



**TESTIMONY
Before the
NEW YORK CITY COUNCIL'S
COMMITTEE ON CIVIL SERVICE AND LABOR
LABOR ISSUES IN THE PUBLICLY FUNDED CHILD CARE SYSTEM
April 20, 2010**

Good afternoon. My name is Andrea Anthony and I am the Executive Director of the Day Care Council of New York. The Day Care Council is a membership organization of 220 nonprofit organizations that operate approximately 300 publicly funded child care and family child care programs in the five boroughs of New York City. Our member agencies are under contract with the City's Administration for Children's Services to provide accessible and quality child care services for families. It is estimated that the Day Care Council's member child care programs serve more than 40,000 children from poor and low-income working families on an annual basis.

Before I begin, I would like to applaud the insight of the Chair of the Committee, Council member James Sanders, for holding this important hearing today. We sincerely appreciate your interest in learning more about the various labor issues confronting the publicly funded child care system. This is a most opportune time to raise a number of pressing issues affecting the quality and quantity of child care services in our City.

First, I would like to begin by sharing some thoughts on the infrastructure of this system. The nonprofit, publicly funded child care system is a unique, long-standing service component for many communities of color and low-income families in New York City. For numerous individuals and families, the system is a life-line providing employment, critical safety and educational support for young children and business income for merchants in the immediate area where the child care centers are located. The complex infrastructure of this system includes:

- a network of small nonprofit agencies as well as large multi-service agencies and settlement houses;
- a unionized workforce of more than 5,000 which includes two labor unions, one for management and another for line workers;

- the only fully funded child care system (in the United States) that is solely dependent upon a government contract which supports all of the agencies' budgetary expenses; and
- a system that requires its teaching professionals and center directors to obtain the same educational credentials as their counterparts in the Department of Education but are not paid comparable compensation.

From its beginnings more than 50 years ago, the publicly funded child care system has existed and been viewed by the public as an extension of the city agency directed to oversee its services. In some communities, these child care centers are referred to as "city day care programs," not private nonprofits. Given the current effort to force nonprofits to spend less and become more self-sufficient, i.e., raise private dollars; it is especially important that new approaches changing the infrastructure of this system are implemented over time and with input from all affected parties.

This testimony will focus on four areas: (1) the need to settle the pending labor contract for directors and non-supervisory staff in the publicly funded system; (2) the critical shortage of certified teachers in the system; (3) the newly released concept paper on Early Learn NYC; and (4) the importance of the publicly funded system to the communities it serves.

THE PENDING LABOR CONTRACTS

At this time, workers in the publicly funded child care system still do not have a new labor contract. The labor contract with District Council 1707/Local 205, which represents the teaching and support staff in the center, expired on March 31, 2006. The contract with the Council of Supervisors and Administrators, which represents the administrative and supervisory staff in the center, expired on June 30, 2006. The Day Care Council has participated in several meetings with city officials over the past four years appealing for funding to support a new labor contract. Our efforts, and those of the unions, have been unsuccessful.

In the few negotiating sessions that have been held over the past several years, the City has consistently refused to present any monetary offer insisting that there is no money available for salary increases or benefits enhancements for these workers. Instead, the City spent practically each and every session trying to convince the Day Care Council and the unions to change the existing health care system and to place all child care

workers in the State's Family Health Plus system. As you know, child care workers in the publicly funded system receive their health care benefits through the City's Central Insurance Program (CIP).

At the last session held many months ago, the City indicated a willingness to transfer this responsibility from CIP to the respective Welfare Funds of both unions and allow them to directly administer the health care benefits package for workers. Although its position was perceived as a step in the right direction, the City failed to address or respond to many questions that were raised, such as, addressing future increases in health insurance costs after the transfer. With this proposal, the City has refused to make any money available for increases, suggesting instead that the parties should look to any savings generated by health care changes for wage and benefit improvements.

To say the least, we are appalled at the City's position and the fact that it has taken such a long time to resolve this matter. We firmly believe that the child care workers should be given the same consideration that Head Start workers have already received. Child care workers give their best effort every day ensuring that our youngest citizens are educated and well cared for while their parents are at work or in school.

CRITICAL SHORTAGE OF CERTIFIED TEACHERS

The second issue focuses on the need to have educated and qualified individuals in pre-school classrooms. Two critical components are needed to have a quality child care system: (1) a stable staff with low turnover; and (2) a qualified teaching staff possessing the appropriate educational credentials to stimulate learning in young children.

At present, the publicly funded child care system has a high turnover rate among certified teachers and center directors. This is nothing new; it is an issue that has confronted the system for many years. Under New York City's Department of Health (DOH) regulations, child care centers are required to have certified teachers in charge of classrooms. This certification is obtained through specific education and training requirements mandated by the State Department of Education.

Certified teachers and directors are critical to the early childhood system. Without certified teachers or a certified director in the center, the program cannot be licensed by DOH. In 2007, we surveyed our member centers to ascertain the level of certified teachers and directors. Of the 266 programs that responded to the survey, we found 66 percent, or 175 of the directors, had a NYS Teacher's certification. Unfortunately, we found that was not the situation for the teachers. Only 20 percent, or 53 of those programs surveyed, had a Head teacher instructing young children in their classrooms. This is critical as we discuss and strive for quality in the classroom. Everyone agrees that young children need nurturing and a solid education, especially in their pre-school years. However, we resist paying a decent salary to the teaching professionals who have studied and obtained the necessary credentials. Teachers in the publicly funded system who are permanently certified, that is, they possess a Master's degree and permanent certification with SED, should receive the same compensation as teacher in the DOE. Attached to this testimony are copies of charts outlining the results of our teacher certification survey.

INTRODUCTION OF EARLY LEARN NYC

On March 25 I was invited to a meeting at ACS to discuss Early Learn NYC. There was no prior information on Early Learn distributed before the meeting. As I listened to the presentation on Early Learn, I was indeed surprised that ACS was planning to revamp the entire child care and Head Start systems but realized that what was being proposed was not new. There are examples of the Early Learn concept operating in a number of communities at this time. After hearing the presentation, my major concern was the unresolved labor contracts and how this would be dealt with before the release of the Early Learn RFP.

ACS is proposing to combine the funding and services of two major early childhood programs, one of which is not fully unionized. Directors in the child care sector are unionized under the Council of Supervisors and Administrators while Head Start directors are not unionized. Child care and Head Start workers are unionized under District Council 1707, but have experienced very different labor negotiation results. Head Start workers were granted a new labor contract in November 2009 effective for three years giving them a 3.06 percent salary increase beginning February 1, 2008 through January 31, 2011. It should also be noted that the beginning salary levels and

benefits for child care directors and non-supervisory workers are not comparable with their counterparts in Head Start.

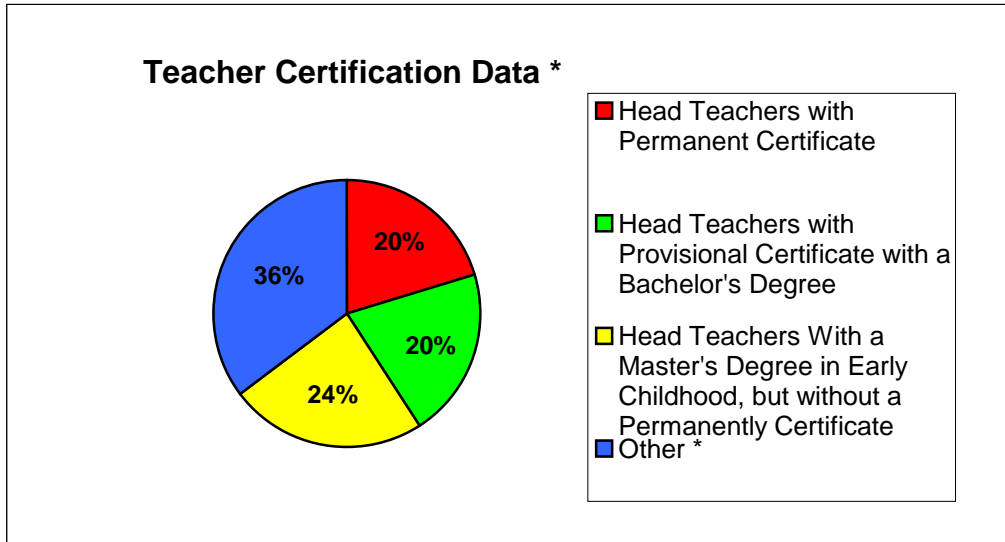
Although Early Learn presents a new opportunity for early childhood education, one of the critical foundations of the system – the workers and their compensation – was not discussed or included in the scope of the City’s proposal. We have raised our concerns about the unresolved labor contracts, and the differences between the two sectors, but our voices have gone unanswered.

IMPORTANCE OF THE SYSTEM TO COMMUNITIES

In closing I would like to comment on the importance of the publicly funded child care system and its workers to the hundreds of communities in New York City. It goes without saying that families rely heavily on this service and value the educational component. However, the economic impact of the service in neighborhoods is not always recognized. The vast majority of workers in this system are African American and Hispanic women who are heads of households. Many of these workers live and work in the community, which translates into rent payments, purchases at the neighborhood bodega, laundry facility, and beauty/barber shops. Yes, they are being paid for their service, but it is noteworthy to acknowledge their contribution and thank them for this important work. The income of these workers supports the economic development of numerous communities. As such, the publicly funded child care system is an important contributor and must be recognized as such.

Without a strong infrastructure, that is, dedicated and educated workers who are paid a decent wage for their work, we are in danger of losing a system we have worked so hard to put in place. It is important that we resolve the labor contracts with CSA and DC 1707 as quickly as possible; that we recruit and retain qualified educators for these classrooms; that we open a dialogue with ACS before the release of the RFP to make it clear how agencies will deal with two different workforces; and finally, that we recognize the economic impact of the publicly funded child care system on our communities. Thank you for the opportunity to present this testimony.

**Teachers and Directors Certification Charts
DCCNY'S RESULTS OF SURVEY CONDUCTED IN 2007**

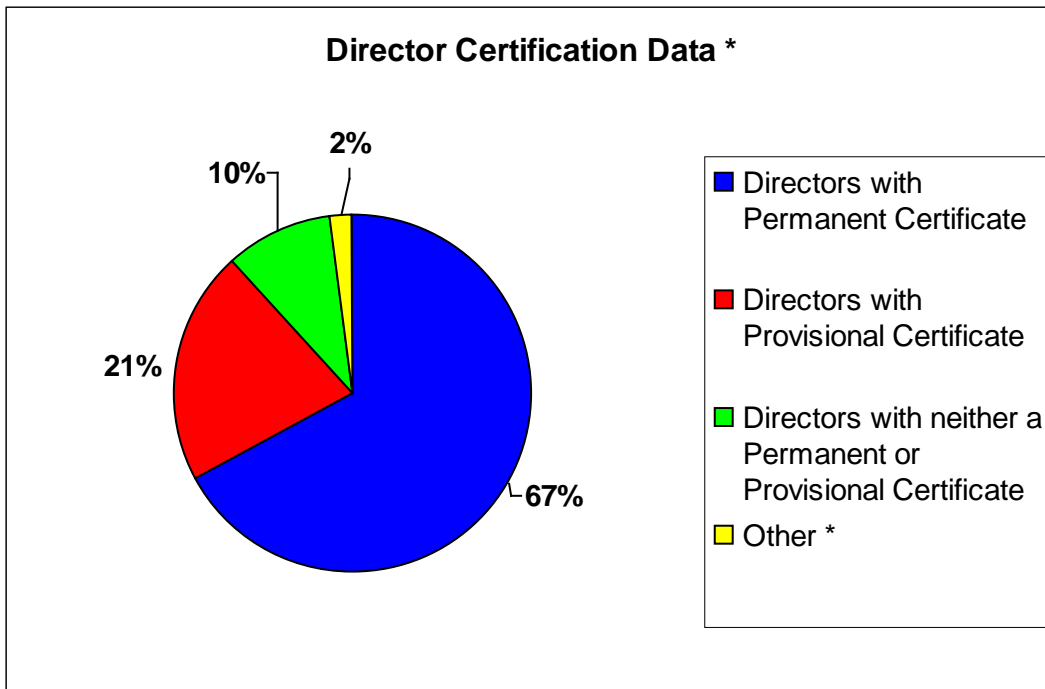


* Includes all DCCNY member head teachers

* Other includes all head teachers that do not fall under the categories surveyed.

Narrative

This chart above compares Head teachers who have permanent certificate, provisional certificate, or a Master's without either certifications, or those that do not fit into either of these three categories. The data includes all 266 child care programs surveyed. The Other category also includes Head teachers who may be a study plan or someone serving as a substitute teacher.



* Includes all DCCNY member directors surveyed

* Other includes non-responses to the question or the person who was surveyed, i.e. a teacher or bookkeeper, was unsure of the director's certification.

Narrative

This chart above compares directors who have a permanent certificate, a provisional certificate, neither a permanent certificate nor a provisional certificate, or the answer was not provided, based on a total of 266 child care programs surveyed. More than half of the programs surveyed have directors that are permanently certified, however about 31% of the directors surveyed were provisionally certified or neither provisionally nor permanently certified.

Formula used to calculate data:

Number of teachers/directors in category divided by the total number of child care programs survey (266)
X 100 = percent in category.

**Submitted by Andrea Anthony, Executive Director
Day Care Council of New York, Inc.
April 20, 2010**