NEW YORK STATE | Built to Lead

Governor Andrew M. Cuomo's

Task Force to Combat Worker Exploitation

Empower Workers | Engage Industry Leaders | Transform Industries

2016 REPORT

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Message from the Governor

In July 2015, I launched the Exploited Workers Task Force, advancing our administration's mission to promote social and economic justice for all New Yorkers. Workers throughout New York deserve a fair chance at success. Yet many face barriers, including language access, lack of immigration status, and fear of retaliation, making them susceptible to workplace exploitation. Last year, I gave the Task Force a clear directive: identify and eliminate the exploitation of New Yorkers across the state. During its first year, the Task Force has done just that, providing assistance and information to more than 71,000 New Yorkers.

The Task Force will continue to be transformative, improving peoples' lives by promoting communication between employer and employee and cracking down on bad actors that seek to take advantage of vulnerable individuals. The Task Force helps workers and businesses understand their rights and responsibilities under the law by conducting extensive outreach, implementing new regulations, and stepping up enforcement.

This critical work began in the nail salon industry. By instituting and enforcing new rules and regulations, which govern the pay and health standards for nail salon workers, that industry has evolved. We have made it clear that worker abuse is not accepted in our state. Workers in this industry, mostly women and minorities, know that we will protect them, and employers know that we will hold them accountable.

In the nail salon industry and across many others, the Task Force is bringing to life the administration's vision of a New York in which work is always safe and dignified. The Task Force's efforts, as well as the state's new $15 minimum wage, honor New York's legacy as the birthplace of the U.S. labor movement.

From Staten Island to Buffalo, the Exploited Workers Task Force is having real, measurable impact. I encourage all New Yorkers to learn more about the Task Force by visiting its website, a mobile-friendly and multi-language resource, where workers, business owners, and the public can learn about their rights and responsibilities. Together, we can make sure New York remains the best state in the nation in which to live and work.

— Governor Andrew M. Cuomo

Executive Summary

Governor Andrew M. Cuomo launched the State's first Task Force to Combat Worker Exploitation ("Exploited Workers Task Force") in July 2015, expanding on the efforts of the Nail Salon Industry Enforcement Task Force. This historic initiative is charged with rooting out worker exploitation, with a focus on industries with the highest rates of employer noncompliance in New York.

Workers in these industries, most of them immigrants and low wage earners, often have dangerous jobs, work off the books, and are afraid to seek help for fear of retaliation. Frequently, they are victims of wage theft and are forced to work in unsafe or unsanitary conditions. They are subject to unstable or unscheduled hours, and have illegal deductions taken from their paychecks for supplies, training, or uniforms. To address worker exploitation and abuse, the Task Force took the following actions:

Enforcement

- Held six fact finding sessions around the state with more than 600 participants, including workers, advocates, and business owners, who testified about workplace abuse, challenges, and proposed solutions.
- Performed more than 1,500 investigations of more than 3,000 claims made by more than 7,700 workers. The investigations spanned more than 12 industries, including nail salons, farms, car washes, and restaurants.
- Assessed nearly $4 million in unpaid wages.
- Opened more than 200 retaliation investigations through the Anti-Retaliation Unit and assessed more than $350,000 in liquidated damages against employers who engaged in retaliatory actions against workers.
- Resolved 1,400 cases through the Department of Labor's Mediation Unit and other administrative mechanisms.
- Established an inter-agency data-sharing and referral system, increasing efficiency in field enforcement and investigation of workplace rights.
- Instituted joint training for investigators from enforcement agencies, increasing collaboration and efficiency in investigations and enforcement of workers' rights.

Outreach

- Reached more than 18,000 workers, businesses, advocates, and community members at more than 260 events around the state.
- Developed a comprehensive information campaign with printed material and video that reached more than 64,000 people.
- Launched two multilingual Task Force websites (Nail Salon Industry Enforcement Task Force and Exploited Workers Task Force) where visitors can find industry-specific information on workplace protections and submit questions or complaints.
- Established a multilingual hotline with non-standard business hours and the capacity to receive both questions and complaints, as well as make referrals to Task Force agencies.

The Task Force is composed of the following state agencies:

- **Department of State**
- **Department of Labor**
- **Department of Agriculture and Markets**
- **Division of Human Rights**
- **Department of Health**
- **Division of Criminal Justice Services**
- **Department of Taxation and Finance**
- **Office of Children and Family Services**
- **Office of Temporary and Disability Assistance**
- **Office of Faith-Based Community Development Services**
- **State Liquor Authority**
- **Workers' Compensation Board**
- **New York State Police**

Advisory Committee:

The Governor also appointed an Advisory Committee made up of a diverse group of individuals from across the state, representing various industries and perspectives:

- **Stuart Appelbaum,** Retail, Wholesale and Department Store Union
- **Esta Bigler,** Cornell University School of Industrial and Labor Relations
- **Steve Choi,** New York Immigration Coalition
- **Anne Erickson,** Empire Justice Center
- **Héctor Figueroa,** 32BJ SEIU
- **George Gresham,** 1199SEIU
- **Gary LaBarbera,** Building and Construction Trades Council of Greater New York
- **Donna Lieberman,** New York Civil Liberties Union
- **Dean Norton,** Farm Bureau
- **Lewis O. Papenfuse,** Worker Justice Center of New York
- **Ted Potrikus,** Retail Council of New York State
- **Javier Valdés and Deborah Axt,** Make the Road New York
- **Peter Ward,** New York Hotel Trades Council
- **Danny Wegman,** Wegmans
- **Kathryn Wylde,** Partnership for New York City

The Exploited Worker

Worker exploitation runs rampant in many industries and can affect people of any gender, race, national origin, sexual orientation, or other vulnerable characteristic. Anyone can be an exploited worker. The Task Force was formed to combat the often misconstrued but serious and broad-ranging epidemic of worker exploitation. While an exploited worker does not fit any one singular mold or profile, several common factors exist to guide the Task Force in identifying vulnerable individuals. For example:

- Positions with little to no job security, low wages, and unpredictable work schedules,[1] common in industries such as retail, car wash, and home healthcare workers;
- Lower paid or less desirable jobs filled disproportionately by immigrants or workers of color,[2] common in industries such as restaurant and home childcare;
- Industries with hazardous workplace conditions with high fatality or traumatic injury rates,[3] common in industries such as construction, landscaping and agriculture;
- Workers facing widespread labor standards violations, such as wage underpayments, overtime violations, improper recordkeeping, and retaliation,[4] common in industries such as car wash and domestic work; and
- Intense exposure to toxic chemicals and harmful substances without proper personal protective equipment,[5] common in industries such as nail salon, laundry and dry cleaning.

These are only some of the many common indicators of worker exploitation addressed by the Task Force. Helping vulnerable workers begins with identifying key issues, enforcing the laws, and increasing outreach efforts, but does not end there.

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[1] UNI Global Union. Global Retail Report. Retrieved July 19, 2016 from http://blogs.uniglobalunion.org/commerce/wp-content/uploads/sites/7/2013/10/Global-Retail-Report-EN.pdf; WASH New York. The Dirty Business of Cleaning NYC's Cars: Carwash Workers Face Low Pay, Offensive Conditions, and Poor Treatment. Retrieved July 19, 2016 from http://beta.washnewyork.org/files/car-wash-report.pdf; and Upholding National Employment Law Project. Labor Standards in Home Care: How to Build Employer Accountability Into America's Fastest-Growing Jobs. Retrieved July 19, 2016 from http://www.nelp.org/content/uploads/Report-Upholding-Labor-Standards-Home-Care-Employer-Accountability.pdf.

[2] Annette Bernhardt, Siobhan McGrath and James DeFilippis. Brennan Center for Justice Report: Unregulated Work in the Global City. Retrieved July 19, 2016 from https://www.brennancenter.org/sites/default/files/legacy/d/download_file_49436.pdf; and Economic Policy Institute. Child Care Workers Aren't Paid Enough to Make Ends Meet. Retrieved July 19, 2016 from http://www.epi.org/publication/child-care-workers-arent-paid-enough-to-make-ends-meet/.

[3] Public Health Report. An Intervention Effectiveness Study of Hazard Awareness Training in the Construction Building Trades. Retrieved July 19, 2016 from http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2708667/.

[4] NYC Public Advocate. Policy Brief: Protecting Car Wash Workers in New York City: The Rationale for the Car Wash Accountability Act. Retrieved July 19, 2016 from http://pubadvocate.nyc.gov/sites/advocate.nyc.gov/files/publicadvocate-car_wash_brief.pdf.

[5] New York City Public Advocate, Letitia James. Policy Report, How Safe is Your Nail Salon? Retrieved July 19, 2016 from http://pubadvocate.nyc.gov/sites/advocate.nyc.gov/files/publicadvocate-annualreport-nail_salon-1.pdf; and Annette Bernhardt, Siobhan McGrath and James DeFilippis. Brennan Center for Justice Report: Unregulated Work in the Global City Retrieved July 19, 2016 from https://www.brennancenter.org/sites/default/files/legacy/d/download_file_49436.pdf.

2015: In Action

Fact Finding Sessions

Beginning September 2015, Governor Cuomo hosted six statewide fact finding sessions attended by more than 600 participants. These sessions provided state agencies and the Advisory Committee with opportunities to hear from workers, businesses, and industry experts about workplace issues in New York.

In many cases, the fact finding sessions were the first instance where workers, businesses, and advocates shared their concerns together. The Task Force and the Advisory Committee heard from New Yorkers who did not receive proper wages, benefits, or protections. Many workers spoke of abuse, retaliation, or not knowing where to turn for help. The Task Force and the Advisory Committee also heard from business owners eager to receive information and affirm their dedication to comply with existing regulations.

Session 1 — **September 30, 2015** | *1199SEIU, Syracuse*

Session 2 — **October 14, 2015** | *Jacob Javits Center, New York City*

Session 3 — **November 12, 2015** | *Cornell University School of Industrial and Labor Relations, New York City*

Session 4/Tour — **November 23, 2015** | *Genesee Community College, Batavia*

Session 5 — **December 1, 2015** | *Community Resource Center, Mamaroneck*

Session 6 — **December 8, 2015** | *32BJ SEIU, New York City*

Session 1

September 30, 2015 | *1199SEIU, Syracuse*

Participants highlighted wage theft in the transportation industry, fear of retaliation, lack of information about workers' rights and the need for increased collaboration between agricultural employers and worker advocates. Participants also highlighted the problem of bullying in the workplace and exposure to pesticides.

Session 2

October 14, 2015 | *Jacob Javits Center, New York City*

Workers provided testimony highlighting sexual harassment in the restaurant industry, wage theft and lack of health and safety measures in janitorial and construction work, and fear of retaliation and lack of access to information in domestic work.

Session 3

November 12, 2015 | *Cornell University School of Industrial and Labor Relations, New York City*

The Task Force and the Advisory Committee heard about abuses in the car wash industry, including wage underpayments, lack of training and unprotected exposure to dangerous chemicals. Home health care workers spoke of issues such as the failure to receive minimum wage and overtime, required off-the-clock work, and meal period violations. In the retail sector, on-call scheduling, wage underpayments, and discrimination were most problematic. Participants also highlighted employers' misunderstanding or disregard for the law.

Session 4/Tour

November 23, 2015 | *Genesee Community College, Batavia*

The Task Force and the Advisory Committee toured a dairy farm and nursery school for children of farm workers. Later, the Task Force and the Advisory Committee met with farm owners who shared their experience in trying to comply with existing regulations. During the evening's fact finding session, farm workers highlighted issues of retaliation, lack of access to health care, and unsafe work conditions. The Task Force and the Committee also heard about shift issues in the home health care industry, including unpredictable and long work hours coupled with lack of meal breaks.

Session 5

December 1, 2015 | *Community Resource Center, Mamaroneck*

The Task Force and the Advisory Committee heard about wage theft, discrimination and safety concerns in the construction and landscaping industries. Restaurant workers and industry experts spoke of unsafe working conditions, wage theft, abuse and discrimination. The Task Force and the Advisory Committee also heard about how worker isolation can lead to abuse of domestic workers.

Session 6

December 8, 2015 | *32BJ SEIU, New York City*

The Task Force and the Advisory Committee heard from airport contract workers subjected to dangerous conditions and low wages. Transit and waste disposal workers discussed not receiving proper training and facing health and safety violations on the job. The Task Force and the Advisory Committee also heard from drivers in the for-hire vehicle industry who faced long work hours and low wages, in addition to a lack of benefits.

Enforcement

The Task Force investigated more than 3,000 claims, affecting more than 7,700 workers in 12 industries. The enforcement team brought together data from state agencies with regulatory and licensing authority over businesses and worksites, directing investigators and inspectors to assist employees where there was an indication of noncompliance with New York State laws. The violations found include unpaid wages, inadequate workers' compensation insurance, and retaliation against workers. The Task Force ordered employers in various industries, including nail salons, agriculture, and car washes, to pay nearly $4 million in unpaid wages and damages to workers.

Industry-Specific Efforts

NAIL SALONS

On May 11, 2015, Governor Cuomo announced a multi-agency taskforce to address exploitative conditions in the nail salon industry. The mandate of the Nail Salon Industry Enforcement Task Force was to propose measures to strengthen laws and regulations provide education and outreach to salon owners, employees and consumers, and ensure employers' compliance with New York State laws.

Nail Salon Industry Task Force

Since its launch, the Nail Salon Industry Enforcement Task Force has:

- **Investigated** more than 480 claims from workers;
- **Improved** the safety of workers by requiring workers' accessibility to personal protective equipment (masks/respirators, nitrile gloves and eye protection);
- **Developed** the Nail Salon Workers' Bill of Rights, which nail salons must post in a place visible to all employees and the public, in order to notify every worker in plain language of their rights to a legal wage and a safe working environment;
- **Launched** the Nail Trainee License Program to provide new opportunities for unlicensed nail practitioners to register with the state as trainees so that they may continue to work while studying for their licensing exam;
- **Established** new bond and insurance requirements for all nail salons as a condition of obtaining a license to cover the failure to pay legal wages and other general business liabilities; and
- **Mandated** businesses that receive a "cease and desist" hearing notice to post such notice, on the window of the establishment, to protect the public from unlicensed businesses.

The successes and lessons learned from the Nail Salon Industry Enforcement Task Force helped design key aspects of the Exploited Workers Task Force, primarily the coordination of efforts in field enforcement and community outreach.

MUST BE POSTED IN PLAIN VIEW

BILL OF RIGHTS
for
Nail Workers

These are your rights regardless of immigration status

Call For Information or Help:

(888) 469-7365

Minimum Wage:

You MUST be paid for EVERY hour you work including overtime, even if you are paid on "commission" or are not experienced:

	AT LEAST	AT LEAST
If you earn tips, you must make before tips:	**$6.80**/hour First 40 hours per week	**$11.30**/hour After 40 hours per week
If you do not earn tips, you must make:	**$9.00**/hour First 40 hours per week	**$13.50**/hour After 40 hours per week

Employers Should NEVER:

- Take your tips or wages
- Pay you less than minimum wage
- Make you pay for a job or training, as punishment or any other reason
- Deny you a meal break
- Deny your right to wear a mask and/or gloves
- Punish you in ANY way for complaining about your wages or working conditions

For Your Safety, Owners Must Provide to Workers:

- A respirator (special mask) for use when buffing/filing artificial nails or when using artificial nail powder
- Gloves for use when handling chemicals or waste, during cleanup, and when performing any service that could break a customer's skin
- Eye protection for use when preparing, transferring, or pouring chemicals

If you do not have a license, you should obtain a nail trainee license, which you can do for free. Please contact the hotline above to learn more.

New York State Nail Salon Industry Enforcement Task Force

6-15

RESTAURANTS

More than 40 percent of workers within the restaurant industry in New York State are foreign born.[6] Workers are often expected to fulfill multiple job responsibilities, without sufficient health and safety training.[7] Additionally, sexual harassment is prevalent among restaurant workers, and threats of retaliation.[8]

The Task Force opened 247 enforcement cases against restaurants throughout the state. Initial violations included wage theft, improper time records and payroll records, not providing pay stubs to employees, and occupational health and safety violations. Many restaurants were found to have no or inadequate insurance coverage for unemployment or workers' compensation, making it more difficult for injured or dismissed workers to obtain remedies entitled to them under the law.

AGRICULTURE

Reports indicate that the majority of agricultural workers are undocumented immigrants, who may hesitate to report violations due to fear of deportation and losing jobs.[9] Reports also show that agricultural workers often work long hours in an unsafe environment.[10] In addition to low wages, agricultural workers rarely have access to workers' compensation, occupational rehabilitation, or disability compensation benefits.[11]

The Task Force opened 491 enforcement and compliance cases in the agricultural industry throughout the state. Violations found included wage theft, sexual harassment, and failure to provide adequate housing. Additionally, many farmers were found to have not kept proper payroll and time records, and made illegal deductions from wages.

CAR WASHES

New York State has approximately 721 car wash establishments, with the largest concentration in New York City. According to in-depth interviews conducted by WASH New York, overwhelming majority of car washes were found in violation of minimum wage and overtime regulations, in addition to poor recordkeeping and falsifying employment documents.[12] Workers are exposed to harmful chemicals and substances from cleaning and degreasing products, and work in unsafe environments, which include unprotected machinery, electrical sources close to water and high-pressure hoses.[13]

Building upon past enforcement efforts, the Task Force opened an additional 38 enforcement cases against car wash companies throughout the state. Violations included wage theft, including failure to pay minimum wage, overtime, and employers taking employees' tips, or taking too much credit toward wages for tips that were not actually paid to employees. Many employers were also found to have no or inadequate insurance coverage for workers' compensation, often underreporting payroll numbers to evade paying the proper premium.

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[6] U.S. Census Bureau. 2014 American Community Survey: 1-Year Public Use Microdata Sample Estimates. Retrieved July 19, 2016 from http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t.

[7] Annette Bernhardt, Siobhan McGrath and James DeFilippis. Brennan Center for Justice Report: Unregulated Work in the Global City. Retrieved July 19, 2016 from https://www.brennancenter.org/sites/default/files/legacy/d/download_file_49436.pdf.

[8] The Restaurant Opportunities Center United & Forward Together. The Glass Floor, Sexual Harassment in the Restaurant Industry. Retrieved July 19, 2016 from http://rocunited.org/wp-content/uploads/2014/10/REPORT_The-Glass-Floor-Sexual-Harassment-in-the-Restaurant-Industry2.pdf.

[9] Farmworker Justice. U.S. Department of Labor Enforcement in Agriculture: More Must Be Done to Protect Farmworkers Despite Recent Improvements. Retrieved July 19, 2016 from https://www.farmworkerjustice.org/sites/default/files/FarmworkerJusticeDOLenforcementReport2015%20(1).pdf.

[10] National Center for Farmworker Health. Dairy Workers. Retrieved July 19, 2016 from http://www.ncfh.org/uploads/3/8/6/8/38685499/fs-dairyworkers.pdf.

[11] National Center for Farmworker Health. Facts About Farmworkers. Retrieved July 19, 2016 from http://www.ncfh.org/uploads/3/8/6/8/38685499/fs-facts_about_farmworkers.pdf.

[12] WASH New York. The Dirty Business of Cleaning NYC's Cars: Carwash Workers Face Low Pay, Offensive Conditions, and Poor Treatment. Retrieved July 19, 2016 from http://beta.washnewyork.org/files/car-wash-report.pdf.

[13] See WASH New York, supra note 6.

DOMESTIC WORKERS

A large percentage of domestic workers experienced "off-the-clock" violations (working before and/or after their shift without getting paid), in addition to not receiving the required meal breaks and overtime compensation.[14]

The Task Force launched targeted efforts focused on domestic workers. The Task Force reached more than 100 domestic workers through workshops and informational sessions in partnership with community-based organizations. Task Force's various efforts led to 68 domestic workers cases, many of them involving wage theft. Additionally, domestic employers were found to have not kept payroll and time records, made illegal deductions from wages, and not provided employees with a day of rest.

CONSTRUCTION, LANDSCAPING AND DAY LABORERS

Reports indicate that misclassification of workers is a serious problem in the construction industry, which can result in negative consequences for workers, employers and government as well as taxpayers.[15] In addition, the construction industry has one of the most hazardous workplaces.[16] Day laborers are also subject to labor standards violations, including wage theft and denial of meal or water breaks.[17] Day laborers also face a high possibility of getting injured at workplace, with one in five laborers suffering a work-related injury, and more than half of them unable to obtain medical care.[18]

The Task Force opened more than 440 enforcement cases in the construction, landscaping, and day laborer industries throughout the state. These workers raised claims of wage theft and being forced to perform jobs that had a high risk of injury. Task Force efforts included active partnerships with community-based organizations that helped reach workers in their communities to provide critical information about their rights and where to seek help. Additional efforts include the use of innovative techniques and technologies to generate a database of potentially unscrupulous employers. Many employers in these industries were found to have no or inadequate insurance coverage for workers' compensation, often underreporting payroll or misclassifying employees to evade paying the proper premium. Employers failed to pay wages for work performed, didn't pay overtime, and didn't keep records of time worked and wages paid, often a technique used to avoid paying proper wages.

OTHER INDUSTRIES

The Task Force conducted more than 120 additional investigations in other industries including dry cleaning and laundry, supermarkets, home health care, and retail. Employers in these industries were found to have no or inadequate insurance coverage for workers' compensation, often underreporting payroll to evade paying the proper premium. Employers owed wages for work performed, failed to pay overtime, didn't keep proper payroll and time records, and didn't provide meal periods to employees.

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[14] National Employment Law Project. Upholding Labor Standards in Home Care: How to Build Employer Accountability into America's Fastest-Growing Jobs. Retrieved July 19, 2016 from http://www.nelp.org/content/uploads/Report-Upholding-Labor-Standards-Home-Care-Employer-Accountability.pdf.

[15] Cornell University ILR School. The Cost of Worker Misclassification in New York State. Retrieved July 19, 2016 from http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1009&context=reports.

[16] Public Health Rep. An Intervention Effectiveness Study of Hazard Awareness Training in the Construction Building Trades. Retrieved July 19, 2016 from http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2708667/.

[17] Abel Valenzuela, Nik Theodore, Edwin Meléndez and Ana Gonzalez. On the Corner: Day Labor in the United States. Retrieved July 19, 2016 from http://portlandvoz.org/wp-content/uploads/images/2009/04/national-study.pdf?phpMyAdmin=tYpXiWlhU6y6sfBbX4R7xljPl3e.

[18] See Abel Valenzuela, Nik Theodore, Edwin Meléndez and Ana Gonzalez, supra note 11.

Enhanced Enforcement Initiatives

During the first year, the Task Force identified several barriers to effective enforcement, including workers' reluctance to come forward and seek help from agencies out of fear of retaliation; lack of case resolution alternatives in industries where the workplace and home-life are closely connected, such as domestic work and farming; and workers' inability to access investigators during non-business hours. As a result, the Task Force launched the following initiatives:

Anti-Retaliation Unit

The Anti-Retaliation Unit was launched in October 2015. The Unit aims to put an end to retaliation against workers who make complaints about wage theft, misclassification, or other rights protected by the Department of Labor. The Unit immediately engages an employer who faces an allegation of retaliation to provide the employer with an opportunity to correct the issue, obtaining real-time solutions. The Unit also investigates cases with other Task Force agencies to obtain redress for aggrieved workers. The Unit has initiated more than 200 investigations into retaliation claims in the restaurant, agriculture, janitorial, construction, transportation, retail, and commercial cleaning industries. The Unit has assessed more than $350,000 in liquidated damages to be paid to nearly 40 workers by employers found to have engaged in retaliatory actions.

Mediation Unit

The Mediation Unit was also launched in October 2015 to expand the Department of Labor's opportunities for employees and employers to reach fair and speedy resolution to conflicts regarding allegations of labor rights violations. Mediation takes place before or during an investigation and before formal notices are issued. This provides both sides with an opportunity to be heard, to be educated about the state's labor laws, and to resolve underlying issues in an expeditious manner. The Mediation Unit, along with other related resolution-oriented mechanisms, helped to resolve more than 1,400 cases.

Community Access Unit

The Community Access Unit has partnered with local service providers to meet workers within their own community and during flexible hours. The Unit provides information and takes complaints at locations convenient for workers and during flexible hours. Through these efforts, the Task Force is able to better reach workers who are otherwise unable to contact state agencies.

Outreach Efforts

The Task Force established outreach measures to promote the rights of workers, increase their access to information and services, and increase employer compliance. Efforts are multilingual and designed to better reach the needs of exploited workers and business owners.

Community Events

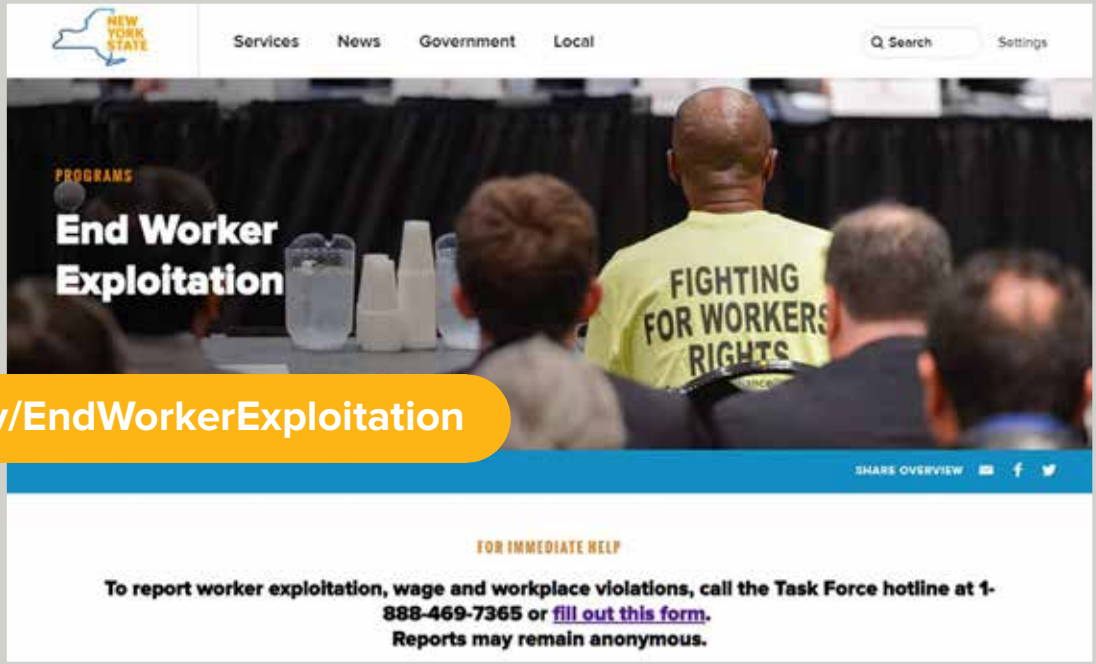
The Task Force participated in more than 260 events and meetings throughout the state, reaching more than 18,000 workers, advocates, and employers. Events included organization-sponsored workshops, community fairs, and employer seminars. Participation ensured that more New Yorkers knew their rights and understood their responsibilities.

Hotline

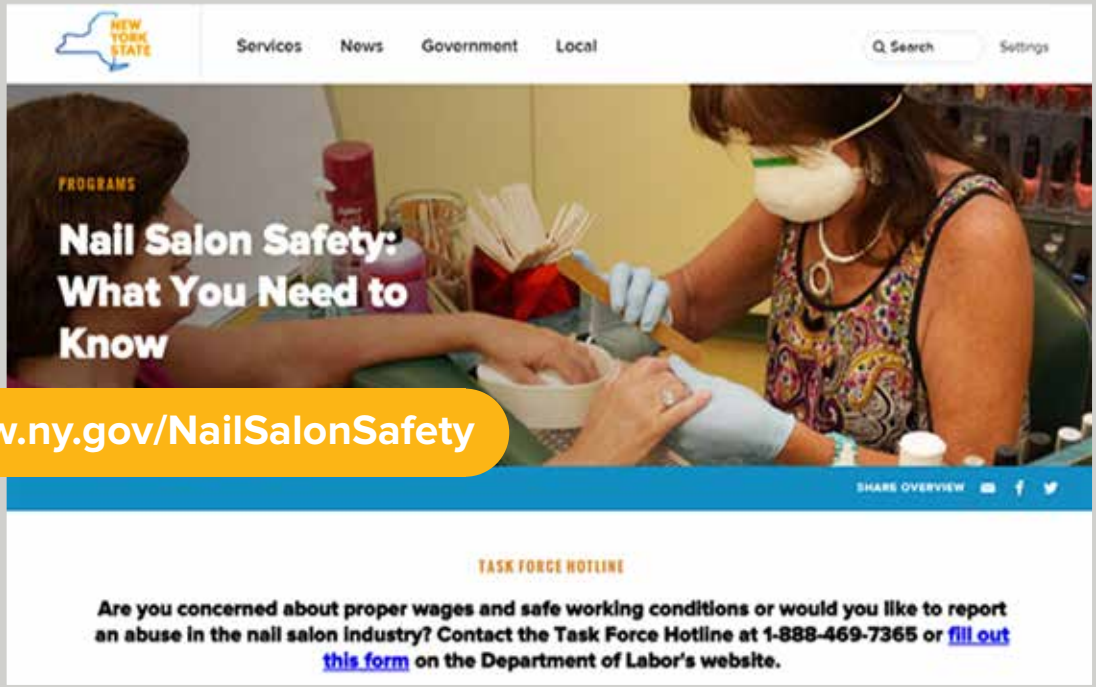
The Governor launched a hotline to continue increasing the number of avenues for workers to access information in order to understand their rights, for businesses to understand their responsibilities, and for consumers to be aware of key workplace issues. Hotline staff answer questions about proper wages, safe working conditions, and other issues related to the Nail Salon Industry Enforcement Task Force and the Exploited Workers Task Force. The hotline offers interpretation services and can reached by calling (888) 469-7365.

Websites

The Governor also launched two new mobile friendly websites to provide an additional avenue of communication with workers, employers, and the public. The websites provide visitors with information about the Nail Salon Industry Enforcement Task Force and the Exploited Workers Task Force. Through the websites, individuals can submit their questions, support the campaigns, and even file complaints.



www.ny.gov/EndWorkerExploitation



www.ny.gov/NailSalonSafety

Outreach Materials

The Nail Salon Industry Enforcement Task Force and the Exploited Workers Task Force developed various outreach materials, available in multiple languages, including English, Spanish, Chinese, Korean, Russian, French, Haitian-Creole, Italian, Polish, Vietnamese, Tagalog, Arabic, Burmese, Tibetan and Nepali. Materials are distributed at public events and can be viewed on the Task Force's website or requested by calling the hotline.

Together, the Nail Salon Industry Enforcement Task Force and the Exploited Workers Task Force have distributed materials to more than 64,000 individuals.

"Protecting Exploited Workers" Video

Workers throughout the State shared their stories with the Task Force for a video titled "Protecting Exploited Workers." The video was shown at fact finding sessions and is available online: **https://www.ny.gov/programs/end-worker-exploitation**

"Most of our friends, I can see we have reproductive health problems. Because of our job, we cannot establish our family life."

Pabitra Dash
Nail Salon Worker, Queens

"They don't care about us knowing about health and safety issues, OSHA issues, they don't care about it. Many of them just care about the work getting done, the work being complete in the same day if possible."

Jorge Palacios
Construction Worker, Queens

"People need to stop taking domestic workers for granted, because we are very, very vital to society. It's nice to know that somebody high up there is considering us very strongly and close to his heart."

Juliette Samuel
Housekeeper/Nanny, Bronx

"Everybody that's up in the morning and willing to work and work hard, they should get what they deserve. Not go to work and worry about getting hurt or it's something because you don't have the proper equipment or proper supplies to get you through the day safely."

Daniel Lugo
Fiberglass Installer, Farmingville

2016: Moving Forward

Wage theft and unsafe working conditions – particularly in industries in which workers may fear retaliation if they report exploitation – are significant concerns for the Task Force. These issues cause economic harm and threaten the health and safety of New York State's workers. Throughout 2015, the Task Force focused on the effective enforcement of labor standards. In 2016, the Task Force is expanding its efforts to ensure safe working conditions for New York's workforce and will continue the effective coordination of enforcement and outreach efforts. The Task Force also began implementing various initiatives based on lessons learned during the past year and recommendations received from the Advisory Committee. These initiatives aim to empower workers, engage industry leaders, and transform industries.

Empower Workers

The Task Force will continue efforts to empower workers by educating them about their rights and protections under the law, and enhance their access to state services and resources.

1. Enhance Existing Services to Improve the Health and Safety of Workers

Low-wage and exploited workers often believe they are helpless in defending themselves against workplace abuse, which often includes being forced to work in deplorable conditions that endanger their health and the community. The state will focus efforts on enhancing existing services provided by organizations that strategically engage workers who often do not seek help because of barriers, including fear of retaliation, language access needs, or lack of understanding about their rights.

2. Establish Statewide Outreach Campaign in Partnership with Community-Based Organizations

Low-wage and exploited workers are often isolated by long work hours and cultural and language barriers. In order to increase their access to information, the Task Force will partner with advocates, including community-based organizations, faith-based service providers, and occupational health clinics, to conduct educational events during non-traditional hours. The Task Force will hold informational sessions for workers on various topics, including workplace rights, health and safety regulations, and access to language interpretation and translation services. Information will be tailored to meet the regional and industry needs.

3. Expand the Community Access Unit

To continue to increase worker access, the Task Force will partner with the Office for New Americans' Opportunity Centers and community-based organizations. The Task Force will engage workers in their community, during hours when they are available. Task Force staff will hold informational sessions for workers at Opportunity Centers and community-based organizations, focusing on their workplace rights, taking complaints, and following up as necessary.

4. Establish a Process for State Agencies to Issue U Visa Certifications and T Visa Endorsements for Immigrant Victims of Crimes

New York State has more than 800,000 undocumented immigrants.[19] Many of them are workers who have been victimized, but are often afraid to seek help from law enforcement in fear of deportation. Congress created the U and T visas to strengthen the ability of law enforcement agencies to detect, investigate and prosecute crimes committed against undocumented immigrants, while simultaneously offering protection to the victims.[20] Qualifying crimes include rape, torture, human trafficking, domestic violence, sexual assault, witness tampering, obstruction of justice, perjury, and fraud in foreign labor contracting, among others.[21]

Executive Agencies, including the New York State Police, the Department of Labor, the Division of Human Rights, and the Office of Children and Family Services, will begin accepting requests for U Visa certifications and T Visa endorsements. These Visas provide undocumented immigrants who have been the victims of a serious crime with temporary legal status that allows them to continue cooperating with investigations and prosecutions. To ensure applicants have access to representation, agencies may refer victims in need of representation to Legal Counsels within the Office for New Americans.

5. Explore Regulations to Protect Workers from Retaliation for Filing Workers' Compensation Claims

Workers and advocates have expressed concern with the lack of clarity in the Workers' Compensation regulations that protect workers against retaliation. In order to clarify existing protections and ensure the effective enforcement of the law, the Workers' Compensation Board will explore new regulations that explain evidence of retaliation in employment discrimination cases, where an employee is fired for bringing a workers' compensation claim. These new regulations will provide clarity about the standard of proof and statement of evidence required to show a legitimate non-discriminatory reason for an adverse employment action.

[19] Migration Policy Institute. Profile of the Unauthorized Population: New York. Retrieved July 19, 2016 from http://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/NY.
[20] See Migration Policy Institute, supra note 13.
[21] See Migration Policy Institute, supra note 13.

Engage Industry Leaders

The Task Force will continue to actively engage business leaders to help educate businesses about their responsibilities and promote compliance with workplace regulations.

1. Enhance Services to Provide that Help Increase Compliance with Workplace Health and Safety and Decrease Costs to Businesses

Issues of workplace safety not only negatively impact workers, but also businesses, who may face higher insurance premiums and loss of productivity from injured workers. To help create safer industries, increase employer compliance, and decrease unnecessary costs to businesses, the state will explore enhancing services provided by organizations that help businesses prevent workplace injuries and reduce costs. Initiatives can include regulatory compliance workshops, hazard assessment checks, and corrective planning technical assistance.

2. Conduct Compliance Seminars for Employers Faced with Possible Penalties

Employers may receive violation notices and incur penalties for their failure to comply with state laws and regulations. In some instances, small business owners could have avoided such outcomes with better education and understanding of their workplace and employee responsibilities. To promote compliance, the Task Force will provide an opportunity for businesses facing labor standards violations to resolve the issue by attending a compliance workshop. The small-size workshops will be conducted in the language of the audience and will initially focus on the nail salon industry. The Task Force will endeavor to expand the program to include businesses in other industries.

3. Launch Business Outreach Campaign

Understanding industry specific regulations and requirements, can be a daunting task, even for the experienced and knowledgeable person. Businesses may not be aware of upcoming changes and new developments in the law, creating an information gap that could lead to drastic results and noncompliance. To continue promoting compliance, the Task Force will explore partnerships with business leaders to host informational seminars that promote compliance with workplace regulations under labor, workers' compensation, and other state laws. Seminars will highlight preventative measures and necessary steps to cure the most common violations.

4. Launch Webinars for Business Owners to Promote Compliance

For some employers, especially small business owners, taking a day or even a few hours off to attend an in-person class or event, can be very difficult and damaging to their business. Readily available Internet access makes electronic information sharing a feasible option to reach employers unable to take time off during busy business hours.

To ensure employers continue to have access to information and to promote compliance, the Task Force will launch webinars for business owners, available through its website. Webinars will enhance access to information and allow business owners and operators to learn about industry regulations on their own time, and at their own pace. The webinar will cover information, including wage and hour laws, health and safety regulations, and licensing requirements. Webinars will be initially geared to nail salon business owners and later expanded to include additional industries.

Transform Industries

The Task Force will continue engaging with industry and worker representatives in order to determine additional enforcement opportunities that will better ensure the protection of New York State's workforce.

1. Finalize Payroll Card Regulations to Guard Workers' Wages Against Predatory Practices

Payroll debit cards have become an increasingly popular method of wage payment in low-wage industries, including retail. The use of these cards carries a cost that unless properly regulated, may be improperly passed on to workers. The Department of Labor will finalize payroll card regulations to better manage how businesses pay workers with debit cards, in order to help protect low-income workers from predatory fees. The updated regulations will outline the responsibilities of businesses that use debit cards to pay workers, and prohibit employers from profiting from or passing along costs to the employee.

2. Explore Revising Call-In Pay Regulations to Compensate Workers Subject to On-Call Scheduling

Retail is generally considered a low-wage industry, where many workers have more than one job. On-call situations require open availability, which prevents workers from securing additional work hours at other jobs. In turn, this practice can negatively impact a worker's income. The Department of Labor will explore revising regulations to provide greater predictability and flexibility to hourly employees subject to on-call schedules, while considering the naturally fluctuating periods of demand faced by businesses.

3. Explore Implementing Enhanced Ventilation Standards in Nail Salons to Reduce Worker Exposure to Toxic Chemicals

Many of the products used by workers at nail salons include harsh chemicals with potential health concerns. In order to protect workers and consumers, the Department of State will explore enhanced ventilation standards for businesses offering nail specialty services. Research conducted by the Department of Health strongly supports these regulations, which aim to reduce worker exposure to harmful and offensive chemicals.

4. Prevent Fraudulent Practices and Predatory Fees at Employment Agencies

Predatory employment agencies exploit the unemployed or underemployed. To protect these workers, the Task Force will review proposals aimed at preventing fraud in employment agencies.

5. Ensure Licensed Home Care Services Agencies Comply with Wage Parity Laws

Home healthcare workers generally work in isolation and may not have easy access to information about their workplace rights. For workers, this type of environment invites opportunities for wage abuse and other violations of workplace rights. To help ensure that workers are protected, the Task Force will explore enhancing enforcement of wage standards in the home health care industry. Efforts may include amending contracts to require evidence of compliance with wage parity laws, engaging employers to communicate consequences of non-compliance, auditing employers, and enhancing penalties to ensure the rights of home healthcare workers are protected.

6. Enhance Efforts That Reduce Workplace Injuries

Lack of proper workplace safety measures can lead to worker injuries that could have been avoided. Additionally, employers that fail to comply will see an increase to the costs of Workers' Compensation Insurance, hurting their bottom line. In order to promote safe workplaces, compliance, and help employers reduce the cost of doing business, the Task Force has increased efforts to enforce Workers' Compensation Regulation Part 59 ("Rule 59"). Rule 59 requires companies with a high workers' compensation rating to hire a safety and health consultant to identify and help cure potential health and safety occupational risks. The Department of Labor staff has engaged in measures that include meetings with more than 80 safety and health consultants, issuance of more than 130 letters of non-compliance to employers, as well as notices to their insurance companies. Measures instituted by the agency have increased compliance by 40 percent.

7. Launch a Campaign to Combat the Sexual Harassment of Women in Low-Wage Industries

Women in low wage industries, including restaurants and agriculture, often experience sexual harassment. Fear of retaliation, deportation threats, and significant loss of income creates significant barriers for workers who want to come forward and seek help. The Task Force will explore partnerships with community-based organizations and advocacy groups to provide outreach and train-the-trainer opportunities. These efforts will aim to combat harassment within low-wage industries and to encourage more workers to seek the help they deserve.

8. Leverage Agencies' Licensing Authority to Ensure Compliance with Workplace Regulations

Many businesses rely on having appropriate licenses and insurance coverage in order to continue their day-to-day operations. In order to encourage compliance, the Task Force will leverage the licensing authority of member agencies to ensure non-compliant employers comply with the labor law. Enforcement agencies will inform licensing agencies of businesses that fail to comply with workplace regulations. In turn, licensing agencies will take necessary steps to review, terminate, or deny licenses.

9. Enhance Cross-Agency Training and Increase Interagency Referrals

Lack of cooperation between state agencies can lead to ineffective enforcement efforts. The Task Force will continue to routinely schedule comprehensive, multi-agency training, and make referrals, ensuring greater compliance and addressing several violations at once.

10. Address Workplace Conditions That Affect the Health of Workers

Studies have found that industries like dry cleaning that regularly handle chemicals like perchloroethylene (perc), may also be at a higher risk for certain types of cancer. In order to improve environmental safety and public health, the Governor has directed the Department of Environmental Protection to establish a statewide ban on perc for laundry and dry cleaning. Additionally, the Task Force will expand to investigate the working conditions, including the use of other potentially dangerous chemicals affecting workers in industries like laundry and dry cleaning.

11. Convene Additional Statewide Fact Finding Sessions on Health and Safety Concerns

The previous 6 fact finding sessions provided key insight for the Task Force and the Advisory Committee on the common struggles that workers and businesses face across many industries. This fruitful method of information gathering brought to light many important workplace issues, including wage theft and sexual harassment. As the Task Force expands to address other workplace conditions faced by exploited workers, the Task Force will convene health and safety experts, and employer and employee advocates to identify the most pressing concerns related to workplace conditions, and identify possible solutions.

The Task Force looks forward to working with the Legislature, the Advisory Committee, and worker and business advocates on refining and implementing initiatives and recommendations in the coming year. Additionally, the Task force will continue to assess existing policies and legislation to recommend any further changes to the law as the need arises, including:

- **Combating** worker misclassification,
- **Protecting** the rights of farm workers,
- **Establishing** statewide access to Paid Sick Leave,
- **Ensuring** compliance with child labor laws,
- **Increasing** access to justice for indigent workers in discrimination cases,
- **Increasing** accountability and transparency in the construction industry,
- **Prohibiting** employers known to engage in unlawful practices from receiving public funding, and
- **Increasing** penalties and enforcement of labor law violations.

Appendix A: Member Agencies

Department of Agriculture and Markets

The Department of Agriculture and Markets is charged with fostering a competitive and safe New York food and agricultural industry for the benefit of producers and consumers. The Department encourages the growth and economic health of the State's agricultural and food industry and conducts various inspections and testing programs to enforce laws on food safety, animal and plant health, and accuracy of labeling. The Department also acts to preserve agricultural resources and improve soil and water quality as well as operates the annual State Fair in Syracuse.

Department of Health

The Department of Health (DOH) ensures that high quality health services are available to all New Yorkers. The Department is also the principal State agency that administers the Medicaid Program, New York's Health Exchange (New York State of Health), and other public health programs. The Department operates health care facilities, including Helen Hayes Hospital, four veterans' nursing homes and the Wadsworth Laboratories. In addition, DOH conducts oversight of health professionals and all other health care facilities to ensure that high quality, cost-effective health care alternatives are provided throughout the State.

Department of Labor

The Department of Labor administers New York's Unemployment Insurance, Workforce Development, and Worker Protection programs. The Department also enforces: safety and health regulations in the public sector; State labor laws and federal statutes related to working conditions, wages and hours of work; and laws related to public work projects. The Department is a primary advocate for job creation and economic growth through workforce development and serves as the State's principal source for labor market information, offering a variety of services designed to help businesses find workers and people find jobs.

Department of State

The Department of State's mission encompasses a broad range of activities that coordinate programs with and provide services to local governments, individuals and businesses. The Department supports public safety through the administration of building and energy code programs, administers programs for community development and local government service activities, and supports businesses through various licensing and registration activities.

Department of Taxation and Finance

The Department of Taxation and Finance collects tax revenue and provides associated services in support of certain New York State government operations. In fulfilling its responsibilities, the Department collects and accounts for State taxes and local taxes, and processes returns, registrations and associated documents. The Department manages the State Treasury, which provides investment and cash management services to various State agencies and public benefit corporations, and acts on the Tax Commissioner's behalf as joint custodian of the State's General Checking Account.

Office of Children and Family Services

The Office of Children and Family Services serves the public by promoting the safety, permanency and well-being of the State's children, families and communities. The Office achieves results by setting and enforcing policies, building partnerships, and funding and providing quality services.

Division of Criminal Justice Services

The Division of Criminal Justice Services is a multi-function criminal justice agency with extensive responsibilities, including: collecting and analyzing statewide crime data, acting as the State's repository of criminal history records, administrating Federal and State funds that support local criminal justice programs, and managing the State's Sex Offender Registry and DNA Databank. The Division also measures progress regarding the goal of crime reduction and tracks the effectiveness of both agency and system-wide criminal justice strategies designed to enhance public safety.

Office of Faith-Based Community Development Services

The Office assists and leverages community and faith-based organizations in the delivery of education, health, workforce training, food programs and social services to communities, particularly to those most in need.

Division of Human Rights

The Division of Human Rights enforces the State's Human Rights Law that prohibits discrimination in employment, housing, credit, places of public accommodations and non-sectarian educational institutions based on age, race, national origin, sex, sexual orientation, marital status, disability, military status and other specified classes.

Office of Temporary and Disability Assistance

The Office of Temporary and Disability Assistance, working in close collaboration with the Office of Children and Family Services and other agencies, helps low-income households achieve economic self-sufficiency through work, job training and supportive services that help avert dependency on public assistance. The Office also provides economic assistance to aged and disabled persons who are unable to work.

State Liquor Authority

The State Liquor Authority and its agency arm, the Division of Alcoholic Beverage Control (ABC), regulates and controls the manufacturing and distribution of alcoholic beverages in New York State. The Authority seeks to work cooperatively with community leaders and industry members to ensure participation by all agency stakeholders in the licensing and enforcement process to fairly and firmly discipline those who abuse the privilege of holding a license.

State Police

The State Police's mission is to protect everyone in the State, prevent and detect crime and other violations of law and promote highway safety. The State Police's many responsibilities include: patrolling roads and highways outside major urban areas; providing specialty and investigative police services; conducting sophisticated investigations of criminal activities, such as drug trafficking and child endangerment; and working cooperatively with various levels of law enforcement throughout the State.

Workers' Compensation Board

The Workers' Compensation Board protects the rights of employees and employers by ensuring the proper delivery of benefits to those eligible due to injury or illness while on the job and by promoting compliance with the law. To protect the well-being of New York's labor force, most private and public sector employers in the State are required to carry workers' compensation and disability benefits insurance for their employees or demonstrate their ability to self-insure. The Board reviews claims for workers' compensation payments and assists in resolving disputed claims.

Appendix B: Advisory Committee Members

Stuart Appelbaum

President, Retail, Wholesale and Department Store Union

Stuart Appelbaum has served as the President of the Retail, Wholesale and Department Store Union (RWDSU) since 1998. He is also an International Vice President and member of the Executive Board of the 1.4 million-member United Food and Commercial Workers International Union. He previously served as International Secretary-Treasurer, Vice President, Executive Board Member, and Assistant to the President and Coordinator of Special Projects for the union. Mr. Appelbaum is currently an officer of two global union federations, a vice president of the Consortium for Worker Education, the New York State AFL-CIO, the New York City Central Labor Council, and president of the Jewish Labor Committee. Mr. Appelbaum previously served as Chief House Counsel of the Democratic National Committee and was elected four times as delegate and once as an alternate delegate to the Democratic National Convention. In 2008, he served as a member of the Electoral College as an Obama elector from New York. Mr. Appelbaum is a summa cum laude graduate of Brandeis University, where he was named a Louis Dembitz Brandeis Scholar and was a member of Phi Beta Kappa. He graduated with honors from Harvard Law School and is a member of the Connecticut State Bar.

Esta Bigler

Director, Cornell University ILR's Labor and Employment Law Program

Esta R. Bigler, Esq., directs Cornell University's School of Industrial and Labor Relations (ILR) Labor and Employment Law Program. This program brings together social scientists and attorneys to inform each other's work with the goal of addressing contemporary labor and employment law and workplace issues. Their work impacts litigation and public policy decisions by utilizing forums, conferences, and workshops. Ms. Bigler develops programs by identifying critical and evolving labor and employment law issues and pending legislation and decisional law.

Ms. Bigler, a graduate of Cornell ILR School, has a law degree from Georgetown University. She began her law career as a field attorney with the National Labor Relations Board, litigating unfair labor practices cases and handling representation matters. She then moved to private practice, working as an associate at Vladeck, Waldman, Elias & Engelhard, P.C., where she represented unions in all phases of labor law and represented plaintiffs in Title VII litigation. From private practice, Ms. Bigler entered public service, where she was the deputy director/general counsel of New York City's Bureau of Labor Services, which enforced the equal employment opportunity requirements for city contractors, forging new ground as one of the authors of the regulations enforcing Executive Order No. 50.

Ms. Bigler joined the faculty of Cornell University as Visiting Associate Professor of Labor Relations in 1987 and, in 1988, was appointed Metropolitan District Director of the school's New York City Extension Program, leading and overseeing a program of training, education and research services. She held the position until establishing the Labor and Employment Law Program and continues to teach labor and employment law classes in the ILR School.

Steve Choi

Executive Director, New York Immigration Coalition

Steve Choi, Esq. is the Executive Director of the New York Immigration Coalition, an umbrella advocacy and policy coalition of nearly 200 member groups representing New York State's immigrant communities. From 2009 to 2013, Mr. Choi was the Executive Director of the MinKwon Center for Community Action, which organizes, advocates for, educates and serves Korean and Asian community members in New York. Prior to that, Mr. Choi was a Staff Attorney and the founding Director of the Korean Workers Project at the Asian American Legal Defense & Education Fund, the only project on the East Coast focused on providing free legal services to low-wage Korean immigrants.

Mr. Choi received a J.D. from Harvard Law School, a M.A. from the University of Hawai'i, and a B.A. from Stanford University in History with Honors.

Anne Erickson

President & CEO, Empire Justice Center

Anne Erickson is President and CEO of the Empire Justice Center, where she has worked since 1989. She started as a policy analyst and legislative coordinator and became President when the organization's director of over 30 years retired in 2000. Ms. Erickson has overseen the transformation of the organization, guiding its merger with the Public Interest Law Office of Rochester, expanding its White Plains office and opening a new office on Long Island. She has put together a solid management team and has strategically combined the two organizations, aligning staff into five major practice groups: Consumer, Housing, C.A.S.H. and Community Development; Civil Rights, Education and Employment; Disability Benefits; Immigrants and Immigrant Rights; and Public Benefits, Health and Family.

Prior to taking on her current leadership of the organization, Ms. Erickson directed the legislative and policy advocacy work of the Greater Upstate Law Project (GULP). Working closely with GULP's staff attorneys, she helped develop and pursue an annual legislative agenda, focused primarily on health and welfare issues.

Ms. Erickson provides statewide leadership in efforts to strengthen and improve access to justice and to expand funding for civil legal services. She is the former chair of the Equal Justice Commission and helped lead its state planning efforts in New York State. Ms. Erickson was an adjunct instructor for the Center for Women in Government's graduate fellowship program for many years, offering an intense course on the practical workings of State government, the development of the State budget and the interactions between and among the various branches of State government.

Ms. Erickson is a graduate of SUNY New Paltz with a dual major in English/Journalism and Political Science.

Héctor Figueroa

President, 32BJ SEIU

In 2012, Héctor J. Figueroa was elected President of 32BJ Service Employees International Union (32BJ SEIU), the largest property services union in the country. 32BJ SEIU represents more than 145,000 property service workers – window cleaners, superintendents, doormen, maintenance workers, cleaners, porters and security officers – in New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Florida, Pennsylvania, Virginia, Maryland and Washington, D.C.

As Director of 32BJ SEIU's New York Metro District, Mr. Figueroa led operations for 70,000 members in the metropolitan New York area, including Manhattan, Brooklyn, Queens, the Bronx and Long Island. In January 2005, he successfully concluded commercial contract negotiations for more than 15,000 32BJ SEIU members in New Jersey, Connecticut, Westchester and Long Island, securing employer-paid family healthcare coverage and higher wages, as well as increased job security for immigrant workers. In 2007 and again in 2011, under the direction of 32BJ SEIU's President Mike Fishman, Mr. Figueroa successfully conducted the Union's contract campaign, securing a four-year agreement for 22,000 commercial office workers in New York. He also successfully negotiated new contracts with the Broadway League of Theaters in 2008 and the BRI residential contract in 2012.

Under Mr. Figueroa's leadership, the Union has raised its political profile by fighting for immigrant and worker rights in the tri-state area and establishing the American Dream Fund, the Union's voluntary political action fund. 32BJ SEIU succeeded in passing several pieces of legislation, including the NJ Prevailing Wage Act, which doubled the wages for state-contracted workers in New Jersey, and the Displaced Building Service Workers Act, which protects New York City building service workers from arbitrary dismissal. 32BJ SEIU also helped pass the Language Access Bill, which requires translation for vital city services for non-English speakers. Mr. Figueroa is a leader in New York City and across the country in connecting the work of unions with the fight for immigrant rights and social justice for all communities.

George Gresham

President, 1199SEIU

George Gresham was elected 1199SEIU President in April 2007. He is the fifth president in the Union's 75-year history. In June and July 2009, Mr. Gresham directed the successful collective bargaining of the League of Voluntary Hospitals and Homes on behalf of 135,000 New York metropolitan area members at 87 institutions. The contract expands job security guarantees for the members, including part-time workers, and a host of other employment security measures, including a pledge of a job within six months for any member who loses a job as a result of state-mandated hospital closing or downsizing. The contract also secures health benefits, including world-class comprehensive coverage with no out-of-pocket expenses, improves the pension benefits (already among the best in the country), and provides a 10 percent compounded wage increase through April 2015.

Mr. Gresham also serves as a Vice President of the Executive Board of Service Employees International Union (SEIU), with 2.1 million working members in locals throughout the nation, and co-chairs both the 1199SEIU National Benefit Fund, the largest self-insured union healthcare plan in the nation, and the 1199SEIU Training and Upgrading Fund, which has employer contributions and grant funding of over $150 million per year.

A member of the Union for 34 years, Mr. Gresham previously served as Secretary-Treasurer, Executive Vice President for Collective Bargaining, Vice President, Organizer and rank-and-file Delegate.

Gary LaBarbera

President, Building & Construction Trades Council of Greater New York

Gary LaBarbera has served since 2009 as president of the Building and Construction Trades Council of Greater New York, an organization consisting of local affiliates of 15 national and international unions representing 100,000 working men and women in New York City.

Prior to serving as President of the Building and Construction Trades Council of Greater New York, Mr. LaBarbera served organized labor in several other capacities, including as President of the New York City Central Labor Council, President of the International Brotherhood of Teamsters Joint Council 16 and President of the International Brotherhood of Teamsters Local 282.

Having been actively involved in the Teamsters since the early 1980s, Mr. LaBarbera served as a steward prior to being appointed as a business agent. He was one of the first members of Local 282 to graduate from the Labor Studies Program at Cornell University's School of Industrial Labor and Relations (ILR) in 1994. Mr. LaBarbera is currently Vice President of the New York City Central Labor Council and a vice president of the New York State AFL-CIO.

He serves on the NYC Committee on Construction Work Force and Contracting Opportunity and on the New York City Regional Economic Development Council as an appointee of Governor Andrew Cuomo.

Donna Lieberman

Executive Director, New York Civil Liberties Union

Donna Lieberman has been Executive Director of the New York Civil Liberties Union (NYCLU) since December 2001. She has also served as Associate Director (1988 - 1993) and Founder/Director of the NYCLU Reproductive Rights Project (1990 - 2000).

Under Ms. Lieberman's leadership, the NYCLU has expanded the scope and depth of its work, supplementing and strengthening the pursuit of litigation with an aggressive legislative advocacy and a field-organizing program that works on behalf of civil liberties and civil rights. As a result, the organization is widely recognized as the State's leading voice for freedom, justice and equality, advocating for those whose rights and liberties have been denied.

Ms. Lieberman graduated magna cum laude from Harvard in 1970 and earned her J.D. from Rutgers University School of Law in 1973.

Dean Norton

President, New York Farm Bureau

Dean Norton was re-elected to a fourth two-year term as President of the New York Farm Bureau in December 2014. The Norton family has owned Oak Orchard Diary in Elba for five generations. Dean Norton operates DMCK Cattle Company with his wife, Melanie. Mr. Norton has served as president of the New York Farm Bureau for the past six years. He has also served on the American Farm Bureau Federation Board of Directors since 2010.

Lewis Papenfuse

Executive Director, Worker Justice Center of New York

Lewis Papenfuse has been Executive Director of Farmworker Legal Services of New York, Inc. (FLSNY) since January 1, 2007, after serving as Co-Director from 2004-2006. In 2011, Farmworker Legal Services merged with Worker's Rights Law Center and formed The Worker Justice Center of New York (WJCNY). Mr. Papenfuse became the Co-Director of the merged entity.

The WJCNY is a statewide not-for-profit law project that provides direct legal assistance to all farm workers regardless of their immigration status and to other low-wage workers in New York State. In addition, WJCNY provides information and assistance on gender discrimination, civil rights violations, workplace health and safety, domestic violence, and issues involving trafficking and smuggling of workers for employment and sex.

Since 1993, Mr. Papenfuse has been employed in a wide-range of services as a paralegal and a trainer/educator. He has coordinated several civil rights and workplace safety projects, served as Supervising Paralegal for five years and was President of the local Farmworker Legal Service Workers Union, NOLSW/2320 UAW for seven years. He is a member of several statewide coalitions and has been a speaker/presenter for conferences about the rights of workers.

Ted Potrikus

President & CEO, Retail Council of New York State

Ted Potrikus manages the daily operation of the Council, overseeing its government relations and member service offerings, as well as its business affairs. He joined the Retail Council in 1989 as Director of Public Affairs and was promoted in 1996 to Vice President. He was promoted in 2000 to Senior Vice President and Director of Government Relations, and again in 2003 to Executive Vice President. The Council elected Mr. Potrikus to its Board of Directors as Vice Chairman in 2008. He also serves as Chairman of Retail Council Services Corp., the Council's wholly-owned subsidiary.

Representing New York's retailers for more than 25 years before New York's state government and its various iterations, Mr. Potrikus has helped guide the industry through various challenges, including the successful campaign to make New York the first state to require the collection of sales tax on Internet purchases and the appropriate regulation of gift cards. Additionally, in 2013, Mr. Potrikus co-authored "The Customers' Bill of Rights," working with leading civil rights groups to underscore the retail industry's commitment to shopping equity.

Mr. Potrikus' previous work included two years as a member of the New York State Senate Education Committee staff and nearly two years as editor of a community weekly newspaper in suburban Rochester, New York. He holds a Bachelor's degree (1984) in communication/journalism from St. John Fisher College in Rochester, New York.

Javier Valdés

Co-Executive Director, Make the Road New York

Javier H. Valdés is Co-Executive Director of Make the Road New York (MRNY), the largest community-based immigrant organization in New York State with over 14,000 members. Mr. Valdés oversees MRNY's work in the areas of civil rights, education, housing, environmental justice and immigration. He supervises MRNY's youth program as well as its administrative and operations functions. Mr. Valdés was critical in securing new policies that limit the local presence of federal immigration enforcement, improve the quality of affordable housing, expand translation and interpretation services at government offices, decrease biased policing and dramatically expand guaranteed paid sick days for low-wage workers. In 2013, President Barack Obama awarded Mr. Valdés the White House Champions of Change Cesar Chavez award for his work to support immigrant communities.

Previously, Mr. Valdés was the Director of Advocacy at the New York Immigration Coalition (NYIC), where he helped lead successful campaigns to address poor housing conditions and improve translation services in New York City. Before that, he was the Program Officer for Latin America at the Synergos Institute where he worked extensively in the US-Mexico border region, the Dominican Republic and Ecuador. He is the Vice-Chair of the Board for the Center for Popular Democracy and sits on the boards of the Association of Neighborhood and Housing Development (ANHD) and Fair Immigration Reform Movement (FIRM). He holds a Master's Degree in Urban Planning from New York University.

Deborah Axt

Co-Executive Director, Make the Road New York

Deborah Axt is Co-Executive Director of Make the Road New York (MRNY), the largest immigrant base-building organization in New York State. Ms. Axt leads MRNY's new worker organizing and low-wage worker policy work, as well as the organization's legal, services, finance and development operations. She is one of the architects of WASH NY, a campaign to organize car wash workers in NYC. She also led the successful campaign to pass the Wage Theft Prevention Act in 2010. Ms. Axt first came to MRNY as a summer intern in 2000, then graduated magna cum laude from the Georgetown University Law Center and joined the staff full-time in 2002. She built the organization's legal department, serving as Legal Director and then Deputy Director before becoming Co-Executive Director in April 2012. Before law school, Ms. Axt worked for four years as a union and community organizer, serving on the leadership teams of industry-wide initiatives in West Palm Beach, Los Angeles and New Orleans. She also teaches Civil Litigation and co-leads the Law, Organizing, and Social Change Clinic at the New York University School of Law.

Peter Ward

President, New York Hotel and Motel Trades Council

Peter Ward is President of the New York Hotel & Motel Trades Council (HTC), AFL-CIO; Business Manager of the Hotel, Restaurant & Club Employees and Bartenders Union, Local 6; Recording Secretary of the International Union, UNITE HERE; Vice President of the New York City Central Labor Council; and Vice President of the New York State AFL-CIO.

Mr. Ward started working for Local 6 in 1979, became a union organizer in 1980, Business Agent in 1981 and Vice President in 1984. In 1985, he was appointed HTC's Director of Organizing. In 1995, he was elected leader of Local 6 and President of HTC in 1996. He was chief negotiator for HTC in the 2001, 2006 and 2012 negotiations for the Industry-Wide Agreement. As President, he is also the Chief Executive Officer of HTC.

Danny Wegman

CEO, Wegmans

Daniel R. Wegman serves as Chief Executive Officer of Wegmans Food Markets, Inc. Mr. Wegman serves as Board Chair-Elect of University of Rochester's Board of Trustees and as director of the United Way and Rochester Business-Education Alliance. In addition to becoming a university trustee, Mr. Wegman is a member of the Visiting Committee of the University's Margaret Warner Graduate School of Education and Human Development. Mr. Wegman graduated with honors from Harvard.

Kathy Wylde

President & CEO, Partnership for NYC

Kathryn Wylde is President and CEO of the nonprofit Partnership for New York City, the City's leading business organization. Its mission is to work with government, labor and the civic sector to build a stronger New York, with a focus on education, infrastructure and the economy.

Prior to taking over the Partnership presidency in 2001, Ms. Wylde was the founding CEO of both the Partnership's housing and investment fund affiliates. She was responsible for developing and managing affordable housing and economic development programs that contributed to the renaissance of blighted urban neighborhoods across the five boroughs. With the investment fund, she developed a network of business leaders and investors that nurtured the growth of the city's "innovation economy," creating thousands of jobs and promoting entrepreneurial business initiatives across the five boroughs.

During her tenure as CEO, the Partnership has played a prominent role in advocacy for mayoral control of the public school system and other education reforms, created blueprints for new City and State economic development policies and programs, and provided economic analyses that guided the City's recovery from the terrorist attacks of September 11, 2001. The Partnership has supported expanded investment in mass transit and reforms of State fiscal and tax policies.

Ms. Wylde is an internationally known expert in housing, economic development and urban policy. She has received honorary degrees from Fordham University and St. Francis College and serves on a number of boards and advisory groups, including the NYC Economic Development Corporation, NYC & Company, the Fund for Public Schools, US Trust Advisory Committee, the Manhattan Institute, the Lutheran Medical Center, the Governor's NYC Regional Economic Development Council and the Council of Urban Professionals. She has authored numerous articles and policy papers and has been recognized for her leadership by dozens of educational, professional and nonprofit institutions.

Prior to joining the Partnership, Ms. Wylde worked in senior positions at the former Anchor Savings Bank and at Lutheran Medical Center in Sunset Park, Brooklyn.

Ms. Wylde is a native of Madison, Wisconsin, a graduate of St. Olaf College,'68, and resides in Brooklyn, New York.

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- Occupational Health Clinical Services
- National Employment Law Project (NELP)
- National Domestic Workers Alliance
- Manhattan Legal Services
- New York Taxi Workers Alliance
- Association of Car Wash Owners, Inc.
- Futures Without Violence
- New York Committee for Occupational Safety & Health (NYCOSH)
- New York Healthy Nail Salon Coalition
- Adhikaar
- New York Committee for Occupational Safety and Health (NYCOSH)
- Workers United
- New York Lawyers for the Public Interest
- National Employment Law Project
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- Community Resource Center
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- Hispanic National Bar Association
- Asian American Legal Defense and Education Fund

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- The ILR School at Cornell, New York City
- 1199SEIU, Syracuse
- 32BJ SEIU, New York City

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To find out more information call the Task Force hotline at

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