

EPP UPDATE  
June 27, 2017  
Timeline and Current Status

2009 - First bill that would have required EPP's to be in pre-K contracts was introduced. Passed Senate and did not pass Assembly

2010 - Bill that would have required EPP's to be in pre-K contracts. Passed Senate and did not pass Assembly

2011 - A3127-A/S1368-A - Bill that would have required EPP's to be in pre-K contracts passed both houses. Was vetoed by the Governor in September.

2012 - A10184/S7189 - Bill that said bids may go out as RFP's in pre-k contracts passes both houses and is signed by the Governor in August

2013 – Mayor Bloomberg issues RFB's for K - 12 contracts without the EPP's

2013 - Local 1181 calls a citywide strike that's lasts approximately 5 weeks because of the removal of the EPP

February 2014 Mayoral Candidates write a letter to ask to end the strike with a promise to restore the EPP's if elected (attached)

2014 – Mayor Bloomberg issues RFB's for K - 12 contracts without the EPP's

2014 - A9499-A/S7233-A - Bill that would have required EPP's in Pre-K and K- 12 contracts passes the Assembly but not the Senate

2015- Bloomberg issues last group of RFB's for K - 12 contracts without the EPP's

May 2015 Mayor de Blasio postpones the RFB and subsequently cancels this RFB extending the EPP in 60% of school bus contracts with the NYC Department of Education until June of 2018

2015 - A8019/S5984 - Bill is negotiated with the City and requires EPP's for K - 12 contracts going forward and allows the City to reopen the contracts without the EPP's. Passes the Assembly but not the Senate because of NY School Bus Contractors Association's opposition.

Fall of 2015 - Sit down with contractors and work out compromise bill

2016 - A8019-C/S5984-C - Bill to require EPP's for K - 12 contracts going forward and allows the City to reopen the contracts without the EPP's, change the index used to calculate extension

of school bus contracts from the CPI-U to ECI and eliminate sales tax on school buses passes both the Senate and Assembly. It is vetoed by the Governor in November, and in his message, he says he has some constitutional issues and thinks this need to be done in the budget

December 2016/January 2017 - Sit with Governor's staff to discuss issues and concerns  
Governors council states to Michael Cordiello the Governor wants to be our partner to get the EPP. Constitutional issue is with the language to reopen the existing contracts to add the EPP's. Agree to remove this language from the bill

January - February 2017 - Governor releases proposed budget - EPP proposal is not part of his budget

February 2017 – Michael Cordiello and Contractors jointly testify to Joint Budget Committees regarding the EPP proposal

March 2017 - Assembly and Senate release one house budgets. Assembly includes full proposal. Senate includes only sales tax exemption for school buses

March 2017 - Contractors and coalition agree to remove ECI language from the package. We are now asking for the EPP language and sales tax exemption for school buses to be included in the final budget due April 1

April 2017 - Final budget does not include EPP language

April 2017/May 2017 - Discussions continue with the Senate, Assembly and Governor's office regarding EPP's

June 2017 – The EPP legislation was not included in the State budget enacted in April. I have continued to speak with members of both the Senate and Assembly as well as the Governor's office to see if a resolution could be reached. One of my conversations was with International President Larry Hanley and the counsel to the Governor. He informed us that he would participate in a meeting to discuss the issue and that the Governor's issue with the legislation was the supposed cost to the State. On May 16, 2017, our Senate sponsor, Senator Marty Golden, sent a letter to the Governor's counsel requesting a meeting with all stakeholders. The letter went unanswered despite repeated attempts to follow up and schedule a meeting. At this point, it became clear that the Governor's office was not going to engage on the issue, despite past statements that the Governor wanted to “partner” with us on this issue.

We moved forward with legislation that would require the City to pay the costs that could be directly then attributed to the EPP. Senator Golden introduced the legislation on June 16. The Senate passed its version of the bill on June 21. The Senate's version also included provisions to allow certain transportation benefits for private Yeshiva schools in New York City on June 16, the Assembly also introduced legislation requiring the City to pay. The Assembly bill did not include the Yeshiva benefits provisions. The Assembly did not act on its bill.

In the last few days of the legislative session, it was decided that our issue would be rolled into a larger negotiation on mayoral control of New York City schools. Unfortunately, while the Legislature adjourned last week, they did so without addressing the issue of mayoral control of New York City schools. There is some talk they will return as early as this week to extend mayoral control, but there as yet is no set plan to return. It is possible that mayoral control will expire before a deal to extend it is reached. We now have information that the Governor has called for a special session to decide on mayoral control. We do not expect the EPP during this legislative session to be a part of these negotiations.

At this time, it appears that we will not be able to get the EPP provisions approved at the State level. Therefore, we will turn our time and attention to the City to work with the Mayor, who has been supportive, to include the EPP's in the next round of bids.

We will, of course, keep you posted of any developments.

We would like to take the opportunity to wish you and your families an enjoyable summer. We will continue to work on your behalf throughout the summer.

In Solidarity

Michael Cordiello, President/Business Agent  
and the Executive Board  
ATU Local 1181-1061