



Shari C. Hyman
Commissioner and Chair

December 22, 2011

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COMMISSION DIRECTIVE

Dear Licensee:

The contract between the SEIU Local 32BJ (“32BJ”) workers servicing commercial buildings, including cleaners, doormen, porters, maintenance workers, window cleaners, security guards, superintendents, and theater and stadium workers, and the Realty Advisory Board on Labor Relations, Inc. (“RAB”) is set to expire on December 31, 2011. This contract affects 25,000 32BJ members working in 2,000 commercial buildings in the City of New York.

In the past, the failure of RAB and 32BJ to reach accord on the terms of a collective bargaining agreement has resulted in a general strike, and there is a possibility that such a strike could occur again. Depending on the duration of the job action, a strike has the potential to disrupt commercial building operations in New York City. Critical building services, such as garbage removal, must be provided during a strike to prevent potentially hazardous unsanitary conditions.

Conditions of labor unrest and possible picket lines pose an area of concern during a strike. Nonetheless, in order to prevent hazardous unsanitary conditions, it is absolutely essential that trade waste licensees provide full service to their customers without interruption or limitation as required by the Commission’s rules despite these potential disruptions. *See*, 17 R.C.N.Y. § 5-05(a)(2).

Accordingly, in the event of a strike by 32BJ, **YOU ARE HEREBY DIRECTED to ensure proper collection, removal and disposal of your customers’ trade waste. YOU ARE FURTHER DIRECTED to prepare effective contingency plans to facilitate such collection, removal and disposal, and implement such plans successfully in the event of a strike, if necessary.**

BIC investigators will monitor conditions to ensure compliance with this Directive. Failure to abide by this Directive may result in administrative fines up to \$10,000 (*See*, 17 R.C.N.Y. § 1-09), and may be considered in evaluating the status of your company’s License. Additionally, your company may be required to provide restitution in the event that your customers’ trade waste must be removed by other means.



Should you have any questions, please feel free to contact Senior Special Counsel Martin Gleeson at (212) 676-6248 or mgleeson@bic.nyc.gov.

Sincerely,

A handwritten signature in black ink that reads "Shari C. Hyman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Shari C. Hyman
Commissioner and Chair

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