

May 5, 2018

**Dear Gubernatorial Candidates,**

As a coalition of student and community organizations located throughout Western New York, Central New York, and the Southern Tier, we are writing you today for two reasons. *Firstly, to call attention to sweatshop labor conditions in our state and their effects on working people.* In doing so we invite you to respond and take a stand on the practices of mandatory overtime and the sweatshop economy. *Secondly, to invite you to discuss these issues as well as your campaign with the students and workers of Binghamton NY who stand by this open letter.*

Binghamton University President Harvey Stenger has been consistently supportive of sweatshop labor practices, and consistently resistant to student and community demands with regard to racism on campus. He has been fighting to implement oppressive policing and surveillance infrastructures that specifically target people of color on campus and in the local community, and he refuses to engage in productive dialogue with the students and community members who have called on him to be accountable. He defends his commitment to doing business with a sweatshop company – Pactiv (a subsidiary of Reynolds Corp.) – that forces its employees, who are primarily women as well as immigrants, to work mandatory overtime, violating their rights and jeopardizing their physical health. *We have a sweatshop university president because we have a sweatshop governor who allows these labor practices to occur unchecked.*

To demonstrate how the governor endorses sweatshop practices on the national level, we'd like to draw your attention to the cases of *Adriana Moreno v Future Care Health Services, Inc.*, *Lilya Andryeyeva v New York Health Care, Inc.* and *Nina Tokhtaman v Human Care, LLC*. The plaintiffs in each of those cases were 24-hour home attendants who were not paid for the portion of their shift worked overnight. The courts upheld the home attendants' right to be paid for all 24 hours, "regardless of whether they were afforded opportunities for sleep and meals," but Governor Andrew Cuomo quickly undermined these legal victories through regulation changes in the DOL, and continues to support a 24-hour workday – with half of these hours unpaid – in the homecare industry. As a result, homecare agencies are now telling their workers to not care for patients at night. For example, if the patient falls down in the middle of the night, the workers are now supposed to call 911 rather than assist the patient. As our population ages, the demand for home healthcare workers will skyrocket up to 45% over the next ten years. *We need to act now to ensure that home-care workers and their clients are taken care of.*

During his tenure, Gov. Cuomo has tried to position himself as progressive for workers by passing the \$15/hour regulation. However, workers actually saw wages go down and wage theft go up. In addition to supporting overtime and low wages as mentioned above, Cuomo ignored measures such as the SWEAT (Secure Wage Earned Against Theft) bill, which would have allowed workers to collect owed wages and hold sweatshop employers accountable. Furthermore, he actively pushed regulations to harm workers, for example: by eliminating the tip credit and legalizing 24-hour shifts with no overtime pay, as previously mentioned.

In October, 2016, Students Organizing Against Reynolds (SOAR) at Binghamton University took a stand against sweatshop conditions. SOAR held a picket line that lasted for more than a month, demanding that President Stenger boycott Pactiv/Reynolds by immediately removing all Pactiv/Reynolds' products from campus facilities, and that he release a statement affirming his commitment to building a sweatshop-free campus. The Broome-Tioga Green Party, the Binghamton Working Families Party, and other student and community organizations in the Binghamton area also participated in the picketing and expressed their support of a sweatshop-free campus. This month-long picket resulted in Sodexo, the dining services provider, removing Pactiv/Reynolds products from all of the dining halls on campus. However, President Stenger has yet to publish a statement on the matter and these products still remain in other areas of campus outside the dining halls.

We are pleased to have the support from local branches of the afore-mentioned political parties and community organizations that took a stand against the sweatshop economy. We are pleased to hear that you are challenging Cuomo. We do not want Governor Cuomo to continue his support for sweatshops. We also do not want a candidate who will perpetuate the sweatshop conditions he has fostered. **We hope that the next governor of New York State will support the fight against sweatshops and stand behind our demands:**

1. Honor and support the court decisions which stipulate that home attendants working 24-hour shifts must be paid for all 24 hours.
2. Stop the legalization of 24-hour shifts and prohibit 24-hour workdays, instead providing split shifts that allow home attendants time to rest as well as ensure that patients receive proper care.
3. Help pass the Secure Wage Earned Against Theft (SWEAT) bill to stop wage theft.
4. Endorse SUNY Binghamton students' boycott against Pactiv/Reynolds and encourage President Harvey Stenger to support the boycott.

We will not vote for a candidate who supports sweatshops. We invite you to visit Binghamton and speak with us about the fight for a sweatshop-free New York that provides safe and fair employment for all workers.

Sincerely,

Students Organizing Against Reynolds (SOAR)

Binghamton Chapter of Democratic Socialists of America (DSA)

Democracy Matters at Binghamton

Frances Beal Society

Citizen Actions Southern Tier

Corporate Campaign, Inc.

Campaign to Stop REBNY Bullies

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