



Breakthrough Custodial Pact Gives DOE Control Over Janitor Services

Discontinues Farm-Out Of Some Management; Has Supervisor Bonuses

By Dan Rosenblum

May 2, 2016

The de Blasio administration last week reached a tentative agreement with three unions—featuring \$10,000 bonuses and a 12-year ban on outsourcing—to overhaul how the Department of Education manages school custodians and merge front-line maintenance staffers into a city-managed non-profit while raising the pay for thousands of workers who maintain and clean the facilities.

Ends Indirect Employment

Beginning in the fall, the DOE will directly manage janitorial responsibilities and staff all of its schools, replacing an “indirect-employment” system dating back to the 19th century. Mayor de Blasio said the deal with the International Union of Operating Engineers Local 891, IUOE Local 94 and Local 32BJ of the Service Employees International Union marked the biggest change in 150 years.

In a statement, he said, “The antiquated system they work under has long been broken, meaning that our kids, Teachers, administrators—and our taxpayers—are not getting the effective service they deserve.”

‘Address Mismanagement’

“These reforms will address long-standing disparities and mismanagement and help ensure all schools are clean and well-maintained,” he added.

Despite their title, the DOE’s 740 Custodian Engineers represented by Local 891 are managers who set their own budgets, hire staff and buy their own supplies. They work for the DOE and employ about 5,000 School Cleaners and Handymen, under 32BJ’s banner, and 1,000 Firemen and Stationary Engineers, who are part of Local 94 and maintain boilers, generators and other machines.

Though Custodian Engineers will still work for the DOE and supervise their teams, the 6,000 front-line maintenance workers will be employed by a new non-profit corporation, NYC School Support Services. The DOE will hire 120 more Custodian Engineers to replace the contractors that work in



10 percent of the schools. It will also eliminate the “Temporary Care” program in which the CEs work eight-week rotations covering unmanned buildings.

Key Gains for '891'

Robert Troeller, business manager and president of Local 891, said the pact had its origins in the contract reached in December 2014, which stipulated the city and unions would meet again to modernize the system.

Local 891’s agreement, reached April 14, includes a \$10,000 pensionable one-time bonus for members upon ratification and a 12-year ban on outsourcing their work. Survivors of in-service employees who die between Jan. 1, 2008 and June 30, 2020 will be eligible for a lump-sum payment.

It also includes three release-time-eligible positions, a \$200 increase to the annuity fund and extended promotion opportunities. “I was looking to create more options, more opportunities, more choices for my members, and I think that’s what we did,” Mr. Troeller said.

The local’s executive council recommended its members ratify the amendment to its 2008-16 agreement when they vote on it May 5.

'This Mayor Included Us'

“Previous Mayors wanted to reform the custodial system,” Mr. Troeller said. “They always tried to get rid of [Local] 891. It didn’t work. This Mayor included us in his plans and made us an important part in his plans. And that’s why he’s been successful where others have failed.”

While he said his members were honest and dedicated, the closing of bank accounts for supplies would remove any temptation for corruption.

The process will also fix a “two-tiered” pay scale that existed between contractors hired by the DOE and city-affiliated Custodian Engineers. Though employees working for contractors such as ABM and Temco earn the prevailing wage, the vast majority who are governed by collective-bargaining rules often earn at least \$3 less.

Contracts reached in late 2014 gave members of the union two 4-percent raises for the 2008-10 bargaining period and 10-percent pay increases over the following six years, largely conforming to the bargaining pattern set by the city’s contract with the Teachers’ union.

New Pay Levels



Cleaners, who earn a base hourly pay of \$21.65 under the current contract, would earn the prevailing wage, which is \$24.62 as of July 1; Handymen who earned \$24.28 an hour would earn \$26.95. Firemen now earn a base pay of \$24.70 hourly and Stationary Engineers earn \$27.92.

A spokeswoman for 32BJ said its economic details are still being negotiated and will be part of a contract that will replace the one due to expire Oct. 21.

“This restructuring will finally get the nearly 5,000 School Cleaners and handypersons what we have been fighting for, for so long—equal pay for equal work,” said Héctor Figueroa, president of 32BJ. “We will continue to work productively with the city to make sure that these jobs remain good jobs, that they maintain their benefits, and that all our members remain in the schools serving the students of New York City.”

Kuba Brown, the business manager and president of Local 94, said in a statement that after a “long and difficult negotiation,” he credited the de Blasio administration “for their creativity and imagination in correcting a flawed system.”

“Beyond the economic justice for our members, this agreement will lead to more-efficient and sustainable school buildings,” he said.

Hopes to Cut Overtime

By overseeing the services through the DOE’s Division of School Facilities, the de Blasio administration will try to reduce overtime and better manage its supplies. The Mayor’s Office said the start-up costs and extension of the prevailing wage would cost \$40 million for the fiscal year that begins in July, and decline to \$23 million the following year. It estimated the savings would eventually pay for the program in 2019 and could potentially save money over the following years.

“This new structure will right the many wrongs that have plagued the system for decades, and with clearer oversight, our children will be better served,” said Schools Chancellor Carmen Fariña

The Mayor’s announcement contained supportive statements from former Schools Chancellors Harold Levy and Dennis Walcott—an appointee of former Mayor Michael Bloomberg who now heads the Queens Borough Public Library—**Citizens Budget Commission President Carol Kellerman** and New York City Central Labor Council President Vincent Alvarez. “Our school leaders welcome the ending of long-term temporary care and the contracting out of custodial care,” said Council of School Supervisors and Administrators President Ernest Logan.

The nonprofit, NYCSSS, would be modeled after other single-purpose groups such as the city Economic Development Corporation and Animal Care Centers of NYC. Along with representatives of the city Budget Director and Ms. Fariña, its board will include David Kramer, president of the Hudson Companies and a former Principal, Natalie Green Giles, a consultant and parent leader of



District 15, and José Davila, a policy and government-relations executive at the Hispanic Federation.