

# ALAA WEEKLY ORGANIZER #25

October 30, 1990

The Association of Legal Aid Attorneys (District 65/UAW/AFL-CIO)

## ALAA Confronts LAS Annual Meeting

*On October 23d, some 200 spirited ALAA members and supporters braved heavy rain to join an informational picket at the Legal Aid Society Annual Meeting to demand that management address the Union's bargaining demands.*

*After the picket, marchers entered the meeting en masse, where they heard ALAA representatives Mildred Pinot (CLO/Attorneys of Color of Legal Aid), Susan Allee (CAB/Lesbian and Gay Caucus) and President Michael Z. Letwin, whose remarks are reprinted below.*

### Amidst the Crisis

This meeting occurs amidst a crisis for those who look for justice to the Legal Aid Society.

It is a crisis characterized by rising crack-related crime, violence and disease; by crumbling housing, schools, hospitals and subways; by deepening unemployment and poverty, especially among small children, their mothers and people of color.

Legal Aid attorneys witness the devastating effects of this crisis every day at close-range. In the Civil and Volunteer Division we confront it in the form of evictions, mass homelessness and intra-family turmoil. In the Juvenile Rights Division, we see the growing incidence of child neglect, abuse and delinquency.



*Up to 200 people marched in the pouring rain for the second demonstration in a month to demand a decent contract.*

And in the Criminal Defense and Appeal Bureaus, we are flooded with an explosion of arrests, convictions,

incarcerations and prison brutality, virtually all of it in some way related to the interaction between drugs, poverty and institutional racism.

### Effect on Legal Aid

In this context, the Legal Aid Society's mission is more important than ever, and our 1,000 members -- alongside the support staff of our sister union, Local 1199 -- do their best to defend the rights of those who are too poor to buy justice.

But despite our best efforts, we are often unable to do so because of a system

concerned with quantity of representation rather than quality of representation.

For example, the number of cases handled by the Society's Criminal Defense Division has risen by 50,000 between 1987 and 1989, and as a result, each of our members there staff a growing number of arraignments and other assignments. The result is an increasingly MASH-like atmosphere in which attorneys are forced to make painful decisions about which among scores of urgent cases needs their attention the most.

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**Next EC Meeting: November 7, 1990  
Agenda on Page 6**

# EC Minutes, October 16, 1990

Michael Letwin	President	Andy Horwitz	CDD/Brooklyn
Annette DePalma	Vice President	Daniel Ashworth	CDD/Brooklyn
Martha Conforti	Secretary	Alicia Fagan	CDD/Brooklyn
Carol Hochberg	JRD/Queens	Howard Schiffman	CDD/Brooklyn
Michele Cortese	JRD/Manhattan	Sara Horowitz	CDD/Brooklyn
Andrea Peysner	JRD/Manhattan	Kate Chuson	CDD/Brooklyn
Elsie Chandler	JRD/Manhattan	Robert Zuss	CDD/Brooklyn
Thomas Curtis	JRD/Manhattan	Bill Leykam	CDD/Staten Island
Deborah Nadler Broomfield	JRD/Manhattan	Marie-Ann Sennett	CDD/Manhattan
Pam Howard	JRD/Manhattan	Susan Levine	CDD/Manhattan
Jill Wade	JRD/Brooklyn	Robert Axford	CDD/Manhattan
Dorothy McCormack	JRD/Brooklyn	Brian Kanzaki	CDD/Bronx
Laura Cohen	JRD/Bronx	Brian Coakley	CDD/Queens
Judy Whiting	Civil/Harlem	Robert Reno	CDD/Queens
Beatrice Dohrn	Civil/Harlem	Elon Harpaz	Criminal Appeals
Karen Cole	Civil/Harlem	Susan Alee	Criminal Appeals
Rachel Asher	Civil/Bronx	Sara Bennett	Criminal Appeals
Barbara Quacherbus	Civil/Brooklyn Aging	Steve Statsinger	Criminal Appeals
Diane Lutwak	Civil/Brooklyn Aging	Arthur Hopkirk	Criminal Appeals
Dennis Boyd	Civil/Chelsea	George Albó	Criminal Appeals
Janet Sabel	Civil/Appeals	Milton Zelmeyer	Criminal Appeals
Karen Hambrick	Civil/Rockaway	Stephanie Connors	Criminal Appeals
Chris Lamb	Civil/Park Place	Maurice Emsellem	Criminal Appeals
Michael Williams	Civil/Park Place	Mark Gombiner	Federal Appeals
Les Helfman	Civil/Staten Island	Ian Weinstein	Federal/SDNY
Jackie Deane	CDD/Brooklyn	Edwin Vega	Volunteer/CLO
David Dorfman	CDD/Brooklyn		

1. **Adoption of September Minutes:** A motion to adopt the September minutes was seconded and passed unanimously.
2. **President's Report:**
  - A. **LA Defenders:** Michael Letwin met with public defenders and prosecutors in Los Angeles who are interviewing unions for purposes of affiliation.
  - B. **Troops Home Demo:** Robert Zuss announced the need for legal observers at a demonstration on October 20th which was called to protest the United States' military presence in Saudi Arabia.
3. **Bargaining**
  - A. **Report**
    1. **Demonstration:** Michael Letwin reported on the turn-out and media coverage resulting from the October 1st demonstration.
    2. **Batterman/Murray letters:** ALAA responded to a letter alleging that bargaining had been mutually delayed and touting the Society's affirmative action record (see page 7, this issue, for text).
    3. **Rosenfeld meeting:** Michael Letwin and David Addams met with the President of the Board of Directors, whose request that the union speak at, but refrain from picketing, the Annual Meeting was rejected.

*Continued on Page 3*

EC Minutes, Continued from Page 2

4. **Board's Executive Committee meeting:** Letwin, Addams (on behalf of the Attorneys of Color of Legal Aid) and Susan Allee (on behalf of the Lesbian and Gay Caucus) addressed the Executive Committee of the Board of Directors that morning to which the President as well as the Chairman of the Board, Alexander Forger, responded with requests that the union not picket at the Annual Meeting.
5. **Button Wars:** A Judge who attempted to discipline attorneys wearing union buttons in court were forced to desist after ALAA members appeared en masse in the courtroom to support the threatened attorneys. The order is being challenged by an Article 78 brought by CDD Special Litigation, and joined in by ALAA and the NYCLU.

**B. Caucuses**

1. **Lesbian & Gay Caucus:** The Caucus requested that delegates distribute their materials to members and schedule meetings at which the Caucus' bargaining proposals can be discussed. A motion to replace the Caucus' Bargaining Committee representative, Steve Statsinger, with Susan Allee was seconded and passed unanimously.
2. **Attorneys of Color of Legal Aid:** ACLA has finished drafting its omnibus affirmative action grievance and position paper and has chosen Sallie Manzanet, Mildred Pinot and Magda Rosa as its Cochairpersons [for text, see pages 4-6, this issue]. A motion to add Azalia Torres as ACLA's representative on the Bargaining Committee was seconded and passed with one vote in opposition.

**C. Strategy: Bargaining Committee Proposal**

1. **Demonstration at the Annual Meeting**
2. **Strike Committee Meetings:** A motion to hold these meetings immediately after the Annual Meeting at Park Place and Park Row offices was seconded and passed with one vote opposed and one abstention.
3. **Strike Vote Authorization:** A motion to authorize the Bargaining Committee to call for a membership vote on whether or not to strike was seconded and failed with two in favor and one abstention.
4. **Buttons:** A motion to authorize buttons saying "Ready to Strike for..." better pay, affirmative action, gay and lesbian rights, health and safety, quality of representation, etc. was seconded and passed unanimously, and buttons are now available.
5. **Office Meetings:** A motion to call another round of office meetings was seconded and passed unanimously.
6. **Fact Sheets:** A motion to issue fact sheets on the bargaining proposals was seconded and passed unanimously (the first fact sheet is now available).
7. **Fundraising Party:** A motion to hold a strike fundraising party was seconded and passed unanimously.
8. **Job Actions:** A motion to authorize the Bargaining Committee to organize job actions throughout the Society which do not violate the contract or jeopardize attorneys' legal rights was seconded and passed with four votes in opposition.

- D. Bargaining Proposal:** A motion to demand the same health coverage for artificial insemination and in vitro fertilization as that available to management, was seconded and passed unanimously with one abstention.

# Attorneys of Color File Grievance

On October 25, 1990, Arch Murray circulated a memo to all legal staff which defended the Society's affirmative action record by reference to the absolute number of attorneys of color at the Legal Aid Society, but without any reference to the relatively low percentages which have been pointed out by ALAA. The following letter and grievance recently filed by the Attorneys of Color of Legal Aid (ACLA) effectively responds to Murray's claims.

October 23, 1990

Archibald Murray, Esq.  
Executive Director  
15 Park Row, 22nd Floor  
New York, New York

Dear Mr. Murray:

We are writing to you on behalf of the Attorneys of Color of Legal Aid to submit the enclosed omnibus affirmative action grievance. The Legal Aid Society has a mandate to provide legal representation to indigent people in New York City, the overwhelming majority of whom are African American and Latino. In attempting to fulfill that mandate, Legal Aid can not afford to act in merely a color-blind manner in response to the racial context of the poverty that gives rise to the need for a lawyer.

While you acknowledged the importance of attorneys of color to our clients in New York Newsday on October 21, 1990, the procedures, practices and policies of the organization which you lead do not embody that recognition. The American Bar Association has adopted



principles stating that legal services providers, such as Legal Aid, must make "[c]oncerted efforts to recruit and select personnel who reflect the heterogeneity of the[ir] client population..." "Concerted efforts", as another way to say affirmative action, means more than the mere absence of discrimination, a goal which Legal Aid's personnel practices have yet to achieve.

As the omnibus grievance documents, there is no coherent affirmative action program at Legal Aid reflected in the myriad problems addressed from recruitment to promotion of attorneys of color. On October 21, 1990, New York Newsday reported that the City of New York was adopting a five year affirmative action program, designed to hire and promote people of color and women, using timetables, targeted hiring goals, quarterly reports and evaluations of management on compliance with these indicia of

progress. This proposal to review and revamp the entire city hiring process is totally consistent with ALAA's affirmative action bargaining proposal.

As many large public interest law firms have proven, affirmative action is possible and necessary to redress the racial problems that confront our people in their lives and their legal disputes.

We would like to meet with you to address the omnibus grievance and expect to see significant progress towards Legal Aid adopting a substantive affirmative action program in 1990. Your immediate reply would be greatly appreciated.

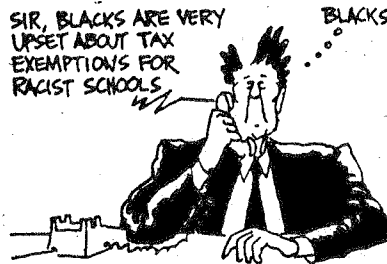
Sincerely,  
Sallie Manzanet  
Mildred Pinot  
Magda Rosa  
Cochairpersons, ACLA

*See Next Page for Grievance Text*

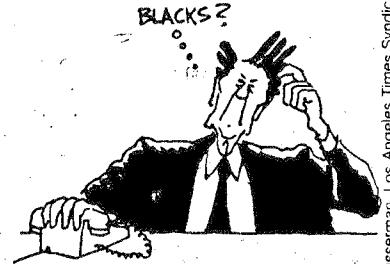
# OMNIBUS AFFIRMATIVE ACTION GRIEVANCE

## A. RECRUITMENT

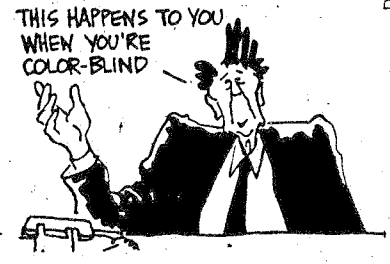
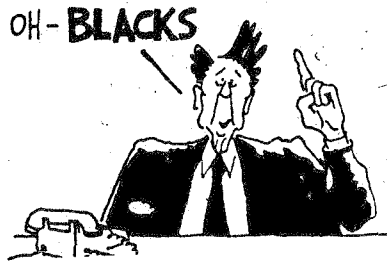
1. The Society has neither consistently informed the attorneys of color who have interviewed applicants of the employment decision nor have they consistently encouraged that attorney to call applicants to whom an offer has been extended.



2. The Society has neither consistently targeted law schools with higher than average percentages of prospective attorneys of color for recruiting nor developed a recruitment plan for attorneys of color with experience and management potential.



3. The Society has neither presented a public image as affirmatively acting to make significant (more than incremental) improvements in the racial composition of the staff and the management nor convened a special meeting of law students and attorneys of color and their organizations to devise a plan to remedy the racial imbalances in Legal Aid.



4. The Society does not advertise all positions in publications targeted towards people of color.

5. The Society refuses to allow the Affirmative Action Task Force to screen resumes of job applicants.

6. The Society's divisions neither consistently ascertains the interest of prospective attorneys of color in interviewing in other divisions nor forwards these applicants' resumes to other divisions to be affirmatively recruited.

7. The Society has neither consistently included attorneys of color in interviews of prospective attorneys of color nor explained the circumstances resulting in their failure to do so.

8. The Society has not recruited at law schools in Puerto Rico in ten years.

## B. HIRING

1. The Society has not hired attorneys of color into units which are more lucrative (federal), professionally prestigious (special litigation, federal) and specialized (narcotics units, civil and juvenile appeals, special litigation, federal) in the same proportions as other offices of Legal Aid.

2. The Society has not hired attorneys of color in the same percentages as shown to be possible in New York (Legal Services has 30% attorneys of color out of over 100 attorneys compared to Legal Aid's Civil Division) or around the country (20% of the 80 attorneys in the Los Angeles Office of the State Public Defender, which handles criminal appeals, compared to 15% of Legal Aid's Criminal Appeals Bureau; 33% of the 350 attorneys in the Los Angeles City Attorney's Office, which handles misdemeanors, compared to under 20% in Legal Aid's Criminal Division; 31% of the 570 attorneys at the Los Angeles Public Defender).

Continued on Page 6

Dan Wasserman, Los Angeles Times Syndicate

Affirmative Action Grievance, Continued from Page 5

3. The Society has offered positions to white attorneys after failing to post or denying the existence of an opening when attorneys of color have applied for employment and before an affirmative action search has been attempted. (See attached.)

### **C. RETENTION AND PROMOTION**

1. No affirmative effort has been made to consistently assess or encourage the interest of attorneys of color in being promoted to supervisory and other positions of greater responsibility and authority in each division.
  2. The Society has not promoted attorneys of color at rates equivalent to their percentage on staff and has no attorneys of color as Division chiefs, Assistant Attorneys-in-Charge (except in the Volunteer Division), central division management responsible for training, special litigation and appeals (in Civil and Juvenile) or as supervisors in Juvenile Rights for ten years.
  3. Racial sensitivity training has not been consistently provided to all staff attorneys.
  4. No attempt has been made to either determine the satisfaction of attorneys of color with the Society, their likelihood of remaining for five or more years, and the contributing factors to such a decision or to respond to those concerns in order to encourage more attorneys of color to stay longer.
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## **Draft EC Agenda, November 7, 1990 6:30 sharp, 13 Astor Place. Pizza Will be Served.**

1. Adoption of October Minutes
  2. President's Report (5 minutes)
  3. Pension Fund Changes (30 minutes): The ALAA pension trustees will report on changes in the pension fund which must be discussed and voted upon by the EC
  4. Finances (15 minutes): Report and proposal regarding ALAA finances
  5. Bargaining (45 minutes)
    - A. Proposal from CWA Local 1180 re progressive taxation plan (see page 11-12 this issue)
    - B. Evaluation of Oct 23d Annual Meeting demonstration
    - C. Problem of members not receiving Union materials
    - D. Proposals on Job Actions (from second round of office meetings)
-

## Management "Offer" to Meet Comes to Naught

Although the contract expired on July 1st, there have been no bargaining sessions with management since the end of August. The following exchange of letters between management and Union attorneys was distributed to delegates, it is being reprinted here because it remains relevant to understanding why no bargaining is now taking place. *Management never replied to our letter of October 4th.*

### Management Accusations

September 26, 1990

Dear Len[ny Leibowitz, Union counsel]:

I have been advised by my client that Mike Letwin is reportedly advising the members of the Association that we are refusing to set a date for the next collective bargaining session and that I, or we, were proposing that the union waive retroactivity in connection with a wage increase. Since neither of those assertions is even close to being true, as you know with regard to the former and both you and Mike know with regard to the latter and as I refuse to believe what I have been told about Mike's motives and character, I must assume there has been some lack of communication.

If the union now wishes to meet, despite our mutual agreement that it made more sense to wait until the financial situation was clarified somewhat, the Society is more than willing to meet.

With regard to the issue of retroactivity, I can't even imagine what is being referred to other than a brief conversation in my office in which we were talking about the size of the increase given by one of the District Attorneys and that that was in part accomplished by the lack of retroactivity. If you know any more about this latter subject than I, I would appreciate your telling me.

Please advise as to the union's desires with regard to a meeting.

Sincerely,  
L. Robert Batterman [management counsel]

### Union Response

October 4, 1990

Dear Bob:

I am writing in response to your letter of September 26, 1990 in which you complain that Michael Z. Letwin, the president of the Association, is misrepresenting management's position with regard to retroactive pay increases and the suspension of bargaining sessions.

As to retroactive wage increases, we naturally assumed that you had raised the subject of partial retroactive increases for the district attorneys because such a possibility was present in relation to salary increases at Legal Aid. In order to prepare our members for all eventualities, we related this information to our members in precisely that way. However, we are pleased to learn from your letter that management will not advance such a proposal during bargaining.

Contrary to your claim regarding the suspension of bargaining sessions, neither Michael nor any other representative of the Association has charged that management is refusing to "set a date for the next collective bargaining session." We have said

that management has not accepted any Union proposal or made any counterproposals of its own. In the Association's view, this constitutes a failure on the part of management to meaningfully bargain, particularly in light of the fact that we held four bargaining sessions spanning a two month period, during which time you were in receipt of thirty-five pages of detailed Association proposals.

Furthermore, contrary to your description of "our mutual agreement that it made more sense to wait until the financial situation was clarified somewhat," we have made it quite clear that while agreement regarding salaries and benefits may require final City approval of the Legal Aid budget, that delay is no excuse for management's failure to make counterproposals to the vast bulk of the Association's demands which relates to non-monetary areas such as affirmative action, objective health and safety standards, job security provisions and many other issues.

We take it from your offer to renew discussions that management is now willing either to accept our proposals in those areas, or to respond with counterproposals of its own. If this is in fact the case, we would be most pleased to reconvene at the earliest possible time.

Sincerely, Lenny Leibowitz [Union counsel]

### Annual Mtg., Cont. from Page 1

In essence, attorneys are encouraged -- and at times required -- to treat clients as widgets on an assembly-line, rather than as the human beings that they are. And even our best efforts are often not enough to place our clients in drug treatment programs, let alone a decent job or place to live.

As a result, we must be honest about the fact that in every division it is impossible for each poor client to receive the same justice enjoyed by the wealthy.

#### **Who's To Blame?**

First and foremost, the responsibility for this reality lies with our immediate adversaries -- the police, landlords, prosecutors, corrections, and judges -- and with politicians who find it expedient to support so-called "anti-crime" policies that herd one of every four young African-American men to New York's criminal justice system, and pay for it by cutting to the bone the already-meager basic social services for communities in which our clients live, and by threatening to layoff tens of thousands of city workers.

#### **& Real Alternatives**

In reality, however, real safety for New Yorkers lies in treating drugs and crime not as a criminal justice issue, but rather as the health and economic problems that they are. Ultimately, there must be racial and economic justice and empowerment for our clients' communities.

In the climate of today's budget crisis, to do so requires an end to welfare for the rich: the major land owners, private universities and hospitals, big business, stock exchange and developers -- all of whom today pay virtually no taxes. The Legal Aid Society must be a voice, in the wilderness if need be, for such sanity.



**"I believe in the status quo—robbing the poor and keeping it."**

But even if many of these issues lie beyond our control, Legal Aid does have both the responsibility and ability to alter those of its own policies which threaten the quality of representation by overwhelming, frustrating and driving away committed attorneys.

In order to do so, the extensive 1990 bargaining proposals advanced by the Association of Legal Aid Attorneys -- the conscience of Legal Aid -- are designed to make the Society a more attractive and effective place for attorneys to join, remain, and fulfill their mission.

#### **Quality over Quantity**

Thus, to emphasize quality over quantity, we have proposed hiring additional support staff, improved training and resource materials, a police abuse referral program, reform of the Criminal Appeals Bureau's oppressive brief "quota" system and a strong overall quality of representation provision.

#### **Job Security**

To address the deep demoralization and high attrition caused by the way in which Juvenile Rights Division layoffs were handled earlier this year, we seek an

entirely new job security clause which would require full management disclosure of the necessity for and time of layoffs, a fair and objective transfer and layoff policy based on reverse seniority and affirmative action criteria, and greater recall rights.

#### **Salaries**

And there is no way to avoid the fact that high attrition at Legal Aid is due largely to the fact that its salaries of \$29,000 to \$60,000 are grossly uncompetitive with such local offices as the DC 37 Legal Services Plan, Human Resources Administration, Office of the Appellate Defender and the Corporation Counsel, (where starting salaries range from \$33,000 to \$36,000) and with national competitors such as the Los Angeles Public Defender (whose salaries range from \$39,000 to \$89,000). At the same time, the secret salaries paid to Legal Aid management are among the highest nationally.

To reverse that pattern, we have called for salary increases of fifteen percent, or parity with the Society's federal defender unit, whichever is greater, and an extension of the annual step increase

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Annual Mtg., Cont. from Page 8

beyond the current 13-year limit that has done so much to drive from Legal Aid our most senior attorneys, and the irreplaceable experience they represent.

**Improved Benefits**

For the same reasons, we have proposed



improved pension and health benefits, flexible worktime and dependent care, and an increase to the same three chances to pass the bar examination before termination provided by the Manhattan district attorney's office.

**Health & Safety**

To remedy atrocious office conditions characterized by filth, unsanitary restrooms, inadequate ventilation and air conditioning, broken elevators, overcrowding, roach and mouse infestation, pitifully lax security, and courts that are even worse, we propose detailed objective health and safety standards to which we believe attorneys and support staff are entitled.

**Just Employment Practices**

And absolutely central to our demands are remedies to the shameful lack of affirmative action for people of color and the actual discrimination practiced against our lesbian and gay colleagues.

**Affirmative Action**

There is no excuse for the fact that people of color make up some 90 percent of our clients, but only 17 percent of our staff attorneys, and 9 percent of management.

The fact that the San Francisco Public Defender's office has a rate of 45 percent attorneys of color, and that Legal Services of New York has a rate of 30 percent, clearly belies management claim that it is doing the best that it can. And there is simply no legitimate explanation for the fact that numerous

Society units and almost all top management positions remain all-white.

Because it has a major responsibility to remedy discrimination in the legal profession, and because the perception of it as another cog in a racist justice system severely impairs the attorney-client relationship, the Society must be in the vanguard, not the rear-guard, of recruiting, promoting and retaining people of color within its own ranks.

Therefore, in proposals which are in some ways similar to the City affirmative action plan just announced by Mayor Dinkins, we have called for the modest initial goal that thirty-three percent of legal staff and management be people of color, and an extensive set of procedures to realize that goal through the appointment of affirmative action officers and full involvement of attorneys in the affirmative action process.

**Lesbian & Gay Rights**

It is no less shameful that two years after the last contract established a joint committee on the status of lesbian and gay attorneys, and months after that committee unanimously recommended

an end to what it characterized as widespread discrimination particularly in the area of benefits, management has refused to act on those recommendations. What kind of message does that send about the Society's commitment to justice?

**Board Representation**

Finally, because we believe that these and other concerns must be fully addressed by the leadership of the Society in an ongoing way, we have proposed that the Association be represented on the Legal Aid Board of Directors, and hope that the Board will be expanded in the future in order to embrace a much wider range of the public.

**Management Rejection**

To our great disappointment, however, management has neither accepted any of our proposals, nor made counterproposals of its own, presumably in the belief that placing some money on the table at some future point will push all other issues to the side.

**& Union Response**

However, as attorneys and their 1199 co-workers demonstrated earlier this year in a tough and successful fight to save the Manhattan office of the Juvenile Rights Division, we will not tolerate policies which threaten the quality of representation to which our clients are entitled. Management refusal to take the same issues seriously in the context of bargaining threatens to provoke a strike that will result in a collapse of the city's already overburdened court system.

**Just Solution**

None of this, however, is necessary or inevitable. The rational and just alternative is for the Legal Aid Society to more fully live up to the mission that brings all of us here today. We ask you each of you to help us do so.

**The Association of Legal Aid Attorneys  
(District 65/UAW/AFL-CIO)**

13 Astor Place, Room 901, New York, NY 10003-6980, (212) 674-4188, 673-5120/(800) 221-5011

*Michael Z. Letwin* President/*Annette DePalma* Vice President/ *Martha Conforti* Secretary/ *Stephen Dean* Treasurer

*R. David Addams* Executive Director/*Isabel Lobelo* Office Administrator/ *Ron Luciano* Office Secretary

## **ALAA November 1990 Calendar**

### **Monday, November 5**

1p.m. Manhattan CDD membership meeting on bargaining

### **Wednesday, November 7**

1p.m. Brooklyn CDD membership meeting on bargaining

6:30p.m. EC Meeting, Union office.

### **Thursday, November 8**

TBA Rally for alternative to City Budget cuts, City Hall (see leaflet, page 12)

6:15p.m. Attorneys of Color of Legal Aid (ACLA) meeting, Union office, 13 Astor Place.

### **Thursday, November 15**

6p.m. Attorneys of Color of Legal Aid (ACLA) meeting, 2d floor, 13 Astor Place.

### **Friday, November 16**

4:30p.m. Greyhound strikers support rally

### **Lesbian & Gay Caucus**

Do you want to know about future Caucus events?

To be contacted, call Susan Allee (577-3474) or  
Steve Statsinger (577-3473)

### **Do You See Racism in Criminal Sentencing?**

Elaine Rivera of New York Newsday is writing a feature article on racism in sentencing. She is seeking examples of similarly situated defendants who are white and those of color who received disparate sentences. Please contact her at 251-6866

# A Campaign to Return New York to Working New Yorkers Getting the Bankers and Developers Out of Our Pockets

The following statement was formulated by Communications Workers of America Local 1180 and endorsed by a coalition of other unionists as a response to the City's fiscal crisis. It will be discussed at the EC meeting on November 7th. Please also see the leaflet on page 12 for the demonstration called for November 8th at City Hall.

Current tax rates top out at 3.4% for families with incomes over \$50,000. We are urging a change in the tax structure for those families earning over \$100,000 as follows:

100,000 - 499,999	---	5.5%
500,000 - 999,999	---	6.5%
over \$1,000,000	---	7.5%

Such a program, based on FY '89 returns, would provide an additional \$460 million in tax revenues.

## **\*\*TAX BUSINESS SERVICES, NOT CONSUMER NECESSITIES\*\***

CWA 1180 calls for the phasing out of the sales tax on consumer necessities on clothing and low budget restaurant meals that would be replaced by a 4% business service tax.

This 4% tax on the "Hot Air Sector" would generate nearly \$1 billion and would be enough to pay for an entire 5.5% wage increase for city workers.

## **\*\*TAX LAND NOT STRUCTURES\*\***

CWA 1180 calls for a tax levied on land used for commercial purposes as an ideal urban tax. This differential tax on land and structures was recommended by the New York City Tax Study Commission.

The major impact of this proposal would lower housing costs and provide more equity for middle income families, shifting the burden for property taxes to the upper income and business interests.

## **\*\*TAKE AWAY DEVELOPERS' TAX EXEMPTIONS\*\***

CWA 1180 calls for the elimination of the ICIP, J-51, and 421 A luxury tax exemptions and abatements, which in 1990 will total \$1.26 billion.

The phasing of these and other tax exemptions for developers would realize an annual \$500 million in increased revenues.

## **\*\*TAX PRIVATE UNIVERSITIES\*\***

CWA 1180 realizes that more than 40% of the taxable value of all property in New York is tax exempt. We call for a taxation policy that reviews and levies a real estate tax on private universities. Cities like Evanston, Illinois and New Haven, Connecticut are already seeking to bring their universities onto the tax rolls. Why not us?

Bringing the tax exempt properties of NYC's private universities onto the rolls would add \$100 million.

# THEY'RE BACK!!!

*They* want to put thousands of City workers out on the Street.

*They* want to break the Teachers' contract.

*They* shifted their tax burden on to working people.

*They* want to replace Daily News workers with scabs.

*They* want the Financial Control Board to run the City again.

## WHO ARE THESE GUYS?

*They* are the same  
Wall Street crowd that took over in '75:

Felix Rohatyn (Lazard Freres)

Walter Wriston (Citicorp)

John McGillicuddy (Manufacturers Hanover Trust)

We had an election last year and they lost.  
We are not going to let them run this town again.

The Wall Street crowd caused this crisis--now let them pay for it!

**DEFEND OUR JOBS!**

**DEFEND OUR UNIONS!**

**DEFEND OUR FAMILIES!**

**DEFEND OUR CITY!**

**BREAK THE CITY HALL-WALL STREET CONNECTION**

## NEW YORKERS MOBILIZE

### THURSDAY, NOVEMBER 8

### City Hall Park 12 Noon

*It's time for City workers to give City Hall our plan to save the City.*

CWA Local 1180 6 Harrison St. NYC 10013 [212] 226-6565