Working People Unite to Stop the Violence of Displacement & 24-Hour Workdays

The election of Chris Marte as City Council member representing our community of the Lower East Side and Chinatown is our message to the City, the establishment, to everyone: working people say “No more racist violence against our communities—no more displacement, no more wage theft, no more 24-hour workdays!” Marte’s victory is one sign that the working class is leading and building a movement from the ground up. For instance, low-income workers of color in the LES and Chinatown brought the middle-class white community of Soho/Noho to join us in the fight against upzoning as a tool to displace us, and to demand downzoning and height limits to protect us.

Each of our battles has in concrete terms re-framed the narrative about crime, brutality, violence and racism. This has raised consciousness among workers, young people, elected officials, and the general public about who is the real criminal and who is committing the violence: employers who steal wages and time from workers and developers and landlords who evict residents and small businesses and build luxury towers—all with the help of the government. These entities try to hide their exploitation by using misleaders from our own community to advance their agenda. But working people are not fooled. We see how they use racism to divide our community to rob us even more.

(Cont’d on next page)
Home care workers are leading the protests of the Chinese-American Planning Council (CPC). This agency’s Board of Directors Chair for 30 years was Jenny Low, candidate for City Council. Low, a Chinese woman, has led this huge non-profit agency which purports to “promote the social and economic empowerment” of Chinese to actually inflict violence and abuse of Chinese, Latina and other home care workers with 24-hour shifts at 13 hours of pay. Raising public awareness of Low’s role in promoting this violence against women workers contributed to Low’s dismal showing in the City Council race.

Working people created and are leading the demand for the Chinatown Working Group Rezoning plan, only to have it blocked by City Council Member Margaret Chin and Mayor de Blasio. Chin tried to divide our community by proposing to protect only part of Chinatown, excluding the Lower East Side and many Latinos, Blacks and NYCHA residents. Chin’s racist proposal and her refusal to pass our CWG to protect our entire community has helped luxury developers take our land and resources and push us out. This displacement is a form of racist violence that tears us away from our homes and community, forcing many into shelters or onto the streets.

Now it is up to us to work with Christopher Marte to bring Jing Fong Restaurant back, pass the Chinatown Working Group plan in full which will help stop displacement in our community, stop the Two Bridges towers on the waterfront, end the 24-hour shift in home care, and stop wage theft for all workers. Join us!
No More Luxury Megatowers!  
Pass The Full Chinatown Working Group Plan!

When Mayor de Blasio and local councilmember Margaret Chin told our community that the luxury mega towers proposed for the Two Bridges waterfront were a done deal, residents, workers and small business owners rallied to organize their neighbors, enraged but not surprised to see our elected officials collude with big real estate developers to advance their displacement agenda in one of Manhattan’s last remaining working class communities of color.

To fight back, we collected and delivered over 5000 petition signatures to the mayor and to Council Speaker Corey Johnson demanding a halt to the illegal mega tower developments and the immediate passage of the Chinatown Working Group Plan to give our neighborhoods the same protection against displacement as the whiter, wealthier East Village to our north. We organized our community around the LESON lawsuit, which won in NY State Supreme Court, showing that the proposed towers are illegal under the city’s own zoning laws because of the impacts they would have on the surrounding neighborhood, including blocking access to light and air.

The betrayal of our elected officials became even more clear when, in the middle of a pandemic that has devastated our community, they worked together with the developers to file an appeal that overturned our court victory, but we’ve come too far to stop now! We’ve already succeeded in bringing hundreds of our friends and neighbors together in this fight and we continue to mobilize and educate the community around the Chinatown Working Group community-led rezoning plan, which would protect all of the Lower East Side and Chinatown, including NYCHA, from speculative over-development and displacement and support the creation of housing that’s truly affordable to members of our community. And now with Christopher Marte as our next City Councilmember, we have a chance to finally pass the plan!

So many of us are struggling to get by, impacted by the City’s collusion with big developers compounded by the ongoing pandemic. Join our fight to take back control of our community!

We Stand With Jing Fong Workers to Demand MoCA and Jonathan Chu Stop Selling Out Chinatown + LES

Jing Fong Restaurant workers, together with their union, 318 Restaurant Workers Union, partnered with the Coalition to Protect Chinatown & the LES to spark the participation of students, workers and groups from around the city to protest the closing of Jing Fong, Chinatown’s largest restaurant.

What’s at stake?
- 100 jobs
- Last unionized restaurant in Chinatown
- Wave of closures of other restaurants and stores that are the lifeblood of Chinatown’s economy.

We are picketing to demand that landlord Jonathan Chu, who evicted Jing Fong for falling behind in rent during this pandemic, work with community members to bring back Jing Fong. Chu’s family has a key role in the closures of so many small businesses and displacement of people. Besides the building that housed Jing Fong, Chu owns Eastbank, 50 Bowery Hotel, Chikarashi and Nakaji restaurants. He is also Co-Chair of the Museum of Chinese in America which accepted $35 million from the City in hush money to quell any opposition to the City’s proposal for a mega-jail in Chinatown.

We demand that MOCA return these funds to help workers and businesses hurt by the pandemic. Join us in calling for a boycott of Chu’s businesses until he brings back Jing Fong Restaurant!

Join our pickets: Wednesdays and Sundays at 12 noon. Call us at 212-358-0295 for picket location.
Across the City, Communities Demand an End to Displacement Agenda

The Lower East Side/Chinatown’s rejection of the City’s displacement agenda in the recent election primaries is an example of what our communities can do, organizing from the ground up, with working people as a class leading the way. In the last few years, other communities across the city—from Inwood to Sunset Park and Gowanus, to Soho, Flushing, Bushwick and Crown Heights—have been coming together to demand that their Councilpersons and Mayor de Blasio stop over-developing their neighborhoods and displacing their families.

Each local battle has inspired people in other neighborhoods to stand up. “A win here is a win for us,” says Cheryl Pahaham, Co-chair of the Inwood Legal Action, referring to the Coalition to Protect Chinatown & the Lower East Side’s fight to stop the Two Bridges Tower and pass the community-led Chinatown Working Group Rezoning plan. “All across the city, neighbors and neighborhoods are saying ‘no,’” Michael Hollingsworth, member of Democratic Socialists of America, said. “We’re saying ‘no’ to developer-driven rezoning and ‘no’ to wholesale displacement of our folks. There is not a neighborhood in our city that does not face the threat of luxury re-zonings and out-of-scale buildings that will raise real estate taxes and rents, and lead to a loss of people and the places they call home.”

For example, the SoHo/NoHo and Chinatown community stand united against de Blasio’s upzoning of SoHo, which specifically targets the vulnerable Chinatown section of the neighborhood and will increase the cost of living across neighborhood lines. While Community Board 2 overwhelmingly rejected de Blasio’s upzoning, SoHo/NoHo and Chinatown/LES are working to pass alternative community-led rezoning plans that protect residents, workers and small businesses from the City’s displacement scheme.

Sunset Park has also seen a huge victory from the bottom up in defeating the rezoning of Industry City for increased luxury development, driven by the city in collusion with big real estate. Chinese and Latino residents teamed up against the plan compelling the councilmember and state officials to withdraw their support. Jei Fong of Protect Sunset Park said, “More development is going to push out small businesses, our community gathering spots, our homes. We dare to demand that our futures include us and our families. We get to decide what gets to be build and what our neighborhood looks like.”

Groups from across the city rally at City Hall against displacement

NM ASS member and LES resident Louise Velez speaks out against the displacement of tenants, workers and small businesses

Take a stand against exploitation: become an NMASS member!

New t-shirts
only $10 for members
($25 for non-members)
Join us today!

www.nmass.org
New York has become lawless, unlike states like Washington which in April passed a similar bill to SWEAT to stop wage theft. Vincent Cao, one of 19 former Joy Luck Palace workers who won a court judgment of nearly $1 million, says “In New York, no one is taking wage theft seriously. Even elected officials and candidates are supporting sweatshop bosses like my former boss Patrick Mock, despite being aware of the wage theft at Joy Luck Palace. They are helping these criminal bosses steal from workers.”

Many bosses have used the pandemic to steal more from workers. How? Day laborers receiving checks that bounced. Restaurant workers getting less than the minimum wage and without OT. App delivery workers making between $7 and $8/hr, well below the minimum wage. Bosses trying to renege on settlement agreements to keep more of the stolen wages.

Octaviano Vazquez, a restaurant worker for 19 years, says, “during the pandemic, those of us who worked had to work much harder, doing many different jobs. I was busboy, food preparer, did deliveries, and broke down cartons. I worked between 65 and 74 hours a week, six days a week and they paid only $50 per day. Workers need to organize to stop this wage theft. More need to come forward.”

Cheated of wages? Long hours? Misclassified as a 1099 worker?
Call NMASS at 212.358.0295.
Let’s stop wage theft!
Rather than waiting on elected officials, home care workers have pushed forward. Their commitment to regaining control of their time comes from their own experience working the inhumane 24-hour work day that stripped them of their health and well-being. As NMASS member Margarita Benedict, who worked 24-hour shifts for 14 years, says, “No money can compensate you for the loss of your health.” Recently, Lai Yee, a home care worker assigned 24-hour shifts by the Chinese Planning Council (CPC), told an elected official that these shifts led to a severe decline in her health, leaving her unable to sleep and her body aching in ways that sometimes she wonders if it might be better if someone shot her dead to end the suffering. Lai Yee has joined home care workers formerly and currently employed by CPC in calling for a boycott until CPC meets their demands: 1) End the 24-hour workday 2) Pay back the full amount of stolen wages, and 3) Publicly apologize. Workers are holding CPC accountable for being one of the first agencies to assign 24-hour shifts and for becoming an industry leader in normalizing these brutal shifts.

With or without the passage of the bill, workers are rising up to win back control over their working conditions and safety. This fight is gaining widespread support as workers across all trades are linking struggles in recognizing the dangers of long work hours. The 24-hour workday is an extreme example of workplace violence. The home care workers who are leading this fight are fighting for themselves and waking up all of us workers to the exploitative working conditions that we face. In our fight to reenergize the labor movement, we cannot allow ourselves to be divided and bought-off for crumbs. Our success is dependent on workers controlling our time and lives so that we have a say in how our lives and communities are organized so that we can live safe and dignified lives.

The fight to end 24-hour workdays in New York State is led by home care workers. These majority immigrant women of color are demanding an end to the racist violence against women that devalues their labor as caregivers and perpetuates super-exploitative working conditions. As we see calls for racial justice and an end to violence against women reverberate throughout our communities, we should recognize the leadership of these brave women who refuse to be marginalized. The campaign to end the 24-hour workday re-centers workers controlling time as the core organizing principle to unite all workers, across trades whether overworked, unemployed or underemployed, whether low wage or high wage, in our fight to win back control of our lives.

In the six years since home care attendants and other workers launched the Justice for Home Care Workers campaign, we have initiated multiple court cases and Labor Department complaints to recoup stolen wages, blocked emergency injunctions to uphold 24-hour shifts at 13 hours of pay, held protests and inspired legislation. Today we see NYS legislators showing tepid support for Legislative Bill S359/A3145A that “Requires the provision of care to persons requiring twenty-four hours of care take the form of non-sequential split shifts of twelve hours each.” It also includes provisions that would protect workers from dismissal or penalty for standing up to employers who attempt to coerce them into accepting longer shifts, which is currently a common practice amongst unscrupulous care agencies looking to profit off the backs of majority women of color and immigrant workers.

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My name is Ignacia Reyes. I worked as a home care worker for 23 years. For more than 20 years, I worked 24-hour shifts, 4 days a week.

You can raise our wages, but it would mean more wages being stolen from us. For all these years since 1995, I worked 24 hours, four days a week. For all those days of 24 shifts, I only got paid for 12 or 13 of those hours. 11 or 12 hours were for free! Would raising the wages now help me get back all those stolen wages?

Also, all those years I could not sleep. Now, even though I stopped working in 2018, it’s not easy for me to fall asleep. All those years of having to be vigilant and alert to my patient’s needs have affected my sleep and my health. I have high blood pressure from all this stress. I have such pain in my two legs from having to stand so much and having to support my patients, helping them to the bathroom. For any of us, 24-hours is inhumane.

1199 has not helped at all in any of this. Besides, after working 23 years, my union pension is only $119 a month! Because of all this, I urge you:

- Stop the wage theft so that any wage increase is real. Pay us for all those hours of 24-hour shifts that we weren’t paid.

- Stop these 24-hour shifts. They need to be split shifts of 12 hours and 12 hours each. Even if you pay for all the 24-hours in the future, nobody wants to work these shifts. We all come out of this sick.

Thank you.
Biden's Path to Citizenship Is A Good Start To Protect All Workers

The Biden administration’s announcement early this year of its plan to create a path to citizenship for the 11 million undocumented workers in this country is a positive, meaningful step in recognizing undocumented people as workers and not criminals. It paves the way for working people of all trades and races - both immigrant and citizen - to come together and organize. This measure is not only in the interest of immigrants, but also in the interest of all workers. It is a bold strike against racism and white supremacy which have intensified divisions within the working class.

For years, NMASS has joined other organizations in calling for the adjustment of status for immigrants. This measure is vital in order to reduce the number of the underclass in the U.S. Importantly, Biden’s path to citizenship is a break from his liberal predecessors, Obama and Clinton, who criminalized immigrants. The "progressive" call for legalization reinforced the criminalization of immigrants because the legalization of some people means that other people are still marked illegal.

While Biden’s proposal for a pathway to citizenship will bring millions of immigrants out of the shadows, it will not eliminate the underclass of workers. As working people, we must seize this opportunity now to build on what Biden is calling for by educating everyone about the destructive impact of the employer sanctions provision of the Immigration Reform and Control Act of 1986. It was this law that created the underclass of workers who don’t have the equal right to organize or unionize, forcing millions to work under super-exploitative conditions.

Employer sanctions is a misnomer. This law actually helps employers, and hurts workers by criminalizing workers without papers and dividing the working class. This enables employers to super-exploit workers on the margins and to pit us against one another--citizens of any color against immigrants, and documented against undocumented--with the result of driving down working and living conditions for all of us, the working class as a whole. Many of us buy into the system's self-serving lie that other workers are the culprit, that they are the reason that we have no job, or have a bad job that requires us to work too many hours for low pay. As a result, the working class has become so divided that we cannot come together to fight for our common needs and interests. That’s why we have been getting poorer while the rich get richer. And that’s why during this pandemic we see such glaring disparities in health care, education and resource allocation. These divisions among us also allowed Trump to fan the flame of racism and nativism to get into power.

Now it is up to us working people--whether we are immigrants, U.S.-born, people of color or white--to unite to support Biden’s effort. We know that we can’t rely on Congress. We must build a movement from the bottom up. We as working people are the only ones who can lead the fight to turn the course of history and put our needs and interests first. No more business-as-usual that puts the interests of the 1% first at our expense.

Today, we have an opening to rise up from our day-to-day struggles for survival to demand much more. We have a chance to expose how the system uses laws like employer sanctions to enable the ruling class to steal more of our labor and resources for their profit. Working people must organize across the country to support the call for a pathway to citizenship for immigrant workers--and the next logical step. Let’s fight for equal rights for all workers to organize, and to decriminalize undocumented workers by repealing employer sanctions. It’s time for us to unite to improve the working and living conditions for all of us!