

Committee on Labor and Civil Service
September 28, 2016

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LABOR AND CIVIL SERVICE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, September 28, 2016
3:29 p.m.

PRESENT:

COUNCILWOMAN CHERELLE L. PARKER - CHAIR
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN ALLAN DOMB
COUNCILMAN BILL GREEN
COUNCILWOMAN HELEN GYM
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILLS: 160713

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2 COUNCILWOMAN PARKER: Good afternoon.

3 This hearing is called to order. This is
4 the Public Hearing of the City Council
5 Committee on Labor and Civil Service. And
6 the purpose of this Public Hearing is to
7 hear testimony on Bill No. 160713.

8 I recognize the presence of a quorum of
9 Committee Members. Members of the Committee
10 are in attendance Councilman Domb, Green,
11 Councilwoman Gym and Councilwoman Sanchez
12 along with Parker. We also have our
13 Committee on Labor and Civil Service Vice
14 Chair here with us, Councilman Brian
15 O'Neill. Vice Chair O'Neill, thank you so
16 very much for being here.

17 Let me now ask Vice Chair O'Neill and/or
18 Councilwoman Gym to -- if they would like to
19 make any remarks before I make some remarks,
20 and then we get started with our testimony.

21 COUNCILMAN O'NEILL: I know you're
22 running late, so I will let it get started
23 and -- believe my freshman colleague has a
24 lot to say since she's been much a part of

1 this bill, I understand.

2 COUNCILWOMAN PARKER: Councilwoman Gym.

3 COUNCILWOMAN GYM: Thank you so much,
4 Madam Chair. And thank you everybody who
5 came out today to talk about an important
6 issue in this City, and that has to deal
7 with how we tackle issues of poverty and
8 rising income and equality in Philadelphia.

9 A few weeks ago, I think, maybe two
10 weeks ago there was a census report that
11 indicated that Philadelphia's median incomes
12 were on the rise. And many people have a
13 lot to celebrate with that. That is
14 absolutely true. But one of the indicators
15 that happened also showed that the
16 majority -- overwhelming amount of increase
17 in the median income had to do with the fact
18 that income over 100,000 had gone up
19 significantly, but that wages at the base
20 were stagnating. And one of the things that
21 we have to think about as a City, especially
22 in a city like Philadelphia, the poorest
23 large city in the country and especially for
24 our residents, is that for too often we have

1 seen too little increase in wealth.

2 This Bill which works to expand
3 prevailing wage for a number of institutions
4 and large entities is seeking to address
5 this issue of how we combat dramatic
6 inequality and income between the haves and
7 have nots. And existing law guarantees
8 prevailing wage to building service
9 employees working at large residential or
10 commercial buildings that are provided
11 significant financial assistance by the City
12 or leased by the City and/or bought from the
13 City. This bill simply expands the type of
14 buildings that would be provided that would
15 be covered by the prevailing wage laws. And
16 it's estimated that it will provide
17 additional \$22 million in economic benefit
18 for the City as a whole and put tens of
19 millions -- hundreds of millions of dollars
20 into the hands and pockets of ordinary
21 Philadelphians.

22 So, I want to thank Madam Chair. I want
23 to thank my colleagues on this Committee and
24 especially my cosponsors who are trying to

1 ask these questions about how we push
2 forward on issues of poverty of income and
3 equality in the City. And look forward to
4 this hearing.

5 Thank you.

6 COUNCILWOMAN PARKER: Thank you,
7 Councilwoman Gym. And thank you for your
8 leadership on this issue.

9 Let me state before we formally get
10 started and hearing our testimony from our
11 first panel, that I want you, if you can, to
12 go back and Google the story. And I want
13 you to read the headline because it was very
14 appropriate. And this is what Councilwoman
15 Gym just referenced. It was called
16 Surprisingly Good Economic News For Most --
17 For Most of the Philly Region.

18 And while those who may have read the
19 article think that the headline may have
20 sound a little rosy, the devil was in the
21 details. So when you listen to Councilwoman
22 Gym, talked about those whose income is
23 \$100,000 and above sort of seeing a rise,
24 the increase is in the number of

1 Philadelphians who are at the bottom of the
2 totem pole. Our security officers and our
3 janitors and our home health aide workers,
4 which is one of the largest growing sectors
5 in our region due to our aging population.

6 So, Councilwoman, what you have done is
7 put Council in a position where we will be
8 able to take some action in helping to do
9 what I often refer to as closing the gap
10 between the haves and the have nots.

11 (Applause)

12 Let me just ask the Clerk to now read
13 the title of the Bill being considered
14 today.

15 THE CLERK: An ordinance amending
16 Section 17-107 of The Philadelphia Code,
17 entitled "Contractors: Labor-Management
18 Relationships," to provide that building
19 service employees performing labor under
20 certain building service contracts, receive
21 the prevailing wage and prevailing working
22 conditions; and to provide for certain
23 exemptions or exclusions, all under certain
24 terms and conditions.

1 COUNCILWOMAN PARKER: Will the Clerk
2 also call the first panel to testify on this
3 Bill.

4 THE CLERK: Richard Lazer, Deputy Mayor
5 for Labor.

6 (Panel approaches Table.)

7 COUNCILWOMAN PARKER: Deputy Mayor,
8 please state your name for the record and
9 proceed with your testimony. I was about to
10 say, you look a little lonely today, but at
11 least you brought some company.

12 MR. LAZER: Good afternoon, Chairwoman
13 Parker, Councilwoman Gym, Members of the
14 Committee on Labor and Civil Service. My
15 name is Richard Lazer. I am the Deputy
16 Mayor for Labor. I want to thank you for
17 the opportunity to appear before you today
18 to testify on Bill No. 160713.

19 I would like to begin by thanking
20 Councilwoman Gym for introducing this
21 legislation. Bill No. 160173 will amend the
22 language of Section 17-107 on The
23 Philadelphia, "Contractors: Labor-Management
24 Relationships," to acquire a higher standard

1 for employee wages and benefits to be paid
2 to building service employees who work at
3 certain properties leased out by the City or
4 City-related agencies that benefit from the
5 City's financial assistance or that were
6 sold by the City within the past ten years.

7 More specifically, these provisions of
8 Section 17-107 currently apply where the
9 City property contains or will contain a
10 commercial office building of at least
11 25,000 square feet or a residential building
12 of at least 25 dwelling units, whether owned
13 or rented by the occupants thereof. Leases
14 shall be deemed to include subleases
15 including tenant leases.

16 This Bill will expand those criteria to
17 include commercial office -- commercial
18 offices, hospitals, universities, stadiums,
19 convention centers, airports and ports
20 configured either on as one building or as a
21 complex of buildings of at least 50,000
22 square feet, residential buildings or a
23 complex of residential buildings of at least
24 50 dwelling units and the special service

1 districts of any size.

2 The Administration supports this bill
3 and believes that workers are entitled to
4 better wages. I would be happy to answer
5 any questions that you may have at this
6 time.

7 COUNCILWOMAN PARKER: Thank you for your
8 testimony.

9 The Chair recognizes Councilwoman Gym.

10 COUNCILWOMAN GYM: I didn't actually
11 have any comments. I just wanted to say
12 thank you, Deputy Mayor. I know the Mayor
13 was the original author of the -- of the
14 bill that permitted this to be established
15 for commercial office buildings. It's
16 wonderful to see as the Mayor, you know, as
17 we transition into his administration, that
18 he continue to push hard and fight for all
19 workers in the City. And that his support
20 of this bill means a lot.

21 Thank you.

22 MR. LAZER: Thank you.

23 COUNCILWOMAN PARKER: Councilwoman
24 Sanchez.

1 COUNCILWOMAN QUINONES-SANCHEZ: Thank
2 you. And thank you Councilwoman Gym and
3 Councilwoman Parker for this.

4 Can you, Deputy Mayor Lazer, speak to
5 why closing these loopholes are so important
6 to the Mayor?

7 MR. LAZER: I think, it's definitely
8 important to the Mayor. I mean, this is a
9 big issue for us. I think the Councilwoman,
10 the Chairwoman had explained in the
11 beginning, I think it's important to close
12 that gap. We believe that when we increase
13 wages for workers, it increases their
14 quality of life, increases their family's
15 quality of life. And that's very important
16 to us.

17 The Mayor, it was a big priority of his
18 to close any income gaps that we could. And
19 we believe that this bill will help do that
20 and move -- move folks in the -- in the
21 right direction with increased wages.

22 COUNCILWOMAN QUINONES-SANCHEZ: In the
23 past, we have had to do several pieces of
24 legislation. And we have had some push back

1 from the Law Department about our ability to
2 be overreaching in the private sector.

3 And so you -- do you feel and the Law
4 Department feel pretty strongly that we can
5 defend and protect this? Because that's
6 been always the issue. One, is the law; and
7 the other is the implementation.

8 Are we going to get the type of support?

9 MR. LAZER: You are definitely going to
10 get the support from my office and -- with
11 labor standards. And while supporting this
12 bill, you know, we go through the proper
13 channels. And us supporting, I hope, shows
14 that we will defend it where possible.

15 And I think you'll -- I think because of
16 the City assistance, it's important.
17 Because, you know, we are -- we are giving
18 some assistance whether it's a service
19 contract, leases or some type of financial
20 assistance.

21 There is a -- you're kind of -- you
22 know, we're trying to make sure that if we
23 are helping out or we're doing something to
24 improve a project, that we also take care of

1 the employees. That they are also feeling
2 the benefits, as well.

3 COUNCILWOMAN QUINONES-SANCHEZ: I am
4 glad to hear that. I also want to make
5 sure, one of the challenges we face in the
6 past is when people begin to subcontract and
7 try to find loopholes. So, we also want to
8 make sure again in the enforcement
9 components of this. Because unfortunately,
10 they have high-powered attorneys. And they
11 figure out the loopholes that were committed
12 to the enforcement component of --

13 MR. LAZER: Yeah. We are definitely
14 committed to that. I think when labor
15 standards, you know, does that now on
16 construction projects with prevailing wage,
17 we are going to move forward and do that in
18 this process. And use the same means
19 necessary that we do with construction
20 projects. We are going to do that here.

21 COUNCILWOMAN QUINONES-SANCHEZ: Thank
22 you.

23 COUNCILWOMAN PARKER: Councilwoman
24 Sanchez, and I don't mean to embarrass you,

1 want to say this. But I want to say, that's
2 the importance of history. When you just
3 referenced those loopholes, you referenced
4 the legal opposition and some of the
5 challenges that the City has actually been
6 faced with in the past in dealing with this
7 issue. That's the value that staying power
8 has.

9 Thank you for your contribution.

10 Councilman O'Neill.

11 COUNCILMAN O'NEILL: Yes. Mr. Lazer's
12 testimony really summarizes this bill very
13 well. It's probably been sent through the
14 email, but we have a package with
15 everything. And that's not in it. Could we
16 all get a quick copy of that?

17 COUNCILWOMAN PARKER: I am going to pass
18 you mine immediately just so you'll have it.

19 COUNCILMAN O'NEILL: Okay. Thank you.

20 COUNCILWOMAN PARKER: Sure.

21 Any other questions?

22 Thank you. Thank you, Deputy Mayor.

23 MR. LAZER: Thank you.

24 COUNCILWOMAN PARKER: We greatly

1 appreciate you being here.

2 Will the clerk please call the second
3 panel.

4 (Applause)

5 THE CLERK: Gabe Morgan, LaRhonda
6 Whitmore and Jean Duvall.

7 (Panel approaches Table.)

8 AUDIENCE CALL OUT: "32."

9 AUDIENCE RESPONSE: "BJ."

10 COUNCILWOMAN PARKER: Thank you.

11 Just please identify your name, the
12 organization that you are representing for
13 the record before you begin proceeding with
14 your testimony.

15 MR. DUVALL: Good afternoon, Council.
16 I'm Jean Duvall from 32BJ. I'm a loving
17 father, a security officer and a proud
18 member of 32BJ SEIU. I'm a native
19 Philadelphian, and I live in Frankford in
20 Councilwoman Sanchez's district.

21 I work in North Philly. I face many
22 challenges when I go to and from work. I
23 live in and travel in high crime areas. I
24 put my life on the line every day on and off

1 the job. I'm on the front line.

2 When there's an emergency, I'm one of
3 the first to respond. For the work I do, I
4 often find myself struggling financially.
5 Passing the prevailing wage will be a small
6 step to financial stability for me and
7 nearly 2,500 security officers in
8 Philadelphia. The cost of living keeps
9 going up in Philadelphia and across the
10 country. The cost of food, rent,
11 transportation and everything else is going
12 up, but our wages haven't moved much.

13 With the cost -- the constant rise --
14 no -- with the cost of living, a person's
15 power decreases. If we get a raise, we can
16 better support our families and spend that
17 money in our communities and help improve
18 them. It's hard to give back to the
19 community when you're living in poverty.

20 The average officer now earns between 10
21 and 12 an hour. Asking for the prevailing
22 wage isn't much. We just want to be able to
23 live, provide for ourselves and our
24 families. As I mentioned, I'm a devoted

1 father to a young son. And every day seems
2 like he needs new clothes and new shoes
3 because he's growing. He has a lot of other
4 needs like for school and other activities.
5 As he gets older, he will need more.

6 As a parent, it's hard to look my son in
7 the face and not be able to figure out all
8 his needs all at once. It hurts as a man
9 and a father because I'm providing for him.
10 I'm doing the best I can, but I need to be
11 met halfway. Fifteen an hour will help me
12 do that. What I make now can get my by so I
13 can provide, but it won't work in the long
14 run. Making 15 an hour is for our future,
15 for my son, fellow security officers and I.

16 We all need a financial boost. Many of
17 my coworkers work two and three jobs and
18 some are on assistance. We don't want
19 handouts. We just want to be
20 self-sufficient and stand on our own two
21 feet. Fifteen an hour can help us do that.
22 It's a good start for those starting work
23 and transform the security industry for the
24 better.

1 The security industry has a high
2 turnover rate due to low wages which impacts
3 the professionalism of the job that I love
4 to do, so the turnover impacts the product.
5 Fifteen an hour raises the standard of the
6 industry and an individual's quality of
7 life. Fighting for the prevailing wage is
8 not just for me, it's for other officers and
9 others in the service industry.

10 I'm fighting for the voiceless. I
11 consider this a privilege to be able to use
12 this platform to fight for others now and in
13 the future to help them better themselves.

14 Please pass this bill out of committee
15 with suspended rules.

16 Thank you and good day.

17 (Applause)

18 MS. WHITMORE: Good afternoon, everyone.
19 I'm here. My name is LaRhonda Whitmore. I
20 want to thank the people I'm looking in
21 front of, just thank you.

22 I'm a native -- I am a native of
23 Philadelphia. I live in North Philly around
24 Temple area. I'm a single mother of a

1 precious three-year-old little girl. I have
2 been working security over across the City
3 at various campuses here in Philadelphia for
4 the past five years.

5 Every day I see my community changing.
6 There are new buildings and new businesses
7 that make this area look better. But if you
8 peel away the surface, the reality, things
9 haven't changed for the people like me and
10 my neighbors who are born and raised here in
11 North Philadelphia.

12 Wow. With new businesses and
13 neighborhoods, the neighborhood looks nice.
14 But for me, I can't afford it. My neighbors
15 can't afford it. It became too costly to
16 live here in North Philly. And amending the
17 prevailing wage to cover publicly subsidized
18 universities and cities and hospitals is a
19 step forward in the right direction. I'm
20 thankful. I'm thankful to be here and the
21 City Council to introducing this amendment
22 and wanting to help the constitution -- the
23 constitution to do better.

24 Me, as a mother -- we as mothers and

1 fathers and daughters and sons who want to
2 be a part of the group that's taking place
3 in our neighborhood and our city, we don't
4 want to be pushed out. That's what's
5 happening, though. We just can't afford it.
6 I'm read -- I read this week that my
7 neighborhood college Temple was built
8 primarily to serve the community. I am the
9 community.

10 The professor that I had worked with --
11 that I work in the building had stopped me.
12 And I had shared my aspiration of taking
13 classes. Right now, I -- right now it's
14 just a dream. You know, it's just a dream.
15 I really don't need to read from a paper,
16 but it really is just a dream. Because I
17 have a lot of strong -- I have a lot of
18 strong passion that, you know, can give back
19 and be who you are or be -- do part of the
20 job that you do today. But I am the -- you
21 know, it's real. You know.

22 So today, I'm here to say right now I
23 can only dream of taking classes that I
24 can't afford. I imagine -- like, imagine if

1 you go back to school. And I can better
2 myself, you know, but it also inspire my
3 neighbors and they children to do the same,
4 too. But we need to take action and be able
5 to afford it. And that would be helped by
6 you guys. As a community, we can't afford
7 school. We want to be better, but we are
8 not being paid a significant wage.

9 My community is made up of hard working
10 men and women. And we are -- prevailing
11 wages to uplift ourselves, our family and
12 our community. We need the prevailing wage
13 so we can amend and maintain our homes and
14 families so we can stay together as living
15 wages helps to sustain family.

16 I live with my parents. There are eight
17 of us in our home. My dad has 23 years of
18 experience of security. And my mom has 10
19 years as an officer. My sister just got a
20 job and she's 19 and she's happy. So, she's
21 like super, super happy. And I'm happy for
22 her because she's young and she's getting
23 idealistic of what it takes to be a young
24 independent black woman here in America.

1 And I am able to -- I am glad I can give
2 her that understanding of being the only
3 strong-minded person in my household out of
4 four girls that my mom have to be here and,
5 you know, put myself on the line with a
6 voice and a face to say, hey, we can do
7 better if we show up, you know.

8 So, she just got her job. And we -- we
9 love our job. We love doing security. We
10 love the students that, you know, y'all
11 children or the children that come across
12 the City. We learn from them. We network
13 with them. We help them. We doing their
14 crying and their tears. And when things
15 that don't go right in their day, we are the
16 ones that's there telling them it's going to
17 be all right. See you tomorrow. Good
18 evening. Have a good night. There are --
19 you know, they are good jobs but, you know,
20 they can be better. And the prevailing wage
21 will be a magnificent change in it.

22 We live -- like, me and my family we
23 live and we struggle together working to
24 make ends meet, but it's still not enough.

1 We rob Peter to pay Paul every paycheck to
2 paycheck every week or every two weeks,
3 however that balance itself out.

4 As a security officer who works on the
5 various campus of the various college
6 campuses, for two months out of every year,
7 I have to go on unemployment unfortunately.
8 Enrollment is low, and I don't have the
9 hours to work it. Once September comes
10 around, I struggle to provide for my little
11 girl the things that she needs for school.
12 I don't want to rely on assistance. I don't
13 want to work -- I want to work. I want to
14 work and by the sweat of my own brow, not no
15 one else.

16 I want to be self-sufficient, but I need
17 the prevailing wage to make that happen. My
18 story is one of many. You can ask any
19 security officer here that's with me in any
20 community. The story won't be much
21 different. We put our lives on the line
22 every day for others. We never know what's
23 going happen to the next day or what's
24 happening the next moment of our day. Many

1 of us work two or three jobs and sacrifice
2 precious times with our children to raise,
3 but we have to work because we have to
4 provide a roof over they head and the things
5 that make you responsible of being a parent
6 because that's a roll that you can never
7 take away.

8 And that's why today I am here to say
9 that, you know, we protect your children.
10 We protect your hospitals. We protect, you
11 know, everything in the back yard that make
12 money in there. You know, we protecting it
13 because we feel as though we are honored to
14 understand that we never want to see another
15 9/11 again. We don't never want to be less
16 uneducated on what it takes to be an officer
17 for these buildings. That if we have to do
18 what we got to do, we going to do the best
19 way possible.

20 You understand what I'm saying?

21 (Applause)

22 The applause, it sounds good. But you
23 know, the emotion and the dream when Martin
24 Luther King made his statement, you know,

1 coming true would just be -- able just to
2 see. And I don't want to be gone and get my
3 life taken doing security without seeing it.
4 You know, that really matters because people
5 die every day. And I could be the next
6 person as if today I was standing here
7 talking in front of you. That's what I
8 mean, our energy of saying we are on the
9 front line, you know.

10 We all want to live -- we all want to
11 live and take care of our loved ones. And
12 like I said, I just appreciate that this is
13 the right direction for everyone to
14 understand that we need a change in America.
15 We need a change in Philadelphia.

16 And I sincerely ask you to please pass
17 this bill out of committee with suspension
18 and rules. Thank you.

19 (Applause)

20 MR. MORGAN: Madam Chair, my name is
21 Gabe Morgan. And I'm the Vice President and
22 Pennsylvania Director of 32(calls out).

23 AUDIENCE RESPONSE: BJ.

24 MR. MORGAN: We are the largest union in

1 Philadelphia and we have the largest
2 properties of this union in the East Coast.
3 We represent 15,000 members who live and
4 work in Philadelphia; 155,000 members who
5 live and work up and down the eastern
6 seaboard. These are the folks who clean,
7 protect and maintain all of the major
8 buildings across the City, all the major
9 buildings across every major city in the
10 East Coast. And I'm here to offer testimony
11 in support of this bill.

12 So, I'm going to give a little bit of
13 history to the bill, but then I'm going to
14 try and spend most of my time on what the
15 impact would actually be.

16 Since the 1950s, the City of
17 Philadelphia has had a prevailing wage law
18 for construction workers. The law says that
19 any corporation or nonprofit that gets a
20 subsidy from either the City or City-related
21 agency must pay the going rate for wages and
22 benefits to all construction workers they
23 hire. These subsidies include City service
24 contracts, leases, financial assistance.

1 In 2008, that prevailing wage law was
2 amended to apply to building service
3 workers. This includes janitors, security
4 guards, building engineers in commercial
5 office and residential property buildings.
6 That has been the law since 2008. The law
7 works as simply as if you receive a subsidy
8 and you own a large commercial office or
9 residential building, it applies to you. If
10 you don't receive a subsidy, it does not
11 apply to you.

12 There are a number problems, thought,
13 that kept this law from meeting its original
14 purpose. And really, I could summarize that
15 problem by saying it left the largest
16 recipients of public subsidy out. It left
17 out the universities, the hospitals, the
18 stadiums, the ports, folks who actually
19 receive \$2.8 billion in public subsidy over
20 the past eight years were cut out of the
21 legislation.

22 What our legislation would do is simply
23 amend the existing law. Doesn't change what
24 prevailing wage is. It doesn't change the

1 way it's calculated. Doesn't change who it
2 applies to. It would simply expand it to
3 include big buildings, buildings 50,000
4 square feet or greater that employ janitors,
5 security officers and building engineers and
6 require them to pay the prevailing wage in
7 return for their public subsidy.

8 That basic premise has a long history of
9 working well. In fact, there are
10 generations of thousands and thousands of
11 building and construction workers whose
12 livelihood has been grounded in the
13 existence of prevailing wage and not just in
14 Philadelphia, but in every major City in
15 most states all across the United States of
16 America. It has a long track record of
17 public policy of creating good jobs. There
18 is no reason why that same policy shouldn't
19 be extended to workers like these.

20 Properties of workers like security
21 officers who stand in front and protect the
22 biggest, wealthiest, most public subsidized
23 buildings in the City. And the impact it
24 would make on a officer's worker -- on a

1 security officer is dramatic.

2 As an example, right now the average pay
3 for a security officer at Temple is \$11.48
4 an hour. Many if not most of the people who
5 do that work are folks who actually live in
6 the neighborhood in and around Temple. And
7 as Temple has grown, as it's developed, are
8 actually being gentrified out of their own
9 neighborhoods while they see themselves
10 earning poverty wages.

11 If prevailing wage were applied in the
12 past, the subsidies that Temple has got from
13 the City and the prevailing wage law was
14 passed down, the average rate for a Temple
15 security officer would be \$16 an hour, which
16 would make a huge difference in that
17 individual worker's life.

18 The difference between 11.48 and 16 is a
19 difference between working poor and being
20 working class. And the idea that if you are
21 receiving a public subsidy you should ensure
22 that the people that you are putting to work
23 make a decent living in some quantifiable
24 way to oft not only seems fair, but seems

1 like a public policy model that is actually
2 a long track record of working in other
3 industries.

4 So you know, you guys have the
5 legislation in front of you. We have plenty
6 of facts. Be happy to answer questions. I
7 just want to talk in a different way about
8 the impact this would mean.

9 There are 2,500 security officers in the
10 City of Philadelphia. Almost all of those
11 folks live in Philadelphia. Almost all them
12 live in some of the poorest communities in
13 Philadelphia, and almost all of them are
14 taking care of the richest people's stuff in
15 Philadelphia. Well, over 60 percent of
16 those people have actually asked for and
17 gotten a handout from the City in some way,
18 shape or form.

19 Requiring that those folks in return for
20 getting a subsidy to the City are going to
21 lift these workers out of poverty only makes
22 good sense. Otherwise, what are you giving
23 people money for in the first place?

24 Many of these institutions, UPenn for

1 example, is the wealthiest institution of
2 its kind in the world. They have more money
3 than most of the nations in the world.
4 Simply requiring that if they're asking you
5 to do something, they are going to create
6 several hundred good jobs for people who
7 live in West Philadelphia to us seems like
8 good public policy. That's really what
9 we're asking you to do.

10 We are asking you to look at an industry
11 and say, we have the potential here to use
12 public money to create good jobs for people
13 who live in the City. We have the potential
14 here to make sure as economic development
15 happens in Philadelphia, we can at least
16 require that some people get a good job out
17 of it. As you look around and see the
18 cranes, the skyscrapers, all the money
19 that's going to the City, you guys know
20 better than me because you have so many of
21 my members live in your districts, that they
22 are often not getting a piece of that wealth
23 that's being generated.

24 Don't get me wrong, there are, in fact,

1 building owners many in the City, including
2 Councilman Domb, who actually without asking
3 for anything from the City go ahead and make
4 sure that the properties of his workers they
5 have in their buildings are making decent
6 wage, can take kids to the doctor. In fact,
7 that's actually the norm amongst the people
8 who are not getting public subsidies from
9 the City. The majority of the large
10 commercial office building owners, for
11 example downtown, already pay for the
12 janitors and building engineers, whatever
13 the prevailing rate would be.

14 Security officers are the ones who have
15 been left behind in that market. And so,
16 prevailing rate is really where you are
17 saying we have a base of good property
18 service jobs which, in total between the
19 three industries, is something like 10,000
20 workers. We are going to try and make sure
21 because so many of our folks are working for
22 folks who aren't getting any public handouts
23 at all are making a decent living. That if
24 you come and ask us for money, you are going

1 to uphold those standards. And we are going
2 to make sure those folks, the hospitals, the
3 universities, the stadiums, the ports, the
4 ones who get the most money from the City in
5 the first place are upholding those
6 standards. And the difference it will make
7 is you will lift thousands of people out of
8 poverty. And if that's not good public
9 policy, if that's not good economic
10 development, then what is?

11 Happy to take any questions people have
12 about the legislation and appreciate your
13 time.

14 COUNCILWOMAN PARKER: Chair recognizes
15 Councilman Domb.

16 COUNCILMAN DOMB: Thank you, Chairwoman.
17 And good afternoon. Thanks. Thanks for the
18 nice shout out, by the way.

19 MR. MORGAN: Of course.

20 COUNCILMAN DOMB: I have two -- one is a
21 question, and one is a statement.

22 MR. MORGAN: All right.

23 COUNCILMAN DOMB: I want to make sure I
24 understood the chart that was handed out to

1 us. And it says in here the wages currently
2 are 11.48 -- you use the Temple example --
3 and they're going to 13.48. And the
4 benefits are 2.27. They are going to 4.27.

5 I was just trying to understand, the
6 wages are going up 17 and a half, but the
7 benefits are going up 88 percent. Is there
8 any way that -- is the reason why the money
9 is not going to the people working versus
10 the benefits?

11 MR. MORGAN: So one, under the law
12 that -- it's two things. That rate is based
13 on the Federal Service Contract Act. So,
14 they set those rates, not us. But under the
15 law -- and that's what you look at when
16 calculate the prevailing wage. You look at
17 the Federal Service Contract Act or you look
18 at the largest governing collective
19 bargaining agreement and whichever is
20 greater.

21 The Federal Service Contract Act has a
22 number earmarked for health and a number
23 earmarked for wage. You decide. But if you
24 are able to get the health with the number,

1 then whatever is left over, that goes on the
2 workers' check.

3 So for example, a 32BJ member in
4 security is able to get health insurance for
5 about 2.60 an hour. That would mean the
6 remainder of that would actually go onto the
7 check in that situation.

8 Someone who is non-union, because this
9 law does not specify union or non-union,
10 it's just simply a standard. So someone who
11 is non-union, that might be calculated
12 differently but it is true that almost all
13 the places that are in this legislation, we
14 do represent probably 90 percent of the
15 people in them.

16 COUNCILMAN DOMB: Just percentage-wise,
17 the benefits are going up 88 percent. The
18 salary up going up 7 --

19 MR. MORGAN: Federal government mandate.
20 You know how it is.

21 COUNCILMAN DOMB: Okay.

22 Second thing I want to mention, it's not
23 a question. It's just a statement.

24 I want to make sure we really get the

1 word out about the Earned Income Tax Credit.
2 This is so valuable. Because last year a
3 hundred million dollars was left on the
4 table in Philadelphia that could have gone
5 to 40,000 families who qualify.

6 To give you some example, just using the
7 \$17 an hour, 40 hours a week comes out to
8 about \$33,000 of income.

9 The chart for EITC from my recollection
10 is that a single parent with two kids,
11 \$44,000 of income; married, 49,000, two kids
12 can get checks up to \$5,000 and file back
13 for three years. It's huge money. And the
14 more we can do to get that money into the
15 hands of Philadelphians -- we left a hundred
16 million dollars in Washington. Should be
17 here. Should be for the 40,000 people that
18 qualify.

19 So whatever you can do to help us get
20 that money out, I would greatly -- I know my
21 Council and colleagues would greatly
22 appreciate. So would the Mayor.

23 MR. MORGAN: I am sure that I speak for
24 all the 32BJ members in the room here who

1 would like to get back whatever owed in the
2 taxes. That we would be happy to work with
3 you on that effort any way that we can.

4 COUNCILMAN DOMB: It's the Earned Income
5 Tax Credit.

6 (Applause)

7 COUNCILWOMAN PARKER: Chair recognizes
8 Councilman O'Neill.

9 COUNCILMAN O'NEILL: Yes. Thank you for
10 your testimony. And Councilman Domb raised
11 a question. I was looking at it from a
12 different perspective, but getting the same
13 place. That we are even further behind by
14 quite a bit on the benefits than we are in
15 the wages. And so, we got to -- a larger
16 jump to go.

17 But I appreciate your statement that it
18 all washes out in favor of the employee
19 whether it -- they get it on one or the
20 other.

21 MR. MORGAN: Right.

22 COUNCILMAN O'NEILL: It was helpful.
23 Thank you.

24 And the Earned Income Tax Credit, I am

1 telling you, that's -- that's an incredible
2 number. The Revenue Department just moved
3 an office into my district that deals just
4 with revenue questions, revenue payments.
5 And the one thing they told me was that --
6 and I was wasn't aware of it -- was that
7 during tax season, they actually contract
8 with a nonprofit and give them space in
9 their office to help people fill out that
10 return.

11 And if you don't owe a penny in tax and
12 you qualify for that, you get a check from
13 the federal government for the amount stated
14 by Mr. Domb. When it can add up to a
15 hundred million that quickly and we know the
16 income level of the people that would
17 benefit from it, it's -- instead of paying
18 your taxes, you are getting taxes that you
19 didn't know but you were entitled to get
20 from the Federal Government.

21 MR. MORGAN: Right.

22 COUNCILMAN O'NEILL: It's not even a tax
23 really, it's just a credit that -- check
24 recognizing your situation is pretty tough.

1 That -- we got to figure out a way to crack
2 it. I've got a t-shirt with more language
3 on it than Councilman Domb provided them.
4 It reads -- it reads -- I saw a guy on the
5 beach a couple weeks back. He had a -- he
6 had so many tattoos, and they were all
7 printed out on his back and arm. And I
8 said, he's written a back on tattoos. He
9 actually wrote a book on himself in a
10 tattoo.

11 That shirt, there is that much
12 information and it's clear. I have seen
13 Councilman Domb speak in public about it.
14 Just driving home. It doesn't matter what
15 neighborhood you're in. That is city wide.
16 And somehow if the Revenue Department is
17 involved without outreach, that's not
18 typically their area of business is helping
19 people get money from the Federal
20 Government. We have got to find a way to --
21 working together, public/private
22 partnership, whatever, to get more people.
23 Almost identifying, as you do, when somebody
24 is not registered to vote. Except this is,

1 we know they are filing their taxes. They
2 are not filing the form that's going to be
3 the best check they may have ever seen.

4 Three times, you can go back three
5 years. Fifteen grand sure. That's a lot of
6 money in that situation.

7 MR. MORGAN: Again, our union would love
8 to work with one or both of you to figure
9 out how to help our members access that. I
10 assure you sometimes our members feel like
11 they are the only people who are paying
12 taxes. A lot of times, more germane to
13 this, that's sort of the point, right?

14 I mean, working people in this City are
15 paying taxes. Security officers are paying
16 taxes. Janitors are paying taxes.
17 Engineers paying taxes. Many working people
18 are paying taxes. But most of the entities
19 that this legislation would apply to are not
20 only not paying taxes, they are asking you
21 to give them taxes. We are asking you in
22 return to demand good jobs.

23 COUNCILMAN O'NEILL: Sure. Thank you.

24 COUNCILWOMAN PARKER: Councilman Green.

1 COUNCILMAN GREEN: Thank you, Madam
2 Chair. I just wanted to say a few words for
3 the record. I wanted to thank SEIU for your
4 creative leadership in trying to grow the
5 wages of people that work in the City of
6 Philadelphia.

7 I was just actually coming back from
8 Greenville, North Carolina over the weekend
9 from taking my parents down to North
10 Carolina. And as I was getting off the
11 plane, there were two young ladies actually
12 cleaning the plane. And it made me reflect
13 on the hearings we've had in City Council
14 regarding the challenging conditions that
15 some of your members have, in remembering
16 cleaning planes.

17 It makes me think of the work that SEIU
18 has done not only for their members, for
19 people that work in similar jobs all around
20 the City of Philadelphia who are not just
21 your members but are working similar types
22 of jobs. And the work you have done to help
23 raise their salary I think as an impact not
24 just for your members but throughout the

1 City.

2 When you think about City of
3 Philadelphia having the highest poverty rate
4 that we have in a large city, I often talk
5 about how we need to increase the number of
6 successful small businesses. We also need
7 to find a way to increase the salaries for
8 the workforce not just for SEIU members, but
9 for all people that work in the City of
10 Philadelphia. I think SEIU, through your
11 work over the past number of years, have
12 shown leadership in that regard not only for
13 your members, but for people throughout the
14 City of Philadelphia.

15 So, thank you.

16 MR. MORGAN: Thank you.

17 COUNCILWOMAN PARKER: Councilwoman Gym.

18 COUNCILWOMAN GYM: Yes. Thank you
19 again, Madam Chair. I just really had to
20 say thank you to this panel and especially
21 to all the members of SEIU who came out
22 today to talk about what it means to fight
23 poverty in not just the City but in America.

24 I want to thank especially the two

1 members who spoke up to testify. How much
2 it means to be able to share your stories,
3 not put a face, to know that, I mean,
4 especially yourself as a young woman, you
5 are a sister, you are a daughter, you are a
6 mother. You spoke from the heart, but you
7 also spoke for a lot of us who understand
8 this so deeply.

9 So, we work were very moved by all your
10 testimony. Personally moved by all the
11 membership who came out today. The honest
12 and hard fact is, is that pushing forward on
13 these issues requires an enormous push at
14 the base. Change will not happen
15 voluntarily from the top. For years, as
16 Gabe said so eloquently, we are giving away
17 billions at this point in tax subsidies to
18 entities that have to be told to pay a
19 living wage.

20 And we have to define that. And we have
21 to continue to push on it. We have to
22 continue to raise the bar. We have to do it
23 for ourselves, but we also have to do it for
24 others and those who follow. I want to

1 thank 32BJ for being the conscience of the
2 City, for pushing on this, for holding us
3 accountable. And hopefully, to see some
4 real change. So, thank you.

5 (Applause)

6 COUNCILWOMAN PARKER: Councilman Domb.

7 COUNCILMAN DOMB: I just want to thank
8 also Councilman O'Neill for pushing EITC. I
9 want to offer an idea, and I would be happy
10 to help you do this. On your website, we
11 should put an Earned Income Tax Credit
12 calculator where the people who are members
13 of the union can go in, put their
14 information in and find out exactly whether
15 they qualify and what the dollars would be.

16 This way, they can get the check.

17 MR. MORGAN: Good idea.

18 (Applause)

19 COUNCILWOMAN PARKER: Are there any
20 questions or comments from members of this
21 Committee for this panel? Any more?

22 (No further questions.)

23 With that, as they said, thanks so very
24 much.

1 MR. MORGAN: I just want to thank you
2 and Councilwoman Gym and Maria for standing
3 up for the members of SEIU 32BJ, for
4 sponsoring this legislation. And we
5 appreciate the support and the comments and
6 the ideas that folks have to try and lift
7 people like our members out of poverty.

8 Want to say thank you to all of you.

9 (Applause)

10 COUNCILWOMAN PARKER: With that being
11 said, is there anyone else to testify on
12 this bill? Anyone else here who wants to
13 testify on this bill?

14 (No further testimony.)

15 Okay. We want to -- this concludes the
16 Public Hearing. We will now go into a
17 Public Meeting to consider the action to be
18 taken on the bill that we just heard today.

19 - - -

20 (Public Hearing concludes and Public Meeting
21 commences.)

22 - - -

23 COUNCILWOMAN PARKER: And so, we are
24 going to amend the bill. Okay.

1 The Chair recognizes -- Chair recognizes
2 Councilmember Gym for the motion on the
3 amendments to Bill No. 160713.

4 COUNCILWOMAN GYM: Thank you very much,
5 Madam Chair. I offer an amendment to Bill
6 No. 160713. A copy of the amendment has
7 been circulated to all members of this
8 committee.

9 I move that the amendment to Bill No.
10 160713 be approved.

11 COUNCILWOMAN QUINONES-SANCHEZ: Second.

12 COUNCILWOMAN PARKER: It has been moved
13 and properly seconded that the amendment to
14 Bill No. 160713 be approved.

15 All those in favor of the motion will
16 signify by saying aye.

17 (Chorus of Ayes)

18 Those opposed?

19 (No opposition)

20 The ayes have it, and the motion carries.
21 And the amendment --

22 (Audience erupts into cheers and
23 applause.)

24 COUNCILWOMAN PARKER: Hey, hey, hey.

1 Hey, hey, hey. Just for a moment, we want
2 to let you know that we are happy. And this
3 moment was pregnant with possibilities, but
4 you jumped up to clap before the baby came.
5 Just hold it for a second.

6 The Chair recognizes Councilmember Gym
7 for a motion on Bill No. 160713 as amended.

8 COUNCILWOMAN GYM: Thank you, Madam
9 Chair.

10 I move that Bill No. 160713 as amended
11 now be reported from this committee with a
12 favorable recommendation. And further move,
13 that the Rules of Council be suspended to
14 permit a first reading of this Bill at the
15 next session of Council.

16 (Duly seconded.)

17 COUNCILWOMAN PARKER: It has been moved
18 and properly seconded that Bill No. 160713
19 as amended be reported from this committee
20 with a favorable recommendation. And
21 further move, that the Rules of Council be
22 suspended to permit first reading of this
23 bill at the next session of Council.

24 All those in favor of the motion will

1 signify by saying ayes.

2 (Chorus of Ayes.)

3 COUNCILWOMAN PARKER: Those opposed?

4 (No opposition.)

5 The ayes have it and the motion carries.
6 Bill No. 160713 as amended will be reported
7 from this Committee with a favorable
8 recommendation with a request that the Rules
9 of Council be suspended to permit first
10 reading at the next session of Council.

11 Thank you. And this concludes the
12 Meeting and Business of the City Council
13 Committee on Labor and Civil Service.

14 (Public Meeting adjourns at 4:15 p.m.)
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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

ANGELA M. KING, RPR
Court Reporter - Notary Public

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