

BEFORE THE
ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA

ZC Application 11-03J
Application of Wharf Phase 3 REIT Leaseholder, LLC
Hearing date: November 2, 2017

Testimony of DC/Baltimore Building Trades Organizing Committee

Good evening. My name is Mike Noble. I am a business representative with the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) Local 100, testifying here today representing the DC/Baltimore Building Trades Organizing Committee. Our committee consists of organizers from all 15 of building trades unions in Washington DC representing over 24,000 members. We create middle class jobs in the construction industry in the District and the metro area. We are part of unions that have world-class training programs to create careers for residents in the construction industry spending over \$22 million a year.

We are opposed to the changes to the first-stage PUD without modifications to reflect a commitment to job quality standards. In the first phase of this project, the developer refused to make any commitment to create high-quality jobs at the Wharf. Since that time, they have refused to even meet with us regarding our concerns about this project.

The developer's lack of commitment to high-quality jobs hurts construction workers in the District. We have met a sheet metal worker from a company called Airway that was a subcontractor on the Anthem on Phase I named Oscar Orellana, who unfortunately wasn't able to make it this evening but wanted to share his story. Oscar was hurt while working on Phase I and ordered to continue working and not report the injury. His foot got infected. He was in the hospital for three weeks and lost two toes. After working at Airway for 16 years, Oscar has not been hired back. In fact, we are currently investigating possible overtime violations in Oscar's case over several years.

When a developer like PN Hoffman supports low road contractors like Airway by having them work on one of the biggest publically supported projects ever constructed in DC, it impacts all of us in the construction industry. Workers like me and Oscar and our families suffer because projects like the Wharf lower working standards in our industry across the city.

As part of our job, we share information with workers on job sites about their legal rights to fair pay and health and safety protections. We see the impacts of low road contractors as we talk to workers from these non-union companies. In DC, organizers hear about practices like misclassification, wage theft and lack of respect for workers' health and safety every day.

What is the role of the Zoning Commission in this? Why are we here? Because this Planned Unit Development cannot be lawfully approved if it is inconsistent with the

Comprehensive Plan. We believe this proposal contradicts a number of Comprehensive Plan Policies, including ED 2.5, The Production, Distribution, and Repair Economy; ED 4 Increasing Access to Employment; and ED 4.2.7: Living Wage Jobs. The Policy on living wage jobs couldn't be more clear, stating that the Comprehensive Plan must

“Promote the attraction and retention of living wage jobs that provide employment opportunities for unskilled and semi-skilled workers. Use marketing strategies and incentives to encourage the relocation of firms with such positions to the District.
717.15 “

The labor movement in DC has a track record and is an essential part of creating the types of careers called for in these policies.

Through our extensive experience in the construction industry, we can say that having a union is the only way we've seen that consistently ensures living wages, decent working conditions and a safe working environment.

The developer of the Wharf should do the right thing and sign a project labor agreement (PLA) to ensure high quality construction jobs on Phase II. PLAs are a proven tool to create middle class careers and deliver quality projects on time and on budget.

Unfortunately, PN Hoffman has failed to make any commitment that we are aware of to ensure that the construction jobs (or any jobs) at the Wharf will conform to high standards for wages, benefits, and worker protections.

The Zoning Commission must ensure that the project complies with the Comprehensive Plan. The applicant should thoroughly document that it has and will promote the creation of quality jobs in construction which are living wage careers for District residents and which have career advancement opportunities on this project.

We encourage you to decline to approve the proposal unless the developer agrees to enforce job quality standards in the construction and operation of the project.

We and our partners would be happy to work with the Commission and the developer to prepare a set of employment standards that would help ensure that Phase II of this development can succeed where Phase I failed—and truly promote inclusive growth in the District of Columbia.

Thank you very much for your attention to the critical issues of inclusive, living wage jobs in the proposal under consideration.