

Committee on Law and Government
November 24, 2020

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Remote location using Microsoft® Teams
Tuesday, November 24, 2020
10:00 a.m.

PRESENT:

COUNCILWOMAN CHERELLE L. PARKER, CHAIR
COUNCILMAN DEREK S. GREEN, VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN HELEN GYM
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA

ALSO PRESENT:

COUNCILMAN KENYATTA JOHNSON
COUNCILMAN ISAIAH THOMAS

BILLS: 200413, 200541, 200557, 200559, 200563
200614

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2 COUNCILWOMAN PARKER: I
3 understand that state law currently
4 requires that the following announcement
5 be made at the beginning of every remote
6 public hearing. Due to the current
7 public health emergency, City Council
8 Committees are currently meeting
9 remotely. We are using Microsoft Teams
10 to make these remote hearings possible.

11 Instructions for how the public
12 may view and offer testimony at public
13 hearings of Council Committees are
14 included in the public hearing notices
15 that are published in the Daily News,
16 the Inquirer and Legal Intelligencer
17 prior to the hearings and can also be
18 found on phlcouncil.com. I now note
19 that the hour has come.

20 Rachel, will you please call
21 the roll call to take attendance.
22 Members that are in attendance will
23 please indicate that you are present
24 when your name is called. Also, please
25 say a few brief words when you are

1 responding so that your image will be
2 displayed on the screen when you speak.

3 Rachel, please call the roll.

4 THE CLERK: Vice-chair Derek
5 Green.

6 COUNCILMAN GREEN: Present.

7 THE CLERK: Councilman Brian
8 O'Neill.

9 COUNCILMAN O'NEILL: Good
10 morning.

11 THE CLERK: Councilwoman Cindy
12 Bass.

13 COUNCILWOMAN BASS: Good
14 morning.

15 THE CLERK: Councilman David
16 Oh.

17 COUNCILMAN OH: Good morning,
18 Madam Chair and colleagues. I'm
19 present.

20 THE CLERK: Councilwoman Helen
21 Gym.

22 COUNCILWOMAN GYM: Good
23 morning, Madam Chair. Good morning,
24 colleagues.

25 THE CLERK: Councilmember Maria

1 Sanchez.

2 COUNCILWOMAN QUINONES-SANCHEZ:

3 Good morning, everyone.

4 THE CLERK: Councilman Mark
5 Squilla.

6 COUNCILMAN SQUILLA: Good
7 morning. Present.

8 THE CLERK: And, Councilman
9 Kenyatta Johnson is in attendance,
10 though he is not a Committee member.

11 COUNCILWOMAN PARKER: Thank
12 you. A quorum of the Committee is
13 present and this hearing is now called
14 to order. This is the public hearing of
15 the Committee on Law and Government
16 regarding Bill Nos. 200413, 200541,
17 200557, 200559, 200563 and 200614.

18 Rachel, will you please read
19 the title of the bills.

20 THE CLERK: Bill No. 200413, an
21 Ordinance amending Section 9-1130 of the
22 Philadelphia Code, entitled "Unlawful
23 Credit Screening Practices in
24 Employment," by revising restrictions,
25 under certain terms and conditions.

1 Bill No. 200541, an Ordinance
2 amending Chapter 21-1500 of the
3 Philadelphia Code, entitled "Boards and
4 Commissions - Public Deliberations," to
5 require recording or transcription of
6 certain meetings and provision to the
7 public of access to such recordings and
8 transcriptions; all under certain terms
9 and conditions.

10 Bill No. 200557, an Ordinance
11 adding a new Chapter 9-5300 to the
12 Philadelphia Code, entitled "Travel and
13 Hospitality Worker Recall and
14 Retention," to require that certain
15 laid-off employees and certain
16 hospitality and travel-related
17 industries are offered job positions as
18 they become available, all under certain
19 terms and conditions.

20 Bill No. 200559, an Ordinance
21 amending Chapter 9-2300 of the
22 Philadelphia Code, entitled "Protection
23 and Displaced Contract Workers," by
24 clarifying definitions and scope of
25 applicability, all under certain terms

1 and conditions.

2 Bill No. 200563, an Ordinance
3 adding a new Chapter 9-5400 of the
4 Philadelphia Code, entitled "Retention
5 of Hotel Workers," to require that hotel
6 employees receive notice of changes in
7 hotel ownership or control, and
8 providing related employment
9 protections, all under certain terms and
10 conditions.

11 And Bill No. 200614, an
12 Ordinance amending Section 9-1130 of the
13 Philadelphia Code, entitled "Unlawful
14 Credit Screening Practices in
15 Employment," by revising conditions on
16 the use of credit information for
17 adverse employment actions, under
18 certain terms and conditions.

19 COUNCILMAN JONES: Excuse me,
20 Madam --

21 COUNCILWOMAN PARKER: Before we
22 begin to hear testimony from the
23 witnesses we have for today, everyone
24 who has been invited to the meeting to
25 testify should be aware that this public

1 hearing is being recorded. Because the
2 hearing is public, participants and
3 viewers have no reasonable expectation
4 of privacy. By continuing to be in the
5 meeting, you are consenting to being
6 recorded.

7 Additionally, prior to
8 recognizing Members for the questions or
9 comments they have for witnesses, I will
10 note for the record at this time that we
11 will use the chat feature available in
12 Microsoft Teams to allow Members to
13 signify that they wish to be recognized.
14 In order to comply with the Sunshine
15 Act, the chat feature must only be used
16 for this purpose.

17 For those of you viewing at
18 home, this morning the Committee is
19 going to hear testimony on Bill Nos.
20 200541, 200413 and 200614. Thereafter,
21 we will go into a public meeting to
22 consider the action to be taken on these
23 three bills and then consider a motion
24 to recess the public hearing and meeting
25 for Bill Nos. 200557, 200559 and 200563

1 until 2:30 p.m. this afternoon. When we
2 reconvene the public hearing at
3 2:30 p.m., we will hear testimony on
4 Bill Nos. 200557, 200559, and 200563,
5 and thereafter, consider the action to
6 be taken on them.

7 Before I ask Rachel to call the
8 first panel for Bill No. 200541, would
9 my colleague Councilmember Johnson like
10 to make opening comments? And before he
11 speaks, colleagues, I just want to note
12 for the record that I am having
13 technical challenges hearing you.
14 Because we should be able to get through
15 this first portion quickly because
16 there's not a long number of people to
17 testify, we'll try to get through it and
18 then we'll make sure we work on my sound
19 and technical ability in the afternoon,
20 but I thank you so very much for your
21 patience.

22 Councilmember Johnson.

23 COUNCILMAN JONES: Excuse me,
24 Madam Chair. I'd like to be recognized
25 as being present.

1 COUNCILWOMAN PARKER: Yes,
2 Councilmember Jones.

3 COUNCILMAN JONES: Yes. I'd
4 like to be recognized as being present.
5 I was not included in the roll.

6 COUNCILWOMAN PARKER: Okay.
7 Thank you, Councilmember Jones. We will
8 make sure the record reflects that you
9 are present. Thank you, sir.

10 Councilmember Johnson.

11 COUNCILMAN JOHNSON: Yes.
12 Thank you very much, Madam Chair. Just
13 a few brief remarks regarding my bill
14 that I have introduced, 200541. Very
15 briefly, for years City Council has been
16 broadcasting all of its public meetings
17 and have been posting video recordings
18 and transcripts afterwards. I find
19 myself watching these recordings on
20 Channel 64 sometimes. But for many City
21 Boards and Commissions, you still have
22 to attend a public meeting at a given
23 time to know everything that happened at
24 the meeting.

25 In the 21st century, that just

1 doesn't cut it. If you can watch TV on
2 demand, why shouldn't you be able to
3 watch your government on demand? Now
4 that all Boards and Commissions are
5 meeting virtually, they can record their
6 meetings with a click of a button. They
7 can upload those videos with another
8 click of a button. It's the least we
9 can do to make our government more
10 accessible and more transparent.

11 This bill just requires those
12 two clicks, one to record and one to
13 upload. That's it. For people without
14 Internet access, a DVD or other
15 alternative can be provided. This is a
16 step forward in the 21st century for
17 City government, and I thank the Kenney
18 Administration and my colleagues for
19 their support.

20 Thank you, Madam Chair.

21 COUNCILWOMAN PARKER: Thank
22 you, Councilmember Johnson.

23 Rachel, can you please call the
24 first panel we have to testify this
25 morning on Bill No. 200541.

1 THE CLERK: Mark Wheeler and
2 Jim Leonard.

3 MR. WHEELER: Good morning,
4 Councilmembers. I'm Mark Wheeler. I'm
5 the Chief Information Officer. Good
6 morning, Council Chairperson Parker.
7 Bill No. 200541, as we know requires all
8 Commissions and Boards to make
9 electronic recordings and prepare them
10 for availability for the public.

11 What I would like to say about
12 this is that the Boards and Commissions
13 at this point do have their own ability
14 to choose different forms of technology.
15 We have two sets of technology platforms
16 that would be available for their use.
17 But at this time, many may be choosing
18 their own different type of cloud-based
19 platform. Any cloud-based platform has
20 its own way of recording, storing,
21 archiving and then making that video
22 available either for downloading and
23 reposting.

24 What we're requesting, and I
25 think would be very valuable, is if we

1 could have some time to inventory what
2 is happening by these Boards and what
3 tools they are using if they're not
4 using the standards that the Office of
5 Innovation and Technology has put
6 forward for use across the City, which
7 is the Microsoft Teams platform and the
8 Zoom platform.

9 If we can do an inventory of
10 that and just put some general
11 guidelines together for all Commissions
12 and Boards to follow how they should be
13 storing the files, how they can be
14 posting them, whether posting them to
15 sites like YouTube is needing any type
16 of retention policy and how they would
17 make sure that links to available videos
18 are all on their available public
19 websites.

20 Not all -- and I would also
21 like to understand an inventory of which
22 Commissions and Boards have fully come
23 into the phila.gov platform. And if
24 they're maintaining their own, again our
25 recommendation should address how they

1 should post links to those videos and
2 references to those videos, as the
3 previous gentleman said, completely on
4 demand for people to watch in the public
5 whenever it is convenient for them.

6 Jim Leonard, the Commissioner
7 for the Department of Records, could
8 also advise in those guidelines or we
9 could make reference to any document
10 retention policies that would apply
11 here. So I think it would be helpful
12 rather than having an immediate action
13 if we could at least have 60 days to do
14 that inventory to just understand it,
15 and then for OIT to prepare guidelines
16 for the different Commissions and
17 offices to follow.

18 It may certainly require less
19 than 60 days, but this also gives the
20 Commissions and Boards a full month to
21 work on -- to have a month to follow
22 these guidelines, give us any feedback
23 about making any adjustments or any
24 questions that they may have. I thank
25 the Councilmembers for the opportunity

1 to speak on the bill today.

2 COUNCILWOMAN PARKER: Okay.

3 Thank you. Thank you for your
4 testimony.

5 James Leonard, are you present
6 and connected?

7 MR. LEONARD: Yes, I am,
8 Chairwoman.

9 COUNCILWOMAN PARKER: Okay.
10 James, just please state your name for
11 the record and proceed with your
12 testimony.

13 And, Councilmember Jones,
14 excuse me. Can you please answer your
15 phone. I'm trying to call you re: a
16 technical issue.

17 MR. LEONARD: Good morning,
18 Chairwoman. Good morning, members of
19 the Committee. My name is Jim Leonard.
20 I'm the Commissioner of the Department
21 of Records. Thank you for the
22 opportunity to testify today on this
23 bill. And I'm here specifically to
24 talk, as Mark said, about the records
25 from the records management, record

1 retention standpoint.

2 And as Mark indicated, the
3 Records Department will work with OIT
4 and with the various Boards and
5 Commissions as we do on any record
6 retention matter over the next 60 days
7 to help identify the appropriate records
8 retention periods for the meetings. And
9 because of the novelty of the issue,
10 we've also reached out to our colleagues
11 at the American Records Management
12 Association, which we regularly consult
13 on matters to get their feedback from
14 the best practices perspective on how to
15 handle this issue from a records
16 management perspective. I'm happy to
17 answer any questions you have. Thank
18 you again for the opportunity to testify
19 and appear before you.

20 COUNCILWOMAN PARKER: Thank you
21 so much for your testimony.

22 Are there any questions or
23 comments from members of the Committee?

24 COUNCILMAN JOHNSON: Yes, I
25 have one, Madam Chair.

1 COUNCILWOMAN PARKER: And,
2 Councilman Johnson, thank you for just
3 speaking up. The chat feature is not
4 working on my computer. So after a
5 Member has finished with his or her
6 questions, if you have a question, just
7 please feel free to speak up.

8 Thank you, Councilmember
9 Johnson.

10 COUNCILMAN JOHNSON: Yes.
11 Thank you. You're welcome. I just want
12 to note for the record that we have
13 circulated an amendment that delays the
14 effective date of the bill by 60 days as
15 requested by OIT. And so, I want to
16 thank Mark and James for coming in and
17 testifying on behalf of the
18 Administration and support of this bill
19 and ask them for the record, as I just
20 noted an amendment has been circulated
21 to delay the effective date of this
22 legislation going into effect by 60 days
23 to give them the opportunity to come up
24 to speed and address any issues as it
25 relates to implementing this new

1 ordinance. Thank you very much.

2 COUNCILWOMAN PARKER: Thank
3 you. Are there any further questions or
4 comments from members of the Committee
5 for this panel?

6 (No response.)

7 COUNCILWOMAN PARKER: Hearing
8 none, is there anyone else here to
9 testify on Bill No. 200514 whose name
10 has not yet been called?

11 (No response.)

12 COUNCILWOMAN PARKER: We will
13 now move on to Bill Nos. 200413 and
14 200614.

15 Before I ask Rachel to call the
16 first panel for these two bills, I just
17 have a few opening comments: Back in
18 2016, Councilman Greenlee, our former
19 colleague, introduced Bill No. 160072 on
20 behalf of President Council Clarke. The
21 bill added a section to the Code
22 prohibiting employers from obtaining or
23 using credit-related information
24 regarding employees and job applicants.
25 At that time, the bill expressively

1 exempted both law enforcement agencies
2 and financial institutions from the
3 legislation.

4 Over this past summer, NBC10
5 investigators reported that people of
6 color who apply to the Police Academy
7 have been disproportionately denied
8 entry compared to their White
9 counterparts. And specifically, they
10 found that nearly 70 percent of police
11 applicants are people of color. Yet in
12 last year, only 29 percent of Academy
13 recruits were people of color. And in
14 January, no Black applicants made the
15 cut at all.

16 NBC10's investigation
17 highlighted for us some of the reasons
18 applicants have been denied: Poor
19 character, a person's old driving record
20 and bad credit. And during an interview
21 with NBC10, I committed to introducing
22 legislation that would in essence ban
23 the Police Department from using credit
24 checks in the application process.

25 On September 10th, the first

1 Council session back this fall I
2 introduced Bill No. 200413, which in
3 essence removed law enforcement agencies
4 and financial institutions from being
5 exempted from the law prohibiting
6 employers from obtaining or using
7 credit-related information regarding
8 employees and job applicants. After its
9 introduction, some people raised
10 concerns about potential preemption
11 issues at both just not only the state
12 but at the federal level as well.

13 In order to make sure that we
14 address all of those issues, my office
15 worked with the Law Department and
16 requested that they prepare a memo for
17 us examining whether or not Bill No.
18 200413 would be preempted by state or
19 federal law. And in that memo, the Law
20 Department states because the other
21 enumerated exceptions that already exist
22 in the Fair Practices Ordinance address
23 any preemption issues that eliminated
24 the specific exemption of law
25 enforcement agencies and financial

1 institutions might otherwise raise, the
2 bill is unlikely to raise significant
3 legal issues.

4 In addition to that and,
5 colleagues, it's just important that we
6 get the information on the record to
7 ensure that folks know we have done our
8 due diligence relative to the Law
9 Department and that legislation can
10 stand up to legal muster, the memo goes
11 on to note that state law requires
12 municipal police departments to perform
13 a check of the applicant's credit
14 history. And I want to editorialize for
15 a minute and make clear that, yes, while
16 state law does say a credit check must
17 happen, this is what's important, it
18 does not say what a police department
19 must or must not do with that
20 information.

21 Again, it says that a credit
22 check must happen, doesn't tell the
23 department what to do. And state law
24 certainly does not specify that certain
25 types of credit histories or credit

1 scores for that matter should make an
2 applicant ineligible for a position. In
3 other words, our Police Department could
4 literally choose to perform a credit
5 check of the applicant's credit history,
6 listen, per state law, but they could
7 also then choose to not use that
8 information in any meaningful way to
9 screen out job applicants or deny
10 someone a promotion.

11 Obviously, if a credit check
12 uncovers a history of financial fraud,
13 then, yes, that information can be used
14 in a meaningful way. But if it just
15 uncovers that someone has a low credit
16 score because they went through a rough
17 patch, I don't see why that information
18 should be used to deny someone a job.

19 Furthermore, the Law Department's memo
20 goes on to say that under Bill No.
21 200413 (inaudible) --

22 THE CLERK: Hi. I think we may
23 be having some technical difficulties.
24 So we are going to try and have the
25 Chair of the Committee call into this

1 hearing and finish the Committee
2 hearing, so please wait one moment.

3 COUNCILMAN SQUILLA: Thank you,
4 Rachel. We hear you fine. So, yeah, I
5 think we just lost the Chairwoman.

6 (Brief recess.)

7 COUNCILWOMAN PARKER:
8 Colleagues, I'm sorry. Can you all hear
9 me now?

10 COUNCILMAN SQUILLA: I hear
11 you, Madam Chair. Yes, you sound good.

12 COUNCILWOMAN PARKER: Okay. I
13 apologize. This thing just has a mind
14 of its own. I just quickly want to get
15 back to where I don't see why that
16 information should be used to deny
17 someone a job.

18 Thank you, colleagues, so very
19 much for your patience here. Wow, I
20 read all the way to the end and I'm
21 thinking I'm talking to you guys.

22 COUNCILMAN JOHNSON: We heard
23 you. We heard the majority of what you
24 were saying.

25 COUNCILWOMAN PARKER: Okay. I

1 hope I'm starting at the correct
2 location.

3 Again, in order to address
4 those issues, my staff has requested
5 that the Law Department prepare a memo
6 examining whether or not Bill No. 200413
7 would be preempted by state or federal
8 law. In their memo, the Law Department
9 states because of the other enumerated
10 exceptions that already exist in the
11 Fair Practices Ordinance address any
12 preemption issues that eliminating the
13 specific exemption of law enforcement
14 agencies and financial institutions
15 might otherwise raise, the bill is
16 unlikely to raise significant legal
17 issues.

18 Additionally, the memo goes on
19 to note that state law requires
20 municipal police departments to perform
21 a check of the applicant's credit
22 history. I do want to just quickly
23 editorialize for a minute and make clear
24 that, yes, while state law does say a
25 credit check must happen, it does not

1 say what a police department must or
2 must not do with that information.

3 And state law certainly does
4 not specify that certain types of credit
5 histories or credit scores for that
6 matter should make an applicant
7 ineligible for a position. In other
8 words, our Police Department could
9 choose to perform a check of the
10 applicant's credit history as per the
11 state law, but then they could choose
12 not to use that information in any
13 meaningful way to screen out job
14 applicants or deny someone a promotion.

15 Obviously, if a credit check
16 uncovers a history, for example, of
17 financial fraud, then yes, that
18 information can be used in a meaningful
19 way. But if it just uncovers that
20 someone like many of us has a low credit
21 score because they went through a rough
22 patch, I don't see why that information
23 should be used to deny someone a job.

24 Furthermore, under the Law
25 Department's memo it goes on to say that

1 under Bill No. 200413 the Police
2 Department would be liable for unlawful
3 discrimination under the Fair Practices
4 Ordinance in obtaining or using the
5 credit history of an applicant or
6 employee in a nonpolice officer position
7 in connection with any employment
8 determination.

9 Additionally, the Law
10 Department' memo explains that law
11 enforcement agencies is a more expansive
12 term than just police departments. What
13 does this mean? That Bill No. 200413,
14 it will fully apply to other types of
15 law enforcement agencies besides the
16 Philadelphia Police Department, which we
17 were very happy to hear, such as the
18 SEPTA police, the PHA police or Penn
19 police, et cetera.

20 The Law Department memo also
21 clarifies that certain jobs within
22 financial institutions are privy to
23 credit history checks. These include
24 jobs, for example, like loan originator.
25 However, the memo notes that financial

1 institutions would violate the Fair
2 Practices Ordinance if they procure or
3 use the credit information of applicants
4 or employees, for example, in clerical
5 positions and other roles that are
6 supportive of ancillary to or advisory
7 to those for which credit checks are
8 explicitly required by federal law.

9 In conclusion, the memo notes
10 that Bill No. 200413 in essence narrows
11 the exemption applicable to law
12 enforcement agencies and financial
13 institutions and is unlikely to raise
14 significant legal issues as other
15 jurisdictions such as New York City has
16 applied similarly narrow exemptions.

17 Finally, as part of our
18 conversations with the Law Department,
19 we decided to make further amendments to
20 clarify and strengthen requirements of
21 the Federal Fair Credit Reporting Act
22 that are referenced in the code. I
23 realize that I could not make these
24 amendments due to the narrow title of
25 Bill No. 200413. And so, I introduced

1 Bill No. 200614 as a companion bill.

2 Bill No. 200614 now clarifies
3 that when an employer is permitted to
4 run a credit check and it intends to
5 take an adverse action based in whole or
6 in part on the information in that
7 report, that employer must provide the
8 applicant or employee with a written
9 copy of the information they relied upon
10 and give them the right to dispute the
11 information before the employer takes
12 any adverse action.

13 I know this was a somewhat
14 lengthy opening comment and I know my
15 colleagues are saying, Cherelle, that's
16 nothing new with you. But I really did,
17 colleagues, want to ensure that everyone
18 was on the same page regarding these two
19 bills before we hear the testimony
20 today, and thank you again so very much
21 for your patience.

22 Rachel, can you please call the
23 names of the first panel scheduled to
24 testify.

25 THE CLERK: Rue Landau.

1 COUNCILWOMAN PARKER: I'm
2 sorry, Rachel. I didn't hear you.

3 THE CLERK: Rue Landau.

4 COUNCILWOMAN PARKER: Please
5 state your name for the record and
6 proceed with your testimony.

7 MS. LANDAU: Great. Sure.
8 Absolutely. Thank you, Chairperson
9 Parker and members of the Law and
10 Government Committee, for the
11 opportunity to testify in support of
12 Bill Nos. 200413 and 200614. I'm Rue
13 Landau, Executive Director of the
14 Philadelphia Commission on Human
15 Relations. The Commission administers
16 and enforces the City's Fair Practices
17 Ordinance, the law that prohibits
18 discrimination and employment, housing
19 and real property and public
20 accommodations.

21 In 2016, I came before this
22 body to testify in support of Bill
23 160072, introduced by former
24 Councilmember Greenlee on behalf of
25 Council President Clarke, which

1 ultimately became law in June of that
2 year. The bill amended the Fair
3 Practices Ordinance to make it an
4 unlawful discriminatory practice for an
5 employer to obtain or use an
6 individual's credit information during
7 hiring or any other employment decision.

8 Adding this provision to our
9 City's anti-discrimination law was
10 essential, since studies show that
11 almost half of employers use credit
12 reports to make hiring decisions for
13 some or all of their jobs, even when the
14 positions have nothing to do with the
15 finances of the company. This is
16 problematic for a number of reasons,
17 particularly because credit reports
18 often obtain inaccurate information, and
19 employers use credit history even when
20 there is no correlation between credit
21 and a person's ability to perform or
22 succeed in the workplace.

23 Finally, using credit records
24 for employment practices has an
25 disparate impact on the African-American

1 and Latino communities. Individuals in
2 these communities are more likely to
3 have poor credit histories due to
4 historic racial and economic injustices,
5 such as predatory and discriminatory
6 practices in lending and housing.

7 For all of these reasons, in
8 2016 Philadelphia banned the
9 discriminatory use of credit reports and
10 employment decisions. The companion
11 bills before you today amend the law in
12 two ways. Bill No. 200413 narrows the
13 exclusions to the law so more jobs are
14 explicitly covered and Bill No. 200614
15 more specifically describes the
16 interactive notification process when
17 employers are permitted to run checks.

18 The law banning the use of
19 credit reports specifically excluded law
20 enforcement agencies and financial
21 institutions as well as other specified
22 job categories. Now, I'm talking about
23 the 2016 law. That's what it did. Bill
24 No. 200413 removed the blanket exclusion
25 for law enforcement agencies and

1 financial institutions. However, as
2 Chair Parker has already explained,
3 state and federal law still govern some
4 of their hiring practices.

5 State law requires municipal
6 police departments to conduct credit
7 checks of applicants for police officer
8 positions. There is no mandate for
9 nonpolice officer positions. By
10 removing the blanket exclusion, Bill No.
11 200413 clarifies that law enforcement
12 agencies are prohibited from doing
13 credit checks for any nonpolice officer
14 positions. It's also important to
15 highlight that when they are mandated to
16 run checks for police officers, law
17 enforcement agencies have a lot of
18 discretion. State law mandates that
19 they must run the credit checks, but it
20 does not state how they should use the
21 results for those credit checks when
22 hiring.

23 I'm happy to report that since
24 this issue has been raised recently, the
25 Philadelphia Police Department has

1 agreed to work with the PCHR to review
2 its applicant process to ensure that
3 they are using information obtained in
4 applicants' credit reports in an even,
5 fair and nondiscriminatory manner. In
6 addition, the City of Philadelphia is
7 currently reviewing its own policies
8 related to indebtedness checks to
9 prospective City employees.

10 As for lending institutions,
11 multiple federal laws require financial
12 institutions to obtain credit history on
13 individuals in specific personnel roles,
14 such as mortgage loan originators.
15 However, those laws do not cover
16 applicants or employees in clerical
17 positions or other supportive roles.
18 Bill No. 200413 clarifies that any
19 attempt to obtain or use credit
20 information for applicants or employees
21 not covered by state or federal law is a
22 violation of the Fair Practices
23 Ordinance.

24 Finally, the current law
25 broadly parallels requirements of the

1 Federal Fair Credit Reporting Act. Bill
2 No. 200614 clarifies and strengthens
3 this provision by specifically
4 memorializing the language of the
5 federal law. Namely, when an employer
6 is permitted to run a credit check and
7 it intends to take an adverse action
8 based fully or on part on the
9 information in that report, the employer
10 must provide the applicant or employee
11 with a written copy of the information
12 they relied upon and give them their
13 right to dispute the information before
14 the employer can take an adverse action.

15 Narrowing the exemption
16 applicable to law enforcement agencies
17 and financial institutions will help
18 Philadelphia job seekers and employees
19 already struggling to get or maintain
20 decent stable employment in this
21 difficult job market. It's imperative
22 that we remove as many hurdles as
23 possible from the employment process so
24 that we can get people back to work and
25 providing for their families.

1 Thank you for the opportunity
2 to testify again today. Thank you,
3 Chair Parker, for introducing this
4 important legislation. I'm happy to
5 answer any questions you may have.

6 COUNCILWOMAN PARKER: Thank
7 you, Rue, so very much for your
8 testimony.

9 Vice-chair Green. Are you on
10 Vice-Chair Green?

11 COUNCILMAN GREEN: Yes, I am.

12 COUNCILWOMAN PARKER: Vice-
13 chair Green, can you proceed with the
14 hearing and I'm going to work on these
15 technical issues right now.

16 COUNCILMAN GREEN: No problem.
17 Give me one moment.

18 COUNCILWOMAN PARKER: Greatly
19 appreciate it, Mr. Chair.

20 COUNCILMAN GREEN: Are there
21 any additional questions for this first
22 witness for this panel?

23 (No response.)

24 COUNCILMAN GREEN: Seeing none,
25 I want to thank Ms. Landau for your

1 testimony. It's always a pleasure to
2 hear your voice and receive your
3 information. Thank you for your great
4 work.

5 With that, if we could have
6 Ms. Meadows call the next panel.

7 THE CLERK: Markita Morris-
8 Louis and James Johnson-Piatt.

9 MS. MORRIS-LOUIS: Good morning
10 and thank you, members --

11 COUNCILMAN GREEN: Thank you
12 for being here. If you can just state
13 your name for the record for our
14 stenographer and then proceed with your
15 testimony this morning.

16 MS. MORRIS-LOUIS: Happy to.
17 Markita Morris-Louis, Chief Strategy
18 Officer of Compass Working Capital. So
19 thank you, members of the Committee on
20 Law and Government, Chairperson Parker
21 and Vice-chair Green, for the
22 opportunity to testify on this matter.
23 I come before you in support of Bill No.
24 200413, amending a portion of the
25 Philadelphia Code, entitled Unlawful

1 Credit Screening Practices in
2 Employment.

3 Compass Working Capital is a
4 nonprofit financial services
5 organization whose mission is to support
6 families with low income to build assets
7 as a pathway out of poverty and towards
8 financial stability. Expanding access
9 to employment opportunities that offer
10 comprehensive benefits and family-
11 sustaining wages is a critical step
12 toward achieving economic security.

13 Part of our work includes
14 helping families in building,
15 maintaining and improving their credit
16 and accessing credit as a tool for
17 increasing their social mobility. For
18 so many, the lack of a credit score or
19 poor credit history dictates whether
20 they can make investments in their
21 future, secure opportunities to build
22 equity or seek higher education.

23 Accordingly, credit helps
24 already financially stable households
25 succeed, while preventing financially

1 struggling households from gaining
2 traction in our economy. Therefore,
3 credit should not be a barrier to
4 accessing the types of employer
5 opportunities that can help families
6 improve their financial outlook.

7 There are some reasons why we
8 believe employers should not use credit
9 reports as a basis for making higher
10 decisions: One, there's no rational
11 relationship between credit and job
12 performance. Poor credit is often
13 associated with household unemployment
14 or lack of or insufficient health
15 insurance coverage that leads to medical
16 debt. These outcomes reflect in our
17 inequitable economy and personal
18 misfortune and have little relationship
19 with actual job performance.

20 Two, people of color
21 disproportionately report poor or no
22 credit. Permitting the use of credit in
23 employment decisions will discriminate
24 African-American and Latino households.
25 According to the Urban Institute, more

1 than 50 percent of White households have
2 a FICO credit score above 700 compared
3 with 20.6 percent of Black households.
4 33 percent of Black households with
5 credit histories have insufficient
6 credit and lack a credit score, while
7 only 17.9 of White households have
8 missing scores. Furthermore, Latinos
9 are almost twice as likely than White to
10 be credit-invisible or to not have a
11 record of credit with one of the three
12 largest credit reporting agencies,
13 Experian, Equifax and Transunion.

14 Three, using credit scores and
15 employment perpetuates past
16 discrimination. Credit scores reflect
17 our country's racial wealth gap, which
18 was created by government policies that
19 systematically created wealth for White
20 communities while intentionally
21 excluding Black, indigenous and other
22 communities of color. Using credit
23 scores in employment carry these
24 historic biases into the future and
25 further exacerbate deep and unaddressed

1 social ills. Credit history and scores
2 should be used as narrowly as possible
3 in evaluating an individual's or
4 household financial wherewithall.

5 And four, credit scores are
6 ripe with errors. More than 1 in 5
7 consumers have a potentially material
8 error in their credit file that makes
9 them look riskier than they are
10 according to the Federal Trade
11 Commission. Among inaccuracies that
12 commonly plague credit reports, debt
13 that has been sold to third-party
14 collectors are not properly accounted
15 for when paid and also half or more of
16 medical bills contain billing errors and
17 if unpaid, can lead to negative impact
18 on credit.

19 So during this unprecedented
20 convergence of crises, we must make
21 stable and family-sustaining employment
22 opportunities as accessible as possible,
23 particularly to vulnerable and
24 disinvested communities. Credit checks
25 are an unnecessary barrier to such

1 employment opportunities and we support
2 efforts to reduce obstacles for already
3 struggling families.

4 I want to thank you to this
5 Committee for allowing me to present
6 this testimony, and I'd be happy to take
7 any questions you may have.

8 COUNCILMAN GREEN: Thank you
9 for your testimony.

10 We will proceed with the next
11 witness and then we'll take questions
12 from members of Council.

13 MR. JOHNSON-PIETT: My name for
14 the record is James Johnson-Piett.
15 Thank you, Chairperson Parker, Vice-
16 chair Green and members of the Law and
17 Government Committee, for the
18 opportunity to testify in support of
19 Bill Nos. 200413 and 200614. My name is
20 James Johnson-Piett, Principal and Chief
21 Executive Officer of Urbane Development
22 with offices in New York and
23 Philadelphia.

24 We are a social impact agency
25 that utilizes research, advisory and

1 place-based investment in historically
2 disinvested communities throughout the
3 U.S. and the Caribbean in order to build
4 pathways toward generational community
5 wealth. In our practice, we focus on
6 systemic barriers to wealth generation
7 for Black and people of color
8 communities, such as the fundamentally
9 regressive credit reporting and scoring
10 systems that ignore consistent payment
11 patterns while penalizing for one-off
12 missed payments or late payments. This
13 bill's consideration will help create an
14 easier pathway for job candidates in the
15 law enforcement and financial services
16 sector respectively, to attain gainful
17 employment by eliminating outmoded
18 practices of utilizing credit reports to
19 access job risk and potential hires.

20 A few framing statistics: Over
21 26 million Americans are credit
22 invisible, those that are completely
23 non-existing with credit records, and 19
24 million Americans have unscored credit
25 records, meaning that they lack

1 sufficient history to create predictive
2 scoring like FICO scores. Yet 90
3 percent of lending decisions are made
4 based on these scoring models. 30
5 percent of customers residing in
6 low-income neighborhoods are credit
7 invisible according to the Consumer
8 Financial Protection Bureau. 77 million
9 Americans have a credit file that has at
10 least one debt that's in collection with
11 an average cost of \$5,178.

12 The well-known vestiges of
13 financial redlining still linger as a
14 lack of traditional financial
15 infrastructures in Black and Latino
16 communities necessary in establishing
17 and building credit still pervades.
18 Urbane's work with the City of New York
19 and the Federal Reserve Board of New
20 York drilled into the credit issue at
21 the neighborhood level, examining
22 traditional and alternative credit
23 modalities for Bedford Stuyvesant,
24 Brooklyn, a historically Black
25 community.

1 Bedford Stuyvesant has a 598
2 median FICO Score, 28 small businesses
3 per 1,000 residents versus 49 for the
4 City as a whole, .4 bank branches per
5 1,000 residents versus 2.2 bank branches
6 for the City as a whole, 3.36 subprime
7 loans per 100 loans versus only 1.7 for
8 the whole city of New York. What
9 Bed-Stuy represented was a dramatically
10 disproportionate sort of lack of
11 financial infrastructure. What Bed-Stuy
12 also demonstrated as an alternative was
13 a robust neighborhood scale, informal
14 credit network that included houses of
15 faith, corner stores, schools,
16 barbershops and other community-scale
17 anchors assessing risk and providing for
18 goods and services and you have more
19 traditional financial services.
20 Communities throughout Philadelphia have
21 operated in similar fashion for decades.

22 Regressive credit practices
23 that do not reward positive payment
24 behavior or identified critical
25 financial behaviors, like rent and

1 utility payments because they do not
2 predict less essential consumer credit
3 behavior, yet employers are using that
4 same credit behavior as indicators of
5 job performance. Financial institutions
6 are utilizing more sophisticated data
7 and analytical tools to predict and
8 viability for their myriad financial
9 products, yet unlike -- sorry, yet
10 utilize outmoded, inaccurate and
11 incomplete data factors in determining
12 employment potential for applicants.

13 Employment credit checks are
14 common. 25 percent of low- and middle-
15 income households with credit card debt
16 have stated that a potential employer
17 requested a credit check. 10 percent of
18 those respondents who were unemployed
19 said that they weren't hired because of
20 information in their credit report,
21 those with significant credit blemishes,
22 that number increased to 1 in 7.

23 Medical debt, lack of health
24 coverage and household unemployment are
25 the compound factors in poor credit for

1 Black and Latino households. None of
2 those issues have relationship to
3 potential job performance. TransUnion,
4 a major credit-reporting company
5 admitted in public testimony, we don't
6 have any research that shows any
7 statistical correlation between what's
8 in somebody's credit report and their
9 job performance or their likelihood to
10 commit fraud.

11 The prevalence of credit report
12 errors as a reason for poor credit was
13 cited by 1 in 8; 21 percent of Americans
14 had an error in their credit from one of
15 the Bureaus. 13 percent had errors
16 serious enough to negatively impact
17 credit scores and 5 percent or 10
18 million Americans had errors that were
19 demonstratively impactful in the cost of
20 capital, from car loans to mortgages to
21 credit cards.

22 The financial service industry
23 is one of the few industries that has a
24 rigorous investigation of the efficacy
25 of credit report background checks as a

1 means to predict job performance or
2 potential misconduct. One critical
3 study analyzed credit reports from 178
4 real employees working at large
5 financial institutions. They found that
6 employees' credit history had no
7 relationship to job performance ratings
8 or likelihood from misconduct citations
9 at work.

10 While the law enforcement field
11 has not been robustly studied as the
12 financial services field, that statement
13 from TransUnion still rings true, there
14 is no empirical evidence that credit
15 reports will reveal how responsible,
16 reliable or honest a law enforcement
17 employee will be in their job functions.

18 Addressing the exemptions and
19 the usage of credit reporting as a
20 hiring practice for financial
21 institutions and law enforcement through
22 Bills 200413 and 200614 will offer job
23 seekers a more fair and just environment
24 to obtain employment, particularly in a
25 moment with our economy and justice

1 systems, respectively.

2 Now is the time for
3 Philadelphia to exhibit its leadership
4 in advancing progressive policy that
5 leads to strong employment prospects for
6 City workers. In addition to passing
7 these two bills, consider utilizing the
8 City's woefully underutilized tools of
9 open data, public procurement, fine, fee
10 and levy authority, and other public
11 payment apparatus to leverage positive
12 payment reporting potential for its 1.5
13 million residents.

14 The City collects recurring
15 payments from its residents on a daily
16 basis. Does it report any of these
17 on-time payments to credit bureaus for
18 consideration? The Bureaus want large,
19 scalable and credible data sets to build
20 and refine their predictive models from.
21 The City and its affiliates can
22 facilitate a massive credit reporting
23 and scoring paradigm shift by leveraging
24 its data in rents, utilities, child
25 support, parking tickets, criminal

1 justice fines and fees, et cetera, in
2 service of strengthening the credit
3 reports of its residents and its labor
4 pool. Something to consider.

5 Thank you for your time and
6 consideration regarding my testimony
7 today. I'm happy to answer any
8 questions or points of clarification for
9 your Members.

10 COUNCILWOMAN PARKER: Thank you
11 so very much for your testimony.

12 Vice-chair Green, is it clear?

13 COUNCILMAN GREEN: Yes, we can
14 hear.

15 COUNCILWOMAN PARKER: Thank you
16 so much, Vice-chair Green. And a
17 special thank you to all of those who
18 have testified, Rue, Markita and James.

19 Are there any questions from
20 any of our colleagues for this panel,
21 Markita and James?

22 COUNCILMAN GREEN: Yes, Madam
23 Chair. I have a quick question.

24 COUNCILWOMAN PARKER: The Chair
25 recognizes Vice-chair Green.

1 COUNCILMAN GREEN: Thank you.
2 For Ms. Morris-Louis and Mr. Johnson-
3 Piett, you both talked about the credit
4 rating agencies and them even
5 acknowledging that we don't need to use
6 credit scoring. In your research and
7 the work that you've done, do you have
8 any perspective on how this got started?

9 I know from my own experience
10 when I was a small business lender for
11 Meridian Bank at Broad and Glenwood,
12 North Philadelphia, I remember when FICO
13 scoring really first got started. That
14 was actually part of the reason why I
15 left lending, because they took the
16 ability of lenders to actually do
17 lending based on their experience in
18 training.

19 But do you have any insight on
20 what led to credit scoring being used
21 for this type of screening? I know it's
22 also used for insurance products as
23 well. I'm curious in your research if
24 you've seen any information in that
25 regard.

1 MS. MORRIS-LOUIS: Mr. Johnson-
2 Piett, would you like to start?

3 MR. JOHNSON-PIETT: Sure. From
4 what we see, certainly to be frank, it's
5 an easy and credible "background
6 checking apparatus." So for larger
7 companies, it's part of a larger
8 continuing background check from public
9 resources, public records, et cetera,
10 including credit reports as a way to
11 sort of tease out someone's behavior.
12 What is interesting is not only is this
13 longstanding behavior, but it's been
14 modified to include a much more invasive
15 tool, so things like social media, your
16 location data, et cetera, et cetera. So
17 a lot of this kind of regime I think,
18 and this is my personal opinion, is very
19 much about the credit bureaus' ability
20 to deem themselves important in a future
21 economy, where frankly a lot of the
22 financial institutions have their own
23 guard data sets.
24 So if you think about a bank or
25 if you think about a lending

1 institution, for instance, you have all
2 the information you need to make, all
3 the credit decisions you want to make
4 about someone based on their bank
5 account transactions, relationship with
6 the bank, et cetera, yet you still lean
7 on these other tools because frankly
8 it's just easier to do. And if I'm a
9 credit bureau, that's a for-profit
10 company by the way, yeah, you're going
11 to actually be incentivized to push your
12 product and your services out to your
13 clientele and speak to the necessity of
14 doing this.

15 For employment purposes, HR --
16 mainly around small- and medium-sized
17 businesses who need to do credit checks,
18 HR infrastructure isn't going to be as
19 robust as it could be around figuring
20 out someone's potential sort of issues
21 that might not impede them in being able
22 to do their job.

23 So I think a lot of it just is
24 bureau selling product to folks who have
25 a stated need, but there's no nuance

1 around what that -- or around the
2 unintended consequences that come along
3 with that, so I can't say for sure why
4 the bureaus may have initially started
5 to try to target employers. But
6 certainly as a business line, it's been
7 a pretty robust and clear one for them.
8 And what's worth mentioning about the
9 whole progress, their data gets sucked
10 up in terms of other data sets and
11 becomes a sort of larger sort of mega
12 set that you can't parcel out as a
13 whole.

14 So when you think about
15 LexisNexis data that may come from
16 public records, it's dovetailed into
17 FICO information or credit report
18 information and it all sort of self-
19 validates in a way when the reality to
20 Ms. Morris-Louis' point and to my point,
21 the level of inaccuracies that are in
22 credit bureau data is it's pretty right
23 as it is in public reports, but there's
24 a certain level of credibility that
25 comes along with that that people take

1 for granted and it needs to be a real
2 shift around understanding that lots of
3 these pieces of information, frankly it
4 relies essentially on the victim to
5 prove that these things are incorrect as
6 compared to some validation system that
7 will validate the information and the
8 data that's there, so it could be really
9 destructive.

10 MS. MORRIS-LOUIS: And I'll
11 just add briefly that we saw around the
12 mid-2000s that the credit report
13 agencies started to make a shift and
14 actively lobby to expand use of their
15 products and services beyond traditional
16 financial services and financial
17 transaction decision-making, right.

18 As Mr. Johnson-Piatt aptly
19 mentioned, it was about creating a new
20 business line so I think employers may
21 have been looking for another way to
22 kind of sift employees and add a new
23 data point to hiring decisions, but
24 really it was the credit reporting
25 agencies that pushed the product as

1 another way of making decisions about
2 people's worthiness just to expand their
3 opportunity in the marketplace.

4 COUNCILMAN GREEN: Thank you
5 both for your answers.

6 MS. MORRIS-LOUIS: My pleasure.

7 COUNCILWOMAN PARKER: Thank you
8 so much, Vice-chair Green.

9 Any other members of the
10 Committee have questions for this panel?

11 (No response.)

12 COUNCILWOMAN PARKER:
13 Mr. Johnson-Pietz and Markita Morris-
14 Louis, I just want to say to both of you
15 that each of you came highly recommended
16 to provide testimony here today. And I
17 really just for the record wanted you to
18 address something that I didn't even
19 recognize until a friend mentioned to me
20 not long ago when we were talking about
21 the power of credit and just closing the
22 wealth gap and access to capital. And
23 they said to me, Cherelle, do you
24 understand that credit reporting
25 agencies are publicly traded companies.

1 And I said, wait a minute, publicly
2 traded companies.

3 And I'm asking you,
4 Mr. Johnson-Pietz and Ms. Morris-Louis,
5 any comment on that because that could
6 be some sort of potential reform or
7 advocacy that we need to work on at the
8 federal level because that doesn't seem
9 quite just to me?

10 MR. JOHNSON-PIETZ: Ms. Morris,
11 you can start. I'll jump in for sure.

12 MS. MORRIS-LOUIS: Chairperson
13 Parker, I definitely agree with that. I
14 think that their influence over how
15 people get to move forward in their
16 lives and seek and obtain economic
17 security is inflated frankly. A lot of
18 advocates and consumer advocates will
19 tell you that the more that credit
20 scores and credit reports are used to
21 invade different aspects of our lives
22 even beyond basic financial decision-
23 making, it creates more barriers and
24 more struggle for already vulnerable
25 communities.

1 So, for example, there is a big
2 push in the rental market to use data
3 around rent payments instead of credit
4 reporting as a more reliable indicator
5 of someone's ability to pay a mortgage,
6 for example. So there are other data
7 points that actually are more reliable.
8 And frankly, some of the credit
9 reporting agencies have not been really
10 forthright and transparent about the
11 sources of their algorithmys and their
12 formulas.

13 And the three big credit
14 reporting bureaus have a monopoly over
15 the market. There are other sources for
16 reporting, but if they're not used for
17 lenders and those who make decisions,
18 then they may as well not exist. So
19 there's definitely some big issues and
20 some national advocacy that's happening
21 to try to push back on the outsized
22 influence they have over our financial
23 lives. And I would definitely welcome
24 more discussion about how we on a local
25 level can support that work.

1 COUNCILWOMAN PARKER: Thank
2 you, Ms. Morris-Louis.

3 Mr. Johnson-Pinett, anything?

4 MR. JOHNSON-PIETT: Yes, I'll
5 add quickly. I think at the federal
6 level back in the Obama Administration
7 when you had Massachusetts Senator
8 Elizabeth Warren really pushing along
9 around the idea of the Consumer
10 Financial Protection Bureau, the
11 creation of that agency in and of
12 itself, I think, in large part began to
13 the move the needle at the federal level
14 around examining this exact what I call
15 a regime around credit, so that work
16 obviously sort of got a little bit on
17 the vine with the current Administration
18 that we're in right now. So I think it
19 could be some renewed opportunity to
20 leverage that agency in sort of the
21 research that they did to pursue at the
22 federal level to really examine why
23 for-profit companies at all are in
24 charge of deciding how these factors are
25 set up --

1 COUNCILWOMAN PARKER: Yes.

2 MR. JOHNSON-PIETT: -- and a
3 good advocate on that part.

4 COIUNCILWOMAN PARKER: So,
5 Markita, I'll chop up a name in a
6 second. It's Markita Morris-Louis, not
7 Lewis.

8 MS. MORRIS-LOUIS: Yes, ma'am.
9 No worries. No worries.

10 COUNCILWOMAN PARKER: Well,
11 Markita and James, I'm telling you, I'm
12 thinking about our former consumer
13 advocate Lance Haver, who worked very
14 hard and was very cognizant of the
15 impact that these credit reporting
16 agencies had not just over the lives of
17 people, but how they in essence served
18 as part of the foundation about when we
19 look at how wealth and inequality has
20 been able to permeate across communities
21 in our City, our Commonwealth and our
22 nation.

23 So I want you to know that I
24 want to state for the record now so when
25 we call and start bugging you, you don't

1 say why are they calling us again. We
2 are going to be calling on Lance Haver
3 along with some other consumer
4 advocates, our friends at CLS, we're
5 going to talk to Clarifi, we're going to
6 talk to the Fed and we're going to
7 figure out some very substantive
8 recommendations that we can make to our
9 Pennsylvania Congressional Delegation,
10 our two U.S. Senators and our Congress
11 people about recommendations that we
12 hope the CFPB will review and undertake
13 this new Administration if we can ever
14 or when we get there.

15 The Chair now wants to
16 recognize Councilmember Bass who has a
17 question. Councilmember Bass.

18 I want to be patient and give
19 our colleagues time because everybody
20 could be having these technical
21 challenges this morning.

22 (No response.)

23 COUNCILWOMAN PARKER:
24 Councilmember Bass, if you're on and you
25 want to come back, please come back.

1 I'm going to ask right now, I
2 don't know if she is still on, Rue, are
3 you still here? If so, can you come
4 back on, Rue.

5 MS. LANDAU: I am here, Chair.
6 I am here. I never leave you until you
7 tell me I'm dismissed.

8 COUNCILWOMAN PARKER: Thank
9 you. Thank you so very much. And, Rue,
10 listen, we want to also say a special
11 thank you to you. When we realized that
12 we had to deal with the state and
13 federal preemption issues, we worked in
14 partnership with you and your office and
15 team and, my, you guys have done an
16 awesome job.

17 And with that in mind, Rue, I
18 want you to clarify for the benefit of
19 the public when I specified during my
20 opening comments that, yes, state law
21 does say that the Police Department is
22 required to conduct the credit history
23 report, but it does not specify how are
24 they supposed to use the report.

25 Just talk a little bit about

1 that, if you will, Rue. The second part
2 of that I want you to tell us about
3 because you and your office have
4 actually led the conversation of the
5 Police Department. Tell us about those
6 conversations and their willingness to
7 work in partnership with us in the
8 spirit of the intent of this
9 legislation.

10 MS. LANDAU: Sure. Absolutely.
11 Well, you're right, they said that you
12 have to do a credit check just for
13 police officers. The law does not say
14 how you should use that information.
15 And, you know, this is all interesting
16 timing, right. When we make change in
17 the City, it doesn't always look pretty.
18 It sometimes comes in a big mess.

19 And this issue has elevated
20 from a very sad news story of somebody
21 who says that she was denied a job as a
22 police officer because of her credit
23 report, which causes a scramble and
24 causes all of us to look into things and
25 start these conversations. So it

1 doesn't always start in a pretty way and
2 I hope that we can go back and
3 re-eval -- the Police Department can go
4 back and maybe re-evaluate her and take
5 a look at what happened with her
6 screening. But the Police Department,
7 as they say for the news and as they
8 told us, was already in the process of
9 evaluating how they do all of their
10 screening, making sure that the systems
11 they've had in place for years are
12 working to the benefit of making sure
13 they have a diverse police cadet class,
14 that they are attracting the people they
15 want to attract, that they get the most
16 qualified people and that they're not
17 disqualifying people based on archaic
18 reasoning that they've done in the past.

19 When we had our meetings, the
20 Police Commissioner herself showed up.
21 She is very set on making this happened,
22 she said. She's got a lot on her plate
23 right now so it's still in the pipeline,
24 but she very much said that they're
25 doing a full review of their hiring

1 practices to make sure that they're not
2 disqualifying people based on old bad
3 debt or something like that.

4 The system's been in place for
5 a long time and the world is changing.
6 And as we've heard from our other
7 wonderful panelists, credit issues are
8 changing all the time as well. 20 years
9 ago people didn't have the student debt
10 they have now. Most of us have student
11 loan debt. It doesn't mean we can't do
12 our jobs very well. So as long as we're
13 continuing looking at systems throughout
14 all of City government, I think that we
15 can stay ahead of the times.

16 As I testified yesterday about
17 the gig economy and hiring, they're
18 moving at warp speed and we've got to be
19 ahead of this. We need to know what
20 systems they have in place, who are they
21 disqualifying and why, what can we put
22 in place to fix it, how is the world
23 still disadvantaging people of color in
24 a way that is so unfair and so
25 discriminatory and how can we right

1 these wrongs of the past. So I think
2 we're on the road to recovery here and
3 the right path.

4 Thank you for keeping us
5 accountable. Thank you for keeping us
6 in check. We will come back and report,
7 I'm sure, on our moves and our great
8 successes, and the City of Philadelphia,
9 as I said, is also taking a look at why
10 are they looking at indebtedness checks,
11 what does this look like, who are they
12 excluding. So thank you.

13 COUNCILWOMAN PARKER: Rue,
14 listen, we want to say a special thank
15 you to you too. For members of the
16 viewing public who are watching and/or
17 listening, you see the Councilmembers
18 and our advocacy, but you don't see the
19 Rue Landaus, the Markitas and the James
20 who are behind the scenes providing the
21 research, the Law Department to help to
22 move what we are advocating for along.

23 Rue, I just want to lay on you
24 the way I laid on Markita and James to
25 say, we're going to review the Police

1 Department's progress on this issue when
2 we get to our budget process this
3 spring. And again, when we get a new
4 Administration in Washington, D.C., the
5 hope is that there will be some efforts
6 to look at this as a federal issue and
7 to make some changes nationwide. And
8 Rue, we will continue to rely on you as
9 one of our most valuable partners and
10 stakeholders in making sure that no
11 matter how good our intentions are, that
12 we move in accordance with the law and
13 in the best interest of the City. So I
14 want to thank you also for not being
15 afraid to push back and say, wait a
16 minute now, no, we can do this, but we
17 can't do that. So I need you to do that
18 as well.

19 Councilmember Bass. Is your
20 sound working yet, Council Lady?

21 (No response.)

22 COUNCILWOMAN PARKER: Okay.
23 Are there any other questions for either
24 Rue and/or Markita and James?

25 (No response.)

1 COUNCILWOMAN PARKER: We want
2 to thank you all so very much for your
3 testimony.

4 Is there anyone else here who
5 has a question or want to testify on
6 Bill Nos. 200413 or 200614 whose name
7 has not yet been called?

8 (No response.)

9 COUNCILWOMAN PARKER: Hearing
10 none, this will conclude our public
11 hearing and we will go into the public
12 comment. There being no further
13 questions from members of the Committee
14 and no other witnesses to testify on
15 Bill Nos. 200541, 200413 or 200614, I
16 will ask if there's anyone else again
17 present in this hearing whose name we
18 have failed to call and that wishes to
19 offer testimony on Bill Nos. 200541,
20 200413 or 200614?

21 (No response.)

22 COUNCILWOMAN PARKER: Hearing
23 none, I want to thank all the panels and
24 witnesses for their participation today.
25 We value your opinions. I now invite

1 all panels and witnesses to please
2 disconnect from the meeting before we go
3 into our public meeting. We will now
4 pause our proceedings very briefly as
5 multiple participants leave the hearing.
6 Thank you all again.

7 (Brief recess.)

8 COUNCILWOMAN PARKER: This
9 concludes the public hearing of the
10 Committee on Bill Nos. 200541, 200413
11 and 200614. We will now go into a
12 public meeting to consider the action to
13 be taken on these three bills. We will
14 now convene our public meeting.

15 Rachel, will you please call
16 the roll to take attendance. Members
17 that are in attendance will please
18 indicate that you are present when your
19 name is called. Also, please say a few
20 brief words when responding so that your
21 image will be displayed on screen when
22 you speak.

23 THE CLERK: Councilmember Vice-
24 Chair Derek Green.

25 COUNCILMAN GREEN: Thank you,

1 Madam Chair. I am present for the
2 public meeting.

3 THE CLERK: Councilmember Brian
4 O'Neill.

5 COUNCILMAN O'NEILL: Thank you.
6 I am present.

7 THE CLERK: Councilmember Cindy
8 Bass.

9 Councilmember David Oh.

10 COUNCILMAN OH: I am present.
11 Thank you very much.

12 THE CLERK: Councilmember Mark
13 Squilla.

14 COUNCILMAN SQUILLA: Present.

15 THE CLERK: That is five and
16 makes a quorum, and we also still have
17 Councilmember Kenyatta Johnson with us.

18 COUNCILWOMAN GYM: And you
19 skipped me, Rachel.

20 THE CLERK: And, Councilmember
21 Helen Gym. I apologize.

22 COUNCILWOMAN GYM: I am
23 present.

24 THE CLERK: Many apologies.

25 COUNCILWOMAN PARKER: Okay.

1 Thank you. We will now go into our
2 public meeting. The sound issues came
3 back. Great for the people testifying,
4 but now it's getting choppy again.

5 The Chair recognizes
6 Councilmember Green for a motion on the
7 amendment to Bill No. 200541.

8 COUNCILMAN GREEN: Thank you,
9 Madam Chair. I offer an amendment to
10 Bill No. 200541. A copy of the
11 amendment has been circulated to all
12 members of the Committee. I move that
13 the amendment to Bill No. 200541 be
14 approved.

15 COUNCILWOMAN PARKER: Is there
16 a second?

17 COUNCILMAN SQUILLA: Second.
18 Second.

19 COUNCILWOMAN PARKER: Thank
20 you. The Chair notes for the record
21 that Councilmember -- Rachel, say the
22 name because I could not hear who it
23 was.

24 THE CLERK: Councilmember
25 Squilla.

1 COUNCILWOMAN PARKER:

2 Councilman Squilla seconds the motion.
3 It's been moved and properly seconded
4 that the amendent to Bill No. 200541 be
5 approved.

6 All those in favor of the
7 motion will signify by saying aye.

8 (Aye.)

9 COUNCILWOMAN PARKER: Those
10 opposed?

11 (No response.)

12 COUNCILWOMAN PARKER: The ayes
13 have it. The motion carries and the
14 amendment to Bill No. 200541 has been
15 approved.

16 The Chair recognizes
17 Councilmember Green for a motion on Bill
18 No. 200541 as amended.

19 COUNCILMAN GREEN: Thank you,
20 Madam Chair.

21 I move that Bill No. 200541 as
22 amended be reported from this Committee
23 with a favorable recommendation and
24 further move that the rules of Council
25 be suspended to permit first reading of

1 this bill at the next session of
2 Council.

3 COUNCILMAN O'NEILL: Second.

4 COUNCILWOMAN PARKER: The Chair
5 notes for the record that
6 Councilmember -- who was that, Rachel?

7 THE CLERK: O'Neill.

8 COUNCILWOMAN PARKER: Seconds
9 the motion. It has been moved and
10 properly seconded that Bill No. 200541
11 as amended be reported from this
12 Committee with a favorable
13 recommendation and further move that the
14 rules of Council be suspended to permit
15 first reading of this bill at the next
16 session of Council.

17 All those in favor of the
18 motion will signify by saying aye.

19 (Aye.)

20 COUNCILWOMAN PARKER: Those
21 opposed?

22 (No response.)

23 COUNCILWOMAN PARKER: The ayes
24 have it and the motion carries.

25 The Chair recognizes

1 Councilmember Green for a motion on Bill
2 No. 200413.

3 COUNCILMAN GREEN: Thank you,
4 Madam Chair.

5 I move that Bill No. 200413 be
6 reported from this Committee with a
7 favorable recommendation and further
8 move that the rules of Council be
9 suspended to permit first reading of
10 this bill at the next session of
11 Council.

12 COUNCILMAN O'NEILL: Second.

13 COUNCILWOMAN PARKER: The Chair
14 notes for the record that Councilmember,
15 was it O'Neill, seconds the motion?

16 THE CLERK: O'Neill, yes.

17 COUNCILWOMAN PARKER: Okay. It
18 has been moved and properly seconded
19 that Bill No. 200413 be reported from
20 this Committee with a favorable
21 recommendation and further move that the
22 rules of Council be suspended to permit
23 first reading of this bill at the next
24 session of Council.

25 All those in favor of the

1 motion will signify by saying aye.

2 (Aye.)

3 COUNCILWOMAN PARKER: The ayes
4 have it and the motion carries.

5 The Chair recognizes
6 Councilmember Green for a motion on Bill
7 No. 200614.

8 COUNCILMAN GREEN: Thank you,
9 Madam Chair.

10 I move that Bill No. 200614 be
11 reported from this Committee with a
12 favorable recommendation and further
13 move that the rules of Council be
14 suspended to permit first reading of
15 this bill at the next session of
16 Council.

17 COUNCILMAN O'NEILL: Second.

18 COUNCILWOMAN PARKER: The Chair
19 notes for the record that Councilmember
20 O'Neill seconds the motion. It has been
21 moved and properly seconded that Bill
22 No. 200614 be reported from this
23 Committee with a favorable
24 recommendation and further move that the
25 rules of Council be suspended to permit

1 first reading of this bill at the next
2 session of Council.

3 All those in favor of this
4 motion will signify by saying aye.

5 (Aye.)

6 COUNCILWOMAN PARKER: Those
7 opposed?

8 (No response.)

9 COUNCILWOMAN PARKER: The ayes
10 have it and the motion carries.

11 We will now consider a motion
12 regarding Bill No. 200557, 200559 and
13 200563.

14 The Chair recognizes
15 Councilmember Green.

16 COUNCILMAN GREEN: Thank you,
17 Madam Chair. I move that the public
18 hearing and meeting on Bill Nos. 200557,
19 200559 and 200563 stand in recess until
20 2:30 p.m. this afternoon.

21 COUNCILMAN O'NEILL: Second.

22 COUNCILWOMAN PARKER: The Chair
23 notes for the record that Councilmember
24 O'Neill seconds the motion. It has been
25 moved and properly seconded that the

1 public hearing and meeting of this
2 Committee on Bill Nos. 200557, 200559,
3 and 200563 be recessed until this
4 afternoon at 2:30 p.m.

5 All those in favor of the
6 motion will signify by saying aye.

7 (Aye.)

8 COUNCILWOMAN PARKER: Those
9 opposed?

10 (No response.)

11 COUNCILWOMAN PARKER: The ayes
12 have it. The motion carries and this
13 Committee will stand in recess until
14 this afternoon at 2:30, at which time we
15 will continue the public hearing and
16 hear testimony on Bill Nos. 200557,
17 200559, 200563.

18 I want to thank you, my
19 colleagues and the viewing public,
20 especially for your patience with our
21 technical difficulties. We will get to
22 another computer before this afternoon
23 so that we can ensure what we know will
24 be a much more lengthier hearing, that
25 we will not have these technical

1 challenges, particularly on my end.

2 So again, colleagues, I want to
3 to say thank you so much for your
4 graciousness and your patience. Thank
5 you and we'll see you all this
6 afternoon. This hearing is recessed.

7 (Morning recess.)

8 COUNCILWOMAN PARKER: I
9 understand that state law currently
10 requires that the following announcement
11 be made at the beginning of every remote
12 public hearing: Due to the current
13 public health emergency, City Council
14 Committees are currently meeting
15 remotely. We are using Microsoft Teams
16 to make these remote hearings possible.

17 Instructions for how the public
18 may view and offer public testimony at
19 public hearings of Council Committees
20 are included in the public hearing
21 notices that are published in the Daily
22 News, the Inquirer and the Legal
23 Intelligencer prior to the hearings and
24 can also be found on phlcouncil.com. I
25 now note that the hour has come.

1 Rachel, will you please call
2 the roll to take attendance. Members
3 that are in attendance, please indicate
4 that you are present when your name is
5 called. Also, please say a few brief
6 words when responding so that your image
7 will be displayed on screen when you
8 speak.

9 Please call the roll.

10 THE CLERK: Vice-chair Derek
11 Green.

12 COUNCILMAN GREEN: Present.
13 Looking forward to today's conversation.

14 THE CLERK: Councilmember Cindy
15 Bass.

16 COUNCILWOMAN BASS: Good
17 afternoon. I am present. Thanks to
18 everyone.

19 THE CLERK: Councilmember David
20 Oh.

21 COUNCILMAN OH: Good afternoon.
22 I'm present. Thank you.

23 THE CLERK: Councilmember Helen
24 Gym.

25 COUNCILWOMAN GYM: Present.

1 THE CLERK: Councilmember

2 Curtis Jones, Jr.

3 COUNCILMAN JONES: Present and
4 looking forward to the discussions.

5 THE CLERK: Councilmember Maria
6 Quinones-Sanchez.

7 COUNCILWOMAN QUINONES-SANCHEZ:
8 Good afternoon. Thank you so much.

9 THE CLERK: Councilmember Mark
10 Squilla.

11 COUNCILMAN SQUILLA: Did we
12 start yet?

13 COUNCILWOMAN GYM: We started,
14 Mark.

15 COUNCILMAN SQUILLA: I'm sorry.
16 I missed the introduction.

17 THE CLERK: And also joining us
18 is Councilmember Isaiah Thomas who is
19 not a member of the Committee, but whose
20 bill is being heard today.

21 COUNCILWOMAN PARKER: Thank
22 you. A quorum of the Committee is
23 present and this hearing is now called
24 to order. This is the public hearing of
25 the Committee on Law and Government

1 regarding Bill Nos. 200557, 200559 and
2 200563.

3 Rachel, will you please read
4 the titles of the bills.

5 THE CLERK: 200557, an
6 Ordinance amending a new Chapter 9-5300
7 to the Philadelphia Code, entitled
8 "Travel and Hospitality Worker Recall
9 and Retention," to require that certain
10 laid-off employees in certain
11 hospitality and travel-related
12 industries are offered job positions as
13 they become available, all under certain
14 terms and conditions.

15 And Bill No. 200559, an
16 Ordinance amending Chapter 9-2300 of the
17 Philadelphia Code, entitled "Protection
18 of Displaced Contract Workers," by
19 clarifying definitions and scope of
20 applicability, all under certain terms
21 and conditions.

22 And Bill No. 200563, an
23 Ordinance adding new Chapter 9-5400 of
24 the Philadelphia Code, entitled
25 "Retention of Hotel Workers," to require

1 that hotel employees receive notice of
2 changes in hotel ownership or control
3 and providing related employment
4 protections, all under certain terms and
5 conditions.

6 COUNCILWOMAN PARKER: Before we
7 begin to hear testimony from the
8 witnesses we have for today, everyone
9 who has been invited to the meeting to
10 testify should be aware that this public
11 hearing is being recorded. Because the
12 hearing is public, participants and
13 viewers have no reasonable expectation
14 of privacy. By continuing to be in the
15 meeting, you are consenting to being
16 recorded.

17 Additionally, prior to
18 recognizing Members for questions or
19 comments they have for witnesses, I will
20 note for the record at this time that we
21 will use the chat feature available in
22 Microsoft Teams to allow Members to
23 signify that they wish to be recognized.
24 In order to comply with the Sunshine
25 Act, the chat feature must only be used

1 for this purpose.

2 Before I ask Rachel to call the
3 first panel for Bill Nos. 200557,
4 200559, and 200563, would any of the
5 sponsors of the bills like to make
6 opening comments, Councilmembers Gym,
7 Thomas and Johnson?

8 COUNCILWOMAN GYM: Yes,
9 Councilwoman, I would like to make an
10 opening statement. I'm sure my Council
11 colleagues would too as well.

12 COUNCILWOMAN PARKER: Chair
13 recognizes Councilmember Gym.

14 COUNCILWOMAN GYM: Thank you
15 very much, Madam Chair.

16 So today in a time of deep
17 uncertainty and economic urgency, I'm
18 proud to join my co-sponsors
19 Councilmember Johnson and Councilmember
20 Thomas and a broad majority of City
21 Council to present an economic justice
22 package for Philadelphia's hospitality,
23 tourism and airport workers before this
24 Committee.

25 In a city where nearly 1 in 2

1 Philadelphia has lost a job or seen a
2 decline in income, economic recovery and
3 the health of our City relies on Black,
4 Brown and immigrant workers, especially
5 women in our communities and
6 neighborhoods returning to work as
7 businesses begin to reopen. In short,
8 Black Workers Matter.

9 Today on behalf of our Council
10 sponsors, we stand alongside
11 Philadelphia's workers who are the
12 economic engines of our City. There are
13 no hotels, no stadiums or Philadelphia
14 International Airport without these
15 people. They are the backbone of our
16 local economy. They are the
17 breadwinners for their families and they
18 are labor and civic leaders for their
19 colleagues and their neighbors.

20 This is a Council that knows
21 how much that means. It's a Council
22 that has a moral and economic
23 responsibility to our City to step up
24 for workers. We have never shied away
25 from this moment. Members of this

1 Committee last session passed historic
2 laws for workers, including a nationally
3 leading domestic workers bill of rights,
4 groundbreaking protections for parking
5 lot workers and a Fair Workweek. We
6 established a formal Department of Labor
7 to ensure that our labor standards were
8 fully enforced and upheld.

9 This is a Council that has
10 fought to expand paid sick leave and
11 cover workers who are not formally
12 covered. We're a Council that has
13 always supported the rights for
14 collective bargaining and passed a
15 national model bill to ensure that
16 workers were protected from retaliation
17 if they reported violations of
18 workplace, health and safety standards
19 and mandates.

20 This is a Council that not only
21 acknowledges that Black workers matter,
22 it proves it. The package of bills
23 before this Committee ensures that we
24 will base recovery on experience and not
25 discrimination as we have often found

1 when mass layoffs within an industry or
2 in the event of a massive and unforeseen
3 circumstance. They include requiring
4 hotels, the airport and event centers to
5 offer jobs back to previous workers who
6 lost their jobs because of the COVID-19
7 pandemic based on seniority.

8 It also protects workers' jobs
9 in the event that a hotel is sold or
10 goes through foreclosure. It amends an
11 existing law to ensure that seasonal
12 workers at the sports complex and food
13 service workers at the Philadelphia
14 International Airport are not replaced
15 to no fault of their own in the event
16 that a new contractor takes over
17 services at their workplace. All three
18 have a minimum of 11 sponsors each.

19 Workers may ask when they will
20 be able to return to the jobs, but they
21 will no longer have to worry if they
22 will be able to. Countless studies have
23 shown that Black workers are often the
24 first fired and last hired, and that
25 will not stand in the City of

1 Philadelphia.

2 The package of bills is the
3 result of an intensive business labor
4 engagement process, including two
5 roundtable conversations and numerous
6 other meetings with industry leaders.
7 The amendments proposed today reflect a
8 challenging, intensive and meaningful
9 process of making sure that we can get
10 this bill ripe for businesses, while
11 ensuring economic dignity for our
12 workers.

13 Today the Greater Philadelphia
14 Hotel Association, Aramark and others
15 are not testifying against these bills.
16 I believe that speaks volume to the work
17 that has been put into amending a
18 package so that it is fair and balanced.

19 I want to thank all the
20 co-sponsors of these bills,
21 Councilmember Johnson, Councilmembers
22 Thomas, Henon, Squilla, Gauthier,
23 Quinones-Sanchez, Jones, Brooks and
24 Gilmore Richardson. And I want to thank
25 Chairwoman Parker, a consistent champion

1 for labor, who has been running this
2 Committee since early this morning.

3 Today it is my hope and
4 expectation that this City Council will
5 once again prove that it stands with
6 working Philadelphians. And finally,
7 just to note to all the workers who are
8 out there watching today, because I know
9 that they have organized watch parties,
10 that they are advocates with POWER and
11 other community leaders who have
12 supported this package who are
13 organizing watch parties out there, that
14 we know you're watching and that we
15 respect the fact that you have been
16 engaged and passionate, working together
17 on these business labor roundtables that
18 have consumed many hours of people's
19 time, but shows again a deep commitment
20 to engagement over time and that this
21 bill that is presented before everybody
22 and that these package of bills reflect
23 that process.

24 Thank you very much, Madam
25 Chair.

1 COUNCILWOMAN PARKER: Thank
2 you, Councilmember Gym.

3 Councilmember Thomas, okay, I
4 see you there. Chair recognizes
5 Councilmember Thomas.

6 COUNCILMAN THOMAS: Thank you
7 Madam Chair/Majority Leader. Excuse my
8 background. It's absolutely nothing I
9 can do about that. I want to apologize
10 for that. But again thank you, Madam
11 Chair, who's also my Councilperson,
12 who's also one of the sponsors of this
13 bill.

14 In the spirit of not just being
15 repetitive, this is what I'll say: This
16 bill and this package of bills are
17 extremely personal to me. I'm born and
18 raised in this City. And a lot of
19 people don't know this about me, but I
20 actually have nine brothers and sisters.
21 We're a pretty big family, and a lot of
22 us work in the world of education. But
23 the fact that the majority of my
24 siblings who aren't serving in the
25 military live in the City of the

1 Philadelphia still, we've participated
2 in a number of different professions.
3 And my big brother spent years, years,
4 years, years working in the hotel
5 industry.

6 And Councilmember Gym talked a
7 little bit about a lot of the different
8 collaborations that have taken place
9 leading up to this moment right here, so
10 we can put together a package of bills
11 that works for everybody and that's the
12 goal right here. And for me, this is
13 extremely personal. When I think about
14 his experiences over the last 10, 15
15 years bouncing from hotel to hotel and
16 the different things that he's had to
17 endorse, some good, some not necessarily
18 so good, it reminds me of the importance
19 of this industry and how the people who
20 work these jobs on a consistent basis
21 are the backbone of our City.

22 And so, I'm happy to be here
23 and be able to support an initiative
24 like this. And I also want again to
25 thank my colleagues starting with the

1 Freshmen Four for sponsoring this bill
2 as well as Councilmembers Johnson,
3 Henon, Gym, Quinones-Sanchez, Squilla,
4 Jones, our Council President and of
5 course our Chair and Majority Leader
6 Councilmember Parker. Thank you so
7 much. I appreciate you and I appreciate
8 everybody for their support and their
9 advocacy as it relates to this specific
10 initiative.

11 I think we can do something
12 historic like we've done a lot of times
13 in the past. Often when our back is
14 against the wall, we come up with some
15 of our best and brightest ideas and I
16 think this can be an example of that.

17 So thank you, Madam Chair. I
18 appreciate you. And thank you to
19 everybody in the entire Committee.

20 COUNCILWOMAN PARKER: Thank
21 you, Councilmember Gym and Councilmember
22 Thomas, for your comments.

23 I know earlier today
24 Councilmember Johnson also had two bills
25 that we heard earlier and he had to be

1 on with us earlier. I'm not sure if he
2 was able to join us this afternoon. But
3 again, I just want to state for the
4 record that Councilmember Johnson is one
5 of the sponsors of the bills being
6 offered in this package.

7 With that being said, Rachel,
8 will you please call the first panel we
9 have to testify this afternoon on Bill
10 Nos. 200557, 200559. 200563.

11 THE CLERK: Rich Lazer.

12 COUNCILWOMAN PARKER: Thank
13 you, Rich. I can see that you are
14 connected and ready to proceed. So
15 please state your name for the record
16 and proceed with your testimony.

17 DEPUTY MAYOR LAZER: Okay.
18 Thank you. Good afternoon, Chair Parker
19 and members of the Committee. My name
20 is Richard Lazer. I am Deputy Mayor for
21 Labor. I'm here before you today to
22 testify in support of Bill Nos. 200557,
23 200559 and 200563, the Retention and
24 Recall bills.

25 It's hard to believe sometimes

1 that it has been less than a year since
2 COVID-19 was first recognized as a
3 highly infectious virus and that spread
4 across the world causing the global
5 pandemic we are now living through. The
6 impact on the lives of all
7 Philadelphians cannot be understated.
8 In the big picture, our City went from
9 having a strong and growing economy to
10 unprecedented employment and hardship in
11 just a few months.

12 While at a more personal level,
13 there's the human trauma that the virus
14 has brought, with furloughs, layoffs,
15 illnesses and other events that have
16 severely damaged our economic security.
17 It's been only in the last few weeks,
18 days that we have heard of potential
19 vaccines starting to come online and
20 finally, we can start to look forward
21 hopefully to a future without quarantine
22 and lockdowns.

23 The Retention and Recall bills
24 before the Committee today are in
25 preparation for that time, together to

1 outline a set of procedures and
2 expectations for the hospitality
3 industry on how to approach calling
4 staff back to work. In brief, these
5 bills will require the employees who are
6 employed prior to the pandemic get the
7 first opportunity to return back to
8 their old jobs when hospitality
9 businesses start operating again in the
10 post-COVID world.

11 In many cases, these are
12 workers who were with the company for
13 many years before the pandemic and were
14 furloughed or simply let go due to
15 necessary social distancing and
16 lockdowns. We support the positions
17 that these workers should have an
18 opportunity to return to their jobs they
19 lost through no fault of their own.

20 I would like to thank the
21 Chairperson for holding this hearing
22 today and all the sponsors for
23 introducing these bills. I also want to
24 acknowledge all the work that has gone
25 into getting the versions we have today.

1 There has been good conversations
2 between all parties through the industry
3 and worker and labor alike and we
4 appreciate being a part of it.

5 We look forward to continuing
6 to support bills like these as we move
7 forward. I do want to say two things
8 because I know we had conversations with
9 one of the sponsors and also the Chair.

10 Two issues that I know that were
11 discussed today that we can definitely
12 deal with through regulation is the
13 issue around seniority and the
14 qualification of folks being brought
15 back and the piece on the privacy,
16 privacy of employees information.
17 That's something that we also can deal
18 with through regulation just as we did
19 with Fair Workweek.

20 So with that said, I also am
21 joined with Amanda Shimko, who is the
22 Director of the Office of Worker
23 Protections. And she's here with me so
24 we can answer any questions from the
25 Committee. Thank you.

1 COUNCILMAN JOHNSON: Excuse me,
2 Madam Chair?

3 COUNCILWOMAN PARKER: Thank
4 you, Councilmember Johnson. While you,
5 Councilmember, proceed with your
6 comments and after we hear from
7 Councilmember Johnson, we'll then
8 proceed with any questions for this
9 panel. The Chair recognizes
10 Councilmember Johnson for comments.

11 COUNCILMAN JOHNSON: First and
12 foremost, I want to thank you, Madam
13 Chair, for chairing this meeting. And I
14 want to thank my colleagues Councilwoman
15 Helen Gym and Councilman Isaiah Thomas
16 for this package of bills that will be
17 introduced to protect workers in the
18 hospitality industry.

19 As the 2nd District
20 Councilperson, we have a significant
21 amount of hospital workers, primarily
22 Black and Brown workers. This package
23 of bills are entitled, Black Workers
24 Matter. And for the past 20 years,
25 hospitality workers employed by

1 contractors have been protected against
2 displacement under Chapter 9-2300 of the
3 Philadelphia Code. When service
4 contracts change hands, workers must be
5 retained for a 90-day transition period.
6 If staffing cuts are made, they must be
7 made according to seniority, and any
8 rehiring must be made according to
9 seniority.

10 These protections mirror the
11 protections in Councilmember Thomas'
12 bill which is for direct employees as
13 opposed to employees of contractors. My
14 bill simply updates Chapter 9-2300
15 definition to, one, make clear when
16 seasonal workers are eligible for
17 Chapter's protections; and, two, to make
18 clear that the transition of employees
19 from direct employment to a service
20 contract is a change in contract that
21 would trigger the Chapter's protections.
22 All these are technical amendments.
23 They will ensure that employers have
24 clear guidance on their legal
25 obligations and that workers have

1 clarity on the protections they're to --
2 and protections they're entitled to.

3 I want to thank again my
4 colleagues and ask for support on these
5 particular bills. And at the end of the
6 day, it's about addressing and making
7 sure that those individuals who are the
8 backbone of our economy, those
9 hospitality workers, those service
10 workers that keep our sports stadium
11 moving forward, that keeps our hotel
12 industry moving forward, have a priority
13 when it comes to when our economy opens
14 back up and have a priority of sitting
15 at the table and getting their jobs
16 back. And most importantly, if you're a
17 senior member, you have the opportunity
18 to come back at the same position as
19 what you were when you were laid off.

20 So thank you very much.

21 COUNCILWOMAN PARKER: Thank
22 you, Councilmember Johnson, for your
23 comments.

24 And at this time, I want to ask
25 if there are any questions or comments

1 from members of the Committee for this
2 panel or Rich Lazer in particular who's
3 the only person on this panel?

4 COUNCILMAN O'NEILL: Madam
5 Chair, Councilman O'Neill, I have one
6 question.

7 COUNCILWOMAN PARKER: Yes.
8 Chair recognizes Councilmember O'Neill.

9 COUNCILMAN O'NEILL: Mr. Lazer?

10 DEPUTY MAYOR LAZER: Yes.

11 COUNCILMAN O'NEILL: I
12 appreciate your testimony, particularly
13 at the end where you mentioned the
14 regulations. Can you be specific on
15 that? Where is it that someone would
16 look if you were challenged on that?
17 Where is it in law that you can do that?

18 DEPUTY MAYOR LAZER: So in the
19 bill there's a spot around -- Amanda is
20 also on here from my office who might be
21 able to give you more specifics. But
22 there's a part on here regarding the
23 qualifications in bringing folks back
24 that need further flushing out. And per
25 the Law Department, we can go through

1 that, through the regulation process
2 with the different stakeholders that
3 have been a part of the bill.

4 COUNCILMAN O'NEILL: That will
5 cover the privacy issue?

6 DEPUTY MAYOR LAZER: The
7 privacy issue specifically on giving
8 employee information, we have dealt with
9 that issue on the Fair Workweek,
10 presumably if there is an employee. I
11 know some issues had got brought up by
12 Members, there were issues with the
13 employees' safety. We're able to handle
14 that and do an exemption on that if we
15 find that employee's safety -- we had to
16 hail this through if there was a victim
17 of domestic violence or other issues
18 where there's a public safety issue to
19 the employee. We can do an exemption
20 there on the employee's information
21 being given out.

22 COUNCILMAN O'NEILL: And can
23 you handle the sunset issue through
24 regulations?

25 DEPUTY MAYOR LAZER: I don't

1 believe so.

2 COUNCILMAN O'NEILL: Okay.

3 Thank you.

4 That's all, Madam Chair.

5 COUNCILWOMAN PARKER: Thank
6 you, Councilmember O'Neill.

7 Are there any other Members who
8 wish to be recognized at this time for
9 questions and/or comments?

10 COUNCILWOMAN GYM: I do, Madam
11 Chair.

12 COUNCILWOMAN PARKER: Madam
13 Chair recognizes Councilmember Gym.

14 COUNCILWOMAN GYM: Thank you so
15 much, Deputy Commissioner -- Deputy
16 Mayor. I'm sorry.

17 DEPUTY MAYOR LAZER: Just call
18 me Rich.

19 COUNCILWOMAN GYM: Rich, thank
20 you. One thing I wonder if you can
21 speak to is a little bit about our
22 process. You were there during the Fair
23 Workweek process with the business labor
24 roundtables. I think in that process a
25 lot more happened during Committee, and

1 in this process I think some of the
2 feedback that we've heard from industry
3 is that we really had a chance to both
4 openly discuss all the issues that were
5 involved ahead of time and then address
6 them. Is that how would you
7 characterize some of your conversations?
8 Because I know you've also met with
9 industry members outside of the meetings
10 as well.

11 DEPUTY MAYOR LAZER: Yes,
12 correct. We've had meetings with labor
13 stakeholders as well as stakeholders on
14 the industry side, and I think we
15 envision the process on regulation
16 similar to what we did on Fair Workweek,
17 which I think was very expansive and
18 included all folks, including
19 Councilmembers as well, and I've seen
20 that we will do that process moving
21 forward with these regulations.

22 COUNCILWOMAN GYM: And from
23 your engagement with the industry, can
24 you talk a little bit about how they're
25 looking at the recovery period? How far

1 out are they talking?

2 DEPUTY MAYOR LAZER: I

3 believe -- I don't want to be

4 (inaudible), but it seems like a few

5 years at least. I mean three to four

6 years at least from the conversations

7 that I've had.

8 COUNCILWOMAN GYM: Okay. Thank

9 you very much.

10 Thank you Madam Chair.

11 COUNCILWOMAN PARKER: (Muted.)

12 COUNCILMAN O'NEILL: Madam

13 Chair.

14 COUNCILWOMAN GYM: Madam Chair,

15 we can't hear you.

16 COUNCILWOMAN PARKER: I'm

17 sorry. Am I off now, Councilmember Gym?

18 Can you guys hear me well?

19 THE CLERK: (Nodding

20 affirmatively).

21 COUNCILWOMAN PARKER: Okay.

22 Thank you so much. Listen, for those --

23 COUNCILMAN O'NEILL: Madam

24 Chair.

25 COUNCILWOMAN PARKER:

1 Councilmember O'Neill.

2 COUNCILWOMAN PARKER: I have a
3 follow-up question for Deputy Mayor
4 Lazer.

5 COUNCILWOMAN PARKER: Okay.
6 Sure. I will recognize you in a second,
7 Councilmember O'Neill.

8 But just for the benefit of the
9 public and my colleagues, anyone, if I
10 seem to be a tad bit on edge about when
11 you can or cannot hear me, my colleagues
12 participated in the early morning
13 portion of the hearing when my sound and
14 video just dropped in the middle of the
15 hearing, so if I'm checking back,
16 colleagues, you all just make sure you
17 nudge me to let me know.

18 With that being said, Chair
19 recognizes Councilmember O'Neill.

20 COUNCILMAN O'NEILL: Yes.
21 Richie, the question about what the
22 industry is saying about how long it
23 will take, I would assume -- and I'm
24 going to ask you specifically, but I
25 would assume that's worst-case scenario.

1 Best-case scenario might be something a
2 little shorter than that?

3 DEPUTY MAYOR LAZER: Yes, I
4 would think so, Councilman. I think it
5 depends on what part of the industry
6 you're talking about. Whether it's
7 hotel, whether it's restaurants, whether
8 it's involving conventions, I think it
9 all varies depending on which industry
10 you speak to.

11 COUNCILMAN O'NEILL: Right.
12 And the reason I ask is because when you
13 do a sunset, you lock in a time that may
14 be past the time that things are back to
15 as close to normal as they're going to
16 get, okay, and hopefully back to normal.
17 When you take the optimistic approach or
18 something less than the most
19 pessimistic, you can always change that
20 and there'll be a lot of pressure to
21 change it as you're looking and you're
22 getting closer to that date and you're
23 not where you thought you might be.

24 When you have a longer sunset,
25 it's a little different. There's a

1 whole different kind of pressure. And I
2 think Council has shown in the past that
3 we react very well when there's an issue
4 that needs to be extended, but that was
5 the reason for my question. That's all.
6 I wanted to make sure that -- because I
7 think that's the discussion, basically
8 the discussion around the sunset
9 provision. Not whether there should be
10 one, but what's the best approach in
11 terms of the length of it. Okay. Thank
12 you.

13 DEPUTY MAYOR LAZER: Thank you.

14 COUNCILWOMAN PARKER: Thank
15 you, Councilmember O'Neill.

16 Point of clarification from
17 Councilmember Helen Gym. Chair
18 recognizes Councilmember Gym.

19 COUNCILWOMAN GYM: Yes. Thank
20 you very much. So, Rich, I think that
21 it's important to understand, just for
22 Councilmembers who may not have been
23 part of the roundtables or just making
24 sure that we are clear about the law,
25 the law is very clearly narrowed to who

1 actually is within the pool of
2 individuals who would be in
3 qualification for it; is that correct?
4 It's a narrow pool of employees. So,
5 for example, you must have been employed
6 in 2019 for six of the 12 months or have
7 been a seasonal worker for a certain
8 portion of that time --

9 DEPUTY MAYOR LAZER: Correct.

10 COUNCILWOMAN GYM: -- starting
11 January 2020 until January 2022, you are
12 laid off through no fault of your own,
13 in other words, it cannot have been for
14 a disciplinary reason. It would have
15 had to have been due to a government
16 shutdown order or a significant decline
17 in business or some other kind of
18 pandemic that we're dealing with right
19 now. And then that window closes in
20 January 2022.

21 The idea around the sunset and
22 the length of the sunset is the
23 recognition that we don't actually know
24 what's going to happen in the years
25 ahead. Every single one of us will pray

1 and work towards a rapid recovery. But,
2 in fact, the bill itself has an internal
3 automatic sunset, like it actually to
4 some extent has an internal expiration,
5 right, which means that if all the
6 employees who have been laid off as of
7 January 2022 were to have been rehired
8 at any point between 2022 and 2025, the
9 bill's done. it doesn't add in
10 additional employees in 2023 or 2024
11 who've been hired.

12 It merely says that if in 2022
13 if those employees who are laid off
14 because of this COVID pandemic and the
15 uncertainty of the industry for 2021 and
16 probably just that first month in 2022,
17 if they are all rehired, then the bill's
18 basically done; is that correct?

19 DEPUTY MAYOR LAZER: Correct.

20 COUNCILWOMAN GYM: So it does
21 actually end itself. So part of the
22 reason for 2025, and this was a
23 discussion because we originally had no
24 sunset to the bill because the feeling
25 was that we needed to establish an

1 opportunity for those workers to return,
2 and keep in mind it's because they will
3 be hiring other workers. It's not
4 because their industry is bad or
5 anything like that. It's because they
6 have recovered.

7 And what we want to make sure
8 is that the people who were their senior
9 employees in 2019 and who should have
10 been back in 2020 would have the
11 opportunity to be rehired. So if we
12 sunset the bill early before we even
13 know what's going to happen, then
14 actually we cut off the opportunities
15 for those individuals to get rehired
16 prematurely; is that a fair
17 characterization?

18 DEPUTY MAYOR LAZER: Yes,
19 correct.

20 COUNCILWOMAN GYM: And again,
21 just to be ultra clear, once all the
22 individuals who are rehired back in
23 2022, who are laid off in 2020, 2021 and
24 the first month of 2022, once they are
25 rehired, the bill is effectively kaput,

1 it doesn't exist anymore; would that be
2 accurate?

3 DEPUTY MAYOR LAZER: Correct.

4 COUNCILWOMAN GYM: Thank you.

5 COUNCILWOMAN PARKER: Thank
6 you, Councilmember Gym, for your
7 comments.

8 Let me say to you, Mr. Lazer, I
9 want to say thank you so very much for
10 providing assurances to all members of
11 Council along with members of the
12 Committee that any vagueness in the
13 language as it relates to seniority,
14 that the Administration assumes full
15 responsibility via the development of
16 the regulation on how this package of
17 bills will be implemented that you will
18 address that, thank you for that.

19 In addition to that, thank you
20 for also addressing the concerns
21 regarding the releasing of personal
22 information. And I appreciate you
23 recommending for the record that anyone
24 who has mentioned that issue, the
25 release of personal information as a

1 concern, in fact, has come up in past
2 legislation that this Council had passed
3 and because we've seen it before, we
4 know that it is important to put
5 safeguards in place to ensure that we
6 protect the personal information for all
7 of those who may be impacted whom we may
8 not think about sometimes when we are
9 moving forward in the legislative
10 process. So for the benefit of the
11 public who is listening for example, if
12 someone has been a victim of domestic
13 violence and whether or not their
14 information has to be released or posted
15 publicly, the Administration through
16 regulation has the ability to exempt the
17 law from that perspective.

18 So we just want to thank you
19 for the record. And would you say,
20 Mr. Lazer, that I just described those
21 two issues in particular accurate
22 according to your noting that the
23 Administration will deal with those two
24 issues in particular and regs?

25 DEPUTY MAYOR LAZER: Yes,

1 correct.

2 COUNCILMAN O'NEILL: Councilman
3 O'Neill. I have a question.

4 COUNCILWOMAN PARKER: Thank
5 you, Councilmember O'Neill. I recognize
6 you for comment or question.

7 COUNCILMAN O'NEILL: Yes.
8 Mr. Lazer, I appreciate your
9 clarification that if everyone that was
10 laid off will come back by the end of
11 '22, the bill wouldn't apply anymore
12 because everybody would have been
13 brought back. But by the same token if
14 everybody hasn't been brought and this
15 bill were amended to say 2023 sunset
16 instead of 2026, there would be plenty
17 of lead time to extend the sunset beyond
18 2023. Can you clarify that?

19 DEPUTY MAYOR LAZER: Yes, I
20 think so, Councilman. I think the
21 question too is it depends on the
22 industry as well. I think different
23 industries will kick back quicker.

24 COUNCILMAN O'NEILL: Right.
25 But there's plenty of time after 2022,

1 and for some of us will still be in
2 election that year, to push the sunset
3 back. Whether it goes back six months
4 or three years, there's plenty of time
5 to evaluate and do that. Could you
6 clarify that?

7 DEPUTY MAYOR LAZER: Yeah.

8 And, Amanda, if you want to jump in on
9 that part as well, but I would think
10 there could be, yes.

11 COUNCILMAN O'NEILL: Thank you.

12 MS. SHIMKO: Hi. Amanda here.
13 I would think that's right. That will
14 be something that will be left up to
15 Council though, as Council is in charge
16 of legislation.

17 COUNCILWOMAN PARKER: Chair
18 recognizes Councilmember Gym for a
19 question.

20 COUNCILWOMAN GYM: Thank you
21 very much, Madam Chair. I appreciate
22 it.

23 So again, I just wanted to
24 check in, Rich, that the question of the
25 sunset, what would actually happen is

1 that the employer would be hiring
2 outside of their former pool of
3 employees; is that correct? If the bill
4 sunsets and no action is taken, et
5 cetera, et cetera, the consequence is
6 that, say, Council can't get its -- we
7 don't have anything together, we're
8 distracted, it's an election year in
9 2023.

10 But to be clear, I just want us
11 to understand what will happen when the
12 bill sunsets and were to sunset
13 prematurely because as I said, our
14 feeling is that the bill is done
15 internally. It's meant to be done
16 internally. It's not meant to reach --
17 it's meant to have enough time to
18 anticipate and be reasonable, and all of
19 us are really invested in the industry
20 returning and in ensuring that people
21 who held their jobs for a long time are
22 able to be hired back by seniority.

23 But if Council were not to get
24 itself together and the bill were to
25 sunset prematurely, what it means is

1 that an employer, a large employer,
2 would be able to hire people who had no
3 experience versus seniority experience
4 for their places of business, is that
5 correct? And that those workers who had
6 formally been waiting around, hopefully
7 as I said, would not be having to wait
8 around for years on end, but we do know
9 that people get hired and laid off,
10 hired and laid off quite frequently in
11 this industry.

12 We're telling them they don't
13 have a guarantee beyond -- they could be
14 laid off in January 2022 and they don't
15 have a guarantee beyond 2023, correct?

16 DEPUTY MAYOR LAZER: Correct.
17 I think the goal overall is not to be
18 burdensome, but it's more to make sure
19 we're protecting long-term workers,
20 folks who've been with this company --
21 sorry, my daughter's here, has been with
22 this company over a long period of time
23 to make sure we're protecting those
24 workers.

25 COUNCILWOMAN GYM: Yes. And I

1 think that's right. I think what we
2 want to get to is what is the intent of
3 the bill and how is it meant to best
4 reach it. And my understanding is that,
5 again, because we were conscious on the
6 front end of limiting the kinds of
7 people who would be on the list and
8 feeling that as long as we were careful
9 about who was on the list on the front
10 end, we could allow for a longer back
11 end, because the front end is contained.
12 It's limited. It's not an endless pool.

13 It's not a right to return for
14 everybody who was ever hired or laid off
15 until 2025. It's allowing those who
16 were laid off because of this pandemic
17 to have enough time for the industry to
18 bounce back that they have a shot at
19 retaining their jobs that they had held
20 for, in some cases, decades; is that
21 correct?

22 DEPUTY MAYOR LAZER: That is
23 correct.

24 COUNCILWOMAN GYM: Thank you.

25 COUNCILWOMAN PARKER: Thank

1 you, Councilmember Gym.

2 The Chair wants to double check
3 to make sure that there are no members
4 of the Committee who have any additional
5 comments and/or questions for Mr. Lazer?

6 (No response.)

7 COUNCILWOMAN PARKER: There
8 being none, Rachel, would you please
9 call the next panel to testify on the
10 three bills.

11 And just for the record before
12 Rachel proceeds, Mr. Lazer, if you
13 and/or members of your team could make
14 sure you stay around just in case any
15 sort of operational implementation,
16 regulation comments and/or questions
17 come up from members of the Committee,
18 we would appreciate it if you could stay
19 around as long as you possibly can, if
20 that's all right.

21 DEPUTY MAYOR LAZER: Yes,
22 that's no problem.

23 COUNCILWOMAN PARKER: Thank you
24 so much, Mr. Lazer.

25 Rachel, will you please call

1 the next panel scheduled to testify on
2 the three bills.

3 THE CLERK: Patrick Eiding,
4 Sheng Thao and Rosslyn Wuchinich.

5 MR. EIDING: Am I live to
6 speak?

7 COUNCILWOMAN PARKER: Yes. Let
8 me make sure I can see you guys. Okay.
9 So I see Pat. I see Sheng. Did I
10 pronounce it correctly, Sheng?

11 MS. THAO: Yes, you did.

12 COUNCILWOMAN PARKER: Okay.
13 Thank you. And, Rosslyn, I can see the
14 three of you so you are connected.
15 We'll go in the order of Patrick, Sheng
16 and Rosslyn. Please state your name for
17 the record and proceed with your
18 testimony.

19 MR. EIDING: Thank you, Madam
20 Chairperson and Councilman Green and
21 members of the Committee. I want to
22 thank you for this opportunity. My name
23 is Pat Eiding. I am the President of
24 the Philadelphia Council of the AFL-CIO.
25 We represent somewhere around 150,000

1 working families, but I'd like to say
2 that we fight every day for all working
3 people.

4 I would ask to beg your
5 indulgence as I work from this silo and
6 use my handwritten notes as opposed to
7 have somebody professionally prepare
8 them for me, as I usually would. So
9 having said that, I'm here today because
10 of the comment I made about representing
11 all workers, especially for some of the
12 hardest hit workers who service our
13 hotels and stadiums and the airport.

14 These industries are some of
15 the biggest employers of workers of
16 color, who are the most experienced
17 workers in these industries and many do
18 not have the protections of collective
19 bargaining. Therefore, there are some
20 of these -- they are some of the most
21 put-upon workers in the City and the
22 country. The pandemic has been
23 absolutely brutal to these industries.
24 Many workers have been furloughed or
25 fired after many years of loyalty to the

1 institution where they work.

2 We have the opportunity to pass
3 legislation that would protect these
4 workers with the respect and dignity
5 they deserve. This legislation would
6 ensure that when these businesses
7 recover and begin rehiring workers, the
8 workers will have the right to come back
9 to their jobs and the opportunity where
10 they dedicated most of their years.
11 They are the most qualified workers for
12 these jobs. They are the people who
13 will make the organization completely
14 successful in their comeback.

15 The bills collectively will
16 stop companies from hiring around the
17 workers. What I mean is hiring workers
18 with less experience for cheaper pay.
19 We don't know when we will completely
20 recover from these terrible times. But
21 the bills need to be long enough, be
22 able to expand the time of need to make
23 sure some of these workers that are not
24 recovered from these bills, that these
25 bills stop protecting them before

1 they're having an opportunity to be
2 rehired.

3 We would need to make sure that
4 legislation last until all are
5 complete -- recovery is completely done
6 and all workers have the opportunity to
7 have their job back, the jobs that they
8 worked so far and successfully made
9 these industries -- made these
10 industries successful. I will get off
11 my scribbled notes now and just say that
12 this is an important time to think of
13 workers and we've done that in City
14 Council so many times.

15 And I would just ask that we
16 keep in mind and I think the three bills
17 do an awfully good job in making sure
18 that these workers are protected in some
19 way they normally wouldn't be. Often
20 times we find people who in their
21 business find that it's better for them
22 to think that they can go around folks
23 that worked for them for 15, 20 years
24 and hire people sometimes not even from
25 our area.

1 So I would like consideration
2 for the bill in its entirety, all the
3 bills in their entirety for workers, and
4 also keep in mind with all of the
5 discussion that's been going on about
6 sunsetting, that none of these workers
7 are left uncovered. They all need to
8 have the protection to make sure they
9 have that opportunity to go back to
10 work. And I thank you for all this
11 time, and I apologize again for my
12 unprofessional statements, but they're
13 real and from the heart. Thank you.

14 COUNCILWOMAN PARKER: Pat, your
15 credibility in fighting for working men
16 and working women is never
17 unprofessional. You've been on the
18 front line for far too long for that.
19 So thank you so much for your testimony.

20 Sheng.

21 MS. THAO: Thank you. Can you
22 hear me okay?

23 COUNCILWOMAN PARKER: Yes,
24 ma'am, I can. Please state your name
25 for the record and feel free to proceed

1 with your testimony.

2 MS. THAO: Absolutely. Well,
3 thank you so much. My name is Sheng
4 Thao. I'm Oakland City Councilmember
5 and I'm the Councilmember who actually
6 charged the fight for the right to
7 recall legislation in the city of
8 Oakland. And by passing these
9 ordinances here in the Philadelphia City
10 Council, we will be giving hospitality
11 workers in hotels, event centers and
12 Philadelphia International Airport the
13 first right of refusal for jobs that
14 they held prior to the pandemic. It's
15 only fair.

16 And if and when their
17 workplaces reopen, right, and that's a
18 caveat, it's if and when their
19 workplaces reopen. In the wake of the
20 mass layoffs in the hospitality
21 industry, the Oakland City Council took
22 action this past July to protect workers
23 in the tourism and hospitality industry.
24 The Philadelphia City Council will join
25 cities and municipalities all around the

1 U.S. in instituting these measures,
2 these commonsense measures.

3 This legislation will, one,
4 protect the jobs of and provide economic
5 security for thousands of working class
6 people in Philadelphia and their
7 families, many of them are Black
8 families, to prevent implicit
9 discrimination by employers or workers
10 due to their age, race, health status
11 and other characteristics. We all know
12 that when people are being called back,
13 there will be discrimination, to ensure
14 that the Philadelphia tourism industry
15 is staffed by experienced personnel who
16 are best and able to be capable to
17 actually uplift these businesses and to
18 protect the public health.

19 Oakland's Right to Recall
20 ordinance ensures that Oakland's
21 hospitality, restaurant, stadium and
22 airport employers will honor their
23 former employees' right to return. Even
24 if there is a change in control of the
25 business, then that's the key point of

1 it as well, if we are truly talking
2 about how do we protect our working
3 families.

4 It covers any employee in this
5 industry who's been laid off after
6 January 31, 2020 and it guarantees that
7 laid-off workers are given 10 days to
8 accept or reject an offer of recall.

9 The ordinance also provides for a
10 private right of action to ensure that
11 the ordinance can be enforced in the
12 court of law. As lawmakers, it is our
13 role to respond to this crisis that no
14 one could have foreseen ahead of time.
15 And I applaud Philadelphia City Council
16 for stepping up to protect these workers
17 who lost their jobs through no fault of
18 their own.

19 I also wanted to make sure that
20 I heard from the previous panel as well.
21 I believe there's a discussion around
22 the sunset date around 2023 or 2025.
23 And I want to ensure that working
24 families, families that will most be
25 impacted by the loss of work within our

1 communities, the most marginalized
2 communities, right, our Black and Brown
3 families, our multi-lingual speaking
4 families, that if this sunsets in 2023
5 rather than 2025, then the uncertainty
6 creates a lot of stress within the whole
7 family household, and we are talking
8 about real stress that translated into
9 children and young people as well. The
10 stress of the not knowing for both the
11 working families and the businesses of
12 this unknown is not stable.

13 It creates a place of possible
14 misinformation around when this
15 legislation does and doesn't end. If we
16 create this -- if we say, okay, well, it
17 sunsets in 2023 and we'll have ample
18 time to extend it if we need to, it
19 creates possibility within
20 misinformation within businesses. And I
21 don't see this as being overburdensome
22 to actually have it sunset in 2025,
23 because in a way it's a more equitable
24 and less burdensome way, because the
25 pool of people who are able to take

1 advantage of this legislation is
2 actually very limited. It is not a
3 continuous pool of folks who are going
4 to be in this pool. And so, in many
5 cases it is actually burdensome for City
6 staff and it is less stressful for both
7 businesses and working families. Thank
8 you for having my testimony today.

9 COUNCILWOMAN PARKER:

10 Councilmember Sheng, before I
11 mispronounce it, please say your last
12 name for me.

13 MS. THAO: It's Thao. The H is
14 silent.

15 COUNCILWOMAN PARKER: So it's
16 Thao. Councilmember Thao, thank you so
17 very much for taking the time out of
18 your schedule to be here, to participate
19 with us today. Welcome to a hearing,
20 the public hearing of the City Council
21 of Philadelphia. We thank you again so
22 much for your participation.

23 Point of clarification from
24 Councilmember Gym before Rosslyn begins
25 her testimony.

1 COUNCILWOMAN GYM: Yes. Sorry.

2 Thank you so much. I just wanted to
3 acknowledge Councilmember Thao because I
4 know she has a very busy day, and so we
5 really appreciate it. And from one
6 coast to the other, thank you for
7 helping lead on the issue for working
8 families and for stronger cities. I
9 think that's the most important thing.
10 We want to see our cities and our
11 industries and our communities come
12 roaring back and I think this type of
13 bill does that.

14 Could you clarify what is
15 Oakland's -- can you clarify just again
16 for the record did Oakland put a sunset
17 on your Recall bill?

18 MS. THAO: We did not put a
19 sunset on our Recall bill.

20 COUNCILWOMAN GYM: And could
21 you clarify that?

22 MS. THAO: Because as we know
23 that there's a limited amount of people
24 within that pool, right. We have a
25 specific date in regards to when folks

1 are actually laid off from their job.

2 And so, it's not a pool where people can
3 be added into. And so, we figured that
4 it would naturally sunset on its own.

5 COUNCILWOMAN GYM: Yes. Thank
6 you very much. Thank you for that
7 clarification.

8 COUNCILWOMAN PARKER: Thank you
9 so much, Councilmember. And,
10 Councilmember Gym, your point of
11 clarification, is it because the
12 Councilmember will, you think, have to
13 be getting off soon?

14 MS. THAO: (Nodding
15 affirmatively).

16 COUNCILWOMAN PARKER: You will,
17 Councilwoman. Okay.

18 MS. THAO: I do need to get off
19 soon, yes.

20 COUNCILWOMAN PARKER: Well,
21 thank you, Councilmember. If you can
22 stay on with us as long as you can, we
23 greatly appreciate it just in case any
24 members of the Committee may have a
25 comment or a question, but thank you so

1 very much for your time just thus far.

2 MS. THAO: Absolutely. And,
3 Chair, if I may, my staff Matt Napoli,
4 he's my Policy Director, he will stay on
5 the line and if there are any questions,
6 he can field all of those questions as
7 well.

8 COUNCILWOMAN PARKER: Thank you
9 so much, Councilmember. We greatly
10 appreciate it.

11 Chair recognizes Rosslyn.
12 Thank you, Rosslyn. Just state your
13 name for the record and proceed with
14 your testimony.

15 MS. WUCHINICH: Hi. Good
16 afternoon. My name is Rosslyn
17 Wuchinich. I'm the President of the
18 UNITE HERE Local 274. Thank you,
19 Chairperson Parker and members of the
20 Law and Government Committee. I'm
21 testifying in full support of Bill Nos.
22 200557, 200563 and 200559. And due to
23 the virtual nature of this hearing, I
24 normally would be in Council Chambers
25 and I would have about 100 members of

1 UNITE HERE with me. And I do have 100
2 members of UNITE HERE with me. They're
3 just watching virtually on a Zoom watch
4 party, so I did want the members of the
5 Committee and the folks on the channel
6 know that our members are very, very
7 aware of what's happening today and the
8 historic nature of this legislation that
9 is so critical to their future, and I'm
10 very appreciative to be here in this
11 hearing.

12 This package of legislation
13 will ensure that hospitality workers in
14 our City are able to return to their
15 jobs when those jobs return. It's a
16 basic and essential protection for
17 thousands of hospitality workers, most
18 of whom are Black and Brown
19 Philadelphians and the majority of whom
20 are women. More than anything, I think
21 COVID-19 has brought home for each of us
22 the sanctity of life and of our
23 collective responsibility for each
24 other.

25 Protecting the right to go back

1 to work to a job that you've had for
2 many years is taken in action by this
3 City Council showing collective
4 responsibility here in the City of
5 Philadelphia. We want to thank all the
6 sponsors of this legislation for showing
7 that responsibility today. This
8 legislation is protecting workers who
9 lost their jobs through no fault of
10 their own. It protects workers who have
11 been struggling for over eight months to
12 survive financially and who continue to
13 struggle to survive financially today.
14 It makes sure that the baseline
15 stability that so many hospitality
16 workers have spent years working up to
17 is not permanently robbed from them.

18 So I think as you all know,
19 this pandemic has affected workers in
20 the tourism and hospitality industry
21 with particular severity, perhaps more
22 severe way than any other industry. Our
23 union's membership has been reduced by
24 approximately 80 to 90 percent since
25 mid-March. Again, 80 to 90 percent

1 reduction due to layoffs since
2 mid-March. Those are our statistics.

3 Government statistics are also
4 showing the impact on our industry. The
5 Bureau of Labor Statistics estimates
6 that unemployment among workers in what
7 they call accommodation sector remains
8 at 25 percent, which is four times the
9 private sector average, and by far the
10 highest of all the sectors that they
11 studied. That number is from October
12 before the new restrictions went into
13 place, so we expect the unemployment
14 rate is going to be much, much higher
15 here in Philadelphia.

16 And we also know that -- we
17 also know right now that we have been
18 very, very hard hit, and we know that we
19 are not recovering quickly. We haven't
20 recovered quickly this year, and the
21 data is showing that the recovery will
22 not be quick. And again, those aren't
23 my own projections as the leader of the
24 hotel workers union. Those are industry
25 projections. So the American Hotel &

1 Lodging Association conducted a survey
2 where three-quarters of industry leaders
3 said that they think more layoffs, not
4 less are coming.

5 And the most reputable hotel
6 data research firm, which is STR, as
7 well as the Bank of America Global
8 Research estimates state it will take
9 five full years for the industry to
10 recover. In addition in the process of
11 putting these bills together, the
12 Councilmembers Gym, Thomas and Johnson
13 that are sponsoring this legislation
14 hosted two different roundtables
15 bringing stakeholders together. And
16 John Hopkins speaking on behalf of the
17 Hotel Association here in Philadelphia
18 stated in that roundtable that a five-
19 year guarantee on return to work makes
20 sense given the current state of the
21 industry with all of us there at the
22 roundtable.

23 So we know that this is going
24 to be a long process. And in these
25 discussions that we've had, we've had a

1 lot of discussions here through the
2 process of this legislation around the
3 question of sunset. We've produced two
4 sunsets; one is that you have to have
5 been laid off before January 31, 2022,
6 so people who are laid off for other
7 reasons potentially not related to the
8 pandemic after January 31, 2022 are not
9 covered; and that the entire time will
10 sunset in 2025, even though as we've
11 heard in other cities there is no sunset
12 in place, and the original bill when it
13 was first introduced did not have a
14 sunset.

15 So we've come through, through
16 a collaborative process with industry,
17 with stakeholders, we've come to this
18 date of 2025. We as a union feel while
19 we prefer it to be never-ending, we do
20 feel that it is a fair date given the
21 state of the industry and what industry
22 research is saying. And I want to echo
23 what I said earlier, which is that I
24 don't think it is fair to ask hotel
25 workers or food service workers to put

1 their futures in the hands of the
2 political process of the future.

3 I'm asking Councilmembers not
4 to entertain those ideas. The industry
5 is not here testifying today. They
6 have, you know, we have moved forward
7 with these. They were satisfied
8 apparently with these amendments as they
9 were presented. And it's really hard to
10 describe the laws of uncertainty for our
11 membership, the levels of stress for our
12 membership, what it's like to be
13 unemployed, to lose the little bit of
14 relief that folks had over the summer
15 with the greater unemployment rates, to
16 have lost that with no end in sight and
17 to not -- there aren't other jobs to go
18 to. There are no other hospitality jobs
19 to go to. People are unemployed right
20 now through no fault of their own, and
21 they need to know that they can come
22 back to those jobs when those jobs
23 return.

24 So we are approaching everybody
25 here who stands with labor, who stands

1 with workers to stand with this bill as
2 it was presented and to make (inaudible)
3 not knowing if they'll be able to get
4 their job back or have to wait for
5 another political process in a few
6 years.

7 In addition, I want to note how
8 important this legislation is in terms
9 of racial justice in the City of
10 Philadelphia. Obviously, the pandemic
11 has been a time when we've also seen
12 some of the most massive mobilizations
13 for racial justice in our lifetime, and
14 a commitment to racial justice should be
15 guiding our response to the pandemic.

16 This legislation makes sure
17 that we don't further racial
18 discrimination in our industry and make
19 sure we treat each worker laid off in
20 this pandemic regardless of race with
21 the basic respect of the offer of their
22 job back whenever the business finally
23 does return.

24 No group has felt pain
25 resulting from this downturn more

1 acutely than Black workers who account
2 for the bulk of Philadelphia's frozen
3 workforce. Almost 60 percent of hotel
4 room attendants are African-American and
5 the vast majority are women. Many have
6 worked in the industry for decades,
7 achieving the level of seniority and
8 security that unfortunately is very
9 uncommon in the modern service economy.
10 The lives that have been built --
11 they've built that security over years
12 of dedication and all of that is at
13 stake right now. We want to make sure
14 that this pandemic is not used in any
15 way as an excuse to take away that
16 stability and that security that has
17 been so hard won, which is why this
18 legislation is so important.

19 My concerns regarding the
20 pandemic furthering racial disparities
21 long-term are grounded in data. Since
22 the beginning of the pandemic, African-
23 American unemployment has outpaced that
24 of White unemployment. It's reflective
25 of a pattern that researchers have

1 documented in recessions that African-
2 American workers suffer from first
3 fired, last hired phenomenon. The
4 unemployment rate among African-
5 Americans tends to rise earlier and stay
6 elevated for longer than for Whites.

7 Simply put, without this
8 legislation going forward, it would be
9 extremely difficult, if not impossible,
10 for many Black Philadelphians to come
11 back to the good jobs that they had and
12 may be difficult for them to find any
13 job than if they are unable to return to
14 the old ones, which would massively
15 increase unemployment in areas of our
16 City that already have very, very high
17 unemployment.

18 Those are just some of the
19 reasons why it's so critical that City
20 Council pass this legislation. We are
21 proud of the work that we've done, with
22 the stakeholders, compromised here and
23 come to a stronger bill. Goals on
24 sunset we've already talked about in
25 terms of how we communicate and updating

1 that for the 21st century and making
2 sure that the needs of business are
3 included along with the needs of workers
4 on notifying people as they return to
5 work. So those changes have been made
6 in the course of this process.

7 It has been an intensive and
8 collaborative process with all parts of
9 the industries that we represent, along
10 with our union and faith leaders and
11 community leaders, and we appreciate
12 that process. Also briefly, on Bill
13 Nos. 200563 and 200559, these bills
14 expand upon sensible protections that
15 already exist in the Philadelphia Code.

16 Commonsense worker retention
17 protections were put in place by City
18 Council 20 years ago, in order to
19 provide security for contracted workers
20 in hotels, service and other industries.
21 Per this longstanding law, workers must
22 be given notice when their employer is
23 subject to change in control, such as
24 the transition from one contracted
25 service provider to another.

1 Workers are also given 10 days
2 to respond to the offer of employment
3 with the new contractor. The
4 longstanding law may be enforced in that
5 private right of action. These
6 provisions have been on the books for
7 two decades and they provide a sound
8 basis for the action that we hope to see
9 Council take today.

10 Bills 200563 and 200559 clarify
11 and expand these protections to apply to
12 all workers in Philadelphia's hotels,
13 stadiums and airports. With that said,
14 we appreciate -- again, we want to thank
15 all the sponsors of this legislation and
16 thank the Committee. We ask you to
17 support this legislation as it was
18 amended and sent out this morning.

19 We ask you to stand with
20 Philadelphia's hospitality workers. At
21 this point, we really feel that any
22 changes to this really stand against our
23 membership and workers in this industry,
24 because we really do need this certainty
25 in an unbelievable difficult time for

1 our membership and for workers in our
2 industry. Thank you.

3 COUNCILWOMAN PARKER: Thank you
4 so very much for your testimony.

5 Right now the Chair wants to
6 recognize Councilmember Isaiah Thomas
7 for a comment.

8 COUNCILMAN THOMAS: Thank you,
9 Madam Chair. I appreciate you.

10 I just wanted to take a moment
11 to say thank you to Rosslyn and the
12 people at UNITE HERE. We understand
13 that as a union they've been hit pretty
14 hard as well as the folks in the
15 industry. And a lot of their union
16 members are residents of people in the
17 City of Philadelphia.

18 And I don't know about you,
19 Madam Chair, but a lot of folks in our
20 neighborhoods are really struggling and
21 suffering. And I think it's important
22 that we take every step that we can to
23 try to show Philadelphians that we want
24 them to remain here, we want them to
25 stay here, we care about them and we

1 love them.

2 So thank you, Rosslyn. Also,
3 thank you to Mr. Pat. We appreciate
4 your service. We appreciate your
5 leadership and your tireless advocacy
6 for workers across the City of
7 Philadelphia.

8 And last but not least, because
9 I didn't say this in my opening remarks,
10 but I just also want to thank my
11 colleagues Councilmember Johnson and Gym
12 for their leadership. I'm still a
13 rookie in City Council and they've been
14 super, super helpful, big mentors in
15 guiding me and helping lead me
16 throughout this process.

17 So thank you, Madam Chair. I
18 appreciate you.

19 COUNCILWOMAN PARKER: Thank
20 you, Councilmember.

21 Councilwoman Sanchez, I'm just
22 going to skip you for a second and go to
23 Councilmember Johnson as one of the
24 sponsors who also wants to make a
25 comment.

1 Chair recognizes Councilmember
2 Johnson.

3 COUNCILMAN JOHNSON: Madam
4 Chair, can you hear me?

5 COUNCILWOMAN PARKER: Yes,
6 Councilmember, we can hear you well.

7 COUNCILMAN JOHNSON: All right.
8 Thank you very much. I just want to
9 echo the sentiments of my colleague
10 Isaiah Thomas. And I want to really
11 take a moment to salute Rosslyn for the
12 work that she has done with UNITE HERE,
13 making sure that we're fighting for
14 those workers who had actually moved the
15 City of Philadelphia forward.

16 And I learned early on from
17 Maria Quinones-Sanchez, my big sister,
18 what unions do here in the City of
19 Philadelphia. And I remember coming on
20 as a City Councilman doing work, and I'm
21 a big supporter of the building trades,
22 and making sure their issues and
23 concerns are being addressed. And she
24 said, well, Councilman, do you know that
25 we have very robust and vibrant service

1 worker unions doing the work of moving
2 the City of Philadelphia forward. She
3 said, also they're predominantly Black
4 and Brown people, people who are most in
5 need, people who are working to move
6 this City forward and people who surely
7 need to have a voice and sit at the
8 table.

9 So I thank my colleagues for
10 stepping up to the plate and introducing
11 this Black Lives Matter package of
12 legislation. I'll go on the record and
13 say I support the 2025 sunset. The only
14 reason why I support it is because, one,
15 we met with the industry. We gave back
16 several different issues that the
17 industry had problems with and that's
18 why they aren't here today opposing our
19 package of legislation. And so, I
20 wanted to make sure that that's noted
21 for the record.

22 I know that the work that UNITE
23 HERE do is really passionate work on
24 behalf of the people of those most in
25 need. And most importantly, those if

1 they weren't working, we wouldn't have
2 had the City move forward. Our hotels
3 wouldn't move forward. Those games that
4 we go participate in with the Eagles,
5 the Flyers, the Sixers -- I'm missing
6 somebody else -- the Phillies, those
7 games wouldn't take place if we didn't
8 have these workers. And so, we want to
9 make sure we stand tall for them ten
10 toes down. And so with that being said,
11 I just want to make my comments known
12 for the record.

13 Pat Eiding, also thank you for
14 stepping up to the plate and being
15 supportive of service workers. I know
16 you from the building trades era, but I
17 know you represent various unions. And
18 I thank you, you know what, not only on
19 this issue but also what we were
20 fighting on at the airport as well. You
21 stood tall with us ten toes down to make
22 sure we were addressing the issue of
23 people who are predominantly Black and
24 Brown that moved the City of
25 Philadelphia forward.

1 So with that being said, thank
2 you very much, Madam Chair.

3 COUNCILWOMAN PARKER: Thank
4 you, Councilmember Johnson.

5 Now, the Chair recognizes
6 Councilmember Quinones-Sanchez. Thank
7 you, Councilwoman, for your patience.

8 COUNCILWOMAN QUINONES-SANCHEZ:
9 Thank you. Thank you, Madam Chair.
10 Thank you for facilitating this
11 discussion.

12 I want to thank Councilmember
13 Johnson. I know that -- and Councilman
14 Thomas alluded to this. I as a senior
15 member of Council don't like to give
16 unsolicited advice, but I knew that
17 Councilman Johnson was going to be a
18 strong ally and he had important
19 institutions in his District such as the
20 airport and the stadiums and wanted to
21 make sure that he understood the voices,
22 the leadership and the voices within
23 this union membership. And I appreciate
24 the work that UNITE has done over the
25 years in informing me and educating me,

1 and I've met incredible human beings,
2 members who've told their stories, who's
3 lost their jobs to some of the struggles
4 that we're having. So to the sponsors
5 of the legislation, we thank you.

6 I said this to Councilmember
7 Gym yesterday, the institutionalizing of
8 the Office of Labor standards means that
9 this Council who has always been
10 committed to worker issues really wants
11 to create a framework by which we work
12 with industry around these issues, that
13 we send a real clear message to industry
14 that we want to protect our workers,
15 many who are Philadelphia-based members.

16 As a daughter of someone who
17 worked the graveyard shift and the first
18 member to go to college in my house,
19 this is very, very, very personal. I
20 think Councilman Thomas talked about
21 this earlier. These issues are very,
22 very personal to us. I think we
23 represent the lived experience around
24 what these members are going through,
25 and I want these members to always feel

1 like Council is a place, the Fourth
2 Floor is a place where they're going to
3 have strong allies and advocates.

4 We're in an unprecedented time
5 with the pandemic so we are not going to
6 be in the business of picking winners
7 and losers. We're going to support
8 businesses, hold them accountable and
9 send messages to the workers in a time
10 of instability that government is going
11 to do all it can to facilitate this
12 process, so thanks to all of them. I
13 look forward to listening to the
14 stories. I'm sure they will be powerful
15 from those voices of those members who
16 every single day make really, really,
17 really tough choices.

18 Thank you, Madam Chair.

19 COUNCILWOMAN PARKER: (Muted).

20 COUNCILWOMAN QUINONES-SANCHEZ:

21 Parker, I think you're frozen.

22 COUNCILWOMAN PARKER:

23 Councilmember Gym or Councilwoman
24 Sanchez, can you all hear me? I see
25 you, Rosslyn and Councilwoman Sanchez.

1 Are you still speaking, Council
2 Lady?

3 COUNCILWOMAN QUINONES-SANCHEZ:
4 No, we are finished. You are frozen,
5 but we can hear you.

6 COUNCILWOMAN PARKER: Okay.
7 I'm going to come off, but just give me
8 a second because everybody's frozen.
9 I'm going to try to come right back on.

10 (Brief recess.)

11 THE CLERK: Vice-chair Green,
12 would you be able to take over the
13 script?

14 COUNCILMAN GREEN: Rachel, I
15 was just trying to reach you on the
16 phone because I figured she may be
17 having some technical issues on her
18 part.

19 My understanding is that,
20 Councilmember Gym, I think you had a
21 comment because I saw you come up in the
22 chat feature at 3:45. Were you able to
23 make your comment?

24 COUNCILWOMAN GYM: No, not yet.
25 But thank you very much, Councilman. I

1 was just going to buy us a little bit of
2 time while we're waiting.

3 But I also wanted to
4 acknowledge Rosslyn and the work of all
5 the folks at UNITE HERE. We've walked
6 doors together. We have broken bread
7 together. I know that your members are
8 watching right now and it means a lot.
9 I think as Councilwoman Sanchez did,
10 just to let them know that we're working
11 on this and that we're hoping to pass a
12 bill that honors the work that your
13 members have done, but also the
14 struggles that they are going through
15 right now. I think one of the hardest
16 things that we're trying to deal with is
17 navigating this role on balancing out
18 the interest.

19 And again, Rosslyn, if you
20 could just reflect a little bit about
21 how the collaborative process has
22 worked, especially some of your dealings
23 with some of the feedback that you've
24 heard from some of the industry as well.

25 MS. WUCHINICH: Sure. As I

1 said, we really appreciate there has
2 been a really collaborative process
3 here. There were two roundtables that
4 were held that were attended by the
5 biggest employer of folks affected by
6 this legislation, which I believe is
7 Aramark who was present at all of those
8 roundtables and had conversations
9 outside of those roundtables, the Hotel
10 Association of Philadelphia, the
11 Pennsylvania Lodging Association as well
12 as members of the faith community and
13 other community members and many, many
14 Councilmembers, particularly folks that
15 are on this Committee. And I do think
16 we were able to address concerns that
17 the industry had from the beginning.

18 We've appreciated that the
19 industry has said that these bills are
20 not hostile to the industry because
21 they're really, as I think Deputy Mayor
22 Lazer said at the beginning, these bills
23 are just the right -- what we should be
24 doing, that we're trying to make sure
25 that everyone is given the right to get

1 their jobs back as the jobs return, and
2 that is particularly important in -- it
3 is particularly important to have the
4 laws because we know that discrimination
5 does happen in the industry
6 unfortunately and having these clear
7 rules makes a huge difference. It is
8 the way of racial discrimination as well
9 as other forms of discrimination.

10 So we feel like it's essential
11 and we've appreciated the industry's
12 partnership so much so that I think it
13 is a real sign of collaboration as they
14 are not testifying here, that they are
15 not testifying here today and have made
16 clear that this process is one where
17 their voices have been checked and heard
18 along with the voices of the workers
19 which is what we want here.

20 So at this point, I do want to
21 just emphasize on -- at this time
22 because there has been a real
23 partnership here between workers most
24 affected and the industries most
25 affected, that I think at this point any

1 other amendments I don't really
2 understand whose path, where they would
3 be coming from because the industry's
4 concerns have been addressed and the
5 workers' concerns have been -- we've
6 come to a point where we are not
7 personally happy with everything, but we
8 feel like we're in the right place for
9 this to move forward.

10 So at this point I think to say
11 that this bill should be amended in any
12 way, I don't understand where that would
13 be coming from at this point. It was
14 extremely frustrating to us at the
15 beginning when industry came to us at
16 the beginning. The industry came to us
17 and said they wanted a 2023 sunset, and
18 some of the sponsors of the bill saw me
19 extremely, extremely upset about that
20 because I just really couldn't believe
21 that the industry would come in and say
22 when people have lobbied, when all the
23 industry -- as I said, the most
24 reputable data research firms in the
25 industry as well as the industry itself

1 have said that it's going to take five
2 years, why anybody would advocate to
3 that, and they quickly moved off that
4 position and we came to an agreement on
5 the 2025 sunset.

6 So I really don't understand
7 why anybody at this point would be
8 advocating for anything less than that.
9 To me, it's just really unacceptable.
10 And I think if we were trying to -- the
11 pandemic has been the hardest on our
12 members. As people have said, our
13 Philadelphians, Black and Brown
14 Philadelphians, mostly women, they're
15 the people hardest hit by COVID-19, the
16 people hardest hit by the layoffs. And
17 so, not to say, well, if your job isn't
18 back, we're not going to guarantee that
19 if your job doesn't come back until
20 2024, you will not have a job, sorry.
21 That's not acceptable to us. And it
22 shouldn't be acceptable, I don't think,
23 to anybody here.

24 Everybody here who is in
25 support of workers, who is in support of

1 labor, I think should stand with the
2 hospitality workers, with the current
3 bill. Because I think this is -- we
4 should be protecting all hospitality
5 workers through the pandemic and be real
6 advocates of workers. And to not do
7 that, I really do believe is anti-worker
8 and anti-labor, especially when we don't
9 have a conscious right now with the
10 industry over these states. So that's
11 where we stand on that process and we're
12 really proud of the fact that we were
13 able to come to that understanding and
14 we would ask Council to stand with us on
15 that.

16 COUNCILWOMAN GYM: And you are
17 saying that we have come to the
18 understanding with a lot of the industry
19 folks?

20 MS. WUCHINICH: Yes. With the
21 Hotel Association, right, who in
22 particular have been very, very involved
23 in this process, and the two industries
24 probably the most affected by this
25 legislation. And that is why they are

1 not here today.

2 COUNCILWOMAN GYM: Thank you.

3 MS. WUCHINICH: If they had
4 major concerns, they would be here today
5 obviously.

6 COUNCILWOMAN GYM: Thank you so
7 much, Rosslyn.

8 COUNCILMAN GREEN: Thank you,
9 Councilmember Gym.

10 I don't see any additional
11 questions for this panel. I want to
12 thank Pat Eiding from the Philadelphia
13 AFL-CIO as well Rosslyn from UNITE HERE
14 for this testimony. This is actually
15 very refreshing to see a situation where
16 both management and labor working
17 collectively together.

18 Too often parties are pitted
19 against each other, and I think because
20 this pandemic has been such a house
21 crisis but also really an economic
22 calamity has impacted not only workers
23 by them losing their jobs due to no
24 fault of their own, but due to this
25 health crisis that none of us could have

1 seen as well as the fact that hotels are
2 not able to operate as they
3 traditionally would because of the
4 pandemic, so the fact that both parties
5 were able to work collectively in this
6 regard is very refreshing and look
7 forward to this legislation being passed
8 for the benefit of not only for the
9 workers in the City of Philadelphia, so
10 many who are people of color, in
11 particular African-Americans but also to
12 enable hotels to continue to operate so
13 that they continue to provide a robust
14 economy for our City of Philadelphia.

15 With that --

16 COUNCILMAN JOHNSON: Vice-
17 chairman. Vice-chairman.

18 COUNCILMAN GREEN: Yes,
19 Councilmember Johnson.

20 COUNCILMAN JOHNSON: Yes. Just
21 a brief comment. I couldn't get into
22 the chat comment section. I just wanted
23 to say you so eloquently just proved the
24 point why the bill should be passed as
25 is. You just talked about how it is

1 such a great compromise from the
2 industry and the union on behalf of the
3 workers in our economy.

4 I just want to say thank you
5 for eloquently putting how two
6 industries can come together and sit
7 down and compromise around a particular
8 issue. It just shows how we can move
9 the City forward and together. And so,
10 I just wanted to just reiterate
11 Rosslyn's point as it relates to why
12 there's no one from the industry here
13 today opposing this piece of
14 legislation, because as a group we did
15 our due diligence in the working group.
16 We gave their concessions. It's very
17 rare that you have an industry not in
18 front of Council saying, you know what,
19 yeah, you have this piece of legislation
20 in front of you but, hey, we opposed it.
21 So I just want to note that for the
22 record.

23 But I couldn't have said it
24 more eloquently than you have,
25 Mr. Vice-chairman. So thank you for

1 your comments on the record as to why
2 this legislation should be passed as is
3 on behalf of the Black and Brown workers
4 who represent the hospitality industry,
5 because we all believe that Black
6 Workers Matter. Thank you very much,
7 Mr. Vice-chair.

8 COUNCILMAN GREEN: Thank you,
9 Councilmember Johnson. I will thank you
10 for your commentary. You've definitely
11 been able to use your University of
12 Pennsylvania degree in wise place this
13 afternoon.

14 Are there any additional
15 comments from members of Council?

16 (No response.)

17 COUNCILMAN GREEN: Seeing none,
18 I'd like to have Ms. Meadows read the
19 names of the next panel. As you come
20 on, please state your name for the
21 record and then proceed with your
22 testimony.

23 COUNCILWOMAN PARKER: I am
24 back, Vice-chair Green. Council, can
25 you hear me well now?

1 COUNCILMAN GREEN: Yes, we can
2 hear you.

3 COUNCILWOMAN PARKER: Okay.
4 And I can hear you. I hope we can hold
5 on. Thank you so very much,
6 Vice-chairman Green.

7 THE CLERK: The three panelists
8 on Panel 3 are Aisha Johnson, Stephanie
9 Swain and Ron Corbin.

10 MS. JOHNSON: Good afternoon.
11 Can you hear me?

12 COUNCILWOMAN PARKER: (Muted).

13 THE CLERK: Chairwoman, you're
14 on mute.

15 COUNCILWOMAN PARKER: Okay.
16 Can you hear me now, Aisha?

17 MS. JOHNSON: I can hear you,
18 yes.

19 COUNCILWOMAN PARKER: Okay.
20 All right. So the order we have is
21 Aisha, Stephanie and Ron. We'll go in
22 that order. Thank you so much for being
23 here.

24 State your name for the record,
25 Aisha, and just proceed with your

1 testimony.

2 MS. JOHNSON: Good afternoon.

3 My name is Aisha Johnson. I live in
4 South Philadelphia. I've worked for
5 Aramark for over 10 years in the
6 maintenance department for both the
7 Lincoln Financial Field for the Eagles
8 and Citizens Bank Park for the
9 Philadelphia Phillies.

10 I clear the concession stands
11 after the games, and when I worked at
12 the Linc, I cleaned the concession
13 stands before and during their events as
14 well. My job is not a seasonal job
15 because I work all year-round. After
16 the Phillies are done, I normally go
17 work for the Philadelphia Eagles.

18 My Aramark job allows me to
19 support my family and handle our daily
20 needs. I'm supporting my three sons,
21 ages 27, 18 and 16 who are out of work,
22 and I'm providing for my grandson who is
23 11 months. COVID has hit my family and
24 I extremely hard as it did my
25 co-workers. It's like we're on a roller

1 coaster with no end in sight.

2 Unemployment has not been enough for us.

3 I've been laid off multiple
4 times from Aramark this year. I got
5 laid off from Citizens Bank Park on
6 March 13th. I was recalled to Lincoln
7 Financial when the fans came back in
8 October and then laid off again
9 yesterday due to the new restrictions.

10 It makes us anxious about when it's
11 going to end and are we going to still
12 have our jobs.

13 My co-workers and I, we get
14 worried and we asked if Aramark revenues
15 don't come back, what will happen if
16 they walk away from the contract from
17 the Eagles or the Phillies or the Flyers
18 or what if the contracts aren't renewed,
19 what will happen to us. We need to be
20 protected. We didn't ask for this
21 pandemic and we shouldn't be penalized
22 for it. My 10 years working for Aramark
23 should matter. Can you hear me?

24 COUNCILWOMAN PARKER: I can
25 hear you now. You were going in and

1 out. Aisha, I got nervous. I'm sorry
2 to interrupt you. I got nervous because
3 it was choppy, but I can hear you now.
4 Thank you.

5 MS. JOHNSON: Okay. Do you
6 need me to start over for you or --

7 COUNCILWOMAN PARKER: (Shaking
8 head from side to side.)

9 MS. JOHNSON: Okay. Thank you.
10 My 10 years working for Aramark should
11 matter. That's why the bill is so
12 important for us having a sense of
13 security. We want to know that if the
14 stadium continues to be closed, that we
15 will be protected as things return to
16 normal, my co-workers and I still have
17 our jobs. We wouldn't have to worry
18 about finding new positions. The good
19 thing is that when there is work we are
20 ready to work. We know how to do our
21 jobs and we do them well.

22 My co-workers and I at the
23 stadiums are asking that you pass this
24 bill to protect us and allow us to
25 continue to do our jobs. It is very

1 important for us to have the protection
2 of this bill to last until 2025. The
3 industry itself has repeatedly stated
4 that it will take five years to recover.
5 Anything less will be leaving the
6 workers like me out in the cold.

7 COUNCILWOMAN PARKER: Thank you
8 so much, Aisha. Does that conclude your
9 testimony? Are you still going?

10 MS. JOHNSON: Yes, it does.
11 Thank you. Thank you for having me.

12 COUNCILWOMAN PARKER: All
13 right. I just wanted to make sure.
14 Listen, this technology is tough, but
15 thank you so much for your patience. I
16 greatly appreciate it.

17 Stephanie, state your name for
18 the record and proceed with your
19 testimony.

20 MS. SWAIN: Okay. Can you hear
21 me?

22 COUNCILWOMAN PARKER: (Nodding
23 affirmatively).

24 MS. SWAIN: Okay. Hello. My
25 name is Stephanie Swain and I work at

1 the Warwick Hotel at 17th and Locust.
2 I'm 53 years old and I have worked at my
3 hotel for the last 30 years. When I
4 started -- I'm sorry. When I started
5 there, my daughter was just turning 1
6 year old. She is now 32 years old. I
7 loved working at my job because my
8 co-workers and I became very close. It
9 was like working with family. I
10 actually enjoyed going to work every
11 day.

12 I also liked the fact that I
13 had a set schedule, weekends off and
14 that allowed me the luxury of planning
15 my life out and spending time with my
16 daughter and grandchildren, which is the
17 most important thing in the world to me.
18 Having a steady and reliable job means
19 everything to me and my family. It
20 means stability.

21 When I got laid off back in
22 March, it was devastating and I didn't
23 know what was going to happen next.
24 With the pandemic going on and people
25 losing their lives, their incomes and

1 for some their homes, I felt like I was
2 lost. The only thing that kept me sane
3 was knowing I would go back when this
4 was all over.

5 I have been living off my
6 unemployment for the last eight months
7 and it's been very stressful having to
8 live with almost half the income I was
9 used to making. Now knowing that it is
10 ending very, very soon, I'm worried
11 about how I'm going to feed my family
12 and pay my bills. To be honest with
13 you, I'm very nervous about having to
14 start over somewhere else at my age if
15 they don't call me back to work.

16 I've invested 30 years of my
17 life in that hotel and I've raised my
18 daughter and now helping with my grands
19 and I want my job and my second family
20 back. Working there is all I've known
21 for 30 years and that's where I want to
22 retire from. I want City Council to
23 pass this bill so that not only me but
24 everyone that has been laid off since
25 the beginning of this pandemic through

1 no fault of their own can have a sense
2 of security and peace of mind, knowing
3 that when things start getting better
4 and business picks up we still have our
5 jobs.

6 The industry has told us that
7 this might take until 2025, so please
8 make sure we are protected until 2025
9 because otherwise, workers will be left
10 behind. I want to say thank you to all
11 the members of City Council for hearing
12 me out and listening to what concerns I
13 have for my future and the future of
14 this City. Thank you.

15 COUNCILWOMAN PARKER: Thank
16 you, Stephanie.

17 Ron, feel free to proceed.
18 State your name for the record and
19 proceed with your testimony.

20 MR. CORBIN: Thank you, Madam
21 Chair. Thank you, members of the
22 Committee, for allowing me the
23 opportunity to introduce myself. My
24 name is Ron Corbin. I've worked at
25 Penns Landing Hotel as a server for the

1 past 15 years. Through my job, I've
2 been able to support myself and my
3 family and I've also been able to
4 fulfill many of my life-long goals.

5 When the pandemic hit, I became
6 worried and scared. My job stopped
7 immediately and because my asthma makes
8 it unsafe to serve customers, I don't
9 know when I can go back. No one should
10 be afraid to lose their job because they
11 have a chronic health condition. What
12 is happening is unfair and inhumane. It
13 dishonors all the hard work I've done.
14 There's so much uncertainty. Some of my
15 co-workers have been laid off twice
16 because of reopening and then closure of
17 my restaurant.

18 And where we are today, we
19 don't know when this pandemic is going
20 to end or when business will come back.
21 One of the ways my hotel addressed this
22 was to provide training to gain
23 experience, therefore people could work
24 different job classifications. In fact,
25 during the pandemic I know of a server

1 and a banquet setup attendant working in
2 housekeeping and also a bellman who has
3 worked as a bartender and also in
4 housekeeping as well.

5 I think it's a win-win because
6 it honors years of service and it allows
7 management to place committed staff
8 where they need it. So I urge City
9 Council to pass the Black Work Matters
10 Economic Recovery package. The
11 hospitality industry has said it will
12 take up to five years to recover.

13 Anything less for hospitality workers
14 will leave us abandoned. And for me, it
15 comes down to being able to protect my
16 health, my family, our livelihoods and
17 also years of service with the
18 company -- with our companies. And I
19 want to thank you once again, Madam
20 Chair, members of the Committee for
21 allowing me to take your time,
22 dedication and attention. Thank you.

23 COUNCILWOMAN PARKER: Thank you
24 so very much for your testimony, Ron.

25 Are there any questions or

1 comments from members of the Committee?

2 Let me try to put this -- okay. Chair
3 recognizes Councilmember Gym.

4 COUNCILWOMAN GYM: Ron -- first
5 of all, I want to thank all three of
6 you. I'm incredibly grateful for you
7 coming forward and talking about both a
8 job that you really care about but some
9 of the hardest problems that you've
10 faced.

11 And, Stephanie, thank you for
12 speaking so beautifully and eloquently.
13 When we first launched this a number of
14 weeks ago with Councilmembers Johnson
15 and Thomas and other Council sponsors,
16 your story moved us. It's why we're
17 here and it's what we're thinking about
18 as we make important decisions. One
19 question that I have is that I don't
20 know that people understand the industry
21 really well. And I think you shared a
22 little bit of this. But it's not
23 unusual for you to be hired and then
24 laid off more than once in a year, is
25 that correct, or that you know of people

1 in the industry who may be hired and
2 then laid off?

3 And so, some of this bill is
4 about recognizing that it's not like you
5 get rehired and then you have -- some of
6 you, I hope, do have stable employment
7 throughout, but there might be
8 situations that you're aware of in your
9 union where people are laid off at
10 different points in the year when
11 business is slow and especially during
12 this pandemic. And so, I'm wondering if
13 you could just share what that
14 uncertainty has been like and why it
15 matters to have us extend for a period
16 of time beyond just a year or so beyond
17 the last layoff.

18 And, Ron, I know you were
19 nodding your head so if you want to
20 start with it.

21 MR. CORBIN: Yes, I hope you're
22 able to hear. I think at this time
23 there's so many things that are
24 uncertain, we've talked about it in this
25 whole meeting. The one thing we don't

1 want to have is the concern that we
2 can't go back to what we've found as our
3 livelihoods, that we depend on our jobs,
4 we depend on them as well as our
5 families. And when you don't have that
6 as a force to grasp to, that you know
7 you can depend on that, that creates --
8 as well as the health conditions that
9 you're dealing with -- another level of
10 anxiety that can affect you across the
11 board, not just yourself but as well as
12 your family. And at a time when you
13 want to stay as healthy as possible,
14 that's one of the things that we
15 wouldn't want to have to worry about.

16 COUNCILWOMAN GYM: Thank you
17 very much, Ron.

18 COUNCILWOMAN PARKER: Thank you
19 so very much.

20 Chair recognizes Councilmember
21 Thomas for a comment.

22 COUNCILMAN THOMAS: Thank you,
23 Madam Chair, and thank you to the
24 members of this Committee for allowing
25 me to keep jumping in here.

1 I just want to take a moment to
2 say thank you to the workers. I can
3 only imagine what it is that you're
4 going through right now. I appreciate
5 you having the courage to put your story
6 and put yourself on blast and out there
7 on the record for everybody to hear and
8 see. I'm a pretty private person myself
9 so I know how difficult that would be
10 and is for you right now.

11 I also wanted to echo the
12 sentiments of my colleagues and just
13 communicate the importance of this whole
14 sunset initiative. I trust my Council
15 colleagues. I see us as a team, a very
16 effective team. And if we put ourselves
17 in a position where we were to pass
18 something into law and then we see at a
19 later time that maybe we picked the
20 wrong date or maybe we didn't
21 necessarily get the exact thing right, I
22 trust us to go back and amend that.

23 So for us, the sunset date of
24 2025 which we're looking at, I think is
25 important. Again, when we were in

1 negotiations with the industry, there
2 wasn't a big conversation around sunset
3 date at all. I think this was something
4 that we decided to do more or less
5 because of good faith thinking about our
6 colleagues and issues that was
7 communicated to us not necessarily by
8 the industry. So in the midst of
9 thinking about these workers and
10 listening to their stories, I would hate
11 to put us in a position where a sunset
12 date would actually backfire and end up
13 hurting the workers more than helping
14 the workers or hurt the industry or
15 anything like that.

16 So thank you, Madam Chair.
17 Thank you to the members of this
18 Committee. And again, most importantly
19 thank you to the workers for putting
20 yourself out there and being the face of
21 what's going on right now with this
22 particular industry.

23 COUNCILWOMAN PARKER: Thank
24 you. Thank you, Councilmember Thomas
25 for your comments.

1 Are there any other questions
2 for members of this panel?

3 (No response.)

4 COUNCILWOMAN PARKER: Hearing
5 none, Aisha, Ron and Stephanie, thank
6 you all so very much for your testimony.
7 We greatly appreciate it. Thank you.

8 Rachel, I'm going to ask you to
9 please call the name of the next panel
10 scheduled to testify.

11 THE CLERK: The next panel is
12 just one person. It's Reverend Gregory
13 Holston.

14 COUNCILWOMAN PARKER: Thank
15 you. Thank you, Rachel.

16 And thank you, Reverend
17 Holston. Thank you so much for being
18 with us this afternoon. We want to ask
19 you to please state your name for the
20 record and proceed with your testimony.

21 REVEREND HOLSTON: Reverend
22 Gregory Holston, Senior Pastor of Janes
23 Memorial United Methodist Church and
24 Senior Advisor to the District
25 Attorney's Office. And thank you all,

1 Councilwoman Chair. Thank you all,
2 Councilpeople. Thank you all who have
3 been involved in these three very, very,
4 very important bills that I'm very proud
5 of the name, Black Workers bills, that
6 are really directed to the needs of
7 Black workers.

8 So let me put a little
9 background to this story and hopefully,
10 we'll give greater context to the
11 decisions that you're going to make. As
12 you all know on this Council, the
13 reality is that Philadelphia for a very
14 long time has had about 20 to 25 percent
15 of our City living in poverty. That's
16 around 400,000 people in our City that
17 have lived in poverty before the
18 pandemic, about 200,000 that live in
19 deep poverty before the pandemic. For
20 an individual, that's a little more than
21 \$100 a week before the pandemic, and
22 that this chronic poverty that's existed
23 in our City has existed since the time
24 of the 1960s where over close to 400,000
25 manufacturing jobs left our City in the

1 course of those 25 years to 1985, and
2 really those manufacturing jobs that
3 were really middle class jobs have never
4 really been replaced by other middle
5 class jobs.

6 What you would find is our City
7 basically has a major service sector, a
8 major hospitality sector and that sector
9 itself many people are working poor.

10 That means they're working 40 hours a
11 week and still living in poverty. And
12 most of that poverty in our City is
13 African-American. Let's be clear about
14 it, with 44 percent of the population as
15 African-American, close to 80 percent of
16 the people that are living in poverty
17 are African-American.

18 And so, with all of these
19 numbers that are existing, many of us
20 felt just a few years ago that the only
21 way we're going to move our City out of
22 poverty is to not just talk about
23 education and we should do that and we
24 all should have a greater level of
25 education attainment, but the

1 recognition that these service sector
2 jobs have to become middle class jobs,
3 and the only way they become middle
4 class jobs is when unions organize with
5 community to push the industry to make
6 them middle class jobs.

7 Manufacturing jobs weren't
8 middle class jobs simply because they
9 were manufacturing. Manufacturing jobs
10 became middle class jobs because unions
11 pushed hard for many years to make the
12 kinds of increases in salary and pay and
13 requirement that made them into middle
14 class jobs. And so, same in this
15 hospitality sector right now, the goal
16 and the vision has been for many of us
17 who are in the faith community, many of
18 us who have been in the trenches, that
19 we have to turn and transform these jobs
20 into middle class jobs.

21 So many of the protests that
22 you have been with, the marches that
23 many of you have been on with us, we've
24 marched in the snow, we've marched in
25 the sleet, we've marched in 100 degree

1 heat around the airport, around the
2 Marriott hotel, around other places in
3 this town, have been trying to change
4 the very nature of our community and
5 move these jobs to be middle class jobs.
6 And for some, those jobs have moved from
7 as little as \$5 an hour to \$8 an hour to
8 \$10.88 an hour to \$12 an hour to \$15 an
9 hour, and some of those jobs are now
10 \$19, \$20, \$21 an hour because many of
11 you stood with these workers and fought
12 the good fight to make the changes that
13 we had to have made.

14 Now, here comes a pandemic.
15 And this move forward to push and push
16 and push more of our hospitality workers
17 into the middle class is now threatened
18 by this pandemic. You have heard of the
19 unions talking so clearly about the 80
20 percent of their workers, 80 percent of
21 their workers have been dismissed from
22 their jobs, and they're waiting in this
23 laid-off position now and the real
24 threat to all of the work that we've
25 done to try to build and transform our

1 City is now being threatened.

2 Now, why is that? Because
3 there are industries, there are private
4 equity funds that want to take advantage
5 of this pandemic, want to use it as an
6 opportunity to buy distressed
7 industries, distressed hotels, hotels
8 that are overleveraged right now. They
9 want to use this as an opportunity to
10 come in and buy up these distressed
11 industries, not with a concern for the
12 workers but for the assets themselves
13 and to use these assets for their own
14 profit and to not bring back the quality
15 workers that have gotten quality or
16 better salaries. They want to bring in
17 lower, other kinds of workers that will
18 make their bottom line look better so
19 they can sell off that asset and make
20 the profits they want to do.

21 This has been going on already
22 during this pandemic and it's still
23 going to go on through this pandemic.
24 And so, the importance of these three
25 bills are just so crucial to moving on

1 the progress that we've already made,
2 but also moving our hospitality industry
3 completely into the middle class. By
4 having these three bills where people
5 have the right to get their jobs back at
6 somewhere near the salary that they had
7 before, to be able to know that they
8 have that right and to be able to have a
9 right of private action as well to be
10 able to protect themselves is critical
11 if we're ever going to really change
12 Philadelphia beyond the pandemic, and
13 that the neighborhoods that are
14 suffering 50 percent poverty before the
15 pandemic and we don't even know what
16 crazy number of poverty they're facing
17 right now, to be able to return and have
18 a chance to really build the middle
19 class.

20 And so, we need to have it very
21 clear, very clear in these bills, that
22 as much time is necessary to preserve
23 workers' rights are needed in these
24 bills. A sunset of 2023 is simply not
25 enough when we know that the recovery in

1 this industry is going to take at least
2 five years. We have to try to hold the
3 line to build these jobs in the middle
4 class so that when recovery come, we can
5 continue the momentum that we have
6 already built over the last 10 years
7 before the pandemic. And so, it is
8 critical that the sunset number go to at
9 least 2025, five years of the recovery
10 so that we can continue to build these
11 jobs in what they have to be.

12 I'll ask Council to think long-
13 term, not on the short-term, not just
14 for the moment, not just for where the
15 industry may feel it's given time even
16 though they've already agreed that five
17 years and 2025 is enough. But to think
18 beyond the pandemic and how our City is
19 going to be that we have to protect our
20 workers now, we have to protect the
21 quality of the jobs now, we've got to
22 protect their income now, we've got to
23 protect it now, projecting it five years
24 from now we need to build a middle class
25 in this City that is strong and is

1 vibrant and is necessary.

2 So I just want to urge you, and
3 I know so many of you and I know the
4 commitments of so many of you to
5 workers. I've been with you on the
6 front line. You've stood with us in so
7 many different situations. I know your
8 heart. I know your heart is pure, your
9 heart is right, your heart is just for
10 workers. But I want to be very clear,
11 we need the strongest kind of bill
12 necessary to protect workers because it
13 is necessary for us to be able to build
14 these jobs into the middle class to make
15 a real difference in our City, and so
16 that we won't have the title any longer
17 of the poorest big city in our country.
18 Thank you so much.

19 COUNCILWOMAN PARKER: Thank you
20 so much, Reverend Holston, for your
21 testimony and we thank you for being
22 here with us today.

23 I am looking into the chat box
24 and I wanted to note are there any
25 questions and/or comments from members

1 of Council to Reverend Holston?

2 COUNCILWOMAN GYM: Madam Chair,
3 can I just make a brief comment?

4 COUNCILWOMAN PARKER: Sure.
5 Chair recognizes Councilmember Gym.

6 COUNCILWOMAN GYM: I just
7 wanted to thank Reverend Holston. From
8 the moment you launched the Black
9 Workers Matter Report that POWER put out
10 back in, what was it, 2018, 2017,
11 2018 --

12 REVEREND HOLSTON: 2016.

13 COUNCILWOMAN GYM: 2016, we did
14 not forget. And all that we are trying
15 to figure out is ensuring and
16 underscoring that that moral call that
17 POWER put out with the faith community
18 and the collective faith community lives
19 through the choices that we make,
20 whether they be small or significant,
21 large, big packages, small packages.
22 You have led on that issue from the
23 beginning and I really can't thank you
24 enough for continuing that call and
25 holding us accountable to that message.

1 And I just really want to say and
2 express gratitude to you and to your
3 commitment to this work.

4 Beyond titles, job titles,
5 positions, anything like that, you live
6 and breathe this work each and every
7 day. You minister to people who suffer
8 the consequences when we fall short.
9 You know people by name. You've walked
10 streets with them. You've been with us
11 and with this City in so many different
12 capacities. And I just want to say
13 thank you.

14 REVEREND HOLSTON: Thank you,
15 and I feel that way about many of you on
16 Council as well. We have worked
17 together on many of these issues and we
18 have marched together. We've been in
19 the snow and the rain and the sleet and
20 the sun together around these issues.
21 Let's keep moving forward. Let's keep
22 moving forward. So much more to do and
23 we can do it together, and I believe in
24 you and I believe in all of you that we
25 can do it together.

1 COUNCILWOMAN PARKER: Thank
2 you, Councilmember Gym.

3 The Chair recognizes
4 Councilwoman Quinones-Sanchez.

5 COUNCILWOMAN QUINONES-SANCHEZ:
6 Thank you, Madam Chair. I'll be brief.

7 I also want to thank Reverend
8 Holston. When POWER first started
9 talking about 15 and organizing the
10 airport, those of us that started this
11 work with them, former Councilman Wilson
12 Goode and others, Councilman Jones who
13 joined us and Councilman Johnson, we
14 were out there, what was thought to be
15 out on a limb with stuff that was not
16 doable.

17 And I must say that as someone
18 who worked on the legislative body
19 sometimes I doubted whether the
20 political space and the will would be
21 there. But when we were out there as
22 Reverend Holston said with the workers
23 and you heard those stories, I think
24 Councilman Jones and Councilman Kenyatta
25 Johnson, we were at the airport at 4

1 o'clock in the morning and you watched
2 young Black men catch three buses to
3 come to work. And I would come out of
4 those events feeling like, shoot, how
5 can we not, you know, when people talk
6 about people didn't want to work and
7 people didn't -- I always came away with
8 a renewed sense of shame on us if we
9 cannot.

10 And in all of this legislative
11 work, I know we make a lot of
12 compromises because we don't want the
13 perfect to be the enemy of the good.
14 And I appreciate the work that POWER
15 has done in terms of illuminating the
16 spotlight. And so, I thank you,
17 Reverend Holston, for providing prayer.
18 When some of us did not have hope, you
19 in all of those marches always gave us
20 hope and we really believe that we can
21 make change.

22 I want to speak to this issue
23 around the sunsetting. Again, in these
24 negotiations, I know for UNITE and for
25 the agenda that we've been trying to

1 promote, this legislative body has the
2 power to come back at any given time and
3 make changes. The one thing that I want
4 to make sure that as this Office of
5 Labor gets reinforced, supported,
6 memorialized, institutionalized in all
7 the work that we do, that we give the
8 Office the opportunity to work through
9 these issues to provide the counsel to
10 both the Mayor and the legislative
11 branch.

12 And if the 2025 date becomes a
13 problem, let them be the ones to come
14 tell us that. I just feel that UNITE
15 has in good spirit made some concessions
16 with the industry. We all know we're in
17 a pandemic. And, look, if things change
18 and in six months we're in a different
19 place as we work through our budget, if
20 we have to come back, I want us to come
21 our way today with a victory that people
22 feel like there's a good faith effort by
23 everybody, and if we have to change
24 things, we will change them. But I
25 think recognizing that this is going to

1 be a long recovery is an important one.

2 And I want to give as we did
3 with domestic workers, as we did with
4 Fair Workweek, I want to make the Labor
5 Office the one that helps guide us and
6 inform us around some of these issues in
7 their regulatory process, in their
8 enforcement process. And I don't want
9 us to get bogged down because people
10 worked too hard to get to a place where
11 we have almost 100 percent agreement and
12 we never have 100 percent agreement, so
13 we have to be okay with 90 percent.

14 I want us to walk away feeling
15 good today in knowing that we have the
16 ability as the legislative body to come
17 back at any time under the direction of
18 our Chair to re-address this. And in
19 promulgating of regulations, if the
20 Office of Labor feels something needs to
21 move, I want them to be able to come
22 back to the bill's sponsor and say,
23 folks, we need to move this, this is an
24 unrealistic timeline or we feel like the
25 recovery, God willing the recovery is

1 better than what we thought and we want
2 to write this off our books because
3 everybody is working and in full
4 employment.

5 So I just want to lend my
6 support. I just think we've gotten too
7 far. And I know how important it is for
8 everyone to walk away feeling like this
9 was a victor. No. 45 is gone. We no
10 longer need losers to have winners. And
11 so, I just want to thank everybody for
12 their work leading up to today. Thank
13 you.

14 Thank you, Madam Chair.

15 COUNCILWOMAN PARKER: Thank you
16 so much, Councilmember.

17 The Chair recognizes
18 Councilmember Jones.

19 COUNCILMAN JONES: Thank you,
20 Madam Chair.

21 And I want to ditto what my
22 colleague Member Sanchez said so
23 eloquently. Reverend, I have spent time
24 with you at 4:00 in the morning on a
25 shift change at the airport fighting for

1 the increased living wage of individuals
2 and thinking that 3,000 members which
3 represents 3,000 families could be
4 helped. And I don't know when I felt
5 better as a legislator than when I did
6 that. I felt like I really gave real
7 help to real people and to see those
8 folk even at times afraid of management
9 to even give us an atta-boy shout-out
10 for being there, but really I felt good
11 in my soul.

12 I also thank you for sometimes
13 codifying issues in a way that make it
14 commonsense. And I remember you doing
15 some -- this is not about you, but it is
16 about you. You said in the Chambers of
17 City Hall where there was \$1 million
18 block and you showed me the numbers of
19 whether it was going to court, going to
20 jail, on probation, on parole, being
21 monitored, getting a defense attorney,
22 how one block caused taxpayers \$1
23 million when we could have got all of
24 those defendants a job and came out less
25 expensive. That very day I decided that

1 I was going to be on criminal justice
2 reform.

3 And I never told you that, but
4 I'm telling you in front of all the
5 witnesses here that when you can break
6 things down so that people can
7 understand them in a commonsense way as
8 opposed to complicating it so that
9 people draw lines in the sand, that's a
10 gift from God. So thank you for what
11 you've done. Thank you for being our
12 Jiminy Cricket of consciousness in City
13 Council. And, listen, just remember
14 today may be a long day, but God ain't
15 done with us yet, all right. And we'll
16 get there God willing. Thank you.

17 Thank you, Madam Chair.

18 REVEREND HOLSTON: And thank
19 you for the very, very kind words of all
20 the Councilpeople. Thank you so much.
21 And I just want to stress the expansion
22 of this bill for worker rights, the most
23 expansive interpretation is that 2025 is
24 the right sunset if there's going to be
25 one.

1 And you're absolutely right, if
2 you need to come back and make changes,
3 you can always do that. But expanding
4 the bill in a way that errs on the side
5 of giving workers as much protection as
6 they possibly can have is always the
7 right place to be. Standing with
8 workers and believing workers should
9 have as much rights as they can have in
10 already a situation that is not
11 leveraged in their favor is a good place
12 for this Council to be. So I'm thankful
13 to hear that Councilpeople are speaking
14 in this way, and thank you so much for
15 this opportunity.

16 COUNCILWOMAN PARKER: Thank you
17 so much, Reverend Holston.

18 Are there any other comments
19 and/or questions for members of the
20 Committee?

21 COUNCILMAN SQUILLA: Madam
22 Chair, Mark Squilla.

23 COUNCILWOMAN PARKER: Okay.
24 Chair recognizes Councilmember Squilla.
25 Thank you, Councilmember.

1 COUNCILMAN SQUILLA: Thank you.

2 And I just want to say I want to thank
3 you for your leadership on this. This
4 is not an easy process. Obviously,
5 there was a lot of conversations, both
6 the industry and members of Council, and
7 I think you did a wonderful job. And
8 thanks to the sponsors for also being a
9 part of this. And you can see a lot of
10 the changes and amendments that were
11 made.

12 And again, at the end of the
13 day a lot of times not everybody goes
14 away happy, but they go away knowing
15 that we have the best possible
16 legislation. And I want to give credit
17 to you for that. And that's why I think
18 the compromise that we have now to 2025
19 is something that is worthwhile and that
20 people feel like whoever gave some, that
21 there was some given on both sides. So
22 thank you for your leadership, and I
23 appreciate the efforts that you made to
24 make this as smooth as possible.

25 COUNCILWOMAN PARKER: Thank

1 you. Thank you so much, Councilmember
2 Squilla.

3 Again, I'm looking in the chat
4 box and I'm looking for any hand signals
5 up. Are there any other members of the
6 Committee who have comments or questions
7 for Reverend Holston on this panel?

8 (No response.)

9 COUNCILWOMAN PARKER: Seeing
10 and/or hearing none --

11 COUNCILWOMAN BASS: Madam
12 Chair.

13 COUNCILWOMAN PARKER: Yes.
14 Chair recognizes Councilmember Bass.

15 COUNCILWOMAN BASS: I just want
16 to share a --

17 COUNCILMAN JOHNSON: Madam
18 Chair.

19 COUNCILWOMAN BASS: -- couple
20 of things. And the first is that
21 obviously we all care about workers. We
22 all care about making sure that the
23 folks who are out here every day working
24 hard making our City what it is, making
25 the hospitality industry what it really

1 is, that they get their due, that they
2 get the respect and equally as important
3 that they get the support and the pay
4 and the benefits and the things that
5 they need to be able to make a living in
6 our communities. And so, this has not
7 been something I think that's been hard
8 for this Committee. I don't think that
9 it's been very difficult at all because
10 we all care. It would only be difficult
11 if we didn't care.

12 And so, I look forward to
13 working with the bill's sponsor as we
14 put regulations into place. I look
15 forward to working with Ros and Pat
16 Eiding and all the others, and of course
17 Reverend Holston and others who have
18 come forward and are speaking so
19 eloquently about the importance of this
20 issue. But I just really want to be
21 clear that we all get it, we all
22 absolutely get it and stand in support
23 of workers.

24 And thank you, Madam Chair, for
25 your hard work in convening us in making

1 sure that this gets done, so I really
2 appreciate everyone for being at the
3 table and making this happen today.
4 Thank you, Madam Chair.

5 COUNCILWOMAN PARKER: Thank
6 you, Councilmember Bass.

7 And I think I heard
8 Councilmember Johnson who wanted to make
9 comments. Are you still with us and on
10 the line, Councilmember Johnson?

11 COUNCILMAN JOHNSON: Yes.
12 Thank you, Madam Chair. I just thank
13 you for having a very, very good
14 hearing.

15 And I just wanted to relinquish
16 my time just to reiterate Councilman
17 Squilla's comments. I know he talked
18 about how every time when we do this
19 process, that everybody don't get what
20 they want. And I just wanted to just
21 reiterate that at this particular time
22 the industry isn't here or saying, we
23 oppose this bill. The industry isn't
24 saying, we have issues and concerns with
25 this bill.

1 I remember on a Sunday night
2 when normally I'm hanging out with my
3 kids preparing for the week, I was on
4 the phone with a working group, with the
5 very same industry that's being impacted
6 talking about how we can give them
7 concessions on their issues and their
8 concerns, a very, very robust long, long
9 process on a Sunday evening.

10 So I just want to follow up on
11 my colleague Mark Squilla's comments
12 regarding that often times we go through
13 this process and it's not a win-win, but
14 this is a win because this is one of
15 those rare signs when the industry isn't
16 here saying, Council, you're submitting
17 an impact on our industry. So I just
18 wanted to state that for the record as
19 to the 2025 sunset.

20 And it's not about -- to me
21 it's all about the process and doing the
22 work. And I know the work has been done
23 because if it wasn't done, we would have
24 a significant amount of opposition and
25 lobbying from those individuals publicly

1 and that hasn't been the case here
2 today. So I just wanted to state that
3 for the record because (inaudible) how
4 we go about this process and the work
5 that we all put into the work that we
6 do, and I stand behind what UNITE HERE
7 is advocating for as it relates to those
8 workers that they represent.

9 Thank you very much, Madam
10 Chair.

11 COUNCILWOMAN PARKER: Thank you
12 so very much, Councilmember Johnson, for
13 your comments.

14 Are there any other comments
15 and/or questions from members of this
16 Committee for Reverend Holston on this
17 panel?

18 (No response.)

19 COUNCILWOMAN PARKER: Reverend
20 Holston, did you want to make some
21 closing remarks or respond?

22 REVEREND HOLSTON: Yes, if I
23 could. And again, it's good to see so
24 many people in Council coming around to
25 all of this bill and the importance of

1 the 2025 date. But I'm running through
2 memories of almost everybody here I have
3 worked with in some way around worker
4 rights. Councilman Squilla on \$15,
5 Councilman Johnson at the airport I
6 don't know how many times, marching,
7 knocking on doors, talking to the
8 subcontractors down there, Councilwoman
9 Bass on so many other issues as well.
10 You have been a Council that has stood
11 with workers over these years. And so,
12 I am thankful for that work.

13 Let's continue to move forward.
14 Let's continue to push the envelope.
15 Let's continue to do what we can in
16 every way possible to give workers more
17 rights, more power, more authority over
18 their own lives. It is beneficial to
19 everybody in this City that we move
20 people out of poverty by every lever of
21 power that we can possibly use to do
22 that, so I'm thankful for you and your
23 work and let's keep moving forward
24 together.

25 COUNCILWOMAN PARKER: Thank

1 you. Thank you, Reverend Holston, for
2 your comments.

3 Hearing that there are no
4 further comments and/or questions for
5 this panel, Reverend Holston, we want to
6 thank you so very much for being with us
7 today. Thank you for your work and the
8 efforts to close the gap between the
9 haves and the have-nots.

10 And with all due respect and
11 I've just got to say this for the
12 record. The work of community
13 organizing, I learned this, Councilwoman
14 Sanchez, you'll remember that this comes
15 from something that you stated in
16 Council. Being a community organizer,
17 Reverend Holston has become a very sexy
18 thing to say right now. Our former
19 President -- well, still the guy is
20 still recognized as President Obama, he
21 made it a sexy thing. But when I think
22 about challenges that were impacting the
23 Black community that I grew up in, that
24 I was raised in, that I've lived in all
25 of my life long before there were people

1 attempting to the rescue in that role
2 with the sort of savior, I've come to
3 save you all, that complex, you've been
4 out there on the front line and people
5 have been watching you do it very, very
6 quietly.

7 And I want to give a big
8 shout-out to our former Councilman
9 Wilson Goode, Jr. whose work, whose work
10 right now -- listen, he's still
11 impacting the industry, but he's doing
12 it now on the economic side with
13 research and policy analysis that we can
14 use to bolster our efforts.

15 So I want to thank you for not
16 being a Johnny-come-lately to this issue
17 and also in your remarks for
18 acknowledging and respecting the
19 decisions that this Council has made, I
20 don't mean not one of us with all due
21 respect, and I appreciate you sort of
22 walking through all of the ways that you
23 have worked with members of this
24 Committee, again, to close the gap
25 between the haves and the have-nots, and

1 particularly for Black people and Brown
2 people who have often been left out of
3 the equation until it becomes -- lately
4 it's become a pretty sexy thing to talk
5 about these Black and Brown Lives
6 Matter. When it comes time to talk
7 about the economy, usually people have
8 turned away.

9 So I thank you for
10 acknowledging the work of our
11 colleagues, each and every one of them
12 who are a part of this body. We
13 sometimes may attempt to move different
14 ways, but we're trying to all move in
15 the same direction. So I appreciate you
16 for the record in acknowledging that,
17 Reverend Holston. Thank you.

18 With that being said, I'm going
19 to now ask our Clerk Rachel, will you
20 please call the next panel scheduled to
21 testify on this legislation.

22 THE CLERK: Yes. The three
23 panelists on the last panel are
24 Dr. Sheri Davis-Faulkner, Frances Upshaw
25 and Madison Nardy.

1 COUNCILWOMAN PARKER: Thank you
2 so very, very much, Dr. Sheri Davis-
3 Faulkner, from the School of Management
4 and Labor Relations at Rutgers
5 University, Frances Upshaw from POWER
6 and Madison Nardy, One Pennsylvania,
7 Worker at the Philadelphia International
8 Airport. We will proceed in that order,
9 so just feel free to state your name for
10 the record and proceed.

11 DR. DAVIS-FAULKNER: My name is
12 Sheri Davis-Faulkner and I'm here to
13 testify in support of the Retention and
14 Recall Bills 200557, 200559, 200563. I
15 will say this is one of those things
16 about being on the last panel. I just
17 have to actually say that I'm a new
18 resident of Philadelphia, right. I'm a
19 Professor at Rutgers. I have negotiated
20 to live in Philadelphia because
21 Philadelphia is a city of Black
22 communities and is also a union city.

23 And I can tell you that I have
24 sat in numerous City Council hearings,
25 meetings, subcommittee meetings in

1 Atlanta, Georgia, my hometown, and none
2 of them sounded like this. This
3 experience has basically told me that I
4 am in the right place, because there are
5 very few times that I have come to have
6 this conversation and not trying to
7 convince people to care about Black
8 people, Black workers, Black women and
9 in the place of echoing.

10 So I'm almost mad that I'm
11 going behind Reverend Holston. I'm
12 going to call him Reverend Doctor
13 because he just schooled us on a few
14 things, at least me, and he's been doing
15 that with me for the last year. But
16 there's something really special about
17 this space. And I just want to say
18 having this be my first experience with
19 the Council, that I am deeply, deeply
20 gratified by the work that you are doing
21 and the way that you are talking about
22 these issues. So I'm going to read my
23 testimony, but I just wanted to actually
24 say that piece to start off.

25 A few weeks ago I had the

1 privilege of canvassing with UNITE HERE
2 to get members out to polls and I was
3 paired with one of their long-time
4 members. During our breaks, she shared
5 how she was caring for children and
6 other family members, doing catering
7 gigs and other creative work, staying up
8 late taking classes, volunteering with
9 her union while also having health
10 challenges.

11 As I am sure you know in
12 Philadelphia, Black women in particular
13 who are nearly 60 percent of the hotel
14 room attendants who have worked in this
15 industry for years are also one of the
16 groups that have been hardest hit by the
17 layoffs in COVID-19-related challenges.

18 After achieving several years
19 of record revenues and occupancy rates,
20 Philadelphia's hospitality industry has
21 been brought almost to a standstill by
22 the COVID-19 pandemic. The economic
23 crisis has affected the hospitality
24 industry more than any other. Hotel
25 revenues are expected to decline by

1 almost half in 2020 and the industry is
2 not projected to recover until 2025.

3 This package of bills -- and
4 I'm going to say that because I've
5 already stated that I'm in support of
6 it -- provide the right of recall or
7 return for hotel, event center and
8 airport workers and ensure that these
9 jobs are retained in the case of
10 ownership or management. I really want
11 to pause here because the fact that
12 there's foresight about the possibility
13 of what might happen is extremely
14 important, and I'm appreciating the fact
15 that we have already listed that there's
16 industry support, but the recognition
17 that private equity firms do not always
18 operate in the ways that long-time
19 industry corporations do and putting
20 protections in place kind of
21 preemptively is extremely important and
22 recognizes the context of what has been
23 happening, particularly in major cities
24 as it relates to the finance industry
25 and the ways in which when we're kind of

1 down and we're in a recession or things
2 are happening that we've seen a sweep-up
3 of properties, a shift of ownership as
4 it relates to employers.

5 And quite frankly, my
6 dissertation research started right here
7 in Philadelphia. And the thing that I
8 learned to do was to look at private
9 equity firms when no one was looking at
10 them. And the types of issues around
11 ownership and recognizing a grievance,
12 recognizing seniority, recognizing any
13 basic rights of workers has been one of
14 the challenges in dealing with private
15 equity firms for a while. It's just
16 only now that we're actually talking
17 about it, I would say, in more
18 mainstream spaces.

19 And so, I want to recognize
20 that again the racial disparity and the
21 reasons in tourism industry and
22 unemployment impacts a part of the
23 national trend that is specifically
24 related to the aggregate of
25 African-American unemployment since the

1 beginning of the crisis, which it has
2 outpaced that of White unemployment,
3 first, recognizing that very few cities
4 have a majority of Black workers in this
5 industry still and that when you
6 actually think about the issue of what
7 has happened in previous recessions, the
8 African-Americans have suffered from
9 being the first fired and the last
10 hired, which is a phenomenon that
11 Councilwoman Gym mentioned in the
12 opening, and these are all things that
13 we have to lay out in terms of context.

14 The threat of permanent job
15 loss is heightened by the prospect of
16 significant restructuring in the tourism
17 industry as a result of the ongoing
18 economic crisis. And I think that again
19 we have to take into consideration some
20 of the ways that when we look at the
21 majority of the workers in the industry
22 being folks of color, Black folks and
23 women, what role if we look specifically
24 at Black women they are already playing,
25 right.

1 They are right now being
2 teachers and caregivers to elders in
3 their homes, in addition to being a
4 relative to support other households,
5 typically piecing together incomes
6 through full-time and part-time jobs, in
7 addition to some side gigs. They're
8 also volunteering for their faith
9 institutions. They're providing
10 groceries and meals to people who are
11 unemployed and underemployed in Black
12 communities. They do all of this while
13 also trying to protect themselves and
14 their own health. And so, when we start
15 thinking about these bills in
16 particular, they offer a way that
17 Philadelphia can demonstrate care not
18 only for Black women, but Black, Brown
19 and immigrant workers across the City.

20 Historically, Black workers
21 have been disproportionately impacted by
22 economic crisis. The unemployment rate
23 for African-Americans typically rises
24 faster and stays higher than for any
25 other group of workers. According to a

1 survey of five hotels carried out by
2 UNITE HERE Local 274, 60 percent of
3 hotel workers with more than 20 years
4 tenure are Black or African-American.
5 If not allowed to return to their jobs,
6 many of these workers may face racial or
7 age-related forms of discrimination and
8 hiring.

9 And I would also note that PBS
10 was just talking about this issue as it
11 relates to older workers being laid off
12 and the challenge of being able to go
13 and find work, and they weren't even
14 specifically speaking to race. But we
15 know that when you pull these things
16 together and look at these from an
17 intersecting perspective of age and race
18 and gender, that this can create very
19 difficult injuries that are hard to
20 overcome.

21 So I wanted to kind of close
22 out by saying that thousands of workers,
23 mostly Black and Brown, have been
24 unemployed since March, and many are
25 struggling to put food on the table and

1 make sure that their kids have access to
2 the tools they need to be able to attend
3 virtual school. I'm speaking as both a
4 labor scholar but also a resident of
5 Philadelphia and I'm imploring you to
6 provide the protections needed for all
7 workers in this industry, but a specific
8 plea for Philadelphia's Black women who
9 are often invisible, yet hold so many of
10 our communities together, that you pass
11 this package of bills protecting the
12 right for these workers to return to
13 their jobs.

14 And I want to also go on record
15 saying that I think it is extremely
16 important that we look at 2025, again
17 for all the reasons that have been
18 mentioned before as it relates to the
19 sunset clause, that we need actually to
20 be able to provide more space to
21 maneuver because we've seen that this
22 pandemic has been operating in ways
23 going up and down and we cannot foresee
24 what the future is going to hold. And
25 so, setting it for 2025, I think, is in

1 our best interest. Thank you so much
2 for the opportunity to speak with you
3 all and I really appreciate this. Thank
4 you.

5 COUNCILWOMAN PARKER: Thank you
6 so much, Dr. Faulkner, for your
7 testimony.

8 Frances, just feel free to
9 state your name for the record and
10 proceed with your testimony.

11 MS. UPSHAW: Thank you. Good
12 afternoon. My name is Frances Upshaw.
13 I am a member of POWER, Philadelphians
14 Organized to Witness, Empower and
15 Rebuild. POWER is a multi-faith,
16 multi-race, social justice organization.
17 We are Christian, Jewish, Muslim ethical
18 humanists. We have over 50
19 congregations in Philadelphia and over
20 100 statewide. Our mission is to
21 organize and empower the people of
22 Philadelphia, Southeastern and Central
23 Pennsylvania to live and work together
24 so that God's presence is known on every
25 block, that people work together to

1 transform the conditions of their
2 neighborhoods and that life flourishes
3 for all.

4 I serve as a member of the
5 Economic Dignity Team that partnered
6 with OIC of America to create Black Work
7 Matters: Race, Poverty and the Future
8 of Work in Philadelphia. I also serve
9 on the POWER board. I'm here to support
10 those mostly Black and Brown workers who
11 have lost their jobs in the travel and
12 hospitality industries through no fault
13 of their own.

14 Service sector jobs comprise 40
15 percent of the City's workforce who are
16 represented by SEIU 32BJ and UNITE HERE
17 labor unions. These are Philadelphians
18 that worked union jobs, making wages
19 that help sustain their families. But
20 then the pandemic hit and the world
21 turned upside down. They are now out of
22 work, just waiting for the world to go
23 back to normal. And when it does, they
24 need their jobs back. They have
25 experience, in some cases decades of

1 experience and they deserve their jobs
2 back.

3 Since Philadelphia is the
4 poorest big city in the country, I would
5 think the situation to be a no-brainer.
6 We simply cannot destabilize an industry
7 that is already union-represented. Of
8 course, former workers should be sought
9 out and offered a job. The alternative
10 is scab labor, those unrepresented by
11 unions who would be a fraction of those
12 represented by UNITE HERE or SEIU, and
13 most likely would not get the benefits
14 members of those unions fought so hard
15 to get in the first place.

16 While COVID-19 has impacted
17 every fiber of our lives, the service
18 industry is the one constant that cannot
19 be overlooked. Where would we be
20 without those who show up every day to
21 take care of our needs. How do we dare
22 not see that all who have proven their
23 abilities are offered decent employment.
24 I would like us as individuals to think
25 about all the times we've depended upon

1 someone to be there to assist in our
2 daily lives, to open the door, take
3 packages to the car, handle our luggage,
4 pick up what we dropped, clean up our
5 messes, the list is endless. And though
6 we have no obligation to do so, we are
7 more than happy to press a bill in their
8 hand.

9 Why is this even a
10 conversation? Beyond a shadow of a
11 doubt, former service workers should be
12 offered a position as soon as possible.
13 And it is absolutely essential to keep
14 these protections in place through 2025.
15 Take the companies at their words when
16 they say that anything less would leave
17 some laid-off workers behind. Keep
18 these protections in place for the
19 duration of the recovery. Thank you.

20 COUNCILWOMAN PARKER: Thank you
21 so very much for your testimony,
22 Ms. Upshaw.

23 And now, we will hear testimony
24 from Madison Nardy. Madison, state your
25 name for the record and proceed with

1 your testimony.

2 MS. NARDY: Thank you. My name
3 is Madison Nardy. I am a laid-off
4 worker at the airport and a worker
5 leader with One Pennsylvania. I have
6 been laid off since March when my
7 company decided to temporarily shut down
8 all operations worldwide. With no light
9 at the end of the tunnel, this layoff
10 seems like a lifetime layoff but it
11 shouldn't be.

12 I along with all airport, hotel
13 and stadium workers should have a right
14 to our jobs back when our companies
15 start rehiring. While receiving the
16 extra \$600 in the beginning of the
17 pandemic, I wasn't worried about money.
18 But now my unemployment runs out in four
19 weeks and I am becoming very concerned
20 about how I will pay for my bills,
21 copays and basic necessities, and I'm
22 starting to look for new work.

23 I need to work, but I'm worried
24 to go back to work because I'm
25 immunocompromised, taking care of my

1 immunocompromised mother and my aunt who
2 has cancer. For the sake of my health
3 and my family's health, I need my job to
4 be protected for when it is time to
5 safely go back to work. Throughout my
6 years of experience working in retail, I
7 have experienced preferential treatment
8 from my managers over my co-workers who
9 are people of color. I witnessed a
10 manager tell one of my Black co-workers
11 to scrub the walls while my White
12 co-worker was allowed to go home early.

13 My hours increased while I was
14 fighting for Fair Workweek while two of
15 my Black co-workers who was also
16 fighting for Fair Workweek at the same
17 company had their hours reduced in
18 retaliation. These companies have been
19 getting away with the exploitation of
20 Black and Brown workers for far too long
21 and this bill needs to pass to ensure
22 that all of our jobs are secure when we
23 return to work.

24 I have been waiting patiently
25 for the day when my boss will call me

1 and tell me that it is time to go back
2 to work, but with the rising cases I
3 still have to patiently wait for that
4 day. When that day comes, I need to
5 know that I am being called back to
6 work, not being called to be terminated
7 and replaced by another worker. It is
8 also important for when every worker
9 gets that call to come back to work, we
10 are allowed 10 days to make arrangements
11 for child care, put in our two weeks at
12 other jobs, if need be and to figure out
13 other scheduling.

14 We are truly living in
15 unprecedented times. We do not know
16 when this crisis will end. We do not
17 know when we will get called back to our
18 jobs and we do not know when business
19 will recover. Due to this, we need this
20 bill to last through 2025. As we heard
21 repeatedly throughout this meeting, it
22 will take five years for businesses to
23 recover and we need to ensure that our
24 jobs are safe. But at the same time we
25 are also living in unprecedented times,

1 so this five years of recovery can last
2 even longer.

3 We have the right to have our
4 jobs back and to be recalled to our jobs
5 even if the company changes. I need and
6 every airport, hospitality and stadium
7 worker need for this City Council to
8 stand up and protect working class
9 people like myself. Thank you.

10 COUNCILWOMAN PARKER: Thank you
11 so very much, Dr. Faulkner, Ms. Upshaw
12 and Ms. Nardy.

13 Are there any questions or
14 comments?

15 Okay. So the Chair recognizes
16 Councilmember Gym for questions.

17 COUNCILWOMAN GYM: Yes. I just
18 wanted to thank Frances and Madison.
19 We've been working together for a really
20 long time. Frances, your work on the
21 Black Work Matters report back in 2017,
22 as I said to Reverend Holston, has
23 shaped a lot of our thinking in how we
24 need to reframe priorities and why we're
25 fighting for clarity about what this

1 looks like. This is not just any
2 general labor bill. It is one that very
3 specifically looks at the industry and
4 how it's impacting.

5 And I think, Madison, you spoke
6 to that beautifully and powerfully about
7 the differences. And we certainly heard
8 it even in our discussions, that there's
9 a casual of references to front of the
10 house, back of the house. And we know
11 those who are in the industry understand
12 that that is coded racial language, and
13 that's why I think it matters so much to
14 just hear it from both of you.

15 Professor Davis-Faulkner, I
16 just want to say thank you. It is so
17 wonderful to have you as a partner in
18 the work close here in Philadelphia but
19 also close by at Rutgers. We need help
20 as we navigate this recovery. We need
21 academic perspectives. We need industry
22 perspectives. We need on-the-ground
23 perspectives, but this is uncharted for
24 us.

25 And I think what ends up

1 happening sometimes is that many voices
2 can come to the table, but it's
3 inevitable that certain voices are going
4 to be heard and we do need someone like
5 yourself who has studied the role. And
6 sometimes it's in your face, but often
7 times it's just we don't track
8 discrimination very well in the
9 workplace. We can see its outcomes for
10 sure. We can hear about people's
11 experiences, but there's a level of
12 dialogue and rigor that you bring to
13 this conversation that is often lacking
14 when industry wants to talk about net
15 gains, profits, et cetera, et cetera and
16 we do need to unpack how discrimination
17 works, what it looks like in the
18 workplace and then how we can better
19 combat it in a way that actually
20 bolsters the industry.

21 This is a town majority filled
22 with people of color. Our economic
23 security and livelihood rests on all of
24 us being lifted. And we say so much
25 about people being left behind. But

1 this is not about leaving people behind.
2 This is kicking people out. There's
3 conscious actions.

4 So I want to reiterate how much
5 I appreciate your work, but also ask you
6 to help us help ourselves as we partner
7 through the recovery effort, and we will
8 certainly be leaning on you more and
9 more to share your research, to share
10 your recommendations, perspectives as we
11 move forward, as you did on this
12 economic recovery package, so thank you
13 very much.

14 DR. DAVIS-FAULKNER:
15 Absolutely. Happy to do it. Thank you
16 so much.

17 COUNCILWOMAN GYM: Thank you.

18 COUNCILWOMAN PARKER: Thank
19 you, Councilmember Gym. And thank you
20 Dr. Davis-Faulkner.

21 Are there any other questions
22 or comments from members of the
23 Committee for this panel?

24 (No response.)

25 COUNCILWOMAN PARKER: Hearing

1 none, is there anyone else here to
2 testify on Bill Nos. 200557, 200559,
3 200563 whose name has not yet been
4 called?

5 (No response.)

6 COUNCILWOMAN PARKER: Thank
7 you. This will conclude the hearing and
8 we're going to go into our public
9 meeting. We want to thank all members
10 of this panel for testifying and you can
11 feel free to disconnect now.

12 There being no further
13 questions from members of the Committee
14 and no other witnesses to testify, I
15 will ask if there is anyone else again
16 present in this hearing whose name we
17 have failed to call and that wishes to
18 offer testimony on any of the bills
19 being considered today?

20 (No response.)

21 COUNCILWOMAN PARKER: Hearing
22 none, I want to thank all of the panels
23 and witnesses for their participation.
24 We value your opinions. And again, I
25 now invite all panels and witnesses to

1 please disconnect from the meeting
2 before we go into our public meeting.
3 We will now pause the proceedings very
4 briefly as multiple participants leave
5 the hearing.

6 And, Modesto, we will wait for
7 you to let us know when we can restart.
8 Thank you all so very much for being
9 here.

10 (Brief recess.)

11 COUNCIL TECH SUPPORT: You may
12 proceed, Madam Chair.

13 COUNCILWOMAN PARKER: This
14 concludes the public hearing of the
15 Committee on Bill Nos. 200557, 200559
16 and 200563. We will now go into a
17 public meeting to recess the meeting
18 until later this afternoon. We will now
19 convene the public meeting.

20 Rachel, will you please call
21 the roll to take attendance. Members
22 that are in attendance, will you please
23 indicate that you are present when your
24 name is called. Also, please say a few
25 brief words when responding so that your

1 image will be displayed on the screen
2 when you speak.

3 Rachel, please call the roll.

4 THE CLERK: Vice-chair Derek
5 Green.

6 COUNCILMAN GREEN: Present.

7 THE CLERK: Councilmember Cindy
8 Bass.

9 COUNCILWOMAN BASS: Good
10 afternoon. I am present. Thank you
11 very much.

12 THE CLERK: Councilmember Brian
13 O'Neill.

14 COUNCILMAN O'NEILL: Present.

15 THE CLERK: Councilmember David
16 Oh.

17 COUNCILMAN OH: Good afternoon.
18 I am still present.

19 THE CLERK: Councilmember Helen
20 Gym.

21 COUNCILWOMAN GYM: Present.

22 THE CLERK: Councilmember Maria
23 Quinones-Sanchez.

24 COUNCILWOMAN QUINONES-SANCHEZ:
25 Good early evening now at this point.

1 THE CLERK: Councilmember

2 Curtis Jones, Jr.

3 COUNCILMAN JONES: Present.

4 THE CLERK: Councilmember Mark
5 Squilla.

6 COUNCILMAN SQUILLA: Present.

7 THE CLERK: I believe those are
8 all the Committee members, but we also
9 have Councilmember Isaiah Thomas and
10 Councilmember Kenyatta Johnson.

11 COUNCILWOMAN PARKER: Thank
12 you. We will now go into our public
13 meeting --

14 COUNCILMAN THOMAS: I'm sorry,
15 Madam Chair. I'm present still. I
16 apologize. Councilmember Thomas.

17 COUNCILWOMAN PARKER: Thank
18 you, Councilmember Thomas.

19 We will now consider a motion
20 regarding Bill Nos. 200557, 200559 and
21 200563.

22 The Chair recognizes
23 Councilmember Green.

24 COUNCILMAN GREEN: Thank you,
25 Madam Chair.

1 I make a motion at the public
2 meeting on Bill Nos. 200557, 200559,
3 200563 stand in recess until 6:00 p.m.
4 this evening.

5 COUNCILWOMAN PARKER: Is there
6 a second?

7 COUNCILMAN OH: Second.

8 COUNCILWOMAN PARKER: The Chair
9 notes for the record that Councilman Oh
10 seconds that motion. It has been moved
11 and properly seconded that the public
12 meeting of this Committee on Bill Nos.
13 200557, 200559 and 200563 be recessed
14 until this afternoon, early evening,
15 Councilwoman Sanchez, at 6:00 p.m.

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

18 (Aye.)

19 COUNCILWOMAN PARKER: Those
20 opposed?

21 (No response.)

22 COUNCILWOMAN PARKER: The ayes
23 have it. The motion carries. And this
24 Committee will stand in recess until
25 this afternoon at 6:00 p.m., at which

1 time we will reconvene the public
2 meeting and consider the action to be
3 taken on Bill Nos. 200557, 200559 and
4 200563.

5 Thank you all so much for your
6 patience and we'll see you in about 41
7 minutes. Thank you.

8 (Brief recess.)

9 COUNCILWOMAN PARKER: So we
10 will now reconvene the public meeting.

11 Rachel, will you please call
12 the roll to take attendance. Members
13 that are in attendance, will you please
14 indicate that you are present when your
15 name is called. Also, please say a few
16 brief words when responding so that
17 image will be displayed on screen when
18 you speak.

19 THE CLERK: Vice-chair Derek
20 Green.

21 COUNCILMAN GREEN: Present.

22 THE CLERK: Councilmember Brian
23 O'Neill.

24 Councilmember Cindy Bass.

25 COUNCILWOMAN BASS: I am

1 present. Thank you very much.

2 THE CLERK: Councilmember David

3 Oh.

4 COUNCILMAN OH: I'm present.

5 Thank you.

6 THE CLERK: Councilmember Helen

7 Gym.

8 COUNCILWOMAN GYM: Present.

9 Thank you.

10 THE CLERK: Councilmember

11 Curtis Jones, Jr.

12 COUNCILMAN JONES: From dawn to

13 dusk, I'm present.

14 THE CLERK: Councilmember Mark

15 Squilla.

16 COUNCILMAN SQUILLA: Present.

17 THE CLERK: Is Councilmember

18 Brian O'Neill -- okay. Those are the

19 Committee members that are on, but we

20 are also joined by Councilmember Isaiah

21 Thomas.

22 COUNCILWOMAN PARKER: Present.

23 THE CLERK: And, Councilmember

24 Kenyatta Johnson.

25 Did I get everybody?

1 COUNCILWOMAN QUINONES-SANCHEZ:

2 No, Rachel. You forgot me, but that's
3 okay.

4 THE CLERK: I apologize.

5 COUNCILWOMAN QUINONES-SANCHEZ:

6 It is late.

7 COUNCILWOMAN PARKER: So,
8 listen, we do have a quorum to proceed.
9 I want to say thank you. We will now go
10 into our public meeting.

11 The Chair recognizes
12 Councilmember Gym for a motion on the
13 amendment to Bill No. 200557.

14 COUNCILWOMAN GYM: Thank you so
15 much, Madam Chair. And I also want to
16 just acknowledge the Committee for its
17 patience in recognizing the process and
18 taking great care on this work. I know
19 people care very deeply and we all share
20 a commitment and I think that this
21 Council body has really shown that.

22 I offer an amendment to Bill
23 No. 200557. A copy of this amendment
24 has been circulated to all members of
25 the Committee this morning. I move that

1 the amendment to Bill No. 200557 be
2 approved.

3 COUNCILMAN JONES: Second.

4 COUNCILWOMAN PARKER: The Chair
5 notes for the record that Councilmember
6 Jones seconds the motion. It has been
7 moved and properly seconded that the
8 amendment to Bill No. 200557 be
9 approved.

10 All those in favor of the
11 motion will signify by saying aye.

12 (Aye.)

13 COUNCILWOMAN PARKER: Those
14 opposed?

15 (No response.)

16 COUNCILWOMAN PARKER: The ayes
17 have it. The motion carries. And the
18 amendment to Bill No. 200557 has been
19 approved. And I just want to note that
20 that was unanimous.

21 The Chair recognizes
22 Councilmember Gym for a motion on Bill
23 No. 200557 as amended.

24 COUNCILWOMAN GYM: Thank you so
25 much, Madam Chair.

1 I move that Bill No. 200557 as
2 amended be reported from this Committee
3 with a favorable recommendation and
4 further move that the rules of Council
5 be suspended to permit first reading of
6 this bill at the next session of
7 Council.

8 COUNCILMAN JONES: Second.

9 COUNCILWOMAN PARKER: The Chair
10 notes for the record that Councilmember
11 Jones seconds the motion. It has been
12 moved and properly seconded that Bill
13 No. 200557 as amended be reported from
14 this Committee with a favorable
15 recommendation and further move that the
16 rules of Council be suspended to permit
17 first reading of this bill at the next
18 session of Council.

19 All those in favor of the
20 motion will signify by saying aye.

21 (Aye.)

22 COUNCILWOMAN PARKER: Those
23 opposed?

24 (No response.)

25 COUNCILWOMAN PARKER: The ayes

1 have it and the motion carries. And
2 again, that was unanimous.

3 The Chair recognizes
4 Councilmember Green for a motion on Bill
5 No. 200559.

6 COUNCILMAN GREEN: Thank you,
7 Madam Chair.

8 I move that Bill No. 200559 be
9 reported from this Committee with a
10 favorable recommendation and further
11 move that the rules of Council be
12 suspended to permit first reading of
13 this bill at the next session of
14 Council.

15 COUNCILMAN JONES: Second.

16 COUNCILWOMAN PARKER: The Chair
17 notes for the record that Councilmember
18 Jones seconds the motion. It has been
19 moved and properly seconded that Bill
20 No. 200559 be reported from this
21 Committee with a favorable
22 recommendation and further move that the
23 rules of Council be suspended to permit
24 first reading of this bill at the next
25 session of Council.

1 All those in favor of the
2 motion will signify by saying aye.

3 (Aye.)

4 COUNCILWOMAN PARKER: Those
5 opposed?

6 (No response.)

7 COUNCILWOMAN PARKER: The ayes
8 have it and the motion carries. Again,
9 that was unanimous.

10 The Chair recognizes
11 Councilmember Green for a motion on Bill
12 No. 200563.

13 COUNCILMAN GREEN: Thank you,
14 Madam Chair.

15 I move that Bill No. 200563 be
16 reported from this Committee with a
17 favorable recommendation and further
18 move that the rules of Council be
19 suspended to permit first reading of
20 this bill at the next session of
21 Council.

22 COUNCILMAN JONES: Second.

23 COUNCILWOMAN PARKER: The Chair
24 notes for the record that Councilmember
25 Jones seconds the motion. It has been

1 moved and properly seconded that Bill
2 No. 200563 be reported from this
3 Committee with a favorable
4 recommendation and further move that the
5 rules of Council be suspended to permit
6 first reading of this bill at the next
7 session of Council.

8 All those in favor of the
9 motion will signify by saying aye.

10 (Aye.)

11 COUNCILWOMAN PARKER: Those
12 opposed?

13 (No response.)

14 COUNCILWOMAN PARKER: The ayes
15 have it and the motion carries. And
16 again, that was unanimous.

17 To members of the viewing
18 public, we want you to know that this
19 concludes the business before the
20 Committee on Law and Government today.
21 We want to thank each and every one of
22 you for your attendance.

23 I personally as Chair of this
24 Committee need to say a hearty thank you
25 to members of the Committee who were

1 with us early this morning, even with
2 the technical challenges that I had that
3 delayed our hearing that could have been
4 much shorter had I not had them. You
5 stayed consistent and listened and we
6 got through that.

7 And then this evening to hear
8 the important testimony for those who
9 were speaking on all three of the bills
10 that were before us, your patience and
11 deliberations in taking your work so
12 seriously and making sure that we made
13 decisions when we had access to all of
14 the information possible. And so, I
15 want to thank all of you for being just
16 stand-up folks who when you make a
17 decision, you make sure you have every
18 bit of information that you need in
19 order to make the most-informed decision
20 possible. And with that being said,
21 it's an honor and a privilege to work
22 with each of you.

23 Again, that concludes the
24 business before the Committee on Law and
25 Government today. Thank you to all --

1 COUNCILMAN JOHNSON: Madam

2 Chair?

3 COUNCILWOMAN PARKER: Yes.

4 COUNCILMAN JOHNSON: Madam

5 Chair, I just want to personally thank
6 you for your leadership in hosting this
7 hearing. And I also just want to give a
8 shout-out to my colleagues for just
9 working within our own group, utilizing
10 our own relationships on how we are all
11 advocates for workers in supporting all
12 three bills as is, and all the
13 colleagues who have stepped up to the
14 plate in being supportive for this. So
15 I just want to state that for the record
16 and just say thank you very much.

17 We all know that Black workers
18 matter. This is nothing new to us.
19 This is something we've always done. So
20 I just wanted to take a moment and give
21 a shout-out to each and every last one
22 of you for your affirmative vote, and I
23 humbly say thank you.

24 COUNCILWOMAN PARKER: Thank you
25 so much, Councilmember Johnson. And

1 based on Councilmember Gym's comments
2 and we heard Councilmember Thomas
3 earlier, all three of you sponsors of
4 the bills, your comments meant
5 something. It was important to hear
6 your perspectives today and we want to
7 thank you all for your work.

8 We want to say Happy
9 Thanksgiving, Philadelphia, to
10 everybody. But, listen, make sure you
11 are masked up and that you are safe.
12 And I think it was Dr. Ala Stanford from
13 the Black Doctors COVID-19 Consortium
14 who said sort of now is not the time to
15 get out of your comfort zone or your
16 cocoon or the constituency that you're
17 accustomed to being with. Stay safe and
18 only around the people that you are
19 with, that you live with, but be safe.
20 Have a good day all.

21 COUNCILWOMAN QUINONES-SANCHEZ:
22 And be patient. Free Langston.

23 COUNCILWOMAN PARKER: You all
24 ganged up on me today and I want the
25 viewing public to know that sometimes

1 members of Council are not fair and one
2 day I'm going to tell this story.

3 And, Councilmember Green, Maria
4 Quinones-Sanchez led the charge. Helen,
5 David, Curtis, all of you agreed.

6 And, Councilmember Jones, you
7 had a nerve to say you would act as
8 Langston's counsel. I'm going to find a
9 way to get back to all of you all.

10 Thank you so much, and have a good day.

11 COUNCILMAN GREEN: Madam Chair,
12 pro bono.

13 COUNCILWOMAN PARKER: Oh, for
14 free? You're going to get it. Thank
15 you all and have a very good holiday,
16 Philadelphia.

17 COUNCILWOMAN GYM: Thank you
18 for your leadership, Madam Chair.

19 (Committee on Law and
20 Government concluded at 6:10 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 this is a correct transcript of the
same.

TANEHA C. CARROLL
Court Reporter - Notary Public

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