

# Testimony of Hannah Chimowitz

National Employment Law Project

## **In Support of Int. No. 910: Establishing Community Hiring and Compensation Standards for City Assisted Housing Development Projects Under the Construction Justice Act**

### **Hearing before New York City Council**

Committee on Civil Service and Labor

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# In Support of Establishing Community Hiring and Compensation Standards for City Assisted Housing Development Projects (Int. 910)

*Thank you Chair De La Rosa and committee members for the opportunity to testify. My name is Hannah Chimowitz, and I am a senior researcher and policy analyst for the National Employment Law Project (NELP), a New York-based national nonprofit that has been fighting for workers' rights for fifty-five years. NELP is a leading authority on fair chance hiring and licensing, working closely with advocates and policymakers to reduce barriers to employment for people with arrest or conviction records.*

*We strongly support the Construction Justice Act (Intro 910). By establishing just wage and benefit standards and community hire goals for city assisted housing development projects, this bill will create job opportunities for economically disadvantaged workers and help address the financial harms of criminalization.*

## **The Construction Justice Act will help break cycles of criminalization and financial instability.**

Construction is one of the few industries where people with records can find work.<sup>1</sup> Around one in four recently incarcerated people who find employment work in construction.<sup>2</sup> The Construction Justice Act will ensure that residents of New York City Housing Authority (NYCHA) developments and neighborhoods with higher poverty rates will have access to construction jobs with good wages and essential benefits.

Due to a public housing to prison pipeline that fuels racialized economic inequality in the city, incarceration rates in census tracts with NYCHA developments are 4.6 times higher than in non-NYCHA neighborhoods, despite similar crime rates.<sup>3</sup> This disparity is driven by hyper-surveillance and aggressive policing tactics, such as vertical patrolling, stop-and-frisk, and zero tolerance policing, that are aimed at NYCHA developments.<sup>4</sup> As these residents are disproportionately impacted by the criminal legal system, this bill provides an opportunity to help break the cycle of criminalization and financial instability.

**Workers with records face significant barriers to financial stability and are more susceptible to exploitation on the job.**

People with records face major obstacles to securing good, well-paying jobs.<sup>5</sup> Conditions of probation and parole, including mandated employment and court-imposed financial obligations, can also drive desperation and create intense pressure for workers to accept any job they can find, no matter how unsafe or underpaid.<sup>6</sup>

This dynamic is prevalent in the construction industry, where low-wage workers—especially those with criminal records — are more susceptible to exploitation. This bill will help ensure that city assisted housing is not built using the coerced labor of exploited workers.

## **Conclusion and recommendations**

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This bill provides a pathway to good construction jobs for workers and communities that have been historically marginalized in the labor market and targeted by the criminal legal system.

For these reasons, the National Employment Law Project strongly urges the Council to pass the Construction Justice Act. Thank you for your attention and consideration.

## Endnotes

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1. Ann Carson, Danielle H. Sandler, Renuka Bhaskar, Leticia E. Fernandez, and Sonya R. Porter. "Employment of Persons Released from Federal Prison in 2010," Bureau of Justice Statistics Special Report, December 2021, <https://bjs.ojp.gov/content/pub/pdf/eprfp10.pdf>.
2. Dallas Augustine. "Coerced Work during Parole: Prevalence, Mechanisms, and Characteristics," *Criminology*, 2023, 546-581, <https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9125.12336>; Christy Visher, Sara Debus, and Jennifer Yahner, "Employment after Prison: A Longitudinal Study of Releasees in Three States," Urban Institute Justice Policy Center Research Brief, October 2008, <https://www.urban.org/sites/default/files/publication/32106/411778-Employment-after-Prison-A-Longitudinal-Study-of-Releasees-in-Three-States.PDF>.
3. Jay Holder et al., "Concentrated Incarceration and the Public Housing-To-Prison Pipeline in New York City Neighborhoods," *Proceedings of the National Academy of Sciences*, August 29, 2022, <https://doi.org/10.1073/pnas.2123201119>.
4. Id.
5. Leah Wang and Wanda Bertram, "New Data on Formerly Incarcerated People's Employment Reveal Labor Market Injustices," Prison Policy Institute (PPI), February 2022, <https://www.prisonpolicy.org/blog/2022/02/08/employment/>; Adam Looney and Nicholas Turner, "Work and Opportunity Before and After Incarceration", Brookings Institution, March 2018, <https://www.brookings.edu/research/work-and-opportunity-before-and-after-incarceration/>; Terry-Ann Craigie et al., "Conviction, Imprisonment, and Lost Earnings," Brennan Center for Justice, September 2020, <https://www.brennancenter.org/our-work/research-reports/conviction-imprisonment-and-lost-earnings-how-involvement-criminal>.
6. Noah Zatz et al., "Get to Work or Go to Jail: Workplace Rights Under Threat," UCLA Institute for Research on Labor and Employment, March 2016, <https://irle.ucla.edu/wp-content/uploads/2016/03/Get-To-Work-or-Go-To-Jail-Workplace-Rights-Under-Threat.pdf>; "When you're released on parole you have to work in unsafe conditions and walk on eggshells. If you breathe wrong, you're fired and that's a violation of your parole." Duane Townes, formerly incarcerated New Yorker and member of Laborers' Local 79 Fight Back Campaign, Real Reentry for New York, <https://www.realreentry.org/>

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