

# TIAA-CREF

## Construction Sweatshops, Tobacco and Killer Coke

Headquartered in New York City, Teachers Insurance and Annuity Association-College Retirement

Equities Fund (TIAA-CREF) is a leading provider of retirement plans for people who work in the academic, medical, cultural, governmental and research fields. It is also a provider of life insurance. The company touts its commitment to social responsibility and “investing for the greater good.” But is pouring billions into construction sweatshops, tobacco companies and Killer Coke socially responsible and promoting the greater good?

### Construction Sweatshop investments are socially irresponsible and hurt local workers and the local economy:

Historically, sweatshop employees have received low wages and skimpy or no benefits, and are forced to work long hours, usually in dangerous and unhealthy working conditions. They fear being fired or suffering other retaliation if they complain. Sweatshop conditions do not exist only in factories; they can also exist in service industries such as construction.

TIAA-CREF is financing and is an equity partner in a construction sweatshop in Long Island City. The company is partnering with developer O'Connor Capital Partners and its general contractor McGowan Builders. McGowan subcontracts to firms that do not provide their workers with retirement plans or health care benefits and pay far less than the area standard wage. Responsible contractors cannot compete with such exploitative conditions which lead to a race to the bottom.

### McGowan Builders

The Occupational Safety and Health Administration (OSHA) fined McGowan Builders in 2009 and 2011 for multiple serious violations in connection with workers falling from heights at nonunion sites in Manhattan. After being sued for negligence in its role as construction manager at a site in New Jersey where a steel structure collapsed in 2006, McGowan and other parties resolved the case out of court. In 2008, McGowan and other parties also settled out of court after being sued over water damage caused to the French-Japanese Educational Institute in New York during a rooftop project supervised by McGowan.

### O'Connor Capital Partners

In 2005, O'Connor Capital Partners and Richard Kalikow purchased the huge Manhattan House apartment complex on Manhattan's Upper East Side with the intention of converting it to condominiums. The new owners were accused of

using high-pressure tactics to force out tenants who did not want to purchase their apartments. O'Connor bought out Kalikow in 2007, and in 2009 the company faced more disputes with remaining tenants and buyers after it experienced problems with its financing and fell behind on making extensive renovations. Among the tenants were seniors in rent-stabilized apartments who did not want to be displaced.

In April 2012, three men working on the exterior of Manhattan House had to be rescued when their scaffold collapsed. As of September 2012, according to the New York City Department of Buildings website, Manhattan House had 125 complaints and 197 violations.

In August 2012, New York's Joint Commission on Public Ethics announced that O'Connor Capital Partners would pay a fine of \$2,500 for failing to file a required lobbying disclosure report.

In addition to TIAA-CREF's support of construction sweatshops, it has a history of support for additional irresponsible companies.

## **Tobacco investments are socially irresponsible and do not promote the greater good:**

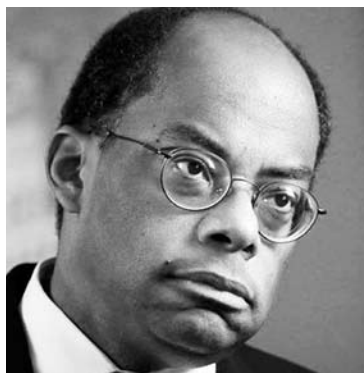
Ignoring calls from the American Medical Association and others to stop supporting the tobacco industry, TIAA-CREF and other life insurers continue to finance the spread of deadly cancers. Insurers "put their profits above people's health" according to Dr. J. Wesley Boyd, the lead author of a report

issued in 2009 by Harvard physicians. Today, TIAA-CREF is still investing billions in the big tobacco companies, including Philip Morris International, Altria Group (Philip Morris USA), British American Tobacco, Imperial Tobacco, Reynolds American, Lorillard, Universal, Swedish Match and Vector Group!

## **Killer Coke investments are socially irresponsible and do not promote the greater good:**

In 2006, TIAA-CREF had to divest tens of millions of dollars of Coca-Cola Company stock from its \$10 billion Social Choice Account because the company does not meet TIAA-CREF's criteria as a socially responsible company. During TIAA-CREF's 2012 annual meeting, CEO Roger Ferguson told attendees that Coca-Cola is still banned from the Social Choice Account. Yet other TIAA-CREF accounts still have more than a billion dollars invested in Coca-Cola, dubbed Killer Coke because of allegations of widespread labor and human rights abuses, including racial discrimination against black and Latino workers in New York plants (see KillerCoke.org).

**Help us make TIAA-CREF live up to its claim of being "socially responsible" and "investing for the greater good." It should start by ending its investments in construction sweatshops!**



**COMPENSATION:**  
2011: \$12.5 Million  
2010: \$10.5 Million

**Please write or call:**

**ROGER FERGUSON**

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**Campaign to Stop Construction Sweatshops**

**[www.StopConstructionSweatshops.org](http://www.StopConstructionSweatshops.org)**

**New York City & Vicinity District Council of Carpenters**





# Defending Workers And The Middle Class

As members of the New York City and Vicinity District Council of Carpenters (NYCDCC), we take our jobs as union carpenters very seriously.

We set the standards for training, productivity, quality workmanship and workplace safety. We'll never stop fighting for working people, union and non-union alike.

**Construction projects done with shoddy workmanship and materials are both a safety hazard and, particularly with respect to public works projects, are far more costly to taxpayers.**

The NYCDCC and its affiliated locals insist on fair wages and benefits, safe working conditions, dignity on the job and representation at the bargaining table. We strongly object to, and will continue to challenge, employers working in the community that exploit workers

by unjustly refusing to pay area-standard wages and benefits to their craftsmen and craftswomen.

This form of exploitation harms workers and their families, undermines the local economy and exacerbates social ills. So that local carpenters remain at the top of our profession, the Council invests heavily in maintaining a five-star apprenticeship program, ensuring future generations of skilled carpenters on local construction sites.

## Unions Make the Difference

In today's economic climate, unions are more important than ever to improve and protect the wages, benefits, working conditions, rights, health and safety of all workers.

Because of the labor movement, millions of families have been able to live the American Dream. But now the middle class and the labor movement are under attack as never before. Greedy corporate executives and union-bashing politicians have used a "divide and conquer" strategy to pit worker against worker resulting in a race to the bottom of the economic ladder.

History has shown that unions have done more good for America's working people than any other institution in the country. Unions stand up for dignity and justice in the workplace and a more equitable distribution of wealth. Union struggles ended child labor and gave us the eight-hour workday, 40-hour workweek, vacations, paid holidays, sick leave, overtime pay, the federal minimum wage, Social Security, unemployment insurance, and occupational safety and health laws.

Independent Project Analysis reported that union workplaces are 17% more productive than nonunion and that good labor productivity reduces project costs and improves the project's schedule and quality. This can be attributed to the advanced training union workers receive, and shows that this training, worksite safety and satisfied workers who have more invested in their jobs make a big difference!

Organized labor has been the most critical force in creating the middle class, and it's our job to defend it and help it thrive and grow. As we fight to protect our livelihoods, we urge you to join us in protecting a middle class way of life so that New York can remain the greatest city in the world.

## Stop Construction Sweatshops

A partnership with the New York City District Council of Carpenters to stop construction sweatshops by

assuring quality workmanship and adherence to area work standards is a win-win situation for workers, taxpayers and public safety.

When carpenters go to work each day, they are putting their safety and even their lives on the line. According to New York Committee for Occupational Safety & Health (NY-COSH), 22 percent or more than one in five of all fatal job-related injuries in the U.S. are in the construction industry. The Bureau of Labor Statistics reported that there were 2,583 construction workplace fatalities in the years 2008 through 2010. The importance of unions in the construction industry is highlighted by a 2011 report on the industry by the University of Michigan's Institute for Research on Labor, Employment, and the Economy, that stated, "higher levels of unionization equate with lower fatality rates."

Consumer watchdog Public Citizen pointed out in its report, "Contract Killers: Government Agencies Award Taxpayer Dollars to Contractors That Disregard Worker Health and Safety," that 230,000 cases of serious, non-fatal injuries were reported by construction companies to the federal government in 2010. This represents just the tip of the iceberg because many injuries go unreported.

The Occupational Safety and Health Administration (OSHA) has never had enough power to truly punish developers and contractors who neglect the safety of their workers, according to Public Citizen. Construction workers relying on OSHA to protect them are often putting their lives on the line with little to protect them.

Most of these serious injuries and deaths are avoidable and unions in the building and construction industry work hard to assure safety on the job. That's why in the construction industry, job-related injury rates and fatalities are lowest among union workers.

Members of the New York City District of Council of Carpenters not only have the best training in the country, but also know that they have a union that always puts their safety and health, and that of the public, first!

*"The Labor  
Movement  
was the principal  
force that transformed  
misery and despair  
into hope  
and progress."*

Martin Luther King, Jr.

**LEARN MORE ABOUT**  
**The NYC District Council of Carpenters**  
**[www.nycdistrictcouncil.com](http://www.nycdistrictcouncil.com)**