

# City, Labor Leaders Point to Battles They're Fighting and Those to Come

By DAN ROSENBLUM | Posted: Monday, November 2, 2015 5:45 pm

Sitting in front of an audience of lawyers, Michael Mulgrew last week asked Alan Klinger, a partner at labor-law firm Stroock & Stroock & Lavan, what separated New York from New Jersey—where pensions have been underfunded nearly every year for two decades—and California and Illinois.

“Alan, what would we have done here in New York if the Mayor chose not to put in his side of the funding that was part of the deal?” he said. “I’d call you up, hand you a check and you’d go sue ’em. In other states, they pass laws at the state level that say, ‘Oh, we don’t have to make our payment’ and then, oh, lo and behold, the pension fund’s underfunded because the state government didn’t pay its share.”

## Eyeing Labor's Future

They were speaking Oct. 27 at a panel discussion hosted by the firm on the future of New York’s labor movement, which also featured Teamsters 237 President Greg Floyd, Municipal Labor Committee President Harry Nespoli and AFL-CIO New York City Central Labor Council President Vincent Alvarez. Dozens of members of the firm, as well as former City Comptroller John Liu, watched the hour-long discussion.

Civilian civil-service unions are on much friendlier terms with Mayor de Blasio than with his predecessor, Michael Bloomberg, and there have been successes in gathering new members and setting the political agenda. Still, some of those who spoke cited static from City Hall, legal challenges and public opinion.

Responding to a question about perceptions that defined-benefit pensions were a too-generous vestige from when cities could afford them, the union leaders said they were owed to government workers who accepted lower wages in return and were subject to public scrutiny. Issues arose, Mr. Alvarez said, when governments failed to uphold their end of the bargain. “They were primarily



## State of the Unions

STATE OF THE UNIONS: Central Labor Council President Vincent Alvarez, at left, and Teamsters Local 237 President Greg Floyd discuss how unions have set the agenda on wealth inequality and helped attract more members in New York. Still, the panelists said they were battling negative media coverage, particularly when it came to defined-benefit pensions.

issues of funding, not issues of either the structure of the plan or of anything that the workers did wrong,” he said.

### **‘Looked to Destroy Us’**

Mr. Nespoli, who is also the head of the Uniformed Sanitationmen’s Association, said in its final years, the Bloomberg administration was about “taking on the unions and looking to destroy the unions” and that the most-recent contract with the de Blasio administration, which gave his members 11-percent raises over 10 years, was less than the cost of living, and saved the city “an enormous amount of money” in health-care savings and other adjustments.

“Now we have another round coming up in three years,” he said. “Do you think that the city will turn around and say, ‘Well you know what? They really helped us out. They really turned around and helped us out last time, so let’s give them at least the cost of living’? Because it’s not going to be like that.”

A reason that organized labor in New York has survived, according to Mr. Nespoli, is because “we’re very close” and the labor leaders reach out to each other. “New York, we’re the Last of the Mohicans,” he said. “You look throughout that country and what they did to unions, it’s a disgrace what they did to the middle class.”

Mr. Mulgrew said coalition-building, especially when his union was quarreling with Mr. Bloomberg, was also a major contributor.

### **Agency-Shop Case Looms**

The U.S. Supreme Court is considering a case, *Friedrichs v. California Teachers Association*, that could overturn agency “fair-share” fees—known as agency-shop fees in New York—that mandate employees pay the equivalent of dues even if they choose not to join the union that bargains for them. A ruling is expected early next summer. The panelists said the lawsuit was intended to strip unions of their financial power.

“It’s not the 10 Teachers from California who are paying the bill,” Mr. Mulgrew said of the plaintiffs. He said it wasn’t fair to compare unions’ political spending with that of corporate donors. “Yeah, but that group was four people, with me it’s 150,000 people giving \$5 a month. That’s how we fund our stuff and they’re going to the heart of that.”

“They’ll go down in history as being on the wrong side, and if they’re successful, they would change the face of this country for the rest of our existence,” Mr. Floyd said. “And the middle class will then begin to disappear.”

Mr. Alvarez said there had been some successes organizing members: The Transport Workers

Union reached a contract with CitiBike workers, and media outlets such as Gawker, Salon and Vice have voted to unionize. But he later said the unions were hurt by costs from fighting court challenges, contract negotiations and countering negative publicity. “We spend so much time and effort to get our story out in the papers because they don’t want to publish it,” he said.

### **‘Mainstream Media a Joke’**

The UFT president said that his union was moving toward social-media strategies as traditional media showed a waning influence and seemed less eager to cover labor issues. “People just laugh at the mainstream media now,” he said. “I mean, it’s just a joke. Everyone knows it’s a joke; everyone knows it’s a game.”

Mr. Floyd and Mr. Mulgrew said that it was the unions’ push that got wealth inequality and affordable housing on the agenda of all levels of government. “Ten years ago we were screaming about income disparity and everybody thought we were a bunch of commies just trying to get our contracts,” the UFT President said. “Now, it’s on every politician’s lips. Everybody talks about income disparity; it’s the great crisis.”