



# ALL POLITICS IS LOCAL



**TODAY IS ELECTION DAY IN NEW YORK!**

**POLLS ARE OPEN ON TUESDAY, JUNE 27TH, FROM  
6:00 AM UNTIL 9:00 PM**

[FIND YOUR POLL SITE: voterlookup.elections.ny.gov/](https://voterlookup.elections.ny.gov/)

## CITY COUNCIL CANDIDATE SPOTLIGHT

### Marjorie Velazquez: District 13–Northeast Bronx

Marjorie Velazquez is finishing up her first term in the City Council and is running for re-election this Tuesday, representing the neighborhoods of Allerton, City Island, Morris Park, Pelham Bay, Throggs Neck, Westchester Square and Zerega, among others. As chair of the Consumer and Worker Protection Committee, Marjorie has fought to create union jobs in the district, supported striking workers, and passed legislation to protect consumers from corporations and giant utility companies like Con Ed.



A great example of Marjorie fighting for union jobs during this, her first term, was on the Bruckner development. It was a fight that should not have to have been fought. It's a relatively small development—348 units spread out over four buildings—with 192 designated as affordable, amounting to 55% of all proposed units, including 99 units for seniors and 25 for veterans. However, NIMBYism raised its ugly head and created a small but extremely vocal neighborhood opposition movement. This is clearly the standard mode of operation in this district. A report by the New York Housing Conference published last year showed that the 13th City Council District produced only 58 units of affordable housing between 2014 and 2021... a grand total of seven units per year! Contrast that with District 17, just south of the 13th in the East Bronx (encompassing Concourse Village, East Tremont and Hunts Point) which produced 8,555 new affordable homes in the same period, well over a thousand units per year.

Velazquez originally opposed the project because it did not deliver enough for her community. After tough negotiations with the developer, Marjorie agreed to approve the project once a guarantee was in place for "deeper affordable housing for our community, more good jobs for residents and additional benefits for the neighborhood." The negotiations also included more housing for veterans that will be permanently affordable and come with accompanying social services. Thanks to Marjorie, the veterans will also receive rental assistance and will be referred through Veterans Affairs and the city.

As for us, we get the jobs to build it. Local 79 and 32BJ SEIU rallied in support of the project because we also negotiated with the developers, and we secured a guarantee that the Laborers on site would all be our members, and the post-construction jobs

**Local 66**  
**General**  
**Building**  
**Laborers**

**Local 78**  
**Asbestos,**  
**Lead &**  
**Hazardous**  
**Waste**  
**Laborers**

**Local 79**  
**Construction &**  
**General Building**  
**Laborers**

**Local 108**  
**Recycling &**  
**General**  
**Industrial**  
**Laborers**

**Local 1261**  
**Lay Faculty**  
**Association**

**Mason Tenders**  
**District Council**  
**P.A.C.**

Joel Burgos  
Steve Flanagan  
Pawel Gruchacz  
Mike Hellstrom  
John Norbury  
Mike Prohaska  
Chaz Rynkiewicz  
Frederick "Fritz" Schneider  
Barrie Smith

Mike McGuire  
Director

Kris Kohler  
Assistant Director

Josh Slaughter  
LI Field Representative

Ari Espinal  
NYC Field Representative

**266 W. 37th Street**  
**7th Floor**  
**New York, NY 10018**  
**Telephone:**  
**212-452-9552**

## Marjorie Velazquez: District 13–Northeast Bronx (cont.)

would go to BJ. Ultimately, the project will produce 126 permanent jobs and 350 construction jobs, a priority for Velazquez.

Velazquez considers “New York City...the national standard for organized labor” and as Chair of the Committee on Consumer and Worker Protection, she has fought to guarantee it stays that way. In her first two years in the Council, Marjorie’s accomplishments have included the creation of new union jobs in District 13; support of striking workers by joining them on the front lines; and sponsoring legislation requiring worker’s rights to be included in workplace trainings.

If she wins re-election, her priorities for the next two years will be bringing union leadership to the table when discussing new projects; fighting the climate crisis by creating good-paying union jobs in the green energy sector (a priority of LiUNA-NY); and imposing Department of Labor-approved apprenticeship requirements for all new public works projects over \$1 million.

Marjorie Velazquez is an ally of organized labor and a true friend of the Laborers’ union. We urge all of our members who live in the 13th District in the Bronx to vote for Marjorie Velazquez (and Bronx DA Darcel Clark) in the June 27th Primary elections!

## Julie Won: District 26–Northwest Queens

Julie Won, who represents Sunnyside, Blissville, and parts of Woodside, Long Island City and Astoria as part of her 26th Councilmanic District, has really stood up for organized labor and has become a trusted ally of our union. That trust was built thru her deft navigation of the negotiations on the Innovation Queens project to be built on the border between Astoria and Sunnyside.

Unlike the Bruckner project in the 13th District, IQ—as it became known during the battle—is a major project, even by Local 79 standards, who are used to successfully negotiating on \$1 billion+ projects as part of day-to-day business. Innovation Queens is set to transform the southern end of Steinway Street from a mix of parking lots and one or two-story industrial buildings into a vibrant neighborhood center.

As approved, IQ will consist of twelve buildings with 3,190 mixed-income homes, including 1,436 permanently affordable homes (more than 500 of which will be available at the most deeply affordable “extremely low-income” band); 200,000 square feet of neighborhood-serving shops, restaurants and entertainment that complement existing small businesses, including a new state-of-the-art cinema; and two acres of open space – making up more than 25% of the projects 8-acre site –with lawns, performance space, a playground streetscapes and hundreds of new trees.

It was through Julie’s tough negotiations with the developers that these amenities are coming to the



district, along with the jobs for our members, despite community opposition and the opposition of several trades who could not—or would not—come to terms with the developers. The developer’s initial proposal was that 700 of the units, amounting to about 22% of all units, would be permanently affordable. Councilmember Won entered into negotiations with the developers, a partnership between Silverstein Properties, BedRock Real Estate Partners and Kaufman Astoria Studios, seeking as much as 55% of the units be deemed affordable. It was a bold bargaining tactic that worked fairly well. At the end of the negotiations, the development group and Councilmember Won agreed on 45%, or 1,436 units, more than doubling the originally proposed amount of affordable housing.

As has become something of a standard operating position for our union, the Laborers inserted themselves as the bridge between the two sides in order to facilitate discussions and make a deal the reality. This procedure works well for us as, on one side, the MTDCPAC strives to maintain strong

## Julie Won: District 26–Northwest Queens (cont.)

relationships with the elected officials who have the power to put our members to work, and on the other side, Local 79's Executive Board and Organizing Department have developed good working strategies with almost every major developer in New York. It also didn't hurt that we were joined in this fight by Painters & Allied Trades DC 9, and once again by the Service Employees 32BJ, who will end up with the post-construction maintenance jobs in IQs dozen structures.

Facilitating these partnerships between developers and elected officials has been quite successful for our union. The reputation of the Laborers in the development community has grown to the point where when a new project is proposed, the first people the developers reach out to is the Laborers. At this point, they know if the Laborers are on board, we will use the strength of the PAC, the local, the District Council and Greater NY LECET to move a project forward. This has proven successful to a level that at this point, the Laborers are often the first union a developer will sign with, and in some cases, we may be the only union trade on a jobsite.

The power of our union to bring disparate sides together is amplified by the fact that in Julie Won's first run for City Council in 2021, we didn't endorse her (hey, even your PAC gets one wrong every once

in a while!). However, despite that misstep, the role we have played in negotiating peace between the builders and the neighborhood in the past was not lost on Councilmember Won, and she embraced our participation in the negotiations. Along with the amenities listed above, the neighborhood will also receive a \$2 million contribution to a community fund to support tenants rights, anti-displacement, and other services for nearby residents; discounted rents to small businesses and non-profit organizations; relocation assistance to existing residential and commercial tenants; a multi-lingual campaign to advertise affordable homes and provide application assistance to the local immigrant community; a study and, if feasible, implementation of the use of on-site geothermal energy; and, of course most important to us, agreements with Laborers' Local 79, and Painters DC 9 and 32BJ SEIU.

All of which we get to build. It's a win for the union. It's a win for the community. And it's a win for Councilmember Julie Won, who we strongly endorse for re-election in the 26th City Council District primary on June 27. Residents of the 26th City Council District in Queens: vote for Julie Won for City Council and vote for Melinda Katz for Queens DA! When Laborers Vote, Laborers Win!

## Low Turnout Means Your Vote is “More Important”

As we all know, all votes count the same. It's one of the basic concepts of American democracy: one person, one vote. And while your individual vote has the same impact as any other voter's individual vote, when you vote as a bloc—particularly in a low-turnout election—your union's voting bloc can be very influential. And the elections happening Tuesday are shaping up to be very low turn-out elections.

Early voting started last Saturday, June 17. 9,646 votes were cast that day citywide. 9,646 votes from more than 5 million registered voters. That is less than 1/5 of 1% of all the registered voters in New York City. In last year's elections, there were two-and-a-half times as many votes cast on opening day. In 2021, it was almost four times as many.

The reasons for this are manifold. June primaries are still very new to New Yorkers. Traditionally (well,

going back to the 1970s anyway) New York's Primary elections were held on the second Tuesday in September. Then an argument was made that with only seven weeks between the Primary and the General, there was not enough time between the two dates for military personnel stationed overseas to properly vote and return their ballots. Since the case centered around the military, it was brought before a federal court. The court ordered the Primary to be moved to June, but only for House of Representatives and US Senate—the federal races. This resulted in us having two primaries in 2018: in June for House and Senate; and again in September for State Senate and Assembly. This resulted in record-low turnouts for both elections. As an example. Congressman Greg Meeks won his 2018 Primary with 11,000 votes (the district represents 779,000 people). Meeks had no Republican challenger that year, meaning that 1.4%

## Low Turnout Means Your Vote is “More Important” (cont.)

of the population selected the US Representative for the other 98.6%—768,000 constituents—that populate that district.

By 2020, the State legislature rectified this problem and consolidated the primaries so they all occur on the same day in June. But that means this is only our 4th June Primary, and because of a quirk in NYS election law, this 2-year City Council election cycle only occurs once every 20 years (see An Oddity of NYC Politics: Why Two Years Instead of Four? below), which further confuses voters and drives down turnout.

### But How Does This Make Our Votes More Important?

What’s actually more important is the impact the union can have on an election by voting as a bloc. Each City Council district represents approximately 170,000 people. Say we look at the 8th City Council District in Harlem and Spanish Harlem. We have approximately 370 members who are registered to vote in that district. If 100 of our members come out to vote, and 100,000 ballots are cast, we only make up 1/10 of 1% of the total vote. However, in 2021, our friend and ally Councilwoman Diana Ayala won the Primary with

6,621 votes out of 11,722 votes cast. In that scenario, if our 100 members voted for Diana, the “weight” of their votes would have been fifteen times greater than our vote in the high-turnout scenario. In a low-turnout, competitive City Council race, our member’s votes alone could deliver the margin of victory for a candidate. And when it comes time to approve a union one—or block a non-union project—that is the kind of statistic elected officials tend to remember!

Early voting continues through Sunday night, June 25th and Primary Day itself is Tuesday June 27th (there is no voting on Monday June 26th). We urge all of our members to take advantage of the empty poll sites with no lines and cast your ballot early for the Laborers’ endorsed slate of candidates! Remember: When Laborers Vote, Laborers Win!

**Important: Your early voting site may not be the same as where you normally cast your ballot on Primary Day itself—but it will be in your neighborhood. To determine where your early voting poll site is, visit <https://findmypollsite.vote.nyc/>**

# Get Ready to Vote on June 27th!

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### Check your registration status.

Ensure your information is accurate. When you check your voter registration online, you will see your name, address, and party affiliation. You can update your info by submitting a new voter registration form. If you moved, the Board of Elections must receive your updated address by June 12.

Visit the NYC Votes website. To learn more about the upcoming primary election, including the offices on the ballot, Ranked Choice Voting, and voting by mail, visit [nycvotes.org](https://nycvotes.org).

**[Check your voter registration status here.](#)**

# City Council Primaries Set for June 27th

The New York City Council is up for elections again this year and the Primary is being held on Tuesday, June 27. As all of the incumbents are seeking re-election, and this is only the second year since they were elected, we don't expect too many competitive primaries. (Wait a minute...two years? Isn't the City Council a 4-year term? Yes...more about that below in the article called "Why Two Instead of Four Years?").

However, just because we don't expect many tight races, that doesn't mean that these elections aren't extremely important to the union, for two reasons. First, the power the City Council has over land use issues and the importance of that power to our jobs; and second ensuring that our allies and those Councilmembers who were persuaded to support our positions and our members win by large margins, thus strengthening their respective hands.

## Powers of the City Council

The New York City Council, comprised of 51 members representing unique geographic jurisdictions throughout the five boroughs, are imbued with many powers that impact our daily lives as New Yorkers. However, even if you don't live in the New York City proper, as a member of the union, your professional life is tethered to these elected officials. More than 90% of our members are in local unions that have at least some craft jurisdictions in Manhattan, the Bronx, Queens, Brooklyn and Staten Island. The City Council controls zoning, landmarking and the use of public land, which impacts which projects do or do not get built. All of these processes must pass through New York City's Uniform Land Use Review Process (ULURP), unless the projects are "as of right" (see "As of right" vs. "Non-conforming" and the ULURP Process below).

What all of this means is that the New York City Council holds enormous power over the big, non-conforming projects that are the bread and butter of our union. And once we educate a Councilmember to the point where they understand the importance of a particular project

to our membership, we have a vested interest in either keeping them in office or removing them. We've had three of those cases in this two-year City Council term, one minor and two major ones.

The minor project was called the Bruckner development, and the major ones were Innovation Queens and One45. All three were initially opposed by their respective Councilmembers. Now, you might ask, "why would a Councilmember oppose a project that would bring housing and community amenities to their district?" The thing to remember is this: due to the work of the MTDCPAC and the members of our locals, we are considered an unofficial constituency of many, many elected officials. However, we are not their only constituency. They also have to answer to businesses in their district, community-based organizations, and most of all, the voters who either keep them in or take them out of office. In these first two cases, the community was the biggest opposition to the projects, followed by another union—one that couldn't or wouldn't come to an agreement with the developers. Between them they rallied the Councilmembers to oppose the projects. Community opposition is most often driven by NIMBYism. However, sometimes initial opposition from the Councilmember is simply a bargaining tactic to extract more amenities for the community from the developer. The first tactic we oppose, because the goal is to kill the project. The second tactic we generally approve of, because if we still get the jobs, why not help get more housing, parks etcetera for the area? After all, most of us live in these neighborhoods, too!

The process of getting a project approved lies in the existing zoning for a particular area. We spend a lot of time and resources working on getting approvals for non-conforming projects through the ULURP process, as long as the developer agrees to build using our members. Non-conforming generally means bigger and taller. More square footage means more hours of work. Taller means more hours of work. And, at the end of the day, we always remember that our primary job at the PAC

## City Council Primaries Set for June 27TH (cont.)

is to put you, the member, to work in a good, safe, well-paying job!

The Bruckner is 300 units of supportive housing, mostly for military veterans. The representative for the district, Councilwoman Marjorie Velazquez, initially opposed the project in the face of fierce opposition from neighborhood residents. However, after being educated by Local 79, the MTDCPAC and Greater NY LECET on the merits, the Councilmember came to understand our position and approved the project. We subsequently endorsed Councilmember Velazquez and would like her to be re-elected.



The first major project is Innovation Queens, a massive, 3,200-unit, twelve-building, \$2 billion project on the border between Astoria and Sunnyside. Initially, this project was opposed by the Councilmember Julie Won for three reasons: first, she had been influenced by neighborhood opposition. Then, another trade who wouldn't come to terms with the developer lobbied her to kill the project. The third—and most important reason—was Councilmember Won wanted more affordable housing units for her constituents.

The developer's initial proposal was that 700 of the units, amounting to about 22% of all the units finally agreed upon, would be permanently affordable. Councilmember Won entered into negotiations with the developers, a partnership between Silverstein Properties, BedRock Real Estate Partners and Kaufman Astoria Studios, seeking as much as 55% of the units be deemed affordable. It was a bold bargaining tactic that worked fairly well. At the end of the negotiations,

the development group and Councilmember Won agreed on 45%, or approximately 1,430 units of affordable housing. Which we get to build. It's a win for the union. It's a win for the community. And it's a win for Councilmember Julie Won, who we strongly endorse for re-election in the 26th City Council District primary on June 27th.

### An Interesting Twist

The third project we championed, but was killed by the local Councilmember, was the One45 project in Harlem. This proposed project would have created hundreds of market rate and hundreds of affordable units, as well as a national Museum of Civil Rights at the east end of 145th Street in Harlem, a site then occupied by an abandoned gas station. To move forward, the site would have to be rezoned, a long and complicated political process. The Mason Tenders' District Council worked closely with the developer and the Councilmember to not just promote the project, but to also increase the percentage of affordable units in the complex. The developer started at roughly 30% of the apartments designated as permanently affordable. We got the developer up to 50% of the units as affordable.

Unfortunately, the Councilmember for City Council District 9, Kristin Richardson-Jordan, wanted 100% of the units to be designated as permanently affordable—all with no government funding. The problem with such a scheme is the developer would very likely never realize a profit over the life of the building. You might say to yourself: Developers are in business to make money, just like any other business...why would they enter into a deal that forces them to lose money? The answer is "They wouldn't!" The developer ultimately withdrew his rezoning application. The site is now a 24-hour-a-day truck depot, which was allowed—or "conforming" to current zoning regulations.

The interesting twist to the story is that on May 16, Councilmember Richardson-Jordan, after fundraising and petitioning to get on the ballot, decided to not actually run for re-election.

## City Council Primaries Set for June 27TH (CONTINUED)

Apparently, she is a little too thin-skinned to deal with the criticism that arises when she kills a project that would have brought union jobs, affordable housing, and a cultural institution honoring a pivotal time in Black history in America.

Our endorsements in most of the races will be posted on Saturday, June 17th. We were in the process of determining our endorsement in the 9th when Richardson-Jordan's surprise announcement came out. At the time, there were four other candidates challenging her for her seat. Her dropping out of the race changes the calculus (even though our prime objective in that seat would have been to ensure Richardson-Jordan did not get re-elected), so we are currently evaluating the state of that race now with no incumbent in the running. Our endorsement in the race for the 9th District in Harlem will be published shortly. So check back in on this site regularly for updated political information, and don't forget to vote for the Laborer's candidates this June 27th!

## The power of Member Deference

This is an unofficial power that all Councilmembers have. While not written into the rules of the City Council or the City Charter, it has been a long-standing practice that the final say on whether a project moves forward is generally left up to the member in whose district the project will be built. This practice is referred to as "member deference" and while not official, it is almost always uniformly adhered to. It is one of the strongest tools all Councilmember have in their gangbox.

## "As of right" vs. "Non-conforming" and the ULURP Process

There are two basic paths for projects that are proposed to be built in New York City: "As-of-right" and "Non-conforming". Both of these tracks refer to the current zoning for a particular project. Every borough, every neighborhood, every block...even every address is designated with a zoning standard. The zoning standard dictates how big, how tall and for what purpose a proposed development may be used. If a developer proposes a project that meets the current zoning, that project is considered "as-of-right"—in other words, the developer has the right to build it, and so it does not need to go through the Uniform Land Use Review Process (ULURP) process. If the developer proposes a building that has more square footage or more height than current zoning allows, that's considered "non-conforming" and the project must go through ULURP. ULURP is also triggered by a change of use...say a district is zoned for manufacturing, but a developer wants to build residential. This, too, would trigger ULURP.

ULURP is a multistep process that can take up to a year, but generally is resolved between 150 and 200 days (5 to 7 months). First, an application is submitted to the Department of City Planning. Once reviewed, the plan is then sent to the local Community Board, which gets 60 days to review the plan. From there, it gets sent to the Borough President's office for a 90-day review; after which it goes to the City Planning Commission for a 60-day review. Once that is complete, the plan is sent to the New York City Council for what is usually the final vote, which the Council has 50 days to make their decision. The only way the process extends further is if the City Council approves a project, but the Mayor vetoes it (he has a 5-day window to either approve or veto). If vetoed, the City Council then gets the project back for an additional 10 days. If a two-thirds majority of the Council disagrees with the Mayor's veto, the veto is overridden and the project moves forward. If the Council can't muster the 35 votes needed for the override, then the project dies and the developer needs a new plan.

# An Oddity of NYC Politics: Why Two Years Instead of Four?

If you read the article City Council Primaries Set for June 27th above, you'll note that we mentioned that the City Council members elected in 2021 serve a two-year term instead of the standard four-year term. Most people are unaware of that because this NYC political oddity occurs only once every 20 years!

The answer is redistricting. As you know from prior articles on this page, redistricting, also known as reapportionment, is a process that takes place every ten years, in the year after the census. The census is the once-a-decade count of how many people live in a certain area. In two rulings in 1964, the US Supreme Court, citing the Equal Protection Clause of the 14th Amendment to the US Constitution (a clause that greatly advanced the Civil Rights movement in America) clearly stated that political districts, such as a City Council or Congressional district, must contain roughly equal populations, with redistricting as needed after the census to maintain that equality.

Since the US House of Representatives, the State Senate and the State Assembly have elections every two years, redistricting is a relatively simple process for them. The census takes place in the year that ends in zero, so 1990, 2000, 2010, 2020, etc. House, Senate and Assembly elections also happen in those years, so, for them, the process works like this: 2020 the census is conducted; 2021 new district lines are drawn based on the

census; and the next year, in this case 2022, House, Senate and Assembly candidates run in the newly-drawn districts. Fairly simple.

But the City Council makes it more complicated. First, the Council is generally a 4-year term, twice as long as their counterparts outside the Council. Further, the Council is not on the same electoral schedule as the other bodies. The City Council's elections are every four years in odd-numbered years: 2009, 2013, 2017, 2021, etc. Meaning if the City Council followed the same pattern as the others, once every twenty years in the year after the census, they might be electing people into districts that had been invalidated by the census.

For the City Council, every two decades their elections fall on the year that ends in one: 1981, 2001, 2021 and that's when the problem arises. The census was in 2020. The City Council elections were in 2021. The districts lines were redrawn in 2022 based on the 2020 census. In order to maintain proper representation, the City Council then has to conduct a new election as soon as possible after the new lines have been drawn. Which, in New York City, means running in 2023 in the newly drawn 2022 districts. Thus, every 20 years, instead of serving four years and four years, Councilmembers are allowed to serve two years, two years and four years, for a total of eight years!



## Political FYI

Official terms of New York State Government Officials

\*For more information, reference the article "An Oddity of NYC Politics: Why Two Years Instead of Four?"

<b>US Senate</b>	<b>6 years</b>
<b>US President</b>	<b>4 years</b>
<b>NYS Governor</b>	<b>4 Years</b>
<b>NYC Mayor</b>	<b>4 Years</b>
<b>NY City Council</b>	<b>4 Years*</b>
<b>US House</b>	<b>2 years</b>
<b>NYS Senate</b>	<b>2 years</b>
<b>NYS Assembly</b>	<b>2 years</b>



# LIUNA ENDORSEMENTS 2023

## NEW YORK CITY COUNCIL PRIMARY ELECTION

Dist.	Candidate	Dist.	Candidate
01	No Primary Endorsement	29	No Primary Endorsement
02	Carlina Rivera	30	Bob Holden
03	Erik Bottcher	31	Selvena Brooks-Powers
04	Keith Powers	32	<b>Joann Ariola</b> <i>(Republican Primary)</i>
05	Julie Menin		
06	Gale A. Brewer	33	Lincoln Restler
07	Sean Abreu	34	Jennifer Gutierrez
08	Diana Ayala	35	Crystal Hudson
09	No Primary Endorsement	36	Chi Osse
10	Carmen De La Rosa	37	Sandy Nurse
11	Eric Dinowitz	38	Alexa Avilés
12	Kevin C. Riley	39	Shahana Hanif
13	Marjorie Velázquez	40	Rita Joseph
14	Pierina Sanchez	41	Isis McIntosh Green
15	Oswald Feliz	42	Charles Barron
16	Althea Stevens	43	No Primary Endorsement
17	Rafael Salamanca	44	<b>Kalman Yeger</b> <i>(Republican Primary)</i>
18	Amanda Farías		
19	No Primary Endorsement	45	Farah N. Louis
20	Sandra Ung	46	Mercedes Narcisse
21	Francisco Moya	47	Justin Brannan
22	Tiffany Cabán	48	No Primary Endorsement
23	Linda Lee	49	Kamillah Hanks
24	James F. Gennaro	50	<b>David Carr</b> <i>(Republican Primary)</i>
25	Shekar Krishnan		
26	Julie Won	51	<b>Joseph C. Borelli</b> <i>(Republican Primary)</i>
27	Nantasha Williams		
28	Adrienne E. Adams		

**Early Voting Begins June 17th!**

**EARLY VOTING SCHEDULE: [nycvotes.org/how-to-vote/early-voting/](https://nycvotes.org/how-to-vote/early-voting/)**

# Spotlight on District Attorneys

The District Attorneys that represent our seven counties have become more and more important in our battle against union-busting and the criminal exploitation of workers. Over the years, your MTDCPAC has written and passed numerous pieces of legislation that ultimately became law (scaffold erectors and dismantlers licensing; HPD transparency; statewide mold remediation standards; creation of the NYC Master Environmental Remediation Technicians list; statewide construction fatality registry; etc). The most recent was Carlos' Law, which increases the penalty for killing a construction worker on site to fifty times its previous level—from the previous maximum of \$10,000 to a new maximum of up to \$500,000.

It's Carlos' Law that brought a renewed interest in the District Attorneys (DA). While it's one thing to write, lobby and pass a bill in Albany, at the end of the day, it's up to the DAs to actually apply the law. Beyond worker safety laws, the DAs are also extremely important in bringing wage-theft cases, as well as cases where contractors choose to ignore Workers' Compensation, Unemployment Insurance and Disability laws.

District Attorney races can be confusing. First is the issue that DAs are actually state offices, not

## District Attorney Election Cycles

### MTDC Jurisdiction DA Races



2023: The Bronx; Queens; Staten Island

2025: Manhattan; Brooklyn; Nassau; Suffolk

city ones. This arises from us commonly referring to them as the Brooklyn DA or the Bronx DA. In fact, DA's offices are established by the state, one for each county. This means that certain New York City election rules, such as the 8-to-1 matching funds and ranked-choice voting, do not apply to DA races, even though they may appear on the same ballot (as is the case this year). And because of various changes of DAs over the years, they are not necessarily on either the standard two-year cycle for state races or the regular four-year cycle of city races.

With that said, three of our allies are up for re-election this year: Darcel Clark of The Bronx; Melinda Katz of Queens and Mike McMahon of Staten Island (although, as of today's date, it seems likely McMahon will be running unopposed).

## Candidate Profile: Bronx DA Darcel Clark

Darcel Denise Clark became the 13th District Attorney for Bronx County on January 1, 2016. She is the first woman in that position and the first African-American woman to be elected a District Attorney in New York State. She was re-elected to a second term in 2019.

We first became acquainted with DA Clark when we met with her to discuss the Laborers' Pathways to Apprenticeship Program (P2A). P2A does a lot of work with disadvantaged communities in New York, not the least of which are people returning home from upstate after having paid their debt to society, also known as people in "re-entry". We were pleasantly surprised when not only did she

embrace the concept of P2A, but also pitched us on pre-entry before re-entry. In other words, Darcel was already working on programs to get kids in the Bronx into the building trades before they get into trouble and would have to resort to re-entry programs like ours. She also pioneered alternative to incarceration initiatives such as Bronx Community Justice, which involves circles of community volunteers who resolve petty crimes with offenders outside of the criminal justice system.

As District Attorney, Darcel Clark has also paid attention to our traditional cases as well, having brought charges against contractors for wage

## Candidate Profile: Bronx DA Darcel Clark (Continued)

theft, fraud and injuring workers. Just six weeks ago, Darcel indicted a contractor and two subcontractors for a fatality that occurred on East 208th Street in the Bronx. On that site, non-union laborers were moving brick and blocks to a third-floor scaffold. The scaffold was constructed of corrugated sheet metal panels laid on top of unsecured metal joists. The untrained laborers overloaded the substandard scaffold with approximately one ton of materials before it collapsed. The scaffold, blocks and workers fell from the third floor onto other workers working on the ground below. Several workers were severely injured and Segundo Mayancela, a 46-year-old Ecuadoran immigrant, died as a result of blunt force trauma with crushing injuries.

The contractors and subs in that case caught a myriad of charges, including second-degree Manslaughter; Criminally Negligent Homicide; second degree Grand Larceny; and four counts of Offering a False Instrument for Filing.

“The death of an Ecuadoran immigrant at a construction site led to the passage of Carlos’ Law, which creates greater accountability for tragic and avoidable injury to workers at New York construction sites and increases the penalties for criminal corporate liability for the death or serious physical injury of an employee, a felony or misdemeanor, by a fine of up to \$500,000,” DA Clark said, referencing the law written by the staff of the MTDCPAC. “The dangerous conditions presented in this case are precisely why Carlos’ Law was enacted, but this case predates the



statute. In the future any construction-related fatalities in the Bronx will be met with this important tool.”

Prior to her election, District Attorney Clark served as an Associate Justice for the NYS Supreme Court Appellate Division; a NYS Supreme Court Justice; and a Criminal Court Judge in the Bronx and New York Counties, spending more than 16 years on the bench. District Attorney Clark is a lifelong Bronx resident, raised in public housing and educated in public schools. She received her Bachelor’s Degree in Political Science from Boston College, where she serves as a member of the Board of Trustees, and earned her law degree at the Howard University School of Law in Washington, D.C.

We strongly endorse Darcel Clark for re-election to the position of Bronx County District Attorney and urge all of our Bronx members to vote for her in the upcoming primary election on Tuesday, June 27!

## Candidate Profile: Queens DA Melinda Katz

Melinda Katz may very well be the longest (and among the most loyal) political ally of the MTDCPAC. The PAC was founded in January 1998. That year Assemblymember Katz decided to give up her Assembly seat to run to represent us in the US House of Representatives in the seat Chuck Schumer vacated to run for US Senate. We had known her and worked with her in the Assembly, so wanted to back her for Congress. Unfortunately, LIUNA had already made a maximum contribution to another candidate without talking to us first

(that policy has since changed), and so refused to make the contribution we requested. Thus we formed our own federal PAC to support Katz. At the end of the day, she lost by 285 votes out of more than 44,000 votes cast. Worst of all? The winner was disgraced Congressman Anthony Weiner.

However, that race established our relationship with Melinda Katz. A relationship that has thrived through her being elected to the City Council and serving 8-years as chair of the powerful (and vitally

## Candidate Profile: Bronx DA Darcel Clark (Continued)

important to the construction industry) Land Use Committee; through her two terms as Queens Borough President; and into her current position as Queens County District Attorney.

As Chair of the Land Use Committee, Melinda was very proactive in letting us know when new ULURP applications were submitted, giving us a big head start on our organizing activities. As Borough President, she supported projects we were in favor of as part of the BPs role in ULURP; and now, as District Attorney, she has continued her pro-worker, pro-union, pro-Laborers history.

One of the first things Katz did after she took office in 2020 was to create the borough's first Housing and Worker Protection Bureau, which returns stolen wages to workers and investigates unsafe work sites. In conjunction with that Bureau, she also convened a regular meeting of labor stakeholders. Both MTDC Business Manager Mike Prohaska and PAC Director Mike McGuire sit on that stakeholder's panel. Further, she has made it a policy to assign a DA's Investigator to determine the possibility of criminality at every construction fatality in the borough; and has brought multiple wage theft cases against crooked contractors.

"District Attorney Katz has always fought to protect workers on job sites, ensure their prevailing wages are being paid appropriately and kept their families safe at home," MTDC Business Manager Mike Prohaska said. "She's been our champion and Queens' champion and we're excited to see what she'll do when we give her another four years."

"District Attorney Katz has always fought to protect workers on job sites, ensure their



*"To all the unions, thank you! There will always be respect for the work you do."*

*- Melinda Katz*

prevailing wages are being paid appropriately and kept their families safe at home," MTDC Business Manager Mike Prohaska said. "She's been our champion and Queens' champion and we're excited to see what she'll do when we give her another four years."

"I am so grateful for the partnership of my friends in the organized labor and public safety communities – their endorsements of my candidacy is a true testament to our mutual goal of keeping Queens residents and workers safe," Katz said.

We see Melinda Katz as a partner in the success of the Mason Tenders' District Council over these past 25 years, and strongly endorse her for re-election as Queens DA. We urge all of our members who live in Queens to vote for her in the upcoming primary election on Tuesday, June 27!

**WE ARE**  
**LiUNA!**

*Feel the Power*

## Don't "Spoil" Your Vote! Ranked-Choice, "Over-voting" & this Year's DA Races!

Ranked-Choice Voting, or "RCV," is a system that is pretty new to us in New York City, having been used for the first time ever in the 2021 municipal elections. You will recall that the RCV system lets you vote for up to five candidates in any New York City race, ranked in order of preference. If no candidate gets more than 50% of the vote on the first pass, the fifth lowest vote-getter is eliminated, then that candidate's votes get redistributed, and another count happens. This goes on until one candidate has more than 50% of the votes, thus ensuring a majority victory. The system has its plusses and minuses, but it is the law of the land...at least it's the law of the land in New York City.

### A NYC Law and a NYS Ballot

RCV is a law in our state that only exists in New York City, thus it only applies to elections for New York City offices: Mayor, Public Advocate, Comptroller, Borough Presidents and City Council Members. In most election years, this is not a problem, because only New York City offices would appear on the ballot. However, this year, if you live in The Bronx, Queens or Staten Island, District Attorney races will also appear on your ballot. This is a problem because District Attorneys—despite popular belief—are actually State offices, not local ones, meaning RCV does not apply to those seats.

The problem arises if a voter inadvertently "rank-chooses" the District Attorney races, in other words, votes for more than one candidate in one of those seats. This is what is known as an "over-vote" and results in a "spoiled" ballot. This is problematic, because once a ballot has been determined to be spoiled, the entire ballot is invalidated and thrown out. Meaning that your votes for City Council and anything else on that same ballot are also thrown out and not counted.

So be careful to only select one candidate for District Attorney. You may choose up to five candidates for City Council, but if you choose more than one candidate for DA, you will have over-voted, your ballot will be spoiled, and none of your votes will count. Please pay attention when marking your ballot, so your votes on June 27 for the union-endorsed candidates posted here will count and make your union stronger!

## Ranked-Choice Voting FAQ

### WHAT IF I DON'T WANT TO RANK ALL THE CANDIDATES?

You do not have to rank all five. You can rank up to five or as few candidates as you like (even none). If you choose to vote for only one candidate, just leave the other columns blank.

### IF I RANK OTHER CANDIDATES, DOES IT AFFECT MY FIRST CHOICE?

No. Ranking other candidates does not affect your first choice. Only your first choice is counted in Round one. Your second, third, fourth, and other choices will be considered only if your first-choice candidate does not win in the first round.

### UNDER WHAT CIRCUMSTANCES CAN MY FIRST CHOICE BE ELIMINATED?

If no candidate receives more than 50% of first-choice votes, the last-place candidate is eliminated. If your first-choice is eliminated, your second-choice will be counted, and so on. The process of elimination continues until there is a winner.

### IF I REALLY WANT MY FIRST-CHOICE CANDIDATE TO WIN, SHOULD I RANK THE CANDIDATE AS MY FIRST, SECOND, AND THIRD CHOICE, AND SO ON?

No. Your vote counts only once for your first choice. If you rank the same candidate first, second, and third, it is the same as leaving the second and third choices blank.

### CAN I GIVE MULTIPLE CANDIDATES THE SAME RANKING?

No. If you give multiple candidates the same ranking, this is called an "over-vote" resulting in a "spoiled ballot" meaning none of the votes on that ballot can legally be counted.

### WHAT ELECTION OFFICES ARE USING RANKED-CHOICE VOTING?

Ranked-Choice Voting is a law that in New York State only exists in New York City. Therefore, the following elections are subject to ranked-choice voting:

Mayor, Public Advocate, NYC Comptroller, Borough Presidents, City Council Members

## WHAT ELECTION OFFICES ARE NOT USING RANKED-CHOICE VOTING?

The following elections are not subject to ranked-choice voting as this applies just to New York City local elections at this time:

President, Governor, US Senate, Surrogate, Supreme Court Judges, Civil Court Judges, District Attorney, Congress, State Senate, Assembly

## IS THE RANKED-CHOICE BALLOT ACCESSIBLE?

Yes, the ranked-choice ballot is compatible with.

the ballot marking devices for the disabled, and so is the accessible version of the absentee ballot.

## HOW DO I VOTE FOR A WRITE-IN CANDIDATE?

To vote for a candidate whose name is not on the ballot, write the name on the “Write-in” line, and fill in an oval to rank your choice.

## WHY NOW?

In a 2019 ballot measure, 74% of New York City Voters voted yes for Ranked-Choice Voting.

# How primaries work

*Note: for purposes of this article, the term “unaffiliated” means a person who is registered to vote with the state, but is not enrolled in the Democratic, Republican or any other political party.*

Perhaps it would make sense if these elections were referred to as preliminary elections, but instead, they are called primary elections, because they are the first contests of the election season. Why I say they should be called preliminaries is because no one gets elected to public office in a primary election. What actually occurs is the members of a particular political party—be it Republican Party, Democratic Party, or one of the minor parties—come together and vote on who they want their party to nominate to run for elected office in the November general election.

Every state has its own rules on primaries, but for obvious reasons, I’m going to concentrate on the states where most of our members live.

- **New York** is what is known as a Closed Primary state, in that only voters enrolled as members of a particular party are allowed to vote in that party’s primary election. No unaffiliated voters may vote in any political party’s primary.
- **New Jersey** is an Open to Unaffiliated Voters Primary state, in that only voters who are unaffiliated with any particular party may participate in any party’s primary they choose. If you are enrolled in a party, you may only vote in your party’s primary. That is to say, voters

- who are enrolled in the Republican Party can only vote in the Republican primary. Voters who are enrolled in the Democratic Party can only vote in the Democratic primary. But if you are a registered voter and not enrolled in any party, you are allowed to choose in which primary to cast your vote.
- **Pennsylvania** is a Closed Primary state, same as New York, in that only voters enrolled as members of a particular party are allowed to vote in that party’s primary election. No unaffiliated voters may vote in any political party’s primary.

## pri-ma-ry

1. *adjective* - earliest in time or order.
2. *noun* - a preliminary election to appoint delegates to a party conference or to select the candidates for a principal, especially presidential, election.

## How primaries work (continued)

- **Connecticut** is a Partially Closed Primary state. In this type of system, parties may let unaffiliated voters cast a ballot in their particular party's primary, while still excluding members of opposing parties. What's confusing about this system is the political parties decide each election season what to do in that particular year. So, the process for voting in which you participated this year may be different than it was last year, and may be different again in the election next year, and so on...
- **Florida** (for our retirees!) is a Closed Primary state, same as New York and Pennsylvania, in that only voters enrolled as members of a particular party are allowed to vote in that party's primary election. No unaffiliated voters may vote in any political party's primary.

### A Note on Partisanship and Participation

Despite the fact that we often endorse more Democrats than Republicans (Democrats tend to take up pro-union positions more often than Republicans) the MTDCPAC remains a nonpartisan organization. We, as a political action committee, are not affiliated with any political party. Our system of making endorsements is a simple one: if you take care of our members, we'll take care of you; if you screw over our members, we'll look to take you out, no matter your party affiliation.

With that said, if one party is highly dominant in a particular area, we often recommend enrolling in that party. Here's why (using NYC as an example): Once the closed Democratic and Republican primaries are over and the candidates for the November general election have been selected, party affiliation is no longer relevant. In the

November general elections, any registered voter can vote for any candidate regardless of the party enrollment of the voter or the candidate. However, in New York City, about 7 out of every 10 voters are enrolled in the Democratic Party. One could reasonably assume that voters enrolled in the Democratic Party will most likely vote for the Democratic candidate in the November general election. This is proved by the fact that in more than 95% of New York City elections, the candidate that wins the Democratic primary goes on to win the general election against the Republican candidate. This is why New York City elected officials are overwhelmingly Democrats.

In fact, the candidate that wins the Democratic primary in New York City is elected in the general election in more than 9 out of every 10 races. If you are not enrolled in the Democratic Party in New York City, you cannot vote in the closed Democratic primary. If you are enrolled in the Republican Party, you cannot vote in the closed Democratic primary. Thus, you have effectively locked yourself out of the electoral process, because the primary voters have in essence already decided who will be the next Mayor, or Public Advocate, or Congressperson. To fully participate, you should be voting in the primaries. Conversely, if you are one of our retirees that lives in Baker County, Florida, where there are three times as many enrolled Republicans as Democrats, we would recommend enrolling in the Republican Party for the same reasons.

Our goal for our members is full participation in the electoral process. Of course, we would hope that you follow the recommendations we make and vote for the politicians who have voted for us and our jobs and our health and safety, but that is secondary to participating in the process, because, as we always like to say: When Laborers Vote, Laborers Win!

## Know before you go.

Find your poll site, check your voter registration, see who's running in your district, and learn about your Absentee Ballot information all in one place!



<https://voterlookup.elections.ny.gov/>