



Improving the Lives of New Yorkers

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Joint Legislative Hearing on the Fiscal Year (FY) 2022-23 Executive Budget Proposal

Workforce

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EXECUTIVE SUMMARY

Good morning, Chairs Krueger and Weinstein, Chairs Ramos and Joyner, members of the committees and staff. Thank you for the opportunity to testify before you today. It is my pleasure to comment on behalf of my colleagues on these critical issues.

Since the legislature founded the New York State School of Industrial and Labor Relations in 1945, the ILR School has been providing research, teaching, and outreach to make the workplace more equitable so that individuals, organizations, communities, and the state's economy can thrive.

As the Second World War ended, the ILR School was instrumental in calming labor-management strife. Fast forward 75 years and ILR was integral in the research that helped New York City food deliverers receive basic worker rights through first-in-the-nation legislation in 2021.

As a land-grant school, we serve New York State in dozens of ways. ILR is now conducting groundbreaking work in several areas highlighted in Governor Hochul's 2022 State of the State address.

Briefly described below are several projects and initiatives aligned with the Governor's policy priorities and that directly impact labor, employment, and workforce development. These are:

- Health Care workers
- Child Care workers
- Jails to jobs
- Employment and disabilities
- Gender equity and equal rights
- Climate jobs
- Broadband accessibility
- Cannabis workforce initiative
- Workforce development and skills mapping
- Worker rights and workplace health and safety

HEALTH CARE WORKERS

The ILR School appreciates the commitment in the Executive Budget to rebuilding and supporting the healthcare workforce, including Health Care Reform Act (HCRA) funding for the Diversity in Medicine Program “to support, recruit, and train a diverse workforce that reflects the demographic of the underserved communities to ensure health equity across all populations.” Our research can contribute to implementing such programs, helping the public and policymakers understand the risks that low-paid frontline healthcare workers and paid home care workers have faced during the pandemic, how training can benefit them and their clients, and how wages and working conditions can be improved.

[“Utilization, Contributions, and Perceptions of Paid Home Care Workers among Households in New York State”](#) published Jan. 6 by ILR and Weill Cornell Medicine researchers revealed that expanded duties, particularly emotional care, resulted in a higher perceived value of the workers’ contributions, which could help boost pay for home care workers, most of whom receive low wages; one in four lives in households below the poverty line.

An ILR Worker Institute study, [Seizing the Moment to Make our Care Systems more Equitable](#), reports on the overrepresentation of Black and Latinx women in low-paid frontline healthcare occupations and the childcare workforce. The study found that frontline workers were more likely to report losing income during the pandemic, fear employer retaliation for reporting unsafe conditions and report not being able to afford health care if seriously ill.

CHILD CARE WORKERS

A December 2021 study by the ILR Buffalo Co-Lab in partnership with the Live Well Erie Emergency Child Care Task Force, child care providers and NYS Assembly Members Monica Wallace and Karen McMahon has put a stark focus on the issue of child care in Erie County and disparities between the needs for equitably accessible, quality child care and current funding models.

[The True Cost of Child Care: Erie County NY](#) sought to determine the actual cost of quality child care in Erie County and compare those costs to the NYS Office of Children and Family Services’ “market rate” price of care. The study also compared current costs with true costs if all child care workers were to earn a living wage.

JAILS TO JOBS

The [Criminal Justice and Employment Initiative](#) is a proud supporter of Governor Hochul's 'Jails to Jobs' plan which will help incarcerated and formerly incarcerated New Yorkers attain critical job skills and secure long-term employment, helping reduce recidivism and increase public safety. 'Jails to Jobs' and the [Criminal Justice and Employment Initiative \(CJEI\)](#) share the mission to improve re-entry into the workforce and reduce recidivism by focusing on connecting previously incarcerated individuals with education, resources, and opportunities for job placement.

CJEI improves employment opportunities for people with criminal records by designing and delivering legal employment training to close information gaps, implement best practices and integrate justice-impacted individuals into the workforce. Our research and practice-based effort provides criminal records and employment law training to job seekers who have been involved in the criminal legal system, assists employers in rethinking their approach to hiring, engages in research to study reentry practices, and informs policymakers and legislators on criminal justice reform.

Our work includes training incarcerated individuals at NYS Department of Corrections and Community Supervision facilities for reentering the workforce; train-the-trainer sessions for NYS Department of Corrections and Community Supervision Parole/Probation, Transitional Services staff, and Offender Rehabilitation Coordinators to expand workforce training and delivering training and resources regarding the Marijuana Regulation and Taxation Act's expungement provisions, penal law changes, and the Community Grant Reinvestment Fund in collaboration with the Cannabis Workforce Initiative and ILR's Labor and Employment Law Program.

EMPLOYMENT AND DISABILITIES

The [K. Lisa Yang and Hock E. Tan Institute on Employment and Disability](#) relies on research to provide continuing education, training and technical assistance on all facets related to the employment of people with disabilities. YTI supports employers, policymakers and practitioners in developing infrastructure to advance employment opportunities for individuals with disabilities.

YTI is extremely pleased to see the focus of the Governor's administration on making New York State a model employer for workers with disabilities. YTI is well positioned to build upon our existing infrastructure within New York State to realize the Governor's vision for employment of workers with disabilities. To this end, YTI has a myriad of tools and resources to support the Office of the Chief Disability Officer in equipping New York State agencies, and vendors in developing inclusive workplace practices to foster this vision.

The institute supports **business engagement** through projects like the Employer Assistance and Resource Network on Disability Inclusion (EARN), the Northeast ADA Center, Benchmark ABILITY[®], and NYS Employment First - Neurodiversity in Business initiative, and **systems enhancement** through the NYS Consortium for Advancing and Supporting Employment, the Vocational Rehabilitation - Training,

Education, and Development, and YTI online learning. It supports **education** as an integral partner in the NYS Education Department’s vision to improve educational outcomes for students with disabilities through our leadership of the NYS Technical Assistance Partnerships on Transition and Data, and the Multi-Tiered Systems of Support, and **community membership** through initiatives such as Partners in Policymaking[®] and Reentry for Justice-Involved Youth with Developmental Disabilities.

GENDER EQUITY AND EQUAL RIGHTS

The ILR School is excited about the commitment in the Executive Budget to gender equity, including the proposal to create a Gender-Based Violence Training Institute. ILR is eager to support this program through our cutting-edge research, training, and education on these issues, which generate innovative ways to address sexual harassment and other forms of gender-based violence in the workplace.

[“Power and Voice at Work: New Yorkers View Employer Retaliation as a Barrier to Addressing Workplace Problems and Express Desire for Union Representation,”](#) published in August 2021 by the ILR Worker Institute and the National Employment Law Project finds that more than one in three working New Yorkers reported that potential employer retaliation could prevent them from reporting workplace sexual harassment.

A 2019 ILR [Worker Institute](#) report, [“Stopping Sexual Harassment in the Empire State: Past, Present, and Possible Future,”](#) found that 10.9 percent of NYS residents report having experienced quid pro quo workplace sexual harassment and that quid pro quo sexual harassment disproportionately affects people of color and those of Hispanic origin.

ILR’s Worker Institute puts its research expertise into practice through peer-led and “training the trainer” approaches to address sexual harassment and other workplace problems. It conducts staff-wide audits with unions and other organizations, and designs and pilots customized modules that include training designated staff as trainers to implement the program on an organization-wide basis. Our We Rise initiative provides comprehensive sexual harassment training and support mechanisms for those working in isolated workplaces. These workers are primarily immigrant women of color serving as nannies and domestic workers.

Gender and racial equity are curriculum components of the New York State AFL-CIO/Cornell Union Leadership Institute, which prepares labor leaders to advance the rights of workers.

CLIMATE JOBS

The ILR School is excited about the strong commitment in the Executive Budget to responding to the climate crisis with appropriations for a wide range of environmental programs. The ILR Worker Institute is a preeminent center for research, policy development, and education on the labor and employment impacts of climate change and climate protection policy, and the only center dedicated to this work in New York State. We are eager to provide our expertise to policymakers to expand New York State’s clean energy economy, tackle the climate crisis, and create high-quality jobs for all New Yorkers.

Our inaugural annual New York “State of the Clean Energy Workforce Report” exploring the size of the workforce, work arrangements, including apprenticeship programs, job quality and working conditions will be published in February, along with “Climate for Change: A Climate Jobs Roadmap for New York City.”

In 2021, the ILR School and the UMass Boston Labor Resource Center published [“Building a Sustainable Future for General Electric in Schenectady, New York & Lynn, Massachusetts,”](#) which reveals the potential for the growth of the domestic renewable energy sector in NYS.

BROADBAND ACCESSIBILITY

In December 2021, the ILR School and [Community Tech NY](#) launched the New York State Digital Equity Portal in partnership with the [New York State Department of Education, the New York State Library](#) and the [John R. Oishei Foundation](#). The [portal](#), developed at the [ILR Buffalo Co-Lab](#), is an interactive, online data mapping tool to improve digital equity for millions of New York state residents without wired internet access.

CANNABIS WORKFORCE INITIATIVE

We share Governor Hochul’s commitment to prioritizing the implementation of MRTA to repair the damage caused by criminalization of cannabis and mass incarceration to individuals and communities. In support of that vision, the [Cannabis Workforce Initiative](#), part of ILR’s [Labor and Employment Law Program](#), promotes and supports social equity in the adult-use cannabis market by providing legal and human resources education, with an emphasis on individuals and communities disproportionately impacted by cannabis criminalization. We are identifying and assessing cannabis industry stakeholder needs to find effective ways to deliver resources and maximize the economic and social justice benefits of the industry.

We are providing instruction and resources for prospective workers in the cannabis industry about laws related to the NYS Human Rights Law, the Fair Credit Reporting Act, Title VII, wage and hour laws, the National Labor Relations Act, and in conjunction with ILR’s Criminal Justice and Employment Initiative, training to justice-involved job seekers about laws related to criminal records and remedies to increase employment opportunities.

WORKFORCE DEVELOPMENT

The ILR School's Buffalo and Ithaca Co-Labs are examining the pandemic's effects on the labor market, including the changing skills needs of employers, the availability of workers with those skills, and how existing skills can be adapted and "outsilled" to meet new needs. Our research makes strategic, data-informed recommendations; an example of this work is ["The New Possible: Innovative Workforce Development and Skills Maps for Tompkins County."](#)

The **New York State Living Wage Atlas**, in development at the ILR Buffalo Co-Lab, draws on the U.S. Census Bureau American Community Survey Public Use Microdata Samples and the MIT LivingWage Calculator to show the percentage of workers, by area, who earn at, above, or below a "living wage" given their county of residence and household characteristics.

WORKER RIGHTS

The ILR School appreciates the commitment in the Executive Budget to strengthening workers' rights, including strengthening the Human Rights Law by adding protections against discrimination based on citizenship and immigration status. ILR expertise is a valuable resource for implementing such protections, including for workers in low-wage, precarious, and often dangerous jobs.

The ground-breaking 2021 ["Essential but Unprotected: App-based Food Couriers in New York City"](#) by the ILR Worker Institute and Los Deliveristas/Workers Justice Project examined the harsh working conditions of New York City's app-based "deliveristas." It revealed that more than 40% of workers surveyed reported experiencing non-payment or underpayment; 49% reported having an accident while delivering. The report was cited when New York City passed legislation to regulate basic deliveristas' protections.

The ILR Worker Institute's 2019 research report, [On-Demand Platform Workers in New York State: The Challenges for Public Policy](#), finds that New York's regulatory structure does not provide the necessary level of oversight to curb abuse in the gig economy.

The [New York State AFL-CIO/Cornell Union Leadership Institute](#) is a one-year training program for current union and worker leaders and top staff. It helps build a statewide network of visionary leaders who can advance collective bargaining and worker representation in communities and workplaces.

ILR's [Workplace Health and Safety Program](#) provides training and education on issues of health and safety involving worker rights and OSHA, to assist management, labor and medical and legal professionals in putting scientific and technical information to practical use in resolving work environment problems.

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