



Living Wage Commission Minutes August 26, 2019

Commissioners Present: Erin Hatton, Bob Mahoney, Penny Selmonsky, Merle Showers
Others Present: Anna Falicov, Sam Magavern

Ordinance Revision

- Administration asked the Common Council to revise the amendment with a new effective date of 2021 so that they could budget accordingly. The direct fiscal impact of the new rate is estimated at \$1.8 million, and it will also have ripple effect on city collective bargaining agreements.

Buffalo Naval Park

- Commissioners reviewed Sam's letter of June 11, indicating LWC opinion that current lease between Naval Park and City is a covered contract; thus subcontractors such as Liberty Hound are covered as well.
- Anna has not heard of current status of lease negotiations; she will check with John Heffern, the city attorney who handles leases.
- Sam will follow up with Naval Park and Liberty Hound, asking them to submit quarterly reports for the time that they have been covered under the existing lease and, if employees have made less than a living wage, to compensate them.
- Naval Park may apply for an exemption as a non-profit, but that exemption would not extend to a for-profit subcontractor.
- It appears that neither Naval Park nor Liberty Hound were aware of living wage issue until this summer. Situation of a contract being covered due to utility payments by city is not one that has arisen before, but it does seem to be covered by ordinance, which covers cases where "city is obligated to expend funds . . . in connection with a contract."

Other Contracts Where City Pays Utilities

- The City is currently negotiating a new lease with the Bisons for their stadium – another case where City pays utilities.
- Sam will investigate whether current lease is a covered contract.
- Bob noted that SEIU represents ticket takers and ushers at the stadium, but not cleaners, who are provided through Quest Services.

Subcontractors

- The Application for Contract form that companies are supposed to fill out when bidding for city contracts asks what subcontractors they will use. However, LWC almost never receives this form; also, companies often change subcontractors.
- Sam has asked all employers to provide list of subcontractors; so far, only two have responded.
- Erin suggested adding this question to quarterly report form.

Buffalo Public Schools

- Merle asked about living wage coverage of BPS.
- BPS is not a city agency, but a separate governmental unit, so it is not covered directly.
- However, City does provide funds for BPS each year. If that is in the form of a contract, it may be covered.
- BPS passed its own living wage policy some years ago, and then brought its food service workers and bus aides up over living wage levels.
- Sam will research question of City contract and also current BPS compliance with its own policy.

City Workers

- Anna is working to supply LWC with current information about wages of city employees.
- Crossing guards and interns are making a living wage.
- There is a question about some blue-collar workers in AFSCME Local 264 who may not be receiving living wage in first month of work – while on probation.

Mayor's Designee

- Mayor is designating Anna to serve as a Living Wage Commissioner. Common Council will vote on it in September.