

Portland City Council Agenda  
Written Testimony - Item 1110/1083/1036

	Agenda Item	Name or Organization	Position	Comments	Attachment	Created
1	1036	SEIU Local 49	Oppose		Yes	12/04/24 9:30 AM
2	1110	Maria Flores	Oppose		Yes	12/18/24 7:57 AM



## Testimony to Portland City Council

Re: Item 1036, Amend contract with Northwest Success, Inc.

Yasmin Ibarra

December 4, 2024

Mayor Wheeler and Commissioners:

My name is Yasmin Ibarra and I am Political Director of Service Employees International Union (SEIU), Local 49. Our members include thousands of janitors and security officers who clean and protect City of Portland facilities and other public and private properties throughout our city.

SEIU Local 49 believes that all workers, including workers with disabilities, deserve to be treated with respect and dignity at their workplaces, and to be paid fair wages and benefits to support themselves and their families. Unfortunately, too often workers with disabilities experience poverty wages, disrespect, discrimination, and violations of their rights, including the right to form a union and collectively bargain. We believe that Northwest Success' actions do not reflect this recognition of the dignity and rights of working people, especially of workers with disabilities.

Further, we are deeply concerned that the City of Portland continues to contract with janitorial service provider Northwest Success, Inc. For the reasons discussed below, SEIU Local 49 respectfully requests that you enforce the Labor Peace requirement of the Sustainable Procurement Policy, revoking the exemption the City granted to its Labor Peace requirement and immediately ceasing to contract with this company.

**Northwest Success Inc. insulted workers with disabilities, suggesting they may lack the “capacity” to form a union and advocate for themselves**

In a November 2021 letter to the City of Portland, Northwest Success suggested that its employees with disabilities may not have the “capacity” to choose to form a union, a claim we believe to be false and insulting. Specifically, the company’s attorney wrote: “Given the rehabilitative nature of Oregon Forward contractors, and the types of disabilities those contractors’ employees might have, there are potential capacity issues related to labor organizing campaigns and voting.”

Disability Rights Oregon (DRO), the state’s leading advocacy organization for people with disabilities, has raised concerns about Northwest Success’ claim. “For any Oregon Forward contractor to suggest that people with disabilities cannot make decisions about their own terms of employment, or exercise their rights as workers, is extremely troubling,” said Meghan Moyer, DRO’s Public Policy Director, when asked about this topic.<sup>i</sup>

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### **Northwest Success Inc. has measurably reduced work hours and benefits for workers with disabilities**

On multiple occasions when Northwest Success took over janitorial services from Relay Resources at public agencies around the region, Northwest Success employed individuals with disabilities for significantly fewer hours than the employer it replaced, provided inferior health benefits and retirement savings contributions, and provided no health insurance to employees for the first 90 days after Northwest Success took over the contract, contributing to an exodus of formerly employed janitors. For workers with disabilities who often need ongoing medical treatment and access to affordable medication, enduring three months without medical insurance is a serious hardship.<sup>ii</sup>

### **Northwest Success, Inc. does not have labor peace with SEIU Local 49, creating risk for the City**

As you know, Council adopted a Labor Peace requirement as part of its Sustainable Procurement Policy. Portland's Labor Peace requirement is an important tool for the City that promotes stability, productivity, public safety, and collaboration between the contractors used by the City and their employees.

In August 2021, SEIU and NW Success reached a labor peace agreement, signed and negotiated by both parties. In November 2021, after a majority (71%) of Northwest Success workers had signed union authorization cards, SEIU sought recognition as Northwest Success workers' bargaining representative pursuant to the labor peace agreement, but the company repudiated the agreement.

### **The City granted an exception to its Labor Peace requirement based on incomplete and inaccurate information provided by Northwest Success Inc.**

Labor peace is defined by the City's Sustainable Procurement Policy. It requires a written agreement with a labor organization that ensures the labor organization will refrain from conduct interfering with the performance of services (such as picketing, boycotting, or striking) and must be effective for the duration of the service contract. Northwest Success cannot demonstrate compliance with the policy because it does not have agreement with SEIU Local 49. It must thus meet all of the requirements for one of the narrow exceptions.

Although the City granted NW Success an exception based on the Good Faith Exception, NW has demonstrably failed to meet the requirements of the Good Faith Exception to labor peace. To meet this exception's requirements, NW Success must demonstrate that it engaged in good faith efforts to with the labor organization, here SEIU Local 49. As previous information provided to the City regarding this dispute has explained, SEIU Local 49 believes that NW did not provide complete or accurate information to the City in support of its request for an exemption, and NW Success has never shown good faith efforts to negotiate with the Union.

### **Northwest Success Inc. has been enmeshed in multiple controversies related to poor service quality**

Additionally, Northwest Success Inc. has been associated with a number of controversies. *Willamette Week* reported that Multnomah County had temporarily shut down its downtown Behavioral Health Resource Center (BHRC) in March 2023, due to allegations that employees of Northwest Success Inc and DPI Security, the Center's janitorial and security service providers, and a third contractor, had used cannabis and cocaine at the center, had questionable sexual relationships with coworkers, and had

blackmailed each other by threatening to reveal each other's behavior. In the same period, public records show that a Northwest Success manager lost a set of keys to the building, and the next night, a program participant covertly spent the night in a BHRC electrical closet to which only DPI Security and Northwest Success employees had key access. County officials soon called an emergency meeting to take inventory of all keys, change the locks, and "eliminate security risks." <sup>iii</sup>

Also reported in *Willamette Week*, a contract between the City of Portland and Northwest Success Inc. was terminated in April 2023 after the company "was unable to meet expectations." Downtown restrooms became "a health and safety hazard." <sup>iv</sup>

**Northwest Success Inc.: Non-compliant with City requirements, and not a responsible or respectful employer**

In conclusion, SEIU Local 49 believes Northwest Success has failed to comply with the City of Portland's Labor Peace requirement and in other ways has failed to be a responsible, respectful employer. We respectfully request that you revoke the exemption the City granted to its Labor Peace requirement and immediately cease contracting with this company.

Respectfully,

Yasmin Ibarra

Political Director

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<sup>i</sup> SEIU Local 49, "Does DPI Group Inc. Respect Workers with Disabilities?", *Dignity at DPI* (blog), <https://www.dignityatdpi.org/blog/dpi-respect>.

<sup>ii</sup> SEIU Local 49, "Workers with disabilities have had fewer opportunities and benefits working for Northwest Success, Inc.," *Dignity at DPI* (blog), <https://www.dignityatdpi.org/blog/workers-with-disabilities-have-had-fewer-opportunities-and-benefits-working-for-northwest-success-inc>.

<sup>iii</sup> SEIU Local 49, "Sex, Drugs, and Unlocked Doors: Northwest Success Inc. and DPI Security in the News," *Dignity at DPI* (blog), <https://www.dignityatdpi.org/blog/sex-drugs-and-unlocked-doors-northwest-success-inc-and-dpi-security-in-the-news>.

<sup>iv</sup> SEIU Local 49, "City of Portland Blames Northwest Success, Inc. for Hazardous Conditions at Public Restrooms Downtown," *Dignity at DPI* (blog), <https://www.dignityatdpi.org/blog/problems-with-northwest-success-inc>.



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¡Hola alcalde Wheeler y miembros del Consejo Municipal!

Gracias por estar aquí, y darme la oportunidad de hablar. Ustedes hoy día tienen el gran honor de hacer la diferencia en nuestras vidas para bien, o para mal.

Hola, mi nombre es María Flores y soy trabajadora de limpieza aquí en el edificio Portland. He estado trabajando para Relay Resources durante más de un año y también soy delegada sindical de mi sindicato. Tal vez me hayan visto a mí o a mis colegas limpiando algunos pisos.

Primero que todo, trabajar en un lugar que tenga sindicato es importante para mí porque si tenemos unidad, tenemos apoyo y si no tenemos apoyo estamos desprotegidos. Relay es una empresa que ofrece protecciones y uno de los mejores seguros médicos. Tener un plan médico, dental y de la vista es algo que es caro y otras empresas no lo ofrecen. ¡Sobre todo sin costo alguno para nosotros! También nos da la oportunidad de poner a nuestros hijos a muy bajo costo.

Cuando trabajé para otra empresa de limpieza en este mismo edificio, no ofrecían beneficios de salud ni recomendaciones de atención médica asequible. Tenemos estos buenos beneficios porque luchamos por ellos en nuestro sindicato. Sin un sindicato, no tendríamos voz ni voto en nuestros salarios ni en nuestros beneficios. Me alegra que los contratos con los contratistas respeten a nuestro sindicato.

Otra cosa buena de Relay es que tenemos acceso a 401k para prepararnos para una mejor jubilación cuando ya no podamos trabajar. Una empresa anterior para la que trabajé, sin ninguna explicación, empezó a deducirnos 100 dólares por cheque porque decían que era obligatorio para nuestro 401k y eso no está bien, ni siquiera igualaban la deducción.

En un sindicato, tenemos voz y voto en lo que respecta a nuestros beneficios. Hoy les pido que consideren buenos empleos sindicalizados. En nombre de todos mis colegas que han luchado durante años para mejorar nuestros empleos, les pedimos que inviertan en empleos sindicalizados como el mío.

Tengo entendido que la ciudad está contratando actualmente a una empresa sin sindicato para el servicio de limpieza en el Departamento de Parques. Me decepcionó oír eso. Peor aún, escuché que están contratando a una empresa que ni siquiera cumple con sus requisitos. La ciudad tiene una opción. ¿Por qué el personal de la ciudad y los abogados están poniendo excusas para la

empresa que no apoya a los trabajadores de limpieza y no califica para un contrato? Los trabajadores de limpieza como yo nunca recibimos ese tipo de beneficio, pero aquí esta empresa antisindical recibe un trato especial por parte de la ciudad de Portland. Les pido que se queden del lado de los trabajadores de limpieza.

Muchas gracias por escucharme y por su atención.

Maria Flores

English Translation:

Hello Mayor Wheeler and City Council Members.

Thank you for being here and giving me the opportunity to speak. Today you have the great honor of making a difference in our lives for better or for worse.

Hello, my name is María Flores and I am janitor here at the Portland Building. I have been working for Relay Resources for over a year and I am also a shop steward of my union. Maybe you've seen me or my colleagues cleaning some floors.

First of all, working in a place that has a union is important to me because if we have unity, we have support and if we don't have support we are unprotected. Relay is a company that offers protections and one of the best medical insurance. Having medical, dental, and a vision plan is something that is expensive and other companies do not offer. Especially at no cost to us! It also gives us the opportunity to put our kids at very low cost. When I worked for another cleaning company in this same building, they didn't offer health benefits or have recommendations for affordable care. We have these good benefits because we fought for them in our union. Without a union, we would have no voice in our wages or benefits – I am glad that the contracts with contractors that respect our union.

Another good thing about Relay is that we have access to 401k to prepare for a better retirement when we can no longer work. A previous company I worked for with no explanation just started to deduct \$100 per check because they said it was mandatory for our 401k and that's not right they didn't even match the deduction. In a union, we have a say in our benefits. Today I ask you to please consider good union jobs, on behalf of all my colleagues who have fought for years to make our jobs good, we ask for you to invest in union jobs like mine!

It's my understanding that the city is currently contracting with a non-union company for janitorial at Parks. I was disappointed to hear that. Even worse, I hear you're contracting with a company that doesn't even meet your requirements. The city has a choice. Why are

city staff and attorneys making excuses for a company that doesn't support janitors and doesn't qualify for a contract? Janitors like me are never given that kind of benefit, but here an anti-union company get's special treatment from the City of Portland. I'm asking that you stay on the side of janitors.

Thank you very much for listening to me and your attention.

Maria Flores