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Jaime Contreras, Vice President 32BJ SEIU

Public Hearing: Partial Government Shutdown Effects on Federal Contractors

Subcommittee on Government Operations

May 6, 2019

Good Morning Chairman Connolly and Subcommittee members. My name is Jaime Contreras and I am Vice President of 32BJ SEIU and Director of our Capital Area District. Thank you for the opportunity to provide comments here this morning on behalf of our members.

32BJ represents over 175,000 building service workers in 11 states on the East Coast, including over 20,000 members here in the capital region. Our members clean and secure the region's office buildings, museums, institutions, colleges and airports. Thousands of our members are people-of-color and immigrants. All work hard to support their families in jobs that underpin the day-to-day life of our region.

Approximately 600 of our members, who work as sub-contracted federal workers, were impacted by the unnecessary partial government shutdown that spanned 35 days from late 2018 to early 2019.

Unlike directly employed federal workers, subcontracted workers are not guaranteed back pay. The shutdown left federally contracted security officers, cleaners and food service workers, who already earn substantially less than most direct federal employees, without pay for more than month.

For workers who may already live paycheck-to-paycheck, the shutdown caused a gaping hole in their already shaky finances and pushed their lives to the brink.

These are some of our members' stories.

Julia Quintanilla, who cares for a severely handicapped child and sick mother, lost her entire savings. Yvette Hicks had to ration her children's asthma medicine. Donna Kelley succumbed to applying for food stamps and feared eviction. Kaneisha Onley lost her car when she was unable to keep up the payments, leaving her without a way to get to work once the government reopened.

Parents, children and dependents all felt the pain through the ripple effect of this life-altering and needless shutdown.

Several attempts have been made to right this wrong and make these workers whole:

- Representatives Ayana Pressley, Eleanor Holmes Norton, Donald Norcross and Chris Smith, as well as Senators Tina Smith and Chris Van Hollen led efforts to pass legislation to provide back pay, introducing bills in both houses of Congress which received bipartisan support.

- Letters were circulated in Congress calling for the inclusion of back pay in the supplemental appropriations bill for FY2019 or as part of the regular appropriations process for FY2020; and
- Senators sent a letter to the OMB urging them to direct federal agencies to work with contractors to provide back pay to compensate low and middle-income contractor employees for the wages they have lost during the shutdown.

There remains another easy and practical way for contracted workers to receive the back pay they deserve: through the agencies themselves. In fact, at any point in time, agencies like FEMA, Smithsonian, Department of Interior and others can use discretion within their contracts to ensure that contractors will be reimbursed for providing workers with backpay. The cost of backpay for service workers was already anticipated in the initial award of the agency contract, so a failure to pay the workers is essentially an unanticipated windfall to the federal government. This windfall comes at great cost to the contracted workers, many of whom were forced to rely on public assistance to get by.

My message today is clear. This shutdown inflicted enormous harm on workers – harm that was avoidable and remains unsolved. The need for workers to cover their medical bills, rent, and loan payments and to simply feed their families should not be seen through a partisan lens. It is well within the power of Congress to make amends to these workers and to act to avoid a reoccurrence of the problem. I urge you to use all budgetary, legislative and oversight tools at your disposal to make good on wages lost by workers during the shutdown, and to ensure their lives are not thrown into turmoil by any future budget impasse.