



Legislation Text

File #: Int 2382-2021, Version: *

Int. No. 2382

By Council Members Dromm, Kallos and Louis

A Local Law to amend the New York city charter and local law number 44 for the year 2016, in relation to ensuring the department of small business services requires equal employment opportunity for sexual orientation and gender identity minority groups in contracting with the city of New York

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 1305 of the New York city charter, as amended by local law number 58 for the year 2020, is amended to read as follows:

a. The commissioner shall administer the provisions of this section and enforce a citywide program to ensure that city contractors and subcontractors take appropriate action to ensure that women and minority group members are afforded equal employment opportunity, and that all persons are protected from discrimination prohibited under the provisions of federal, state and local laws and executive orders with regard to recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, rates of pay and other forms of compensation. The commissioner may request and shall receive from any contracting agency of the city such assistance as may be necessary to carry out the provisions of this section. "Minority group member" shall mean a United States citizen or lawful permanent resident who is a member of a racial or language minority group in New York city protected by the voting rights act of 1965, as amended, a member of a sexual orientation or gender identity minority group protected by subdivision 1 of section 8-107 of the administrative code, or such other groups as may be covered by rule of the agency.

§ 2. Sections 1 and 2 of local law number 44 for the year 2016 are amended to read as follows:

Section 1. a. Definitions. For purposes of this local law, the term "gender" has the same meaning of that

term as defined in section 8-102 of the administrative code of the city of New York.

b. Survey. By January 15, [2017] 2021, the department of small business services shall create a voluntary survey, to be distributed to and completed by proposed city contractors and subcontractors in conjunction with employment reports pursuant to subdivision e of section 1305 of the New York city charter. That survey shall solicit information regarding the selection and employment practices, policies, and procedures pertaining to the racial, ethnic, sexual orientation and gender composition of such entities' directors, officers, and other executive-level staff members and such entities' plans for diversity in leadership. No information submitted to the department through such survey may be the basis for any decision by the city in relation to any contract award or renewal unless otherwise authorized by law.

§ 2. a. Report. By July 1, [2018] 2021, the mayor, or such office or agency as the mayor may designate, shall submit to the speaker of the city council and publish on the website of the department of small business services a report analyzing:

1. Racial, ethnic, sexual orientation and gender diversity among directors, officers and executive-level staff members of entities holding goods or service contracts with the city;

2. Such entities' plans for improving racial, ethnic, sexual orientation and gender diversity in such positions and such entities' efforts to achieve those plans.

b. Source and use of report information. The report described in subdivision a of this section may be based on data and information from the surveys described in section one of this local law and any other available source. The information generated for or used in preparing such report shall not be the basis for any decision by the city in relation to any contract award or renewal unless otherwise authorized by law. The report shall not name or identify any contracting entity.

§ 3. This local law takes effect 30 days after it becomes law.

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LS #16099
10/21/20