

Will Freeze Out Union Workers

PlaNYC Unfriendly to Labor

By **WALTER McCAFFREY**

Is labor about to become a melting arctic iceberg in the environmental initiatives proposed in PlaNYC?



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As The Chief-Leader reported recently, "Unions that have championed Mayor Bloomberg's multi-billion dollar plan to make the city's infrastructure more environmentally friendly are struggling to get a commitment from the administration that it will not rely on non-union labor for the massive 25-year project."

Tip of the Iceberg

Labor beware - that is just the tip of the iceberg. PlaNYC completely ignores prevailing wage and no-contest provisions, seeks a waiver of "Buy America" provisions for all system procurement, and plans the privatization of the design and related consulting contracts involved with the construction and operation of the congestion tax infrastructure. While the focus has been on traffic mitigation and revenue raising, these troubling aspects of the plan receive almost no public attention and leave labor all too vulnerable in the future.

At the outset, we wish to make clear that the RFP fails to require prevailing wage and "no-contest" (of worker organizing) provisions which protect workers in major development and public works projects.

In addition, the city plans seek a "Buy America" waiver for congestion pricing technology procurement. [source: Urban Partnership Agreement Application (June 22, 2007)] This represents a significant expenditure to spend abroad. This may also allow an end run around the use of trade union workers in the installation of the technology. It also is anti-American worker and a disinvestment in the American economy.

Planned Privatization

Finally, the city proposes to privatize the construction and operation of the congestion pricing system: "The City will request authority from the State Legislature to engage a private vendor in a Design-Build-Operate-Maintain (DBOM) contract to deliver the pricing infrastructure and operate the system." [Source: Variable Pricing Program document.] The city clearly intends for a private build and operation of the congestion pricing system: "Should the City's plan or similar pricing plan be approved, the City anticipates contracting, with one entity to design, build, operate and maintain the program."

In fact, privatization represents an anti-labor measure that allows its proponents' contractors to avoid hiring skilled and professional workers in trade unions to line their pockets. Even if they were to hire members from the building trades, the labor movement must recognize how the scheme further diminishes the use of labor members working in government agencies capable of scoping and design and supervision of any construction.

Public-employee unions are at risk of falling into the same dangerous arctic waters as the private unions have in major city-backed developments such as the Atlantic Yards, Gowanus Canal Redevelopment, Jamaica and Bushwick projects. Major development projects should remain in-house. That is what is best to keep New York's work force from freezing over.

Diverse Group

Keep NYC Congestion Tax Free represents a diverse coalition of civic, business and labor organizations and businesses throughout New York City. Our members oppose the \$8 fee (\$21 for trucks) the Mayor proposes to impose on drivers entering Manhattan below 86th Street, and consider the scheme a regressive tax on low-income working people and retirees. Many supporters and coalition members propose alternatives to the congestion tax that better address traffic issues in our entire city and provide new sources to support mass transit. To look at alternatives proposed by Keep NYC Congestion Tax Free and others that reduce traffic congestion more effectively and fairly and also raise much more revenue for transit projects visit www.KeepNYCFree.com.