

MEMORANDUM OF
AGREEMENT

Whereas, SEIU Local 32BJ (“Union”) and the Realty Advisory Board on Labor Relations, Inc. (“RAB”), on behalf of its members (“Employers”) are parties to the 2020 RAB Commercial Building Agreement, the 2020 RAB Contractors Agreement, the 2018 Apartment Building Agreement, the 2018 Resident Managers and Superintendents Agreement, the 2018 Long Island Apartment Building Agreement, the 2021 Security Officers Agreement, and the 2021 RAB Window Cleaners Agreement (collectively, the “Agreements”);

Whereas, the COVID-19 pandemic has impacted building operations and building service workers throughout the City of New York and its surrounding counties;

Whereas, the parties desire to maintain the stable labor relations that have served them well during the COVID-19 pandemic, and ensure an effective and consistent response across the Industry;

Whereas, since the outset of the pandemic, the parties have entered into a series of memoranda of agreement addressing the impacts of the COVID-19 pandemic, including the displacement that occurred in the commercial office sector as a result of the occupancy restrictions during in the early months of the pandemic and the reduced occupancy that continued in the commercial office sector after occupancy restrictions were lifted as a result of the ongoing impacts of the pandemic, including additional waves of infection resulting from new variants of the virus;

Whereas, on January 25, 2021, the parties entered into a Memorandum of Agreement (the “January 25, 2021 MOA”) which provided, *inter alia*, for extended recall rights through October 1, 2021 for workers covered by the RAB 2020 Commercial Building and Contractors Agreements, with certain contractors obligated to provide additional extended recall rights through December 31, 2021, together with a rebid process that was scheduled to take place on November 1, 2021, and a suspension of the square footage productivity rate set forth in Article XVI(7)(b)(2) of the Contractors Agreement through and until October 1, 2021;

Whereas, on September 30, 2021, in response to the Delta variant wave and its impact on tenant occupancy in commercial office buildings, the parties entered into a Memorandum of Agreement (the “September 30, 2021 MOA”), which further extended the extended recall period and productivity rate suspension to March 1, 2022 and the rebid until April 1, 2022;

Whereas, beginning in December 2021 the Omicron variant caused many commercial tenants to temporarily pause their return to office plans, impacting both office occupancy and the recall of laid off employees;

Now therefore, the RAB on behalf of its members, and the Union agree as follows with respect to employees and Employers subject to the 2020 RAB Commercial Building and Contractors Agreements:

1. The extended recall rights provided for in Paragraph 2 of the January 25, 2021 MOA shall be further extended through June 1, 2022. With respect to those Employers who were subject to additional extended recall obligations in accordance with Paragraph 1(i) of the January 25, 2021 MOA, such recall rights and obligations, to the extent not already satisfied, shall be further extended through September 1, 2022.
2. The rebid provided for in Paragraph 3 of the January 25, 2021 MOA shall take place on June 15, 2022.
3. The square footage productivity rate set forth in Article XVI(7)(b)(2) of the Contractors Agreement shall take effect June 1, 2022.

SEIU LOCAL 32BJ

By: 
Manny Pastreich, Secretary-Treasurer

REALTY ADVISORY BOARD ON LABOR
RELATIONS, INC.

By: 
Howard Rothschild, President

Date: March 1, 2022

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