

Resolution: A Proposal to block Clarke from the New York Environmental Law and Justice Project

WHEREAS workers who were employed by Clarke Environmental Mosquito Management, a non-union contractor with the City of New York, to apply larvicides and adulticides in the City's West Nile Campaign of 2000, did not receive the proper training or supervision mandated by federal and state environmental and occupational-safety law;

WHEREAS workers were not given correct hazards information as mandated by law, but were instead told that "Anvil is 100% non-hazardous" and that "you would have to drink Anvil to have a problem";

WHEREAS workers were paid \$10-\$11 per truck hour, while Clarke was paid \$650 per truck hour by the City of New York;

WHEREAS the workers were not provided with appropriate gear and therefore were unprotected both from high level accidental exposures and from prolonged routine exposures to pesticide spray mist, and fumes and dust from larvicides; and workers were told they had to share respirators;

WHEREAS when these workers repeatedly complained to their supervisors of a growing number of ailments resulting from their occupational exposure to Anvil 10+10 and Vectolex, but either had their complaints repeatedly dismissed, or were let go shortly after voicing complaints;

WHEREAS the Occupational Safety and Health Administration of the U.S. Department of Labor has issued Clarke five citations for serious violations of worker protections, including that employees were not provided information and training on the hazardous chemicals they were using, were not trained in the proper use of respirators, were not trained in the safe operation of All Terrain Vehicles, among other violations;

WHEREAS the State Department of Environmental Conservations has fined Clarke \$1 million for numerous violations including Clarke's failure to provide at least 31 new hirers with the required safety training, with the 40 hours of pesticide use experience under the supervisions of a certified applicator, with the required eight hours of instruction in pesticide use and handling, and failed to maintain documentation of supervision by a certified pesticide applicator;

WHEREAS at least eight of these workers have been determined to be partially disabled as the result of their occupational exposures to the Anvil 10+10 they applied for Clarke, a fact which has been documented by doctors at the Mt. Sinai Occupational and Environmental Clinic, who characterized the workers' exposure circumstances as very egregious;

WHEREAS by sending untrained, uncertified, unprotected, and for the most part unsupervised workers to apply hazardous pesticides in massive amounts over densely populated urban areas, Clarke multiplied the inherent risks, thereby further endangering the health of the public, as well as damaging a fragile urban ecosystem;

BE IT RESOLVED that PSC/CUNY demands that Clarke Environmental Mosquito Management be disqualified from contracting with the City of New York for any and all West Nile mosquito-control activities, and that any pest-control firm with a record of serious recent violations be likewise barred.

Passed: Delegate Assembly 6/14/01