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Razzle Dazzle

Disturbed by de Blasio, Local 237 Head Abstains

By RICHARD STEIER Oct 23, 2017 Updated 15 hrs ago



LETTING MAYOR WIN WITHOUT HIM: Teamsters Local 237 President Greg Floyd has decided to stay neutral in the mayoral election, convinced Bill de Blasio will coast to a second term but displeased by his stances on numerous key issues and he calls an unseemly focus on future ambitions rather than fixing what ails the city. 'I can't look at you or anyone else and this man is gonna make us proud,' he remarked.

The Chief-Leader/Michel Friang

Nine months ago, Teamsters Local 237 President Greg Floyd set himself apart from his fellow

civilian-employee union leaders by not delivering an early endorsement of Mayor de Blasio's re-election and not sounding like it was just a matter of time before he'd board the bandwagon.

"I don't think he's a bad guy," he said of the Mayor, with whom he'd clashed on matters including school security, police staffing at the Housing Authority and his handling of the growing number of homeless people. "I think he's a bad manager."

Nonetheless, he hadn't ruled out backing another term for Mr. de Blasio, though he said any step in that direction would not occur until after then-ongoing investigations involving mayoral fund-raising were completed by both the Manhattan District Attorney's Office and the U.S. Attorney's Office in Manhattan.

Six weeks after he made those remarks, Manhattan DA Cy Vance and Acting U.S. Attorney Joon H. Kim departed from custom by publicly disclosing that they were not going to bring criminal charges against the Mayor or any of his aides, although each indicated that it wasn't because they were convinced no ethical lines had been crossed. Mr. Vance said in a letter that while the Campaign Finance Law hadn't been violated, its spirit and intent had been stepped on a bit, and Mr. Kim implied that his decision would have been different except for a U.S. Supreme Court ruling last year that made it more difficult to win public-corruption cases if an elected official had not engaged in a clear quid pro quo.

Cleared Out Stiffest Competition

Their statements were damning enough to give the Mayor a few bad moments while scanning the editorial pages, but gave him enough daylight from legal trouble that potentially formidable challengers including Congressman Hakeem Jeffries and City Comptroller Scott Stringer quickly made clear they would not be jumping into the race.

That wasn't good enough for Mr. Floyd to bow to political reality and position himself with a man who figured to have significant impact on the 24,000 members he represents, he said in an Oct. 17 interview. Contrary to the Mayor's claim during a Democratic primary debate that he had been found "innocent" by prosecutors, "They just said they didn't think they could get a guilty verdict," the union leader remarked. "That's not a glowing endorsement."

Based on both their reports and subsequent news stories about the Mayor's intervention on behalf of major campaign contributors, Mr. Floyd continued, "It sounded to me like there was no one who gave him money that he didn't look to do something for." Conversely, he pointed to the fate of Ricardo Morales, a Deputy Commissioner for Asset Management at the Department of

Administrative Services, whom he had dealt with earlier in the decade when he was a top official at the Housing Authority, who was involved in two controversial cases that embarrassed the administration.

One was the sale of Rivington House that involved the lifting of two deed restrictions that permitted the longtime AIDS hospice to be converted into luxury housing, the other DCAS's dealings with a big mayoral contributor named Harendra Singh, who was trying to negotiate downward the \$747,000 in back rent he owed on Water's Edge, a Long Island City restaurant with riverfront views of Manhattan.

Honesty Not a Virtue?

Mr. Morales filed a lawsuit in July claiming he was fired in February for cooperating with Federal prosecutors looking into Mr. Singh's business dealings. He said that the businessman had sought to reduce his rent obligation by invoking his status as a key campaign donor for the Mayor, and that Mr. Morales looked to steer the conversation away from the political connection. Eventually, according to a lawyer for his former boss, ex-DCAS Commissioner Stacey Cumberbatch—who was the administration's point person on the Rivington House transaction—after complaints by a lobbyist for Mr. Singh that Mr. Morales was not giving him a big-enough break on the back rent, responsibility for the city's end of the negotiations was transferred to Emma Wolfe, the Mayor's chief lobbyist, who had also played key roles in the fund-raising activities that drew the attention of both the Manhattan DA and the U.S. Attorney.

Mr. Floyd said the Morales firing added to the unease he felt about Mr. de Blasio, even as it grew increasingly likely that he would win re-election handily.

Asked if he hadn't considered giving Local 237's backing to the Mayor despite those qualms based on political pragmatism, he said that had he done so, "then I would be a hypocrite. I can't look at you or anyone else and say, 'this man is gonna make us proud.'"

And so rather than falling in behind fellow civilian-union leaders, Mr. Floyd aligned with the great majority of uniformed-union presidents who had decided to stay neutral in the contest.

Likes Albanese, But...

"There's not a candidate, with the exception of Sal Albanese, that I really like in this race," he explained. "Unfortunately, Sal has not gotten the recognition in this campaign that I think he should've gotten, or the financial support that he needed."

“The second thing,” he continued, “is that Mayor de Blasio has not asked me for his support,” though an unnamed campaign aide had solicited Mr. Floyd’s backing.

“He should not take my criticism as dislike, or having anything against him,” the union leader said. But he noted that reservations he expressed about the Mayor early in the year had ripened into reasons not to back him, however inevitable re-election may seem.

Foremost among those events that persuaded him was the fatal stabbing in late September of a 15-year-old boy at Urban Assembly School for Wildlife Conservation in The Bronx, and the wounding of his 16-year-old friend, by an 18-year-old classmate who said he was tired of being bullied. The school did not have metal detectors, although 81 percent of its Teachers in a survey last year had said they did not feel safe in the building.

It’s the Gangs, Stupid

Mr. Floyd, who represents School Safety Agents, has long questioned decisions by the de Blasio administration to remove metal detectors based on complaints by the New York Civil Liberties Union that they create an oppressive atmosphere, and policies that have reduced suspensions and prompted the issuing of warning cards in their place. The NYCLU claimed suspensions were being disproportionately given to black and Latino students, but the union leader noted early this year that 70 percent of the SSAs are women of color, and argued that the numbers were attributable not to bias but to “the percentage of black and Hispanic children that belong to gangs.”

Metal detectors were installed the day after the killing at the Urban Assembly School, but the Mayor has brushed off criticism about his school-disciplinary policies, saying in an Oct. 10 debate that he trusted the judgment of the NYPD, which oversees school security.

“He said, ‘I have experience with the Police Department,’” Mr. Floyd said. “I have experience with children.”

Referring to the killing and the greater consciousness about students bringing weapons into schools—a steady trend over the past year, he continued, “Do I think this is the end of it? Not unless we take steps to do something about it.”

Keeping Parents in Dark

In February, he said one weakness of the warning-card policy was that parents weren’t notified

that they were issued, even in cases where students were carrying “seven bags of marijuana [or] knives.” That prevented the possibility of greater parental involvement with their children, including home discipline, from having an effect in curtailing problems, while also creating the illusion that schools were becoming safer even as NYPD weapons seizures rose.

As a parent, Mr. Floyd said, “I wanna know what my child does. Don’t make that decision for me” by not notifying those whose children misbehaved enough to get a warning card.

“The statistics say crime is down, but the violence is increasing,” he said. Referring to the NYCLU, he said, “He put those groups in charge of his school-climate change. They came up with a ridiculous document called ‘Security With Dignity.’

“You have a metal detector inside City Hall,” he continued. “You have metal detectors inside the Tweed Building” that is the Department of Education’s headquarters. “And yet you unilaterally say the children shouldn’t have to go through that. Except that they bring in their weapons” because they aren’t being checked.

He contended that the relaxing of disciplinary standards has had a spillover effect, with irate parents during the first month of school assaulting School Safety Agents on four occasions. “People tend to do more when they think the law is going to do less,” Mr. Floyd said. “So they take advantage.”

Questions School Gains

Mr. de Blasio in his campaign is touting improved graduation rates and incremental gains in student test scores, even as his opponents point out that close to 80 percent of the graduates from city high schools who go on to City University of New York colleges have needed remedial education, and questions have been raised about whether scores have gone up because the tests are less demanding than a few years ago.

Mr. Floyd is skeptical about the education improvements claimed by the city, explaining, “I don’t hear the parents praising him for those numbers, and I think they don’t believe him.” Part of his concern, he added, is tied to the rising number of homeless in the city, including 100,000 students attending public schools, thousands of whom must travel to another borough to continue at the schools they attended before their families had to relocate.

“When you have so many homeless students in our city, you can’t have children learning to their full capacity,” he said.

Early in Mr. de Blasio's tenure, the union leader had called for homeless families to be placed in vacant Housing Authority apartments rather than in shelters or hotels. Asked about arguments that this would allow them to jump the line on people on a waiting list for HA apartments, Mr. Floyd said, "Worst comes to worst, you place the individuals in the hotels rather than the children."

He gives Mr. de Blasio credit for working his way through the contract morass created by Michael Bloomberg's refusal during his last four years as Mayor to negotiate pay raises unless they were funded by union concessions, but only to a degree. "I'm not gonna criticize him on contracts, because when you haven't been able to get a contract and then you get one, there's no point in saying you should've gotten more," said Mr. Floyd regarding the seven-year pact he belatedly reached in May 2015 that will expire next March. But, he added, the fact that it provided only 10 percent in raises, failing to keep pace with the cost of living, left his members less than thrilled.

'Wow Factor' Missing

"They have their contract, but they haven't said, 'Wow, that's a good contract.' And the members in [the Housing Authority] are worried about the city selling" parcels of HA property to developers, something he said had begun at the Ocean Bay development in Far Rockaway with a public/private management partnership.

Mr. Floyd has had disagreements with Governor Cuomo, most notably over his attempt after the state allocated \$100 million to NYCHA to pay for needed repair work to control how and where the money was spent. But when asked about the feud between the Mayor and the Governor, he said Mr. de Blasio created the initial problem soon after he took office by pushing for a "Millionaires' Tax" to pay for his expanded pre-kindergarten program.

The union leader pointed out that at the time, the city had a budget surplus, and the state was doing well enough financially that Mr. Cuomo told the new Mayor that he and state legislators would fund a somewhat-more-modest expansion—roughly \$325 million rather than the \$500 million Mr. de Blasio anticipated would come from a special tax on wealthier city residents—using their own budget surplus.

Noting the reluctance elected officials have to raise taxes on any part of the electorate during an election year, which was the case in 2014 for Mr. Cuomo and the entire State Legislature, Mr. Floyd said of the Mayor, "He didn't take yes for an answer then, and he started a fight that I knew would lead to another fight, and it hasn't stopped since then. I don't wanna say we don't wanna tax the wealthy people, but you don't look to do that when you have a surplus."

Grounded by Grandeur

He said he believed Mr. de Blasio disregarded the political realities then because he was convinced that his landslide victory in 2013 gave him a mandate to pursue all his campaign promises, and that the bruising battle with Mr. Cuomo on the tax hike. That fight ended with the Mayor also forced to accommodate charter schools that he had been attempting to deny more space in public-school buildings. He said his failed effort to swing the State Senate back to a Democratic majority later that year, had not dissuaded him from larger ambitions.

One recent example of this backfiring, Mr. Floyd continued, occurred this summer, when after a Police Officer was murdered in The Bronx by an ex-convict with a history of mental illness, Mr. de Blasio went ahead with a planned trip to Germany at which he spoke at an anti-Trump rally. The Mayor and his aides justified it by noting that it also gave him a chance to visit with his son Dante, and that he had been at the hospital following the shooting of Officer Miosotis Familia and returned from Europe in time to speak at her funeral, but the Local 237 president agreed with his police-union colleagues that Mr. de Blasio should have canceled the trip out of respect for the slain officer and the NYPD.

“It wasn’t a New York City issue he was going to Germany for,” he said. “That was a [political] choice he made, and his son just happened to be there.”

A Time to Mourn

Mr. Floyd noted that early in his 10-year tenure heading his union, upon hearing that a School Safety Agent had died, “I left my daughter when we were singing ‘Happy Birthday’” to rush to Kings County Hospital to pay his respects and console other SSAs.

“That’s part of the job we were elected to do,” he continued. “The Police Department needed their leader to be with them at that time. And he’s a local official, not a national official.”

He said he believed Mr. de Blasio’s positioning himself, in campaign ads as well as public statements since last November’s election, as the city’s protector against President Trump had as much to do with his national ambitions as with being re-elected. Asked what he expected from a likely second term for the Mayor, Mr. Floyd said, “More trips to other cities, other countries, running for President, not paying attention to the details of the city. You can get away with being absent for a short period of time. You can’t do it forever.”

His neutrality in the Mayor’s race does not mean he won’t be fully engaged over the next couple

of weeks before the Nov. 7 vote. Mr. Floyd has been mobilizing union members as well as retirees, under the direction of Local 237 shop stewards, to defeat a ballot proposition that would create a Constitutional Convention that all public unions are strongly opposing. Their concern is that it could lead to a change in the state constitution that would end the guarantee that government employees' pension rights cannot be reduced once they join the retirement systems of the state, city and other localities.

Reaching Beyond Members

Unlike many union get-out-the-vote initiatives, "We're not gonna stop with our membership," Mr. Floyd said, outlining efforts to engage the general public, which a recent poll showed was slightly in favor of a Constitutional Convention.

Much of the momentum for a convention has been generated by discontent about how Albany has functioned over the past seven years. Mr. Cuomo's campaign pledge to clean up its operations have been blunted by his decision to shelve a plan to create an independent redistricting commission in favor of gaining the Legislature's approval of a less-generous pension tier for new workers; the indictment on corruption charges of several people with ties to him, including his former top aide, Joseph Percoco; and criminal convictions of numerous legislators, including the former heads of the State Senate and Assembly, although those were recently overturned due to a change in the law produced by a U.S. Supreme Court decision last year.

Mr. Floyd understands the anger over the culture in the state capital, but said dealing with it through a "ConCon" could wind up having drastic consequences in areas where changes shouldn't be made.

"It opens up New York State to doing away with laws that existed for years, and putting in new ones that nobody ever thought would be enacted," he said. Noting that concerns are broad enough to have drawn opposition that has transcended party and ideological lines, he added, "I would never have expected unions and the National Rifle Association to be together" in opposition. "People hear [a convention is] gonna stop corruption, and they buy the headline."

Agency-Fee Worries

If approved, the convention wouldn't actually be held until 2019. In the interim, there is another major threat to the viability of public-employee unions in the form of the Supreme Court's decision to hear an appeal of an Illinois case challenging the agency-shop requirement that those who choose not to become members of a union must still pay the equivalent of dues.

“I’m very concerned about it,” Mr. Floyd said. He contended that a 1977 decision by the high court in a Detroit case that upheld agency-shop requirements while compelling public-employee unions to grant rebates to nonmembers equivalent to the portion of their dues that would have funded political activities struck the right balance, but that the current case was being viewed along ideological lines.

“I knew that years of just supporting the Democratic Party would come back to haunt us. There are people on both sides of the aisle who we need to work with,” he said.

A California case brought against the Teachers union there on the same issue wound up in a deadlock last year at the Supreme Court following the death of Justice Antonin Scalia. President Trump’s appointment of Neil Gorsuch to fill the vacancy would seem to pave the way for an overturn of agency-fee rights, but Mr. Floyd holds out a slim hope that, just as Chief Justice John Roberts defied expectations by voting to uphold the Affordable Care Act a few years ago, he might change his vote from last year when confronted with the impact that overturning the 40-year-old precedent would have.

“It would be detrimental to the country and the economy,” he said, because a weakened public-employee movement if dues or their equivalent were no longer mandatory could not only depress wages in both the public and private sectors but also hurt the stock market, where public-sector unions are major institutional investors through their members’ pension funds.

Spoken Like a Capitalist

On principle, Mr. Floyd said, the court should realize that the current system was the fairest way to accommodate those who for political reasons didn’t want to be full members of their unions but were benefiting from the bargaining and grievance rights that they enjoyed. Sounding like a free-market capitalist, he said, “Nowhere in America could you advocate for something and not get paid for it.”

He will be up for re-election in September 2019. Mr. Floyd prior to the last mayoral election had entertained thoughts of expanding his political horizons but ultimately decided against making a run.

One reason, he said, was that he decided early in that campaign that then-City Comptroller Bill Thompson was worthy of his union’s support. The others were personal and remain relevant, he said: “I wasn’t going to move back into the city [to be eligible], and wasn’t going to leave the Teamsters and the labor movement at a time when we’re facing so many challenges.”