

The Workers' Edge

Fall
2013

The Voice of the Tompkins County Workers' Center



TCWC Says Tompkins County Must Pay Hundreds of Contracted Workers A Living Wage

by A Tompkins County Contracted Worker

Editor's Note: Tompkins County is proud to hold sustainability as a community value. In addition to the environmental and development issues that typically come to mind, at the Tompkins County Workers' Center we believe that economic security is also a goal of sustainability. It is a community responsibility to ensure that our fellow citizens have the wages and resources necessary to be self-sufficient.

Our most visible campaign the past several months has been our work to ensure that all businesses and organizations that contract with Tompkins County or receive economic development assistance from the County, are required to pay all of their workers at least a Living Wage. A Living Wage in Tompkins County is defined and updated by Alternatives Federal Credit Union every two years. Our present Living Wage in Tompkins is \$12.62/hour when health insurance is provided by the employer, and \$13.94 without insurance. Tompkins County is our largest Certified Living Wage Employer with over 750 workers.

We share the following account from an individual who is a Community Union Organizer with the Workers' Center who works for economic sustainability within our community. Since the author works in a County contracted job, we have guaranteed anonymity:

We need to increase the minimum wage to a living wage. You see, it is a daily struggle for me. Each day I fight for self-sufficiency and my independence. Many of us search for work that we can do, often taking wages under the table. I ask you to consider for a moment the moral, ethical, and legal dilemmas: As we apply for public assistance, we are asked how we get by? What have we been doing to provide for ourselves? Are we to lie, or tell the truth and be denied the claim of desperation? I am not suggesting a sense of entitlement. Rather, I am stating that there is a sense of burden. We need more than \$7.25 an hour to survive. This is a matter of social injustice and inequality.

I am one of the lucky ones. I

work 20 hours per week and earn \$9.00 per hour. I receive supplemental assistance to pay for my health care. And I am grateful, but I had to move to Seneca County where the cost of living is much less. It is not my intention to put down the organization that I work for. I am happy to be working for a non-profit agency in Tompkins County that provides valuable services to our community. They care for me and the other employees. I understand the funding difficulties and ongoing struggle to keep an organization afloat. I am faced with another dilemma: get a job that I loathe with more hours at a lower wage, or find the courage to fight for a higher

Continued on Page 6

Take Action!

Close to 850 people have already signed our petition. Please add your name if you haven't already signed. The petition says 'The Tompkins County Workers' Center is working to ensure that all businesses and organizations that contract with Tompkins County, or receive economic or community development assistance, are required to pay all of their workers at least a Living Wage, as defined and up-

dated by Alternatives Federal Credit Union every two years.

'By signing below, I attest to my strongly held belief that ALL workers employed by businesses sub-contracting with Tompkins County must receive at least a Living Wage. I affirm my willingness to pay a small increase in County taxes to subsidize local nonprofit

Continued on Page 6

Update on Our First Annual Giving Campaign

As readers of *The Workers' Edge* will know, we at the Workers' Center are right in the middle of our first-ever Annual Giving Campaign. This Campaign is designed to increase our grassroots financial support from our members and supporters, to help us transition to loyal local support from Ithaca's progressive community and see us through some Grant Cycles that have come to an end for us.

We are pleased to report that early indications of our campaign (from January 1, 2013 to present day) show a new level of support from all of you! We are at over \$37,000 in Individual Donations from local Supporters thus far, well on our

way to our goal this year of \$65,000.

We have also seen an uptick from those of you who have agreed to be Monthly Sustainers. In this special program, your donation would automatically be deducted each month from your credit card. If you're not a Monthly Sustainer yet and would like to be, please either contact the office at 607-269-0409 or visit our website at tcworkerscenter.org, click on the donate button and fill out the form. If you have a problem that comes up in doing this, please contact us and we'll facilitate this process for you.

Join with us, as has 2013 TCWC Annual Giving Campaign Chair, Carolyn Peterson,

Mayor of Ithaca, 2004-2011, who says, "I am pleased to be the Chairperson of the 2013 Annual Giving Campaign for the Tompkins County Workers' Center as it celebrates its 10th Anniversary in our community. When Mayor, I often worked with the TCWC and was impressed with the breadth of knowledge presented, the dedication to an issue or an individual, and the stalwart persistence needed to affect change. Whether the issue is low wages, unfair/unequal treatment, or bettering one's workplace, it is critical to secure another decade of community service and advocacy for our community workers."

The Workers Rights Hotline Report

Since the earliest days of TCWC, we have been known for our Workers Rights Hotline. Because our mission is to create a movement that empowers workers to stand together for a just workplace, we have never viewed the Hotline as merely a service. We see it as a tool: a thermometer, so to speak, of the climate of working life in Tompkins County and a way to meet workers struggling with job or economic justice related problems. If we see a trend in workplace problems (such as the growing practice of issuing pay via debit cards rather than paychecks) or receive multiple complaints about the same workplace, we know that a campaign will help many workers, not just an individual.

As an aside, our national partner Interfaith Worker Justice is designing a campaign against debit card pay systems as we speak. Let us know if you or a friend receive your pay this way.

In 2003, our first Hotline year, we received thirty calls; this year, current numbers indicate that we will receive over 400 calls.

Since January 2013, the most numerous questions or complaints we have had are termination (79 calls), and 49 calls each about

bullying/harassment and unpaid wages. This is a very typical reflection of our ten years of hotline calls. Sometimes, such as cases of unpaid wages, workers have very clear

cut rights: wage theft is illegal in NY. Wage theft is underpayment, not paying overtime, tip stealing or not receiving a paycheck at all; The Wage Theft Prevention Act, signed into law by Governor Patterson, criminalized wage theft. Terminations and bullying are harder to deal with

since in most instances, they are not illegal unless they cross over into discrimination or retaliation (such as for reporting OSHA violations or asking for a missed paycheck).

We have also received numerous calls about Unemployment denials or benefits (37); NYS Disability (13); Workers Compensation (15); Health & Safety issues, including threatened or actual violence on the job, and one sad call telling us that a worker had been killed on the



TCWC Organizes On Tax Abatements to Major Corporations and Developers

A Living Wage, Diversity in Hiring and Local Labor Should Be Requirements

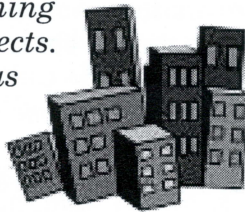
Letter to Ithaca City Council from 1st Ward Councilperson, Cynthia Brock

Editor's Note: As many of you will remember, the Tompkins County Workers' Center (TCWC) mobilized numerous people to speak out at Tompkins County Development Agency meetings in mid-March 2013 against the simplicity that major corporations have been granted in Ithaca and Tompkins County in obtaining multi-year tax abatements for their projects. In March, the case we spoke up about was the Hotel Ithaca project, a deluxe brand of the Marriott Hotels, on The Commons, just behind Madeline's Restaurant situated in a small space abutting Green Street.

Many of you will not know that the City of Ithaca smoothed the way to making tax subsidies to such corporations exceedingly easier in November 2012 through its CIITAP Program (Community Investment Incentive Tax Abatement). The City of Ithaca's prior program differs from the current program in two ways: not only did the CIIP (Community Investment Incentive Program) include a development's commitment to providing community benefits as a consideration in qualifying for a tax abatement, but it also required the endorsement of Common Council. Under the City's CIITAP Program, a developer need only show that the project fulfills three requirements: 1) an increase in assessable property value of \$500,000; 2) that the building be 3 stories or restore a current building; and 3) is located in the specified zone which targets downtown, West State/MLK Jr. Street, and the West End/Inlet Island areas.

It is the position of the TCWC that no corporation should get such multi-year tax abatements unless they can demonstrate that everyone involved with the proposed business project meet three criteria: 1) everyone involved with the building of the project, as well as those that will be working in the finished product, will be making a Living Wage as defined and updated by Alternatives Federal Credit Union every two years; 2) that the developers and the finished product will have a Diversity Hiring Plan in place; 3) that local labor will be utilized in a majority fashion in the building of the project.

The following is a letter that Ithaca City Councilperson, Cynthia Brock (1st Ward) sent to the City's Planning and Economic Development Committee in advance of its August 14th, 2013 meeting. The letter urges the City to reexamine the review and input process in place in the current CIITAP Program, and to consider the recent Hotel Ithaca project, and the community's demand for tax abatements to be tied to a developer's commitment to benefit the local community in terms of wages, equal opportunity and labor.



I requested this discussion [with the City of Ithaca's Planning and Economic Development Committee] following the URGO Hotel/Marriott Hotel process which was approved by TCAD in March 2013. To date, URGO/Marriott is the first and only project to utilize the CIITAP, after its adoption by Council in October 2012. I am grateful that Council will have this opportunity to review and comment on our impressions and experience with the CIITAP process prior to the Holiday Inn CIITAP application which, as I understand, is coming forward shortly.

I feel there are several shortcomings with the existing CIITAP process – namely:

- 1) the lack of opportunity to receive feedback from the developers to questions and concerns brought forward in the public hearing,
- 2) the lack of information made available to Council on the project application
- 3) without developer feedback, and without access to information contained in the developer's CIITAP application prior to the public hearing or approval by the City, there is a lack of opportunity to provide productive input of community interests and expectations at the initial stages of the negotiation process between TCAD and the developer. In the case of URGO/Marriott, I feel this resulted in community outcry, and feeling of frustration with the loss of transparency, accountability and oversight into public processes.

Continued on Page 9

Spotlight on Living Wage Employers

If Autumn Leaves Used Books Can Pay A Living Wage, Why Can't Barnes & Noble?

The Tompkins County Workers' Center (TCWC) recently spoke to one of our very first of 90 Certified Living Wage Employers, Joe Wetmore, who owns Autumn Leaves Used Books on The Commons in downtown Ithaca. We asked Wetmore a wide range of questions as to why he became a Living Wage Employer in an industry that typically pays people close to a minimum wage, at the bottom range of the scale.

TCWC: As one of our very first Certified Living Wage Employers, we at the TCWC want to know how you can afford to pay your workers a Living Wage considering that the multinational bookstores appear to not be able to afford it.

Joe Wetmore: I guess I want to answer the first question with a question, "If I don't pay my employees a living wage, who is going to make up the difference?" Well it is clear how large corporations like Wal-Mart answer that question, they hand out food-stamp applications to their employees. When Wal-Mart decides it can pay its employees less than it costs to live, it expects those of us who pay taxes to make up the difference. This amounts to a hidden subsidy by taxpayers to the large corporations.

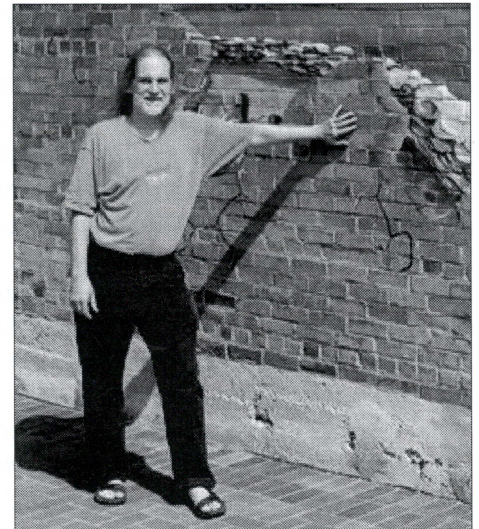
TCWC: Why do you think it is important to be Certified as a Living Wage Employer? What do you think of the program, in

general?

Joe Wetmore: I feel the certification program is important because it give the public a choice on how to spend their dollars to match their values. It is not easy for the public to look around and choose to shop based on the wages that the employers pays. This kind of information is normally private. But now the public has a tool to choose where to shop: do you want to buy a book from a big box retailer, that pays its employees less than it costs to live or the independent that pays a living wage?

[Editor's Note: The TCWC has struggled with the stickiness of our Living Wage Certification program, specifically as it relates to health insurance. Alternatives Federal Credit Union redefines the Living Wage in Tompkins County every two years. This year, the Living Wage is \$12.62/hour; the TCWC then figures out what it would cost an individual to purchase Healthy New York if they aren't provided with health insurance on the job; this year, the Living Wage without health insurance is \$13.94/. To make matters even more complicated, President Obama's program, the Affordable Care Act is about to kick in in January of 2014]

TCWC: Joe, can you speak briefly about the concerns that you have raised around health insurance as it relates to our program?



Joe Wetmore

Joe Wetmore: The issue of health insurance is the most difficult issue that the Living Wage Employer Task Force [the Workers' Center body that approves or denies potential Living Wage Employers] has had to grapple with. Everybody needs healthcare. Our political system is so corrupt that it cannot even consider the only sensible system: Single Payer. So that leaves us at the mercy of the insurance industry. Health insurance is ridiculously expensive for individuals to try to buy on their own. For small employers, the choice is not much better. Prices change drastically depending on how many employees you have. And larger employers have options, like allowing employees to opt out of insurance that a small employer, like myself, cannot

Hotline Report

Continued from Page 2

job (16); racial/ ethnic/ age/gender/domestic abuse victim/sexual orientation/pregnancy/prior offender discrimination (17). All of the previous categories are 'protected classes' in NY.

Here is a sample of some of the other calls we have received:

- I don't get a break and/or lunch. Or else, lunch hours are deducted from my salary but I can never take a lunch break. [There are no state-mandated breaks in NY although you are entitled to a half hour unpaid lunch break for a shift lasting six or more hours. Break/lunch deductions are illegal if you do not get a lunch break.]
- court ordered child support was deducted from my paychecks but not paid to the custodial parent. [referred to the NYS Attorney General.]
- Why are picketers on the corner of Seneca Street? [No idea: the strikers didn't tell us.]
- I am a local musician. A seasonal store on the Commons burned my CDs and is selling them.
- I was put on the schedule but when I came to work, I was sent home because of lack of work. [You must be paid three hours in this situation. This is called 'call-in pay.']
- Legally, how much notice must I give when I get a new job? [None.]
- Legally, how much notice must I get when I am terminated? [None.]

• Do I have the right to internet/telephone/computer/Facebook Privacy? [Not if you use them on the job or with employer owned equipment. The National Labor Relations Board has ruled in favor of an employee terminated due to a Facebook post. Locally people have been terminated for Facebook posts. This is a new aspect of labor law that will have to be decided in court.]

• Is it legal for 7 year olds to work in exchange for lessons?

• I made a mistake at work/lost my T-shirt and it was deducted from my paycheck. Legal? [No.]

• I was written up or fired for being out sick even though I have a doctor's note. Is that legal? [Yes, there are no guaranteed sick days in NY.]

• My boss is forcing me out. (9 calls)

• My boss lied about me/gave me a false reference. (6)

• My hours have been decreased; I can't live on this pay.

• I make \$10.88 an hour teaching skiing yet even when I work sixty hours a week, I don't get overtime. Is that legal? [The US DOL makes most rules regarding seasonal employees. They state that seasonal workers do NOT have to be paid overtime. NY says that seasonal workers must make 1 1/2 times minimum wage for work over forty hours per week, or \$10.88. Therefore, you are not entitled to overtime.]

The Hotline is our guide to understanding the day to day struggles of the average local worker so that our work creates the change we want to see in the world.

Has your job made you sick? Occupational Health Clinical Center can Help!

- Are your symptoms work-related?
- Have you been exposed to substances on the job that might make a person sick?
- Have you recently left a job (through retirement, lay-off, job elimination, termination, etc.) that caused your symptoms?

Call to Find Out How We Can Help You...

Occupational Health Clinical Centers are staffed by a team of health professionals actively working to support worker health and safety in 26 counties in New York. Occupational illnesses and diseases are highly preventable, and we can help.

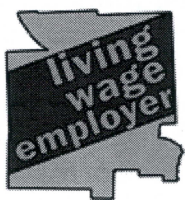
As a medical specialty practice, we focus on Medical Services including medical and occupational history; physical exam and diagnostic testing, referral, and social work services

Prevention of Occupational Illness and Disease, including screening and monitoring; education in workplace hazard recognition; ergonomic and workplace safety assessment; data collection; public policy advocacy Worker/patient empowerment, including risk mapping, workers' rights to health and safety at the workplace; navigating the Workers' Compensation system; support groups and popular education related to the impact of worker health on public health.

Convenient locations in Binghamton, Syracuse and Canton

Call OHCC at 315-432-8899 or toll-free at 1-800-432-9590
9 a.m. to 4:30 p.m. Monday-Friday

Support our 90 Certified Living Wage Businesses!



Together these businesses employ over 2,476 workers.
Thank you, local business, for taking a stand!

**We welcome our newest certified Living Wage employers:
Finger Lakes Naturals, Friendship Donations,
Silk Oak/IthacaMade and Ithaca Teachers Association**

Advocacy Center
Aigen Financial Group
Alcohol & Drug Council of
Tompkins County
Alternatives Federal Credit
Union
Ancient Wisdom Produc-
tions
ASI Renovations
Autumn Leaves Used
Books
Black Box Computing Con-
sulting
Blue Spruce Painting
& Decorating
The Bookery
Boyce Thompson Institute
Bridges Cornell Heights
Buffalo Street Books
Catholic Charities
CFCU Community Credit
Union
Colonial Veterinary Hospital
Community Dispute Reso-
lution Center
Community Foundation of
Tompkins County
Community Science Insti-
tute
Contemporary Trends, Inc.
Cornell Child Care Center
Day Care & Child Develop-
ment Council of Tompkins
County
Downtown Ithaca Alliance
Energy Tec
Family & Children's Services
Finger Lakes Naturals
Finger Lakes ReUse
First Baptist Church of
Ithaca
First Congregational

Church of Ithaca, United
Church of Christ
First Presbyterian Church
First Unitarian Society of
Ithaca
The Frame Shop
Friendship Donations Net-
work
Gadabout
GreenStar Coop. Market
Home Green Home
Hospicare and Palliative
Care
Human Services Coalition
of Tompkins County
International Food Network
Ithaca Carshare
Ithaca Cayuga Optical
Services
Ithaca Health Alliance
IthacaMed
Ithaca Neighborhood Hous-
ing Services
Ithaca Teachers
Association
Ithaca Urban Renewal
Agency
Jewel Box
Jillian's Drawers
Loaves and Fishes
McNeil Music Of Ithaca
Mama Goose/Mimi's Attic
Michael May Construction
Multicultural Resource
Center
The New Roots Charter
School
Northeast Pediatrics and
Adolescent Medicine
Nutritional Wellness Center
Opportunities, Alternatives
and Resources (OAR)

Ongweoweh Corporation
PPM Homes, LLC
Red Feet Wine Market &
Spirit Provisions
Renovus Energy Inc.
Segal & Sorensen
Shade Tree Auto
Shaw & Murphy
Significant Elements
Silk Oak/IthacaMade
Single Brook Technology
Snug Planet LLC
Sparks Electric
Sprague & Janowsky
St. Catherine of Sienna
Church
St. John's Church
St. Luke Lutheran Church
Stone Quarry House, B&B
Strebel Planning Group
Sunbeam Candles
Sunny Brook Builders
Sustainable Tompkins
Taitem Engineering
Taughannock Aviation Corp
Temple Beth El
Ten Thousand Villages
Three Tier Consulting
Tompkins Community Action
Tompkins County
Tompkins County Public
Library
Town of Ithaca
TRC Energy Services
(Ithaca)
United Auto Workers Local
Upscale Remodeling
Corporation

Tax Abatements

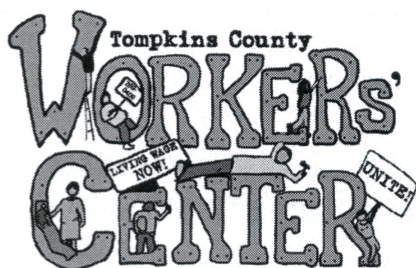
Continued from 3

While the CIITAP program is designed to incentivize development in the urban core, residents, community members and elected officials have questioned the CIITAP and how it does little to ensure that every day residents and workers of the city and county will see any

benefit from the over \$4.6 million in tax abatements received by URGO/Marriott Hotels, in terms of quality jobs, equitable employment opportunities, or environmental commitment, while conversely guaranteeing the project developers a 20% return on investment.

With the URGO/Marriott project, it should be noted that the various taxing entities will lose the following amounts of money as a result of this tax

abatement from this project: Tompkins County: \$728,000 (property and mortgage recording tax), the City at \$1,300,859, the school district at \$1,686,084, and sales tax abatements of \$892,000 over ten years. It is also estimated that as a result of this project, municipalities will receive \$3,412,460 in new taxes (\$630,056 County; \$1,211,779 City; and \$1,570,625 school) over ten years.



tcworkerscenter.org
607-269-0409

Are you a member of the Tompkins County Workers' Center?

**I Want to Get Involved in the
Fight for Workers' Rights!**

\$_____ individual Annual Membership

Due=One Hour's wage or \$7.25 if not working

During the next year, **I'LL BE THERE** at least five times for someone else's fight, as well as my own. Contact me with Rapid Response Alerts.

signature

Your name (please print)

Home street address

city

state

zip

phone(s)

email

Send to: TCWorkers' Center, 115 The Commons / E.MLK Street, Ithaca NY 14850

You'll receive a laminated card in the mail or at a meeting. Great to have you with us!

**is a member of the Tompkins County
Workers' Center (TCWC)**

During the next year, **I'LL BE THERE** at least five times for someone else's fight, as well as my own. If enough of us are there, we'll all start winning.

TC Workers' Center, 115 The Commons
Ithaca 607-269-0409 www.TCWorkersCenter.org

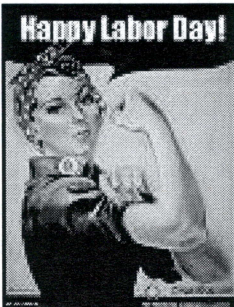
I'll be There...

...standing up for our rights as working people to a decent standard of living

...organizing working families to take strong action to secure better economic future for all of us

...fighting for secure family-wage jobs in the face of corporate attacks on working people and our communities

...supporting the right of all workers to organize and bargain collectively in the workplace.



Labor Day Picnic

Monday September 2, 2013

11am-3pm

Stewart Park, Ithaca, Large Pavillon

Free Hotdogs, Burgers, Veggie Burgers and Soft Drinks!

Free Music featuring Richie Stearns and Evil City Stringband!

Awards Ceremony: Friend of Labor, Goat of Labor, Mother Jones & Joe Hill Awards

Everyone is welcome!

Bring a Side Dish to Share if you can

**cosponsored by Tompkins County Workers' Center and the Midstate Central Labor Council
Volunteer Opportunities Abound! Give us a call if you'd like to help out! 607-269-0409**

Questions? Try the Workers' Rights Hotline! 607 269-0409

TC Workers' Center

**115 The Commons / E. ML King Street
Ithaca NY 14850**

TCWorkersCenter.org

RETURN SERVICE REQUESTED

