

2/27/2020

From: Patrick Cashman, 3024 SW Iowa Street, Portland, OR

To: Portland City Council

Subj: TESTIMONY PROVIDE IN CASE OF 3/25/2020 AGENDA ITEM "AMEND SUSTAINABLE PROCUREMENT POLICY"

1. The City of Portland code, Title 5, defines procurement in Sect 5.33.47 as: "Procurement: The act of purchasing, leasing, renting or otherwise acquiring Goods or Services."
2. Section 5.33.076 of the same title mandates that any provider of any type be a registered EEO employer: "Any person, vendor, contractor, or entity of any type must be registered with the City of Portland as an EEO Employer in order to be eligible to be awarded any Contract."
3. City of Portland Policy 4.08(A) "Social Media" plainly states that procurement rules are in effect for any instance in which a City representative establishes or uses a City social media account: "A Bureau may enter into an agreement with a Social Media provider to create a forum for interactions with the public. The Bureau must follow procurement rules in entering into a Social Media account."
4. The following City Bureaus maintain City social media sites on the social media platform Nextdoor.com. These bureaus are listed as municipal partners on Nextdoor.com at nextdoor.com/agency-city/or/Portland/ with the heading "Public agencies in Portland are using Nextdoor to bring important news and information to the communities they serve.": PBOT, BPS, BDS, PBEM, BES, Parks and Rec, Water Bureau, Community and Civic Life, PPB, Fire and Rescue, 911
5. In order to use the unique Public Agency tools provided by Nextdoor.com and to post free content on Nextdoor that increases the value of Nextdoor to it's paying advertisers each Bureau had to agree to terms of service that formally establish the relationship and duties between that Bureau and the Nextdoor.com social media platform.
6. Nextdoor.com is not a City registered EEO employer;
<https://procure.portlandoregon.gov/bso/external/registeredVendorSearch.sdo>
7. As stated by the City Auditor 2/27/2020 in the Willamette Week article titled "City Auditor's Fraud Hotline Reveals Questionable Purchases By the Portland Water Bureau" : ""Ethics and procurement rules exist for a reason, and it is unacceptable for seasoned managers responsible for equipment and other purchases to say they are not aware of them," Hull Caballero said in a statement."
8. Procurement rules apply to social media platforms (item 3), and use of a social media platform that is not properly registered with the City is a procurement rules violation(item 2).
9. This violation was raised with Mr. Lester Spitler via direct email beginning 12/19/2019 with cc copies to the City Ombudsman, City Equity Director and City ADA Coordinator. Since that time Mr. Spitler and all others listed have refused to acknowledge the continuing rules violation or taken any action to address it. As of this date Mr. Spitler has moved to refusing to respond to this citizen in any way.
10. Given Mr. Spitler's continued refusal to follow City policies, due diligence and common sense requires that any proposal to change any procurement policy including the Sustainable Procurement Policy should begin first with an evaluation of whether or not Mr. Spitler and his employees are actually following the existing policy in its enacted form.



Patrick Cashman

Testimony for agenda item #239, Sustainable Procurement Policy

Nicole Knudsen <nicolek@seiu49.org>

Wed 3/25/2020 4:13 AM

To: Council Clerk – Testimony <CCTestimony@portlandoregon.gov>

Cc: Hagins, Felisa <felisah@seiu49.org>; Yasmin Ibarra <yasmini@seiu49.org>; Jeremy Simer <Jeremys@seiu49.org>

 2 attachments (137 KB)

SEIU L49 testimony re Sustainable Procurement Policy - 03.25.20.pdf; Mark Jefferies testimony re Sustainable Procurement Policy - 03.25.20.pdf;

Hello,

Please see the attached testimony regarding the City's update to the Sustainable Procurement Policy, submitted on behalf of SEIU Local 49 Political Organizer Yasmin Ibarra and member Mark Jefferies.

Thank you,

Nicole Knudsen (*she/her/hers*)

Strategic Researcher

Service Employees International Union, Local 49

Ph# 503-236-4949 x 254

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Testimony to the Portland City Council
Provided by Mark Jefferies
Executive Board Member, SEIU Local 49

Re: Sustainable Procurement Policy

March 25, 2020

Good morning Mayor Wheeler and Commissioners,

My name is Mark Jefferies and I am a member of the Service Employees International Union, Local 49 and janitor at City Hall. I am here today on behalf of my fellow union janitors to support the City’s amendments to its sustainable procurement policy so that it can more fully protect and support the workers that provide the City’s janitorial, security, and laundry services.

I was here in August 2018 to testify about the sustainable procurement policy, and I asked you to make your procurement policies stronger to protect working families, like my family and like my co-workers’ families.

I am proud to be a union janitor, and I know that my co-workers and I get fair wages with regular increases, have access to high-quality affordable healthcare, and have important workplace protections.

Workers without a union usually have lower wages and benefits, but they also don’t have the same protections on the job. Being a janitor for the City is a hard job, and it would be difficult being able to deliver the same quality of service that my co-workers and I provide every day if we were afraid to speak up at work or advocate for our rights.

The City can and should be creating the best possible policies to help working families, and to make sure that every job created by the City is a good job. Today, I would like to say thank you to the City of Portland for making its procurement policies stronger to make sure that the City is doing all it can to protect working families. Thank you.

Mark Jefferies
4650 NE 36th Ave
Portland, OR 97211

1-800-955-3352
MAIN OFFICE

503-238-6692
FAX

3536 SE 26TH AVE
PORTLAND, OR 97202

@SEIU49
TWITTER

SEIU LOCAL 49
FACEBOOK

WWW.SEIU49.ORG

Testimony to the Portland City Council
 Provided by Yasmin Ibarra
 Political Organizer, SEIU Local 49

Re: Sustainable Procurement Policy

March 25, 2020

Good Morning Mayor Wheeler and Commissioners,

My name is Yasmin Ibarra and I am the Political Organizer for the Service Employees International Union, Local 49. SEIU Local 49 is a union of more than 15,000 healthcare and property service workers, including subcontracted janitors, security officers, and laundry workers for the City of Portland. These workers are black, brown, and white, of many ethnicities, countries of origin, religion, and gender identities, united by pride in the work they do for the City.

Our mission as a union is to improve the quality of life for our members, their families, and dependents by striving to create a more just society. In support of this mission, we engaged with the City over the past two years to ensure the City's Sustainable Procurement Policy would include job quality standards and worker protections to foster economic sustainability. We believe that the City of Portland is aligned in our shared values of ensuring that workers have economic prosperity and social equity in our City. By adopting a local sustainability policy for the procurement of goods and services we can raise working standards for all of Portland residents. Therefore, on behalf of our members, I am pleased to voice our support for the policy before you today.

As stated in the resolution, "the City has an interest as an entity contracting for services in high-risk industries such as janitorial, security, and industrial laundry, [that] workers are safe, well compensated, and have adequate benefits. . . [as w]orkers in these industries are particularly vulnerable to poverty wages; wage theft, sexual assault in the work place, increased risk of safety and health hazards, retaliation for asserting their rights on the job, and other work-related problems." These issues present clear threats to workers, but can also threaten to disrupt the City's ability to have continuous and uninterrupted services.

The proposed Sustainable Procurement Policy does three things to protect the City's interests and workers' well-being. First, it fosters labor peace, requiring companies that want to provide services to the city to make an affirmative commitment to bona fide dispute resolution mechanisms. Secondly, it requires employee retention, meaning that when the City chooses to switch from one service contractor to another, the incoming service contractor will retain all qualified employees to keep doing the work, rather than pushing them out. Thirdly, it requires procurement decisions to evaluate the total compensation employers guarantee to workers, rather than benefits that may be "offered" yet not affordable to workers. These are all important tools that when implemented can avoid labor-management conflicts and disruption to services provided to the City and its residents, and improve job quality for the workers who provide services to the City.

The current crisis surrounding the global spread of COVID-19 highlights the dire importance of strong employment protections for frontline workers such as janitors, security officers, and laundry workers. While the public has been ordered to shelter in our homes, these workers continue to show up to work every day, leaving behind their anxious loved ones and family



1-800-955-3352
 MAIN OFFICE

503-238-6692
 FAX

3536 SE 26TH AVE
 PORTLAND, OR 97202

@SEIU49
 TWITTER

SEIU LOCAL 49
 FACEBOOK

WWW.SEIU49.ORG

members, to ensure our public buildings are clean and secure and that your linens and uniforms have been properly sterilized.

We view the City's proposed Sustainable Procurement Policy that includes vital worker protections as an important component of the larger governmental response to the outbreak of this virus that could also set us on a better course towards supporting working families and helping the community weather this time of such uncertainty. As we face the evolving challenges of the current moment, we stand with the City of Portland in support of this policy.

Thank you.

Yasmin Ibarra

Political Organizer

Service Employees International Union, Local 49