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# **LOCAL 78**

## **ASBESTOS, LEAD & HAZARDOUS WASTE LABORERS**

30 CLIFF STREET, 6th FLOOR  
NEW YORK, NY 10038-2825

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August 27, 2002

### **Via Facsimile (718) 595-4422**

Ms. Virginia Smyth  
Contract Administrator  
The City of New York  
Department of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

**RE: Contracts WTC-ARA; WTC-ARB; WTC-ARC; and WTC-ARD**

Dear Ms. Fennes:

It has come to our attention that DEP is considering a bid by Xaren Corporation for the above-referenced downtown cleanup contracts.

Local 78 has received this information with extreme concern, in view of ongoing difficulties with Xaren Corporation, a signatory contractor with our union.

Among these concerns are the following:

- Xaren's Past history of not paying workers on time;
- Xaren's Past history of paying at a rate below that contracted with our union.
- Xaren's present delinquency in the submission of workers' benefits to the Mason Tenders' Trust Funds, including welfare, annuity and training funds.

Xaren's current delinquency in the payment of benefits is so severe, that just today (before we knew of their bid), Local 78 has issued a 24-hour notice letter (please see copy attached) which could result in work stoppage at Xaren Corporation jobsites in the event that the company does not meet its August 30, 2002 deadline.

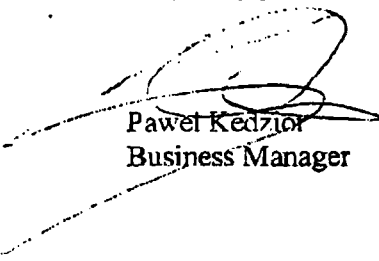
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Your attention to this matter will be greatly appreciated. As you will understand, our biggest concern is that by awarding contracts to companies with track records as dismal as Xaren will send the wrong message to other contractors who timely fulfill their obligations with their workers.

If you have any questions, please do not hesitate to contact me at our business office, (212) 791-7421 or (917) 731-8381.

Very truly yours,

  
Pawel Kedzior  
Business Manager

cc: Ms. Carol Fenves  
(718) 595-3278

My Documents/Housekeeping/Letters