

Urban Resources

# URBAN RESOURCES AND ASSOCIATES, INC.

Consultants, REAL ESTATE GOVERNMENT RELATIONS

## MEMORANDUM

October 10, 1990

TO: John O'Connor  
FROM: James Tiernan  
RE: Response to October 5 Memorandum

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Your memorandum of October 5 asks for clarification on a number of points made in my cumulative report dated October 1, 1990. This memorandum will attempt to respond to those questions and provide you with copies of the materials requested.

- . There are four resolutions (attachments A-1 to A-4) that I have tried to generate labor support for. Because of political considerations inside the AFL/CIO in New York, it was decided that pursuit of the "tax" resolution was not likely to be successful and could embarrass President Cleary with the public sector union.
- . Ultimately the IAQ resolution (A-1) was adopted. It is likely that anti-discrimination resolutions will be adopted by certain police and fire unions in the next few weeks. This will lead the way for AFL-CIO support for more narrowly defined legislation in the future.
- . There is no confusion regarding anti-discrimination legislation in New York. I was not made aware that your office had an interest or had sponsored legislation. During the time, you were working on this proposal, I was involved on a constant basis with the state federation on a variety of issues. At no time did the state federation connect the interests of the Labor management Committee and those of your office.

- . The police and firefighters unions are prepared to pass resolutions and recommend introduction of legislation for the 1991 session. That legislation should be more closely patterned after the Rhode Island bill with expanded concentration on other fitness issues besides smoking. This will allow us to avoid the criticism leveled at the overly broad 1990 legislation.
- . With regard to revenue maximization, I'm sorry I was unaware of your legislative effort in 1990. In Massachusetts we were able to have the unions successfully champion this bill as party of a "revenue enhancement package." Considering the previous contact with both transportation and painters unions, on this and other issues, it is possible that a union approach could have helped your effort.

In the future I will keep you more closely in touch with a specific activities. To date, I have attempted to implement the charge given to me by the Labor Management Committee a year or so ago. That charge was to develop legitimate, issue based labor support for specific issues of concern to the Labor Management Committee. these issues were initially limited to "indoor air quality" and "taxes." Because of successes in New England we have expanded our interests to include "advertising" and "anti-discrimination" issues. The purpose of our strategies is to avoid the mistakes of the past in New York. The industry's previous attempts to develop labor support were entirely based on the personality of the representative and were developed on a "do it for me" basis. Our effort attempts to give labor a solid reason to be on our side so it can withstand the criticism that is likely to accompany their stand.

I hope this memorandum answers any questions you may have had. If you need any further information, please give me a call.

JJT/Attachments

## **Resolution No. 121**

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### **Indoor Air Pollution**

**Submitted by: Executive Council**

**WHEREAS, the United States Environmental Protection Agency (EPA) estimates that pollutants found in indoor air are responsible for 3,500 to 6,500 cancer deaths each year;**

**WHEREAS, thousands of workers suffer from headaches, respiratory problems, allergic reactions, muscle aches, colds and flu's and skin irritation and countless other less severe health problems caused by the air they breathe at work;**

**WHEREAS, standards set by the occupational safety and health administration were designed to protect workers from exposure to toxic substances at industrial levels and do not deal with the hazards of indoor air pollution faced by office workers;**

**WHEREAS, the problem of indoor air pollution has been exacerbated by the building of sealed buildings for purposes of energy conservation and the failure of building owners to bring in enough fresh air;**

**WHEREAS, the New York State Legislature, in its 1989-1990 session, enacted legislation permitting the New York State Department of Labor Hazard Abatement Board to promulgate safety and health regulations for workers in the public sector, therefore be it**

**RESOLVED, the New York State AFL-CIO call upon the New York State Department of Labor Hazard Abatement Board to promulgate regulations regarding indoor air pollution for workers in the public sector as its first order of business, and be it further**

**RESOLVED, the New York State AFL-CIO call upon the New York State Legislature to enact legislation protecting workers in the private sector and the public from hazards posed by indoor air pollution.**

**GENERIC EXCISE TAX RESOLUTION**

**WHEREAS:** Increases in excise taxes on gasoline, alcohol and tobacco products are frequently considered as sources of additional revenue to fund State programs; and

**WHEREAS:** As a percentage of income, excise taxes cost low and middle income Americans more than wealthy individuals, and impose an unfair burden on those least able to afford it; and

**WHEREAS:** Opposition to excise taxes is entirely consistent with the AFL-CIO's support of progressive taxation based on the ability to pay.

**THEREFORE, BE IT RESOLVED:** That the ----- opposes any increase in excise taxes because of the unjust economic hardships these taxes place on American workers and their families.

**BE IT FURTHER RESOLVED:** That the ----- supports the belief that any new taxes considered should be progressive and revenue should be generated from taxpayers in an equitable fashion.

**PROPOSED RESOLUTION**

**NEW YORK STATE AFL-CIO**

**Support Privacy Rights**

Whereas: Employer restrictions on workers' legal, off-the-job conduct which has no effect on job performance violates employees' right to privacy, and

Whereas: Employer practices which impose restrictions on employees on and off-the-job activity and, therefore, invade employee privacy rights in such areas as lie detectors, electronic surveillance of employees, drug testing, use of tobacco products, aids testing, and use of alcohol, and

Whereas: Public employees have a constitutional right to privacy which they do not relinquish when they to work for the government, and

Whereas: The AFL-CIO has urged its members to "vigorously resist harsh and unjustifiable employer programs" which "ride roughshod over the rights and dignity of workers", and

Whereas: Some communities have passed ordinances and rules that allow the state to dismiss police and fire officials for off duty activities including use of tobacco products, and

Whereas: The State of Rhode Island has recognized the right of a worker to be secure in the privacy of his personal behavior by enacting a first in the nation law prohibiting employers from discriminating against those who use tobacco products off the job.

Therefore Be It Resolved: That the New York AFL-CIO opposes public and private employer instituted policies that discriminate against employees and potential employees based on off-the-job activities which have no effect on job performance, and

Be It Further Resolved: That the New York AFL-CIO calls on the state legislature to pass legislation which recognizes employees' right to privacy and prohibits employer practices that infringe on workers' privacy and dignity.

Submitted by:

**PROPOSED RESOLUTION  
NEW YORK STATE AFL-CIO**

**Support of Advertising Rights**

Whereas: There have been attempts at the local, state, and federal level to prohibit the advertising and promotion of legal products, and

Whereas: A ban on advertisements of a legal products threatens the First Amendment guarantee of free speech, and

Whereas: The Supreme Court has accorded advertising and other forms of commercial speech significant protection under the First Amendment, and

Whereas: The constitutional guarantee of free speech allows the individual consumer to make an informed, rational and free choice among all lawful courses of action, and

Whereas: Any ban on advertising would result in a loss of jobs for those unions who represent members in the advertising, printing and other affected industries.

Therefore Be It Resolved: That the New York AFL-CIO recognizes the need for First Amendment protection as basis to the fundamental values of our political and economic systems, and

Be It Further Resolved: That the New York AFL-CIO go on record as opposing all government prohibitions on the advertising and promotion of legal products.

Submitted by: