

## Resolution #25

### Protect High-Needs, Low-Wealth Districts from Disparities Caused by the Uneven Impact of State Authorized Payments in Lieu of Taxes (PILOTs)

*Rome Teachers' Association*

1 Whereas, it is the purpose of NYSUT to promote the best interests of schools,  
2 higher education, and health care institutions of the state and to expand and  
3 improve these facilities of the state; to secure the conditions necessary to the  
4 greatest efficiency of our members and the institutions where they work and to  
5 promote the economic, personal and occupational well-being and the welfare of  
6 our members; and

7 Whereas, New York State general municipal law article 18-A (industrial  
8 development — title 1, section 858.15) does permit Industrial Development  
9 Agencies “To enter into agreements requiring payments in lieu of taxes” (PILOT);  
10 and

11 Whereas, such PILOT agreements authorize Industrial Development Agencies  
12 to reduce property tax revenue ordinarily due to counties, cities, towns and  
13 school districts arbitrarily without regard to the needs of the school districts and  
14 their students; and

15 Whereas, Governor Cuomo did sponsor and the New York State Senate and  
16 Assembly did enact a property tax cap which limits a local government’s overall  
17 growth in the property tax levy to 2% or the rate of inflation, whichever is less,  
18 without regard to the loss of revenues to PILOT agreements; and

19 Whereas, the loss of revenue has a disastrous effect on high-need, low-wealth  
20 school districts across the state, which are already suffering under vast economic  
21 disparity in education spending, leading the governor to remark, “There are two  
22 education systems in this state. Not public-private. One for the rich and one for  
23 the poor and they are both public systems.” Andrew Cuomo (October 18, 2010);  
24 therefore be it

25 **RESOLVED, that NYSUT oppose the reduction in revenue to high-need,**  
26 **low-wealth districts through the working of Industrial Development**  
27 **Agencies; and be it further**

28 **RESOLVED, that NYSUT calls upon the governor, the state Assembly**  
29 **and the state Senate to enact legislation to restore the full revenue of any**  
30 **PILOT agreements currently in effect or any to be enacted in the future to**  
31 **those school districts designated as high-need, low-wealth from state funds;**  
32 **and be it further**

33 **RESOLVED, that NYSUT will lobby elected officials in the State of New**  
34 **York to support this legislation and consider including the position of**  
35 **each candidate for office regarding this legislation in the endorsement**  
36 **conference materials; and be it further**

37 **RESOLVED, that NYSUT will begin a campaign of public education to**  
38 **make New York State teachers and taxpayers aware of the hidden costs of**  
39 **PILOT agreements on school finances.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED

## Resolution #26

### Repeal the No-Strike Provision of the Taylor Law

*Professional Staff Congress*

1 Whereas, the right to withhold labor is a fundamental human right. It is  
2 recognized as a human right by the United Nations Commission on Human  
3 Rights and by the UN International Labour Organization. A UN report describes  
4 the right to strike as fundamental “to creating democratic and equitable  
5 societies.” The right to strike is also enshrined in the constitutions of more than

6 90 countries. Many legal scholars argue that freedom of labor, including the  
7 right to withhold labor, is protected by the Thirteenth Amendment of the U.S.  
8 Constitution; and

9 Whereas, strikes and other workplace actions have been decisive in gaining  
10 recognition of rights that are now widely considered essential — not just for  
11 the workers involved, but for all: the end of child labor, the eight-hour day, the  
12 right to collective bargaining, the existence of regulations protecting workers  
13 against dangerous conditions on the job, the establishment of social security and  
14 unemployment, and more; and

15 Whereas, New York State has outlawed the use of the valuable tool of  
16 withholding labor by public employees. The 1967 Public Employees' Fair  
17 Employment Act, known as the "Taylor Law," establishes the right of public  
18 employees to unionize, but makes strikes by public employees illegal. The courts  
19 have defined "strike" broadly to include any collective withholding of labor. The  
20 Taylor Law also requires employers to impose severe penalties on strikers and  
21 their union. It shifts the balance of power against public-employee unions and  
22 robs them of lawful use of labor's essential tool for winning economic justice. The  
23 imbalance of power for public-sector labor unions in New York was intensified in  
24 June 2018 when the Supreme Court decided in *Janus v. AFSCME* that while public-  
25 sector unions must continue to represent all employees in their bargaining unit,  
26 they are no longer permitted to collect a fair share fee for the cost of representing  
27 them. The imbalance must be rectified; and

28 Whereas, historically, and as recently as last year and this January, strikes by  
29 teachers and other academic workers have proven to be an essential tool in  
30 struggles to improve the quality of education, abolish discrimination in education  
31 and expand access to high-quality public schools and universities. Some have  
32 succeeded in winning more public funding for public education, especially for  
33 students from communities of color and low-income communities; and

34 Whereas, the 675,000 members of NYSUT are committed to securing  
35 economic justice for themselves, their families and all working people; to  
36 ensuring that all New Yorkers, regardless of income, have access to the best  
37 possible education; and to achieving social justice through the trade union  
38 movement; and

39 Whereas, many other states in the U.S. recognize the right of all workers,  
40 including most public-sector workers, to strike. New York State has among the  
41 highest density of unionized workers in the nation and prides itself on being a  
42 progressive state. Yet New York continues to deny millions of workers access to  
43 a fundamental human right and an essential tool for advocating for the needs of  
44 the public and combating inequality; therefore be it

45 **RESOLVED, that NYSUT will work with legislators and other public-**  
46 **sector unions to draft legislation that, without diminishing any of organized**  
47 **labor's existing legal protections, including the Triborough Amendment, will**  
48 **grant public-sector employees the right to strike; and be it further**

49 **RESOLVED, that NYSUT will fight for public-sector workers in New York**  
50 **State to gain the legal right to strike by making the repeal of Section 210**  
51 **of the Taylor Law a legislative priority and working with other unions and**  
52 **organizations to this end; and be it further**

53 **RESOLVED, that NYSUT will include in its publications and membership**  
54 **meetings opportunities for education on the right to strike in the United**  
55 **States, including how the right was won, its history as a fundamental**  
56 **democratic right, the role it has played in building the labor movement, and**  
57 **the history of the Taylor Law in New York State.**

- ADOPTED
- ADOPTED AS AMENDED
- DEFEATED
- REFERRED TO THE BOARD OF DIRECTORS
- TABLED