

# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

December 7, 2018 Edition

## In the News – State

### Labor Unions Across the State Unite to Back IBEW Local 3 in Boycott of Charter Spectrum

After weeks of productive negotiations, Charter Spectrum abruptly cut off talks with Local Union No. 3 IBEW and slammed the door on 1,800 workers who have been on strike since March 2017. In response, with the support from both private and public sector unions, as well as Governor Andrew Cuomo and elected officials, the union has vowed to fight back against Spectrum's anti-worker actions.



Union members unite to support Local 3 on a picket line which stretched from Park to Lexington Avenue.

“... We were blindsided by Spectrum's unconscionable decision to slam the door on their workers without any warning. It's clear that at the 11th hour, Spectrum chose to put profits over people, leaving thousands of New Yorkers out in the cold right in the middle of the holiday season, said Chris Erikson, Business Manager of IBEW Local 3. “In response, we have decided to re-launch our picket line outside Spectrum News NY1's studios to protest the callousness of this greedy corporation... Our hard-working members deserve better than to be treated like garbage while Spectrum makes money hand over fist, and we will never stop fighting for them.”

Unions that are joining IBEW Local 3 in calling for a boycott of Spectrum include The New York Hotel Trades Council, the New York State AFL-CIO, the New York City Central Labor Council, SEIU Local 32BJ, the United Federation of Teachers, the Building and Construction Trades Council of Greater New York, AFSCME District Council 37, the Retail, Wholesale and Department Store Union (RWDSU), and the New York State Nurses Association.

“... What Charter Spectrum has done is a gross injustice. They have abused the workers... How dare you abuse the hardworking men and women that built that company and put the money in your pocket?” Governor Andrew Cuomo said. “... Charter Spectrum didn't just mistreat you and lie to you. Charter Spectrum lied to the people of the State of New York. Because Chris Erikson is exactly right... They promised to keep the customer-friendly workforce that was trained and they turned around and they kicked you to the street.”



Governor Cuomo and elected officials join the picket line

IBEW Local 3 explained that Charter/Spectrum has attempted to break the union and force workers into substandard retirement and medical plans. The union went on strike in March 2017 after the company proposed to eliminate pension benefits and proposed drastic cuts in medical coverage, and draconian work rule adjustments for Local 3 members. After nearly two years of a bitter strike, the company continues to make these outrageous demands. In October of 2018, Spectrum agreed to negotiations with IBEW Local 3, but then the company abandoned talks without any warning after both sides were close to an agreement.

The union is launching a digital campaign to support the boycott pledge and encourage customers to drop Spectrum in favor of other service providers. The campaign will inform millions of customers in New York State about Spectrum Charter's anti-worker actions and provide information about alternative service providers in their area.

"...And we pledge to you today to stand united. Because workers united will never be defeated! Go get 'em!" Governor Cuomo pledged to the IBEW workers.

## NYS Compensation Commission Announces Pay Raise Schedule

The State Compensation Commission on Thursday recommended pay raises for the members of the State Legislature, Governor, Lieutenant Governor, State Attorney General, State Comptroller, and State Agency Commissioners effective January 1<sup>st</sup>.

Commission members State Comptroller Thomas DiNapoli, former State Comptroller H. Carl McCall, New York City Comptroller Scott Stringer, and former City Comptroller William Thompson Jr. also recommended limits on outside income for State Legislators by 2020. Under the plan, lawmakers would have until the start of 2020 to restrict outside income to a congressional model of 15% of their legislative pay. Certain jobs, including legal work with clients, would be prohibited. The Commission also voted to limit stipends —as much as \$40,000 a year — to only a few leadership positions. Lawmakers last pay increase was in 1998.

The Commission's recommendations, to be issued in a formal report by Monday, have the force of law based upon a measure in this year's state budget. Unless the Legislature acts to rescind the recommendations before January 1<sup>st</sup>, the changes take effect automatically for all offices except for governor and lieutenant governor. Those increases need legislative approval.

The recommended salary schedules are:

- **213 members of the state Senate and Assembly:** Current pay base: \$79,500; Starting January 1st, the legislative base salary would increase to \$110,000. The salary would increase to \$120,000 in 2020 and \$130,000 in 2021.

- **Governor:** Current base pay: \$179,000; In January, the Governor's salary would increase to \$200,000. The salary would increase to \$225,000 in 2020, and \$250,000 in 2021.
- **Lieutenant Governor, State Attorney General and State Comptroller:** Current base pay: \$151,500. In January, the salary base would increase to \$190,000 in January, \$210,000 in 2020, and \$220,000 in 2021.
- **State Agency Commissioners:** Current base pay varies with the lowest being \$140,000. Starting January 1<sup>st</sup>, the salary base would increase to \$190,000 in January, \$210,000 in 2020, and \$220,000 in 2021.

## *In the News – City*

### **NYC Taxi & Limousine Commission Approves Rules to Raise Driver Earnings**

The New York City Taxi and Limousine Commission (TLC) this week announced the passage of its comprehensive Driver Income and Transparency Rules. The rules, voted upon Tuesday morning by the TLC's Board of Commissioners, are expected to increase the earnings of more than 80,000 For-Hire Vehicle (FHV) drivers who work for large app companies, as well as providing benefits for drivers across multiple sectors.

“Convenience costs, and going forward, that cost will no longer be borne by the driver,” said TLC Chair Meera Joshi. “Today's rules will raise driver earnings by on average \$10,000 a year and require companies to be completely transparent on how they calculate pay and car leasing costs.”

The rules set a per-minute and per-mile minimum trip payment formula, which the TLC anticipates will represent a raise to 96% of the 80,000 drivers who work for Uber, Lyft, Via, and Gett/Juno (the High Volume FHV service providers) in New York City. The TLC has designed a Driver Pay Calculator that will assist them in determining the earnings they are due. Highlights of the New Rules:

- High volume FHV drivers will earn at a minimum a trip pay standard that is the equivalent of \$27.86 per hour, or \$17.22 per hour after expenses, the minimum wage standard for independent contractors, who pay additional payroll taxes and do not get paid time off.
- High volume FHV drivers will receive higher minimum pay for wheelchair accessible vehicles to account for the additional expense of operating these vehicles. The rules also set new minimum pay rates for out-of-town trips, where drivers spend greater time without a passenger while returning to New York City.

- More wheelchair accessible taxi owners will be able to receive payments of \$14,000 a year when a car is put on the road, and then \$4,000 a year while in service. The TLC recently doubled payments to wheelchair accessible taxi drivers per trip. A typical accessible taxi driver now earns an additional \$1,700 a year.
- The rules reduce the maximum amount that taxi fleets can charge drivers for credit card processing, saving the average fleet driver \$1000 a year.

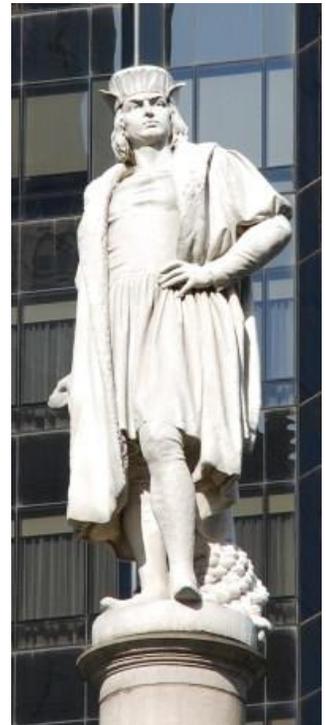
To monitor the effects of the new policy, the TLC will begin to receive from high-volume FHV app companies detailed fare information, more extensive trip data, and data on passenger wait times.

## Columbus Monument Listed on National Register of Historic Places

Governor Andrew Cuomo yesterday announced that New York City's Central Park monument to Christopher Columbus has been listed on the National Register of Historic Places. The 76-foot rostral column was erected in 1892 in Central Park by New York's growing Italian-American community, which embraced Columbus as a unifying figure to help Italians overcome discrimination and gain inclusion in mainstream society.

"The Columbus Monument is revered by the Italian-American community in New York and stands as a tribute to the ways our state has welcomed immigrants from around the globe," Governor Cuomo said. "I am proud that we were able to secure this designation, which will help ensure the history of all cultures that make up our uniquely diverse state is always recognized."

The statue was listed on the State Register on September 20, 2018 after a unanimous vote of the New York State Board for Historic Preservation. The New York State Historic Preservation Office immediately recommended that the National Park Service add the monument to the National Register of Historic Places. The National Park Service accepted the nomination and listed the monument on November 20th.



State and National Register listing is an honored recognition of historic significance and offers protections for the statue under state and federal historic preservation laws. National Register listing would also make the statue eligible for state and federal grant programs.

## City Council Weighs in On State Single Payer Health Insurance

The City Council weighed into the Single Payer Health Insurance debate this week, approving a resolution calling upon the State Legislature and the Governor to approve legislation to enact the New York Health program. Sponsored by Assemblyman Richard Gottfried and Senator Gustavo Rivera, the bill would create a universal single payer health plan for all New York State residents.

The legislation is currently being redrafted based upon stakeholder input for introduction in January. Under the current bill draft, all state residents, regardless of age, wealth, income, employment or other status, including undocumented immigrants, would be eligible for the program. Patients would have no deductibles, co-pays, or other out-of-pocket costs for services covered by the plan, and benefits would include comprehensive inpatient and outpatient care, primary and preventative care, prescription drugs, and other benefits. Medical benefits currently included in Medicare, Medicaid, Child Health Plus, and essential health benefits under the Affordable Care Act (ACA) would be covered by the plan, with the exception of long-term care benefits (which may be added in the redraft).

Funding for the program would come from the federal government, the state, and taxpayers. The legislation provides that the State would seek to obtain waivers from the federal government allowing federal funds the State currently receives for Medicare, Medicaid, Family Health and Child Health Plus to be infused into the program. The State would need to funnel its current health care funding into the plan, and the remainder of the funding would come from progressive graduated State taxes. These taxes include a payroll tax paid by employers (80 percent) and employees (20 percent), and a tax on non-payroll income such as capital gains.

Recognizing the importance of organized labor, bill sponsors have been targeting municipal labor leaders for their support. They have met with the leaders to hash out the opposition and have begun to fashion amendments to the legislation. They recently presented a [five-page missive](#) to the labor leaders to address their concerns which include:

- Would union members keep all their current health benefits?
- Will they lose collectively-bargained contractual arrangements under which the employer pays all, or nearly all, of the cost of the health benefit?
- Can they be assured that employer savings under NYH will go to the workers?
- Retirees; out-of-state workers; out-of-state care: Would they be covered?
- Welfare and stabilization funds: What will happen to these funds?
- Access to Care: Would there be new limits on access to health care services?
- Role of union: Workers identify with the union through their health benefits. Are there union benefits that will remain? Could unions have a role defending member appeals of service denials?

Meanwhile, anti-Single Payer groups continued their push as well.

“Today’s action calling on the State Legislature and Governor to pass single payer legislation is nothing more than political theatre,” according to a release from the Realities of Single Payer. “What is particularly disturbing is its members have failed to move beyond soundbites and examine the impact of the New York Health Act. The Health Committee’s vote to support the measure fails to clearly see the realities of a single payer plan and how it will affect New Yorkers.”

The coalition of business groups, health care providers, health insurance companies, and labor unions assert that the proposal will result in \$139 billion in new taxes in the first year, less access to the health care, and the loss of an insured’s current plan.

Testifying before the committee, Assemblyman Gottfried said that even with the added costs of extending coverage to the uninsured, his plan would have a net gain of \$19 billion annually.

## ***Briefs***

### **NY State of Health Announces 2019 Enrollment is Up in First Month of Open Enrollment Period**

***More than 930,000 Consumers Enroll in a Qualified Health Plan or the Essential Plan  
December 15 is the Deadline to Enroll for January 1, 2019 Coverage***

NY State of Health, the official health plan Marketplace, this week announced that enrollment is outpacing last year. More than 930,000 consumers have enrolled or renewed coverage in a Qualified Health Plan or the Essential Plan for 2019. Consumers must enroll or renew by December 15, for coverage beginning January 1, 2019.

As of December 1, 2018, total QHP and EP enrollment stands at 933,254. More than 170,000 consumers have already renewed coverage or are newly enrolled in a QHP for 2019, and Essential Plan enrollment has reached more than 760,000. More than 4.5 million New Yorkers have enrolled in a health plan through the Marketplace. Open Enrollment in a QHP continues through January 31, 2019.

Enrollment in the Essential Plan, Medicaid and Child Health Plus is open all year.

## Upstate NYers Medical Debt Paid Off by Charity

Thanks to a fundraising campaign by members of the Finger Lakes chapter of the Campaign for New York Health, \$1.5 million of medical debt of almost 1,300 Upstate New Yorkers has been forgiven. Via RIP Medical Debt, Judith Jones, a retired chemist, and Carolyn Kenyon, a psychoanalyst, raised \$12,500 to purchase \$1.5 million worth of medical debt.

RIP Medical Debt was founded in 2014 by two former debt collection industry executives. Working with third-party credit data providers, the nonprofit searches bundled debt portfolios to locate accounts for financial relief. It then negotiates to buy portfolios at a discount — on average, a penny on the dollar — so it can forgive the debt.

Prior to these purchases, the medical bills have passed through several collection agencies and months or years of collection pursuit. According to RIP Medical Debt, this type of debt significantly damages a person's credit, impacting their ability to buy or rent a home, buy a vehicle, or secure a loan.

## MTA Details Proposed Transit Cuts

At a special meeting of the Metropolitan Transportation Association (MTA) Board's Finance Committee this week, NYC Transit President Andy Byford released proposed budget cuts. The Authority projects a \$1 billion gap in 2022. The initiatives include:

- Revising overcrowding guidelines to increase ridership.
- Reducing the cleaning schedule to once per route (subway cars are currently cleaned at both ends of the line).
- Adjusting car temperatures to save on energy.
- Cutting track inspections to once a week on a third of the system while outfitting a special track inspection train with a camera to fill in the gaps.

## Fare Evasion Costs the MTA \$215 Million

The Metropolitan Transportation Authority (MTA) expects to lose about \$215 million to fare evasion on New York City's subway and buses in 2018, according to NYC Transit. Officials warned that the 2017 bus fare evasion rate of 13% was significantly higher than the average of 4.1% at comparable transit agencies. Approximately 208,000 subway riders and 384,000 bus riders evade paying, according to an observational study at 180 turnstiles and 140 bus routes per quarter.

NYC Transit head Andy Byford asserted that the MTA will be increasing agency presence to combat the loss.

“We will get teams of people from the head office to, on a random basis, go and either ride buses, or stand at gate arrays and provide a physical block to make sure that you have a ticket before you go into that station or onto that bus,” said Mr. Byford said, according to published reports. “We will, of course, have [additional] teams or police to back us up.”

The MTA also plans to have more surveillance cameras installed in subway stations and is working with the NYPD to get more officers assigned in certain stations. Earlier this year, Manhattan District Attorney Cy Vance announced that he would no longer prosecute individuals charged with fare evasion. Violators are issued civil summonses or desk appearance tickets.

### **World Trade Center PATH Station will be Closed on Weekends for Two Years**

The World Trade Center PATH station will be closed almost every weekend for the next two years, the Port Authority announced Wednesday. From January 2019 through December 2020, the station will be closed on all weekends except for holidays so that the Port Authority can replace equipment and rebuild tunnels that were badly damaged during Superstorm Sandy in 2012. For all of the affected weekends, the heavily used station will close at 12:01 a.m. Saturday and reopen at 5 a.m. Monday, officials said.

## ***Coming Up***

### ***New York State***

#### ***Tuesday December 11<sup>th</sup>***

##### **Access to mental health services in the juvenile justice system**

Joint Assembly Standing Committee on Children and Families and Committee on Mental Health, Hamilton Hearing Room B, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, 11 a.m.

##### **Oversight of the enacted State Fiscal Year 2018-2019 Budget supporting the New York State Gaming Commission and its regulation of the gaming industry activity in New York State**

Assembly Standing Committee on Racing and Wagering, Roosevelt Hearing Room C, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, 10 a.m.

##### **Adequacy of Funding for Addiction Prevention, Treatment, and Recovery Services**

Assembly Hearing Room, 250 Broadway, Room 1923, 19<sup>th</sup> Floor, New York, 11 a.m.

#### ***Wednesday December 12<sup>th</sup>***

##### **Veterans Employment Programs**

Joint Assembly Standing Committee on Veterans' Affairs and Subcommittee on Women Veterans, Hamilton Hearing Room B, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, 10 a.m.

### ***New York City***

#### ***Monday December 10<sup>th</sup>***

**Committee on Public Safety**, Council Chambers – City Hall, 2 p.m.

**Charter Revision Commission 2019**, Council Chambers – City Hall

## ***Tuesday December 11<sup>th</sup>***

***Committee on Finance***, Committee Room – City Hall, 10 a.m.

***City Council Stated Meeting***, Council Chambers – City Hall, 1:30 p.m.

## ***Wednesday December 12<sup>th</sup>***

***Committee on Civil and Human Rights***, Committee Room – 250 Broadway, 14<sup>th</sup> Floor, 10 a.m.

***Committee on Mental Health, Disabilities and Addiction***, Committee Room – 250 Broadway, 14<sup>th</sup> Floor, 10 a.m.

***Committee on Women***, Committee Room – City Hall, 10 a.m.

***Committee on Economic Development***, Council Chambers – City Hall, 10 a.m.

***Committee on Governmental Operation***, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 10 a.m.

***Committee on Parks and Recreation***, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 1 p.m.

***Committee on Justice System***, Committee Room – City Hall, 1 p.m.

## ***Thursday December 13<sup>th</sup>***

***Subcommittee on Zoning and Franchises***, Committee Room – City Hall, 9:30 a.m.

***Committee on Veterans***, Committee Room – 250 Broadway, 10 a.m.

***Committee on Higher Education***, Committee Room – 250 Broadway, 10 a.m.

***Committee on Housing and Buildings***, Council Chambers – City Hall, 10:30 a.m.

***Subcommittee on Landmarks, Public Siting and Maritime Uses***, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 12 p.m.

***Committee on Technology***, Committee Room – City Hall, 1 p.m.

***Subcommittee on Planning, Dispositions and Concessions***, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 2 p.m.

## Pearl Harbor Remembrance

We would like to remember all 2,403 Americans who lost their lives during the surprise attack on Pearl Harbor on December 7, 1941.

We honor the resolve of the survivors and of those who responded valiantly to the attack.

We would also like to salute all the veterans who served and protected our nation during World War II.

We are thankful for their sacrifices.



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