 110757, as amended, is  
6 reported out of this Committee with a  
7 favorable recommendation and a rules  
8 suspension to allow for first reading at  
9 our next session of Council.

10 The Chair recognizes Councilman  
11 Goode regarding the amendment to Bill No.  
12 110057.

13 COUNCILMAN GOODE: Thank you,  
14 Mr. Chairman. I move that the amendment  
15 to Bill 110057 be approved.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been  
18 moved and seconded.

19 All in favor please say aye.

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing

24 none, the amendment is adopted.

25 Before I recognize Councilman



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2 Goode, please let the record reflect that  
3 Councilman Green, a member of the  
4 Committee, is also present.

5 Again, Councilman Goode.

6 COUNCILMAN GOODE: Thank you,  
7 Mr. Chairman. I move that Bill 110057,  
8 as amended, be reported out of the  
9 Committee with a favorable  
10 recommendation, that the rules of Council  
11 be suspended so as to permit first  
12 reading at our next Council session.

13 (Duly seconded.)

14 COUNCILMAN GREENLEE: It's been  
15 moved and seconded.

16 All in favor please say aye.

17 (Aye.)

18 COUNCILMAN GREENLEE: Opposed?

19 (No response.)

20 COUNCILMAN GREENLEE: Hearing  
21 none, Bill No. 110057, as amended, is  
22 reported out of this Committee with a  
23 favorable recommendation and the rules of  
24 Council suspended to allow for first  
25 reading at our next session of Council.

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2 No further business before the  
3 Committee on Law and Government, this  
4 hearing is recessed.

5 (Applause.)

6 (Committee on Law and  
7 Government concluded at 10:45 a.m.)

8 - - -

1  
2 CERTIFICATE

3 I HEREBY CERTIFY that the  
4 proceedings, evidence and objections are  
5 contained fully and accurately in the  
6 stenographic notes taken by me upon the  
7 foregoing matter on November 16, 2011, and  
8 that this is a true and correct transcript of  
9 same.

10  
11  
12  
13  
14 -----  
15 MICHELE L. MURPHY  
16 RPR-Notary Public  
17  
18  
19

20 (The foregoing certification of this  
21 transcript does not apply to any reproduction  
22 of the same by any means, unless under the  
23 direct control and/or supervision of the  
24 certifying reporter.)  
25