



LOCAL 79

Construction & General Building Laborers

Spring 2014

HISTORIC AGREEMENT REACHED WITH BROOKFIELD PROPERTIES

The Building and Construction Trades Council of Greater New York recently signed a portfolio labor agreement with Brookfield Properties, an agreement that covers virtually all of Brookfield's existing and new construction. This agreement ensures that Brookfield, historically a good union developer, will continue to be so over the course of the 20 year agreement.

Initially, the agreement was intended to be a project labor agreement to cover the Manhattan West project, a massive project that includes five million square feet of new commercial space and over one million feet of rehabilitated and renovated existing space. However, the agreement was expanded to cover nearly all of Brookfield's existing and future portfolio of projects, hence the term portfolio labor agreement.

In negotiations with Brookfield, the Mason Tenders District Council agreed to the following changes in the col-

lective bargaining agreement: Brookfield has the option to schedule four, ten-hour work days at straight pay and there will be a 5% differential on shift work. If the option for the four, ten-hour work days is exercised, then any additional work scheduled will be paid at time-and-a-half, or double

time if scheduled for Sunday. As part of the agreement, Brookfield assumes full responsible for non-payment of benefits by any general contractor, or sub-contractor working on a Brookfield project.

"This historic agreement with Brookfield Properties, which owns nearly 7% of the commercial real estate in New York City, will provide countless hours of work for our membership," said Local 79's

Business Manager Mike Prohaska. "We are grateful for the hard work of the Building and Construction Trades Council and Brookfield Properties that led to this unprecedented agreement."



ALLEGED WAGE AND LABOR LAW VIOLATOR SELECTED TO REHAB CITY HOUSING

The New York City Housing Authority (NYCHA) has selected MDG Design & Construction, a contracting firm which the U.S. Department of Labor has moved to bar from bidding on federal projects for up to three years due to wage and labor violations, to fix 874 apartments in the Bronx, Brooklyn, and Manhattan. While MDG principal Michael Rooney disputes the charges, workers and their advocates are outraged. Mason Tenders District Council Business Manager Robert Bonanza said "too frequently

while law enforcement is conducting an investigation into criminal activities by a contractor, city agencies continue to do business with that contractor." Before NYCHA's announcement in June, the New York City Department of Housing Preservation and Development said in June that it had selected MDG for a project in Williamsburg, Brooklyn. Both agencies, reacting to popular pressure, have now said neither contract is final and that both will undergo further review.

MESSAGE FROM BUSINESS MANAGER MIKE PROHASKA



As many of you know, immigration reform is one of the top priorities of LiUNA. In an effort to provide the membership with information related to immigration and immigration reform, Local 79 is presenting an Immigration Forum at St. Vartan Church on the afternoon of Sunday, April 6th from 12:30-5:00 pm. (Doors will open at 12:30 and the Forum will begin promptly at 2:00 pm.)

The Forum, which will be presented in Spanish (with simultaneous Spanish-to-English interpretation over headsets) will address the following topics: LiUNA's position on immigration issues; the current state of immigration reform legislation in Congress; issues related to Deferred Action for Childhood Arrivals (DACA); rights of undocumented workers; and immigration services available in New York City. Following presentations on these subjects, there will be an open question-and-answer session.

I am thrilled to let you know that LiUNA's General President Terence M. O'Sullivan and LiUNA's Vice-President and Eastern Regional Manager Raymond M. Pocino are

scheduled to be present at the Forum, an indication of their commitment to the needs and rights of the immigrant community. Joining Terry and Ray will be LiUNA's top immigration and legislative staff, who will make presentations about LiUNA's position on immigration and the current state of immigration reform in the United States Congress. In addition to this, Make the Road New York will provide four lawyers to speak about DACA, employment rights of undocumented workers, and immigration services available in New York City.

To register for the Forum, please call Ursula Kirwin at 212-465-7972. For more information about the Forum, please call Juan Mazlymian at 212-465-7932 or Luis Montalvo at 609-462-6290.

I hope to see a great many of you at the Forum on April 6!

Fraternally Yours,

Mike Prohaska

DUES NEWS

Monthly dues increased to \$33 as of January 1, 2014 as per the LiUNA Constitution.

Retiree dues are \$8 per month.

Dues payments must not go over two months without being paid or the member will be suspended. The readmission fee is \$56 for every month that the dues payments are behind, plus \$33 for the current month.

REMINDER: Members' Union Book numbers must be written on their checks or money orders when paying dues by mail.

LiUNA!

feel the power

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★ Para leer la información traducida al español, ir a las páginas 6 y 7

OUT-OF-WORK LIST RE-REGISTRATION NOTICE

All persons on Local 79's Job Referral List must re-register for the list during the first five business days of each quarter to maintain their position on the list. The next re-registration period will be: April 1, 2, 3, 4 and 7, 2014.

Local 79 News is published regularly by:
Construction and General Building Laborers' Local 79
520 Eighth Avenue, Suite 679, New York, NY 10018
212-465-7900

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An affiliate of: the Mason Tenders District Council of Greater New York and Long Island, LiUNA; the New York City Central Labor Council; the Building and Construction Trades Council of Greater New York; and the New York State AFL-CIO.



REBUILDING GROUND ZERO, REBUILDING A LIFE: PHIL ENGLISH

Phil English, a member of Local 79, was recently profiled in an article in the Los Angeles Times, a major national newspaper. A Laborer for 15 years, he worked at Ground Zero for six months after the tragic 9/11 attack and then returned in 2007 to help build One World Trade Center, where he continues to work today. He suffered his own personal tragedy when his wife died in 2007, leaving him to raise three children. While initially reluctant to go back to work after his wife died, One World Trade Center provided him with both a paycheck and a great sense of purpose. Phil sat down recently to reflect on his career as a Laborer:

Why did you join the union?

I knew lots of people in the union and they told me of the pride that members had in being part of the union. The wages and benefits were also appealing. After my first union meeting, I was hooked. The energy and the diversity of the membership really struck me. I still try to attend all the meetings, as I am always happy to see fellow Laborers with whom I have worked on jobs in the past. It's also my way of saying thank you to the leadership that fights for us every day.

When are your recollections of your work at Ground Zero?

I went to work at Ground Zero the morning after the attack. I'm fortunate that I wore the respirator and used the oxygen that was supplied to me. The situation on the ground was about a thousand times as bad as what people saw on television. Listening to the horns that sounded every time a body was found and coming across random shoes and clothing took its toll. One had to be strong minded to work there.

And what about your work on One World Trade Center?

I started there when there was just a ramp and a hole in the ground, so I have been involved in every stage of the project. One memory that stands out is on the anniversary of September 11, a few Laborers and I were on standby in case Port Authority needed assistance in an emergency. There were families of victims who came by. They cried, hugged us, and thanked us for the work we had done. That let us know that we were not just building another majestic building, but rather a building that would help families heal and that showed our collective strength and resolve.



Phil English outside One World Trade Center

Was seeing a piece about yourself in a major national newspaper the proudest moment of your work as a Laborer?

No. The proudest moment was the day I was initiated into Local 79. After I got my book, I returned to the work site and, when I entered, all my fellow workers clapped.

Can you give an example of how people have responded to the article?

I met a few new apprentices on my job who had read the article at the Training Fund. They all shook my hand and let me know how inspirational the article had been for them. That was really meaningful to me.

Was there anything left out of the newspaper piece that you wish had been in it?

Yes. I wanted to thank my daughter, who was 15-years-old at the time of my wife's death. She was my oxygen, the person who took care of things at home so I could return to work. I will remain forever grateful for that.

Any last words?

I am proud to say that my son started in Local 79 today!

FREE ASBESTOS SCREENINGS

MOST Healthcare Systems, Inc. will be conducting free asbestos-related disease screenings for all members and pensioners who have been exposed to asbestos while working in the trade. Members who test positive will have their results submitted to an asbestos trust fund for compensation.

The criteria for testing are as follows:

- **You must have had five or more years occupational exposure to asbestos prior to 1978.**
- You cannot be currently represented for asbestos disease.

WHERE: Mason Tenders Training Fund, 42-53 21st Street, Long Island City New York, NY 11101

WHEN: June 2-June 6, 2014 from 8:00 a.m. to 5:00 p.m.

The Union will be sending individual letters to eligible members who qualify for the screening with further information.

The test will include a chest x-ray. Results will be determined by a B-Reader Radiologist. Anyone who tests positive will be scheduled for a physical exam and breathing test at a later date. Testing takes less than 30 minutes.

There will be a legal representative from Hach & Rose LLP present at the screening. Hach & Rose LLP practices extensively in the area of asbestos litigation against asbestos manufacturers.

DANNY GLOVER: A FRIEND OF LABOR



On Thursday, January 30, renowned actor Danny Glover was scheduled to give a speech on “Workers’ Rights at Home and Abroad” at Pace University. What Mr. Glover didn’t know when he agreed to accept the invitation to give the talk was that Local 79 and other building trades had been carrying on a lengthy campaign against Pace University’s use of a non-union contractor to build its’ new 35-story dormitory building. When members of the Organizing Department caught wind of the talk, they worked with GNY LECET and 100BCW to reach out to Mr. Glover to let him know of Pace University’s short-sighted,

immoral insistence on building a major project using a contractor with a history of safety and wage violations. Shortly after Mr. Glover received a letter from Local 79, he cancelled his talk. This is but one of many cases where Mr. Glover, a long-time activist and friend of labor, has not only “talked the talk, but walked the walk.” We thank him for his support.

LOCAL 79 BUSINESS AGENTS MOBILE NUMBERS AND AREAS

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EAST / WESTSIDE (96TH STREET - 220TH STREET)

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EASTSIDE (42ND STREET - 96TH STREET)

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EBUBEDIKE BANKS 646-265-6406

WESTSIDE (42ND STREET - 96TH STREET)

NICK CHIARELLO 347-266-9005

EAST / WESTSIDE (14TH STREET - 42ND STREET)

JOE CANGELOSI 646-265-5539

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(THE BRONX & UPPER MANHATTAN)

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(BROOKLYN)

TOMMY ORLANDO 646-265-5594

(MANHATTAN & STATEN ISLAND)

DEMO (NIGHT)

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2014 HEALTH FAIR AND PICNIC FOR LOCAL 79 MEMBERS AND FAMILY

Join the members of Local 79 and their families for a fun-filled all-day outing. The Health Fair offers members and their families the opportunity to receive health screenings (blood pressure, cholesterol, and glucose) and to get health-related information. Activities include swimming, basketball, volleyball, climbing walls, soccer, miniature golf, softball, raffles, and an all-day barbeque.

Where: Coleman Country Day Camp, Merrick, NY

When: Saturday, June 7, 2014, 11:00 am-5:00 pm (rain date: Sunday, June 8)

Cost per person to attend the Health Fair is \$5.00. Children 5 and under are free of charge. **Wrist bands must be purchased prior to the event.** Wrist bands will be sold at the general membership meetings in April and May and at the Retiree Spring Luncheon on May 7. Beginning May 1, they will also be available for sale at the Grievance Department at Local 79. **Wrist bands will not be sold on the day of the event.** All proceeds from wrist band sales will be donated to St. Mary's Hospital for Children.

Parking at Coleman Country Day Camp is limited, so if you plan to drive, you will have to park at the Merrick Station of the Long Island Railroad. You can also take the Long Island Railroad from Penn Station, the Atlantic Terminal, or Jamaica to the Merrick Station. Shuttle buses (two minute ride) will be running to and from the camp/Merrick LIRR Station continuously throughout the day.

For more information, contact Melissa or Lori at 212-465-7907.

ORGANIZING DEPARTMENT

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DIRECTOR OF OPERATIONS

THOM THACKER 212-465-7928

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SE LOGRA UN CONVENIO HISTÓRICO CON BROOKFIELD PROPERTIES

El Consejo de Oficios de Edificación y Construcción de Nueva York firmó recientemente un convenio laboral de cartera con Brookfield Properties, o sea que abarca prácticamente todos los proyectos de construcción existentes y nuevos de Brookfield. Este logro garantiza que Brookfield, cuya trayectoria la ubica como buena promotora sindical, seguirá siéndolo durante el plazo de 20 años del nuevo convenio.

Inicialmente, el convenio tenía como fin ser un contrato laboral destinado a cubrir el proyecto Manhattan West, un proyecto a gran escala que incluye cinco millones de pies cuadrados de nuevos espacios comerciales y más de un millón de pies de espacios existentes restaurados y renovados. Sin embargo, el convenio se amplió a fin de cubrir casi todos los proyectos existentes y futuros que Brookfield tiene en cartera, por lo cual se lo llama un convenio laboral de cartera.

En sus negociaciones con Brookfield, el Mason Tenders District Council aceptó los siguientes cambios en el conve-

nio de negociación colectiva: Brookfield tiene la opción de programar cuatro días laborales de diez horas con pago regular, y habrá una diferencia del 5% en los trabajos por turno. Si se ejerce la opción de los cuatro días laborales de diez horas, entonces todo trabajo adicional que se programe se

pagará a tiempo y medio, o a tiempo doble si se programa el domingo. Como parte del convenio, Brookfield asume plena responsabilidad de todo incumplimiento de pago de beneficios de parte de cualquier contratista general o subcontratista que trabaje en un proyecto de Brookfield.

“Este convenio histórico con Brookfield Properties, que posee casi el 7% de los bienes raíces comerciales de la ciudad de Nueva York, proporcionará innumerables

horas de trabajo para nuestra membresía”, dijo Mike Prohaska, Gerente Comercial del Local 79. “Nos sentimos agradecidos por la ardua labor del Consejo de Oficios de Edificación y Construcción y de Brookfield Properties que hizo posible este convenio sin precedentes”.



EXÁMENES DE ASBESTO GRATUITOS

MOST Healthcare Systems, Inc. realizará exámenes gratis de detección de enfermedades relacionadas con el asbesto para todos los miembros y pensionistas que hayan estado expuestos al asbesto mientras trabajaban en el oficio. Los miembros que obtengan resultados positivos en las pruebas tendrán el beneficio de que los resultados se envíen a un fondo fiduciario designado para víctimas de asbesto a fin de que reciban una indemnización.

Los criterios para realizar las pruebas son:

- **El trabajador deberá haber tenido cinco años o más de exposición ocupacional al asbesto antes de 1978.**
- No deberá tener actualmente un representante legal que lleve adelante acciones relacionadas con la enfermedad causada por el asbesto.

DÓNDE: Mason Tenders Training Fund, 42-53 21st Street, Long Island City, New York, NY 11101

CUÁNDO: Del 2 al 6 de junio de 2014, de 8:00 a. m. a 5:00 p. m.

El sindicato enviará cartas individuales con más información a los miembros elegibles que califiquen para el examen.

El examen incluirá una radiografía de tórax. Los resultados serán analizados por un radiólogo experto en lector B. Toda persona que obtenga resultados positivos recibirá citas para hacerse un examen físico y una prueba de respiración más adelante. Las pruebas llevarán menos de 30 minutos.

Un representante legal de Hach & Rose LLP estará presente durante el examen. Hach & Rose LLP tiene una amplia práctica en el área de litigios contra fabricantes de asbesto.

MENSAJE DEL GERENTE COMERCIAL MIKE PROHASKA



Como muchos de ustedes ya saben, la reforma migratoria es una de las principales prioridades de LiUNA. En un esfuerzo por proporcionar a los miembros información relacionada con la inmigración y la reforma migratoria, el Local 79 presenta un Foro de Reforma Migratoria en la Iglesia St. Vartan durante la tarde del domingo 6 de abril, de

12:30 a 5:00 p. m. (Las puertas se abrirán a las 12:30, y el Foro empezará puntualmente a las 2:00 p.m.).

El Foro, que se presentará en español (con traducción simultánea de español a inglés mediante auriculares) abordará los siguientes temas: La posición de LiUNA sobre asuntos migratorios, el estado actual de la legislación sobre reforma migratoria en el Congreso, asuntos relacionados con la Acción Diferida para los Llegados en la Infancia (DACA), los derechos de los trabajadores indocumentados y los servicios de inmigración disponibles en la ciudad de Nueva York. Después de las presentaciones sobre estos temas, habrá una sesión de preguntas y respuestas.

Me siento muy feliz de poder comunicarles que el Presidente General de LiUNA, Terence M. O'Sullivan, y el Vicepresidente y Gerente Regional del Este de LiUNA,

Raymond M. Pocino, figuran en el programa de participantes en el Foro, lo cual es testimonio de su compromiso con las necesidades y los derechos de la comunidad de inmigrantes. Terry y Ray estarán acompañados por el personal directivo de LiUNA en materia de inmigración y legislación, quienes presentarán la posición de LiUNA sobre la inmigración y el estado actual de la reforma migratoria en el Congreso de los Estados Unidos. Además de esto, Make the Road New York aportará cuatro abogados que hablarán acerca de DACA, los derechos de empleo de los trabajadores indocumentados y los servicios de inmigración disponibles en la ciudad de Nueva York.

Para registrarse en el Foro, llame a Ursula Kirwin al 212-465-7972. Para recibir más información sobre el Foro, llame a Juan Mazlymian al 212-465-7932 o a Luis Montalvo al 609-462-6290.

¡Espero ver a muchos de ustedes en el Foro el 6 de abril!

Los saluda fraternalmente,

Mike Prohaska

FERIA DE SALUD Y PICNIC 2014 PARA MIEMBROS DEL LOCAL 79 Y SUS FAMILIAS

Únase a los miembros del Local 79 y sus familias para pasar un día muy divertido al aire libre con exámenes de salud (presión arterial, colesterol y glucosa) e información sobre la salud, natación, baloncesto, voleibol, escalada, fútbol (soccer), golf en miniatura, softball, rifas, baile y barbacoa todo el día.

Dónde: Coleman Country Day Camp, Merrick, NY

Cuándo: Sábado 7 de junio de 2014, de 11:00 a. m. a 5:00 p. m. (fecha en caso de lluvia: domingo 8 de junio)

Costo por persona para asistir a la Feria de Salud: \$5.00. Los niños de 5 años y menores no pagan entrada. Antes del evento, deben comprarse muñequeras de identificación. Las muñequeras se venderán en las reuniones generales de membresía en abril y mayo, y en el Almuerzo de Primavera para Jubilados el 7 de mayo. A partir del 1 de mayo, también estarán disponibles para la venta en el Departamento de Quejas (Grievance Department) en el Local 79. Las muñequeras no se venderán el día del evento. Todo el dinero de la venta de los brazaletes será destinado a St. Mary's Hospital for Children.

El estacionamiento en Coleman Country Day Camp es limitado, de modo que si planea conducir, tendrá que aparcar en la estación Merrick del Long Island Railroad. También puede tomar el Long Island Railroad desde Penn Station, Atlantic Terminal o Jamaica hasta la estación Merrick. Los autobuses de enlace (recorrido de dos minutos) funcionarán de ida y vuelta entre el campamento y la estación Merrick LIRR continuamente durante todo el día.

Para obtener más información, contacte con Melissa o Lori al 212-465-7907.

AVISO DE REINSCRIPCIÓN EN LA LISTA DE ESPERA

Todas las personas de la Lista de Referimientos para Empleos del Local 79 deben reinscribirse en la lista durante los primeros cinco días laborales de cada trimestre a fin de mantener su posición en la lista. El próximo periodo de reinscripción será los días 1, 2, 3, 4 y 7 de abril del 2014.



**CONSTRUCTION AND GENERAL
BUILDING LABORERS' LOCAL 79**
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UPCOMING EVENTS 2014 Call Melissa Siciliano at 212-465-7976 for more information.

APRIL 6

**Immigration Forum
– 12:30 PM - 5:00 PM**

(Doors open at 12:30 pm., Forum
begins promptly at 2:00 pm.)

St. Vartan Church
630 2nd Avenue

APRIL 16

**General Membership Meeting
– 5:00 PM**

St. Vartan Church
630 2nd Avenue

MAY 7

**Retiree Spring Luncheon
– 12:00 PM - 4:00 PM**

Villa Barone
Bronx, NY

MAY 21

**General Membership Meeting
– 5:00 PM**

St. Vartan Church
630 2nd Avenue



CONSTRUCTION WORKERS MEMORIAL MASS



All Local 79 members and their families are cordially invited to join with Building and Construction Trades union officials, members, and management at a memorial mass for construction workers killed or injured on job sites during 2013 and early 2014.

Date: Tuesday, April 29, 2014

Time: 3:00 pm

Place: St. Patrick's Cathedral
51st Street between 5th Avenue and Madison Avenue

For questions about this event, please contact Linda Camacho at 212-647-0700