

**Testimony of Alicia Glen
Deputy Mayor for Housing and Economic Development, City of New York**

**Before the New York City Council Committee on Civil Service and Labor
Regarding Introductory Number 001 – Earned Employee Sick Time**

February 14th, 2014

Good morning Public Advocate James, Speaker Mark-Viverito, Chairman Miller, and Members of the City Council. My name is Alicia Glen, Deputy Mayor for Housing and Economic Development; here with me today are Alba Pico, First Deputy Commissioner at the Department of Consumer Affairs, Marla Tepper, General Counsel at the Department of Consumer Affairs, Gregg Bishop, Deputy Commissioner for Business Development at the Department of Small Business, and Sam Miller, Assistant Commissioner at the Department of Health & Mental Hygiene.

Thank you for the opportunity to testify on Introductory Number 1, which would amend the New York City Charter, Administrative Code, and Local Law 46 of 2013, to expand the number of employees across the City that have the ability to earn paid sick leave.

For too many New York families, waking up to a sick family member or becoming suddenly ill, isn't just stressful – it can lead to a financial crisis. For a mother of two making \$10 per hour, missing days without pay might mean not being able to put food on the table or losing a job altogether.

At this week's State of the City, you heard from the Mayor about how important paid sick leave is for not only employees but also for businesses. The Mayor highlighted Esmeralda Valencia, who is the owner of Esmeralda's Restaurant in Bushwick. She has owned and operated this restaurant for the past ten years and has eight employees. She provides paid sick days and supports this legislation because it will put her on the same level playing field as other businesses. She knows that providing paid sick leave improves employee performance and morale, which leads to better customer service and reduces hiring and training costs because of lower turnover. Like her, countless business owners know that a healthy workforce is a more productive workforce.

The paid sick leave policy put forward by the Administration is not just important for the financial well-being of families but also the health of all New Yorkers. When people suffering from communicable diseases such as flu are forced to go to work when they're sick—or who are forced to send their sick children to school because they can't stay home to care for them—they contribute to the spread of illness among their co-workers and classmates. During the 2009 H1N1 outbreak, researchers estimated that 7 million Americans came down with the flu because their co-workers came to work sick.¹

The federal Centers for Disease Control and Prevention recommends that individuals who are ill stay home from work and school to prevent the spread of disease in the workplace and the community. However, nearly 48 percent of all hard working New Yorkers—nearly 1.75 million individuals—can't follow this advice without facing economic consequences, a study from the Community Service Society found.² Lack of paid sick days is an even bigger problem among low-income families with children in New York City public schools. The same study found that only one in three parents in this group can take time off work to recuperate from illness or to care for ill family members.³

Paid sick leave offers benefits to both workers and employers beyond reduced risk of disease transmission. According to one national study, the odds of having a non-fatal injury among workers with paid sick days were 28% lower than those for workers without paid sick days.⁴ And in terms of productivity, a study co-authored by the San Francisco Department of Health using national data found that workers with paid sick days who did not go to work because they were sick or injured actually took 1.5 fewer workdays off than workers who did not have paid sick days.⁵

We have the benefit of seeing how a progressive Paid Sick Leave policy implemented in other municipalities has made a positive impact on the local economy. Washington, D.C., Seattle, San Francisco and the State of Connecticut have paid sick leave laws and it has not resulted in a depressed economy, abuse of the policy by workers, or resulted in an exodus of business. In fact, it's helped. In Connecticut, a recent study found that its law decreased employee turnover, cut the number of employees who came to work sick, decreased unscheduled absences, and increased productivity. New Yorkers deserve the same protections.

This is why the De Blasio Administration is proposing to build on the progress that the City Council made last year, and make changes that will result in one of the strongest paid sick leave laws in the country.

Specifically, we are proposing the following changes:

- People working at businesses with 5 or more employees will be covered and protected—instead of the 15-employee threshold under the current law. That will cover an additional 355,000 New Yorkers—more than 200,000 of whom we know currently don't receive paid sick leave.
- Eliminating the phase-in—all workers included in the bill will have immediate coverage—this means 140,000 people who would have waited until mid-2015 under the existing bill will have immediate coverage. 85,000 of those workers don't currently have a single paid sick day.
- Removing exemptions for the manufacturing sector that will extend paid sick leave coverage to 76,000 workers, half of whom don't currently have any paid sick days.
- Removing any reference to the economic trigger where the Earned Sick Time Act would only take effect based on the improvement of an economic index. Although the trigger had already been met, we do not find it necessary, believe it is confusing, and propose for it to be removed.
- Adding grandparents, grandchildren and siblings to the definition of family that can be cared for with paid sick time.

Additionally, the current law authorizes the Department of Consumer Affairs to enforce the Earned Sick Time Act. However, given that this is one of the most progressive earned sick leave law for any city in the country, it is even more important that we enforce this new law with the flexibility needed to best serve New Yorkers. Although we do not anticipate any enforcement changes, the proposed bill would give the Mayor the ability to designate an alternate agency to be responsible for enforcement.

Although we will work hand-in-hand with businesses of all sizes to implement this law, the City will not shy away from enforcing this important legislation. To this end, we are proposing a change to the statute of limitations for bringing complaints to DCA from 270 days to three years and extending the employer record keeping requirement from two to three years. In addition, rather than DCA pursuing investigations of violations solely based on complaints, the proposed legislation will authorize DCA or a different

agency designated by the Mayor to issue notices of violation based on investigations brought on its own initiative.

We understand that this legislation will require significant outreach to businesses throughout the City and there are a number of concrete actions that we will be taking immediately. DCA will be launching a positive awareness campaign for both employers and employees. This effort will educate employers about their responsibility to provide sick leave employees about their right to sick leave. DCA will also provide businesses with information and guidance, including training materials, and will offer its "Live Chat" feature for any concerns or questions that employers might have. Additionally, the Department will provide opportunities for businesses to visit borough offices for training sessions, resolve complaints, and provide technical assistance. In order to pay for these opportunities, the Mayor announced yesterday as part of the City's preliminary budget plan an allocation of \$4.8 million dollars for FY2014 to the DCA for the implementation of this legislation.

On behalf of Mayor de Blasio, I want to thank you for your support of this legislation. With your continued advocacy and partnership, New York City is on its way to having the most progressive paid sick leave policy in the country. We look forward to working with you and I am happy to answer any questions you may have.

¹ Drago R & Miller K (2010). Sick at Work: Infected Employees in the Workplace During the H1N1 Pandemic.

² Reiss R and Rankin N (2009). Sick in the city: what the lack of paid sick leave means for working New Yorkers. New York: The Community Service Society of New York.

³ Ibid.

⁴ Asfaw A, Pana-Cryan R and Rosa R (2012). Paid Sick Leave and Nonfatal Occupational Injuries. American Journal of Public Health

⁵ Human Impact Partners and San Francisco Department of Public Health. A Health Impact Assessment of the Healthy Families Act of 2009. Oakland, California.

**Statement on the Economic Effects of Expanding Paid Sick Leave
Hearing of the Civil Service and Labor Committee
Of the New York City Council
February 14, 2014**

Dr. Richard McGahey

**Milano School of International Affairs, Management, and Urban Policy
and the Schwartz Center for Economic Policy Research (SCEPA), The New School**

My thanks to Chairman Miller and members of the committee and Council for this opportunity to testify. I am here to strongly support legislation expanding paid sick days to New York City workers at firms with five or more employees and to strengthen the law in other ways.

I am a labor economist with a PhD in Economics, currently teaching in The New School's policy program. I have a long history working on labor policy issues, having served as Chief Economist for the U.S. Senate Committee on Labor and Human Resources, and as Economic Policy Advisor to Senator Edward Kennedy (D-MA). In the federal executive branch, I was nominated by President Bill Clinton and confirmed by the Senate as Assistant Secretary for Policy at the U.S. Department of Labor.

My empirical conclusions are based, in part, on written testimony I submitted last year in support of the original legislation.

The legislation under consideration expands New York's historic paid sick days legislation to include workers at businesses with five or more employees and strengthens the law in other important respects. The legislation is unlikely to create any significant negative economic impact, and, in fact, could create positive economic gains for businesses and provide significant benefits to workers. I have four points supporting the legislation.

First, studies of other cities with similar legislation don't find adverse economic impacts. For example, San Francisco, where we have the longest policy record to analyze, had faster economic growth since the legislation was passed than other counties in its region that do not provide paid sick leave. The San Francisco law, in effect since February 2007, does not exempt firms of any size, granting a minimum of five days of paid sick leave to all workers.

San Francisco's program has gone into effect with what the Urban Institute called "minimal impacts" on businesses. The Senior Vice President for Policy of the San Francisco Chamber of Commerce recently described the law's impact as "minimal,"¹ and a 2011 study found that over 90 percent of San Francisco businesses reported little or no impact from the law. A 2013 study of Seattle's law giving paid leave to workers in all firms with ~~five~~^{five or} more employees had similar findings, concluding that "the preliminary data provide no evidence of widespread negative economic impacts."²

Second, economic research on modest increases in employee benefits, especially the minimum wage, do not show negative effects on job creation. Since a minimum wage increase would be more costly than paid sick leave, and there is no evidence that modest minimum wage increases negatively affect the economy, we should not expect negative job impacts from the paid sick leave legislation.

¹ <http://www.nytimes.com/2014/01/27/nyregion/despite-business-fears-sick-day-laws-like-new-yorks-work-well-elsewhere.html>

² <http://washington.mainstreetalliance.org/files/2013/09/PSD-1-Year-Report-Final.pdf>

Third, there is a pro-business case for paid sick leave, in terms of increased productivity and reduced labor turnover. Workers with paid sick leave can be more loyal, work more productively, and do not get their co-workers or customers sick. Also, national data shows us that workers do not use all of the sick days they are allotted, so the actual use of sick days is likely to be less than the statutory maximum amount.

Finally, basic public policy principles teach us that employment legislation should be as uniform as possible for all workers and businesses. Complex carve-out schemes for certain sized firms or specific sectors require more bureaucracy, create an uncertain operating environment for business, and encourage firms and industries to lobby and pursue exceptions rather than tending to their core business activities. And since many employers already provide this benefit, public policy should encourage those good employers who create higher quality jobs. Policy shouldn't create incentives for low-quality jobs, and foster competitive forces that undercut employers who have good labor practices.

In conclusion, there are strong economic arguments in favor of expanding paid sick leave, and there is little empirical evidence that paid sick leave will harm the economy.

- In cities that have enacted paid sick leave, including cities requiring firms with fewer than five employees to provide the benefit, implementation has been straightforward, with minimal impact on businesses.
- Empirical evidence from increases in the minimum wage, a more costly benefit, strongly suggests that an expanded policy of paid sick days will not have discernible effects on employment.
- Paid sick leave would likely benefit workers and businesses, through increased productivity and decreased turnover.
- To encourage good quality jobs and support good employers, the policy should be as uniform as possible, with no significant carve-outs for specific sectors or firm size.

I also want to commend the legislation's elimination of the economic trigger mechanism that would have suspended implementation of the original law. Such triggers are bad policy.

We don't suspend laws governing minimum wages, worker health and safety, or anti-discrimination rules when the economy turns down. Those provisions, like paid sick leave, are basic minimum standards that should apply to all work, regardless of the business cycle. Labor standards should be applied consistently to help businesses plan, but more importantly, to provide basic decency on the job. Although the original trigger was a one-time event, it was bad policy, and amending the law to remove it is the right thing to do.

Thank you for the opportunity to testify on this important issue.

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Testimony of Rahul Saxena, Restaurant Opportunities Center of New York

before the New York City Council Committee on Civil Service and Labor

regarding Int. No. 1: In relation to the provision of sick time earned by employees, and section 7 of local law number 46 for the year 2013, relating to such sick time, in relation to the effective date of such local law, and to repeal section 6 of local law number 46 for the year 2013, relating to a determination of the Independent Budget Office.

February 14, 2014

Good afternoon. My name is Rahul Saxena and I am the Policy Director for the Restaurant Opportunities Center of New York (ROC-NY). ROC-NY organizes restaurant workers citywide for improved working conditions in the restaurant industry. We are a membership based organization of restaurant workers, with over 5,500 members who reflect the diversity of New York City restaurants.

I. ROC-NY applauds the City Council and Mayor de Blasio for moving quickly to expand paid sick days coverage

I want to start by commending the City Council and Mayor de Blasio for moving so quickly to expand and improve the Earned Sick Time Act that was passed last year. Covering all businesses with five or more employees, expanding the definition of family members to include siblings and grandchildren/grandparents, and covering manufacturing workers are all very significant steps forward.

By drastically expanding paid sick leave coverage, New York City will be taking an important step towards ensuring that the city's most exploited workers, those with the lowest pay and the least economic security, will at least have the ability to take care of themselves or loved ones when sick or injured without worrying about missing a day's pay.

II. ROC-NY members urge the City Council to eliminate the "changing schedule" provision of the Earned Sick Time Act

While ROC-NY is thrilled that the City Council and Mayor are moving quickly to expand paid sick days coverage, there is one aspect of the Earned Sick Time Act that is not addressed by Int. No. 1, but is of great concern to our members: the "Changing Schedule" provision.¹ This provision, which was added to the Earned Sick Time Act as one of several compromises made in

¹ § 20-915 of the Administrative Code of the City of New York

the final months of negotiations, unfairly requires restaurant and other shift workers to choose between picking up extra hours/shifts *or* taking a paid sick day. The provision is little-understood, but the real-life implications for our members, the vast majority of whom are shift workers, are substantial.

We oppose the Changing Schedule provision for the following reasons:

1. **By making shift workers choose between taking a paid sick day *or* picking up an extra shift, the Changing Schedule provision makes paid sick days an *option* for shift workers, not a *right*.** If a shift worker voluntarily picks up an extra shift in the same week as their sick day, their employer does not have to pay them for their sick day under the Earned Sick Time Act's "changing schedule" provision. Despite record growth in the restaurant industry, wages remain low and more and more restaurant workers are seeing their hours cut. As a result, many restaurant workers are constantly looking to pick up extra hours whenever the opportunity arises. For low-wage restaurant workers living paycheck-to-paycheck and seeing dwindling hours, the option of picking up extra shifts can mean being able to afford groceries or being able to pay rent at the end of the month. But picking up an extra shift is no reason to deny these workers the right to be paid for a sick day. All workers deserve paid sick days *in addition to* being paid for every hour worked.

Example: Imagine you are a server at a restaurant making \$5 per hour. When you first started working at the restaurant four years ago, you were consistently scheduled to work 40-hours per week. These days, however, like many of your friends in the restaurant industry, you are lucky to be scheduled for three 8-hour shifts per week. This week, you were scheduled to work on Monday afternoon, but you woke up with a bad fever, so you decide to take a paid sick day. A few days later, on Thursday, a co-worker calls you and asks if you would be willing to take her evening shift. You jump on the opportunity because you are a low wage worker struggling to make ends meet, and it is your right to pick up extra shifts, so long as your boss approves. But, because of the Changing Schedule provision that passed as part of the Earned Sick Time Act, since you have picked up the extra shift, the sick day you took on Monday will no longer be paid.

2. **The Changing Schedule provision legitimizes a broken practice in the restaurant industry.** When restaurant workers call in sick, most employers give them one of three choices: come in to work sick, find a co-worker to cover your shift, or don't bother coming back because you will be fired. As a result, most restaurant workers have worked when sick. And when restaurant workers are too sick to work, instead of taking care of their own health, they are forced to spend their sick mornings on the phone calling co-workers to get their shift covered. Even though the Changing Schedule provision gives shift workers the choice of taking a paid sick day *or* swapping shifts, many employers will view the provision as a green-light to continue requiring workers to get their shifts covered. Further, despite the fact that the Changing Schedule provision explicitly states that shift changes have to be made "[u]pon mutual consent of the employee and the employer," ROC-NY members will assure you that between a low-wage worker and a boss, the idea of "mutual consent" is just that – an idea.

Example: Imagine you are a low-wage restaurant worker scheduled for a Monday afternoon shift. You wake up Monday morning with the flu, and you call your boss to tell him/her that you won't be able to work. "We really need someone for your shift," your boss tells you, "can you find a replacement?" Though the paid sick days bill prohibits the employer from putting the responsibility to find a replacement on you, in reality, this long-standing, broken custom will not be erased as long as shift-swapping is endorsed by the law. As a low-wage worker with little power relative to your employers, you will most likely feel pressured into spending your sick morning trying to get your shift covered. At best, your employer will find a co-worker to cover your shift and ask you "if you would be willing" to take the co-worker's next shift in return. Would you feel comfortable saying no to your boss?

- The "changing schedule" provision will incentivize employers to create fake shifts instead of allowing a worker to take a paid sick day.** Under the terms of the "changing schedule" provision, if a shift worker takes a paid sick day and picks up an extra shift in the same seven-day period, they will not be paid for their sick day. This provision will encourage employers to create superfluous shifts for tipped workers in order to pay them at the lower sub-minimum wage for tipped workers rather than the regular minimum wage that would be required under the paid sick time law. This situation will hurt not just the sick worker who will effectively be denied the right to take a paid sick day, but also all tipped employees who will have fewer customers and who will have to split their tips with one extra worker when a superfluous shift is added.

Example: Imagine you are a server earning the tipped minimum wage of \$5 per hour. One day you are too sick to work, so you call your employer to ask for a paid sick day. Your employer responds, "Don't come in today, but why don't you come in on Wednesday instead. You are not scheduled, but you can take some tables from the servers who are scheduled." For your employer, this approach means he/she will only have to pay you \$5 per hour instead of the full minimum wage for your sick day. But for you, this means that you will not be paid for your sick day. And for your co-workers – those who were already scheduled for the Wednesday shift – it means fewer tables to serve, which means less money in tips. Your co-workers will, as a result, go home at the end of the day with a reduced salary. For you and your co-workers – low wage workers struggling to make ends meet – this could impact your ability to pay rent, buy groceries, or care for dependents.

- Shift workers should not be treated any differently than other workers.** Paid sick days are a basic right that all workers deserve. The "schedule changing" provision makes paid sick days an option, not a right, for shift-workers. Carving out shift workers this way would be unfair and would defeat the purpose of the paid sick days bill. We would never pass a law requiring sick lawyers to work on Saturdays instead of being paid for a sick day.

Further, there is simply no good reason to include "changing shift" language in the legislation. Without it, workers would still be able to voluntarily swap shifts if they so choose.

- The New York City paid sick day law should be a model of fairness and justice that other jurisdictions across the country can use and replicate.** Again, we commend the City Council and Mayor de Blasio for taking important steps towards improving the law. For

the city's shift workers, however, the law will not be adequate until the "changing shifts" provision is removed.

ROC-NY commends Mayor de Blasio and the City Council for expanding New York's paid sick days law in several ways, and we urge you to also eliminate the changing-shifts provision.



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FOR THE RECORD

Statement of the New York Civil Liberties Union

Before

The New York City Council

Committee on Civil Service and Labor

Regarding

Int. 1 – 2014 relating to the provision of sick time earned by employees

February 14, 2014

This statement is submitted by Socheatta Meng, Legislative Counsel at the New York Civil Liberties Union (“NYCLU”). Thank you to the members of the Committee on Civil Service and Labor for providing the opportunity to submit testimony today on legislation that would strengthen Local Law 46, also known as the Earned Sick Time Act, and expand the scope of this important law.

The NYCLU, the state affiliate of the American Civil Liberties Union, is a not-for-profit, non-partisan organization with eight offices across the state, and nearly 50,000 members. The NYCLU’s mission is to defend and promote the fundamental principles, rights and constitutional values embodied in the Bill of Rights of the U.S. Constitution and the Constitution of the State of New York.

New York City has experienced steadily increasing inequality. But Int. 1-2014 represents a new chapter in our city. With our new class of council members and our new mayor, who has pledged to address economic inequality by taking leadership on this legislation amongst other proposals, we are entering a new era where there is the political will, and ultimately hope, to address the challenges that have long faced the city’s most vulnerable communities.

The Earned Sick Time Act, enacted in June 2013, will provide approximately one million workers the right to paid sick days when the law takes effect on April 1, 2014. The proposed legislation, Int. 1-2014, would extend this right to an additional 500,000 workers by requiring all businesses with at least five employees, and not just the largest employers, to provide workers paid sick days; by providing the benefit to all manufacturing workers; and by expanding the categories of family members whom employees are allowed to take time off to care for. Additionally, the bill recognizes that even in times of widespread economic distress, working families need support, and it is probably during these times that they need it most. Rather than making the effective date of the new law contingent upon the city's economic conditions, the bill proposes to establish one effective date independent of this factor. Int. 1-2014 would also strengthen the enforcement of this policy in several ways in order to ensure that the right is a real and meaningful one.

The NYCLU supports this legislation, and urges the City Council to pass it so that the many families who struggle to work and care for their loved ones are not forced to choose between these two necessities.

Workers who are not permitted paid sick time must choose between going to work or staying home and losing pay when illness strikes a family member. And if a worker chooses the interests of family over work, that worker may no longer have a job.¹ The lack of paid sick days is especially harmful for low-wage workers, of whom many do not receive this benefit. According to the federal Bureau of Labor Statistics, only 32 percent of those workers in the bottom quarter of wage earners receive paid sick leave, compared with 87 percent of those workers in the top quarter of wage earners.² For low-wage workers, a single day without pay could mean not being able to afford groceries or pay the rent at the end of the month. When illness strikes, not only is the health of these workers and their families at risk, but also their fundamental ability to survive financially.

This issue is also a matter of race and ethnicity; low wage workers are disproportionately represented in communities of color. According to a 2013 report by the Community Service Society, approximately two-thirds of low-income Latinos cannot take a paid day off to care for themselves or a family member when sick.³ Among low-income black workers, more than half are not allowed to take a paid sick day.⁴

Int. 1-2014 would further the reach of the Earned Sick Time Act, thereby providing increased economic stability to many more New York City workers and families who need this support.

¹ Tom Smith and Jibum Kim, *Paid Sick Days: Attitudes and Experiences*, National Opinion Research Center for Public Welfare Foundation (June 2010), at 6.

² U.S Bureau of Labor Statistics, *National Compensation Survey: Employee Benefits in the United States*, Table 32 (Mar. 2012).

³ Nancy Rankin and Apurva Mehrotra, *Latino New Yorkers Can't Afford to Get Sick*, Community Service Society of New York (Mar. 2013), at 2.

⁴ Nancy Rankin, *Still Sick in the City: What the Lack of Paid Leave Means for Working New Yorkers*, Community Service Society of New York (Jan. 2012), at 3.

While the NYCLU supports this legislation, we have a continuing concern with the “Changing schedule” provision in the Earned Sick Time Act (§20-915), which is left intact under Int. 1-2014. Under this provision, an employee who has called in sick may upon mutual consent of employer and employee pick up another shift in the same period. If the employee exercises this option, she is not paid for the sick day; in effect, the extra shift is substituted for the sick day.

This provision may serve the interests of both employer and employee if both parties have equal bargaining power. In such a relationship, however, the bargaining power is not equal. Consequently there is a well-founded fear that this provision will actually compel many shift workers to work a shift against their wishes after returning from a sick day – or face retaliation upon the refusal to do so. This anticipated impact extends to the city’s 200,000 restaurant workers, whose use of paid sick leave would likely be compromised under this provision.

In a letter to the City Council, Beily Durbin, a restaurant worker for over twenty years described the conditions facing workers that she witnessed and experienced. Not only do workers face pervasive and persistent pressure to exchange shifts with someone who is sick, but they also face harsh repercussions – including termination – when they are absent, even when sick. This suggests that the “Changing schedule” provision may work to the disadvantage of the most vulnerable and poorly paid workers.

In light of these concerns, we urge the City Council to include affirmative measures in the Earned Sick Time Act that will help to ensure compliance.

Based on opposition to this policy, there is good reason to believe that certain (perhaps many) employers will not make a good-faith effort to comply with the paid sick leave mandate. For this reason the legislation should include a provision that directs the City Council’s Committee on Oversight and Investigation to conduct a citywide field investigation, including extensive interviews with workers, that evaluates the degree of compliance with the new law, and proposes on-going enforcement measures, if warranted. The investigation should be undertaken one year from the effective date of the new law.

We also urge the City Council to include in this legislation a provision that provides workers unlawfully deprived of paid sick leave with the right to file a civil claim. If we are to make this policy as robust and protective as possible, we must ensure that workers whose rights are violated may enforce the mandate of the law. An administrative remedy, alone, is not sufficiently protective of this right.

Int. 1-2014 is important legislation that would improve the well-being and financial stability of many working families in New York City who need this support. With the above suggested amendments, we urge the City Council to pass this legislation.



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BOROUGH PRESIDENT GALE A. BREWER
TESTIMONY TO THE NEW YORK CITY COUNCIL'S
COMMITTEE ON CIVIL SERVICE AND LABOR
FEBRUARY 14, 2014

Good morning, and thank you, Chair Miller, for the opportunity to testify today in support of Intro 1 of 2014, the expansion of the New York City Earned Sick Time Act, a bill of which I am also a co-sponsor.

I appreciate the efforts of the Paid Sick Days Coalition members and my colleagues – including the Mayor and the Speaker - who never gave up on passing my original paid sick leave legislation last year.

I also want to thank the businesses and employers who relayed their experiences and concerns with the proposed legislation and who will be important partners in the road ahead. Earned Sick Time will only succeed with their cooperation, support, and input.

Expanding this law to include more workers will make for a healthier New York.

Under the proposed bill, it's projected that close to 500,000 workers will have the fundamental right to a paid day off when they or a family member is ill – in addition to the one million New Yorkers who are currently covered by the law when it goes into effect on April 1, 2014.

And we must not overlook that millions of other working New Yorkers who already have the right to a paid sick day, or who are not covered by this proposal, cannot be fired if they must stay home.



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While reflecting back on the 500 conference calls, hundreds of press conferences and rallies, and our meetings with thousands of parents, employees, health care workers, unions, advocacy groups, non-profits, and businesses large and small that brought us to this day- I am reminded that the challenges of education about the law and its implementation will be significant, and they will be long-term.

I have spoken with elected officials, workers, administrators, and business organizations in San Francisco, Washington, D.C., and Seattle about their experience rolling out paid sick leave. All highlight the need for a dedicated and collaborative effort. Laws are only effective if those they govern understand their rights and responsibilities, and I look forward to an active role in educating both workers and employers.

To make the roll-out successful, rulemaking, posting of rights in workplaces, and broad community outreach- including public seminars- are some of the steps that must be taken immediately upon passage.

Fortunately, we can benefit from the experiences and best practices of several other cities - Seattle's website features individual posters in several languages including English, Spanish, Korean, Chinese, and Tagalog. Employers can easily download a model notice for employees about the paid sick time ordinance, a sample MOU for CBAs, and view a webinar. The Center for Law and Social Policy published a February 2013 report on the implementation of the Seattle Paid Sick Leave Ordinance, citing best practices and lessons learned.

On San Francisco's site, these notices are combined and include other languages including Russian; their Office of Labor Standards Enforcement established a Paid Sick



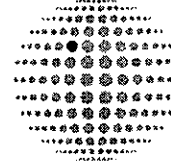
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Leave Hotline – where one can speak with a real live person (I know - I called last week!) who can answer inquiries in English, Spanish and Chinese.

It is heartening that Mayor de Blasio has prioritized these efforts in his newly released Preliminary Budget by including \$4.8 million in FY 2014 and \$1.8 million FY 2015 for the Department of Consumer Affairs.

We are also fortunate that many wonderful organizations, including NYS Paid Family Leave Coalition partners, are dedicated to ensuring the successful implementation of this law. Organizations such as A Better Balance, Make the Road and A Center for Popular Democracy have already been fielding many calls from employers and employees seeking information and assistance in better understanding the law.

I look forward to working with the Mayor, the Council, the Department of Consumer Affairs, workers, advocates, parents, health care workers, unions, advocacy groups, non-profits, and businesses large and small in a comprehensive and coordinated education effort.



PARTNERSHIP
for New York City

TESTIMONY BEFORE THE COMMITTEE ON CIVIL SERVICE AND LABOR

FRIDAY, FEBRUARY 14, 2014

VICTOR WONG
DIRECTOR, BUSINESS OUTREACH

Good morning/afternoon. My name is Victor Wong and I am the Director of Business Outreach at the Partnership for New York City. Today, I am speaking on behalf of a new network of small business leaders known as GoBizNYC.

GoBizNYC already represents over 25,000 small businesses across the five boroughs – that’s more than one in ten of our city’s small businesses. Our network includes chambers of commerce, local development corporations, merchant associations, business improvement districts, and industry associations. Our mission is to strengthen the voice of small, immigrant, and minority-owned business and to create an environment where small businesses can create more jobs and build our city’s neighborhood economies.

Local Law No. 46 deliberately exempted small businesses with fewer than 15 employees, recognizing that these employers would face the biggest issues dealing with a new set of expenses as well as government regulations and oversight. The bill also included a phase-in period for businesses with 15-19 employees, giving them an additional 18 months to comply.

Intro. 0001 expands coverage to include businesses with as few as 5 employees and eliminates the time to prepare for implementation of the new law. It would require full compliance from even small employers by April 1st of this year. Although businesses with 20 or more employees will have had nearly a year to understand and prepare for the new law, smaller employers will be blindsided.

Within a few weeks of the passage of this bill, many small businesses will almost certainly be in violation of the law and susceptible to fines ranging from hundreds to thousands of dollars. Failure to provide time for outreach, education, and compliance with this legislation is setting up these small businesses for penalties. We are confident that this is not the intention of the Mayor, the Council, or advocates of the legislation, but it is inevitable if the date of compliance remains April 1st.

Moreover, the Department of Consumer Affairs has still not hired the staff that will administer this program and no regulations or educational materials have been prepared or disseminated. The city needs to allocate adequate time and resources to effectively reach out to and educate small businesses across the five boroughs and help them become compliant with the law. Given that the city has 175,000 small businesses with fewer than 20 employees and that nearly half of them are owned by immigrants who do not necessarily speak English, this is no small task.

We urge the Council to provide at least until the end of the year before businesses with fewer than 20 employees are expected to comply with the legislation. In addition, we suggest adding a provision for education and outreach to small employers and their employees to ensure that both groups are well-informed about the law and know how to report abuses. GoBizNYC and other small business organizations are fully prepared to help with this education and outreach and we hope the legislation will provide the opportunity and resources for this. We hope the sick leave initiative will be a successful partnership with employers and not simply another costly imposition that makes it harder to be a responsible and profitable small business in New York City. Thank you.

Cesar Ortiz Testimony:

My name is Cesar Ortiz, I am the owner of Crystal Discount in Bushwick, Brooklyn. I am a member of Make the Road New York and Small Business United. I would like to thank Mayor De Blasio, City Council Speaker Mark-Viverito and all of members of city council supporting paid sick days expansion.

I am very happy to be here to support paid sick days. I have 5 employees and I believe it is crucial for them to have paid sick time.

In my 6 years as a small business owner, I have learned that my business is only as strong as my employees are dedicated. If my workers are sick or their children are sick, how could they offer the quality services my customers need.

I success I have had is through the hard work of my workers. When I first came to the United States from Ecuador, I worked as a carpenter for 12 years. I know what it means to work hard and without rest. I know that my employees will have better quality of life and work when they have a boss who respects their rights.

I work and live in a working class neighborhood. I know that my customers are workers as well. I want to help ensure their job security. When they are secure in their jobs, they can spend more money in my business and in the community. Paid sick days with strengthen my business and my customer base.

Thank you again to all those supporting small business owners like me.

Testimonio de Cesar Ortiz:

Me llamo Cesar Ortiz y soy el Dueño de Crystal Discount en Bushwick Brooklyn. Soy un miembro Se Hace Camino Nueva York y del proyecto de Pequeños Negocios Unidos. Para empezar, quiero agradecerles al alcalde Bill De Blasio, La portavoz del concejo Municipal Mark-Viverito y a todos los concejales que están apoyando días pagos de enfermedad.

Estoy muy alegre de apoyar la expansión de días pagos de enfermedad. Tengo cinco empleados y creo que es clave que ellos tengan la protección de días pagos de enfermedad.

En mis seis años como un pequeño negociante, lo que aprendí es que un negocio es solamente tan fuerte como la dedicación de sus empleados. Si mis trabajadores están enfermos o sus hijos están enfermos, como sería posible que pudieran ofrecer los servicios de buena calidad que mis clientes necesitan.

El éxito que mi negocio a tenido es por el trabajo duro de mis trabajadores. Cuando vine a los estados unidos trabaje como un carpintero por 12 años. Se lo que es trabajar duro, y sin descanso y se que los trabajadores van a tener mejor calidad de trabajo y de vida si tienen un patrón que respeta sus derechos.

También, vivo y trabajo en un barrio de la clase trabajadora. Entiendo que mis clientes son trabajadores y quiero asegurar que ellos puedan mantener su empleo también. Cuando ellos estén seguros en sus puestos, podrán gastar más dinero en mi negocio. Los días pagos de enfermedad van a fortalecer mi negocio y mi base de clientes.

**Testimony Before the New York City Council Committee on Civil Service and Labor in
favor of the Earned Paid Sick Time Act, Int. 0001-14
Submitted by Sherry Leiwant,
Co-President
A Better Balance: The Work and Family Legal Center
February 13, 2014**

My name is Sherry Leiwant. I am Co-President of A Better Balance, a legal advocacy organization whose mission is to promote equality and expand choices for men and women at all income levels so they can care for their families without sacrificing their economic security. As part of our work, we help draft paid sick days legislation throughout the country and did so here in New York. For four long years we were part of a coalition that worked to pass a law that would guarantee paid sick leave to all New Yorkers including 40% of our workforce that had not a single day they could take off to care for their own or a family member's illness. I was also part of the negotiating team that met last March after our last hearing on paid sick days and negotiated the bill that was passed by the City Council last May. There would not have been a paid sick days bill if it were not for the tireless efforts of Gale Brewer who was the sponsor of the bill, the diverse coalition that fought for it and the City Council members who signed on from the beginning and both voted that bill into law and overrode the veto of the former Mayor.

The bill we negotiated last year was a good bill covering a large percentage of those who lacked paid sick days -- almost a million New Yorkers. But it also left many New Yorkers out with large carve outs based on business size and the exclusion of all manufacturing workers. We applaud this administration for the proposal before you today which would expand the law to cover manufacturing workers and all workers in businesses with 5 or more workers. All workers need paid sick time to deal with their own illness, care for a sick child or take an elderly parent to the doctor whether they work in a large business or a small one. No other municipal paid sick days bill had a carve out based on size of business as large as the one that was in the bill passed last year and no other municipal bill exempted manufacturing workers. So this change brings the New York City bill into line with other paid sick days bills throughout the country including those passed after our bill

was passed last year. I've appended to my testimony a list of the jurisdictions that have paid sick days legislation and what their carve outs are. San Francisco, Washington D.C. and Newark have no carve outs based on business size and Portland and Seattle have laws similar to that proposed today exempting only businesses with fewer than 5 workers; only Jersey City among municipalities has a larger carve out, exempting businesses with fewer than 10 workers from paid sick time and Connecticut, the one state that has passed paid sick days has a larger carve out. Carve out of all businesses with fewer than 20 - or even fewer than 15 - that was in the bill passed last year was way out of line with the majority of the municipal paid sick days laws that have passed. We are very proud that the Mayor and Council have recognized how important paid sick days is for the health and welfare of our city and our workers and is expanding the bill to cover so many more workers.

We also applaud the expansion of the bill to include care of grandparents and grandchildren as well as siblings recognizing the reality of what family care looks like in this city.

We couldn't be more delighted about the Mayor's and Council's leadership in recognizing that paid sick days is not something only some workers need but it's something that all workers need. However there are two things that we want to talk about that are not in the Mayor's proposal but that we feel strongly are critical pieces of this legislation.

The first is the issue of enforcement. We are pleased to see that the designated agency, the Department of Consumer Affairs, will have proactive enforcement powers and we are sure the agency will make every effort to effectively enforce the earned sick time law. However, there are millions of New Yorkers who will be affected by this law and there is a great deal for the agency to do: issuing regulations, outreach, education and processing of complaints. Recognizing the challenge to the agency almost every other jurisdiction which has enacted paid sick days has provided for administrative enforcement of the law AND for a back up that allows workers to go to court to enforce their rights. All jurisdictions but Seattle and Connecticut have made it possible for workers to use the court system to enforce their rights. There have not been many actions filed in any of those jurisdictions. In most cases

workers will choose to use the administrative process rather than the cumbersome procedure of going to court. But having a court remedy available is an important fail safe if there are back ups at the agency or other problems. It is important that every mechanism possible be available for enforcement of this law. The New York City earned sick days law provided for a private right of action in every version introduced from 2009 to 2012 but it was eliminated from the final law in return for reducing the carve out to 15. The right to use the court system to vindicate rights under this law should be restored.

I want to also mention the provision in the law that provides that a shift worker who works additional hours in the week she or he calls in sick will not receive paid sick time. Although that may seem fair for a shift worker who works full time or who works all the hours he or she wants in a week, it is not a good provision as applied to workers who are under employed and desperate for hours of work. A shift worker in that situation – whether a retail worker or a restaurant worker or a worker in another industry – will be easily pressured to make up the hours they took as sick leave and not receive paid sick time. Although the idea of a so called “shift swap” provision had a moment of popularity, only Seattle and Connecticut have such provisions – San Francisco, Washington D.C., Portland, Newark and Jersey City do not.

Finally, I want to emphasize that we look forward to this bill going into effect on April 1 and also applaud the Administration and Council for recognizing that workers covered under the law passed last year should not have to wait until October of 2015 for the law to be effective. The effective date of April 1 should not be changed. Even with that effective date, because there is a waiting period in the law, no worker will be able to take paid sick days until 120 days following April 1 so there will be time for regulations if they have not yet been promulgated. We run a clinic and because of our involvement with this law have been fielding calls from workers who have been fired or otherwise harmed due to the need to take a sick day. One of them is here to testify today. There is nothing we can do for these callers without this law. After 4 years of fighting for this legal right, it’s time for this law to finally go into effect and protect all New York City workers.

Carve outs in other paid sick days laws

San Francisco: No carve out based on business size or sector

Washington D.C.: No carve out based on business size or sector

Seattle: Applies to all businesses with 5 or more workers and no carve out by sector

Portland: Applies to all businesses with 5 or more workers and no carve out by sector

Newark: No carve out based on business size or sector

Jersey City: Applies to all businesses with 10 or more workers and no carve out by sector

Connecticut: Applies to workers in the service sector who work in businesses of 50 or more workers

Effective dates in other paid sick days laws

San Francisco: 90 days after enactment

Washington DC - 30 days after enactment

Seattle - 1 year after enactment

Portland - 7 months after enactment

Newark—120 days after enactment

Jersey City - 120 days after enactment



the work and family legal center

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II. Use of “person” rather than “employer” in defining who can be liable for retaliation.

YES (all but one jurisdiction -- CT -- uses “person”)

San Francisco (Section 12W.7 It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Chapter.)

DC (Section 32-131.08 (a) A person shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided by this chapter.)

Portland (Section 9.01.050 (A) It shall be unlawful for an Employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Chapter.)

Jersey City (Section 3-52. A. No person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Ordinance.)

Newark (Section 5(1) No person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Act. (2) No person shall retaliate against an employee because the employee has exercised rights protected under this Act.)

Seattle (Section 14.16.040. Exercise of Rights Protected; Retaliation Prohibited

A. It shall be a violation for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this chapter.)



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COMPARISON CHART FOR PAID SICK DAYS LAWS

Enforcement: Private Right of Action and Use of "Person"

I. Private Right of Action

YES – can go directly to court if rights are violated –all but two jurisdictions provide for a private right of action without exhaustion of administrative remedies)

San Francisco (Section 12W.8 (c) The Agency, the City Attorney, any person aggrieved by a violation of this Chapter, any entity a member of which is aggrieved by a violation of this Chapter, or any other person or entity acting on behalf of the public as provided for under applicable State law, may bring a civil action in a court of competent jurisdiction against the employer or other person violating this Chapter...)

District of Columbia (Section 32-131.12 (d), as amended in 2013: An action may be maintained against any employer in a court of competent jurisdiction by any one or more employees for and on behalf of himself or themselves and other employees similarly situated.)

Portland (Section 9.01.090 (E) Any person claiming to be aggrieved by a violation of this Chapter shall have a cause of action for damages and such other remedies as may be appropriate.)

Jersey City (Section 3-54.4 (E) Any person claiming to be aggrieved by the violation of this Ordinance may bring a cause of action in any court of competent jurisdiction. Submitting a complaint to the Department is neither a prerequisite nor a bar to bringing private action.)

Newark (Section 9(4)-(5) The Municipal Court shall have the power to adjudicate all allegations of violations of this Ordinance. . . . Submitting a complaint to the Agency is neither a prerequisite nor a bar to bringing a private action.)

NO – must exhaust administrative remedies before going to court

Seattle – provision for criminal enforcement if order of agency not complied with; extensive administrative enforcement system and fine structure (14.16.080)

Connecticut – can go to court to appeal decision of agency



Testimony of Ady Barkan
New York City Council Committee on Civil Service and Labor
February 14, 2014

Chairperson Miller and members of the Committee,

Thank you for the opportunity to speak on such an important topic. My name is Ady Barkan, and I am an attorney at the Center for Popular Democracy.

We are thrilled to be here as New York considers expanding our earned sick leave law to provide this vital benefit to literally hundreds of thousands of families who otherwise would have to choose between earning their wages and staying home to care for themselves or their loved ones when sick.

We look forward too, to the day that New York City joins the trend spreading across the country, and extends this key benefit to all workers in the city.

As you have heard, this is simply smart policy: it's good for public health, it's good for responsible businesses, and it's good for New York's working families.

Today I wanted to focus on a critical point: that laws on the books are only meaningful in the lives of workers to the extent that there is effective enforcement. Without it, many workers will simply not benefit from this law. Towards that end, we urge the Council to make a series of modest amendments to Intro. 1 that will close loopholes that otherwise undercut the promise of New York City's earned sick leave law.

First, you heard earlier of the importance of including a **private right of action**, which allows a worker to decide whether to file with the agency or go to court – typically small claims court. Private rights of action are standard practice for New York City and New York State worker protection laws. And they are standard practice in the paid sick laws being passed around the country. Why? Because they serve as an important deterrent: they provide a strong incentive to employers to comply with the law. In addition, they help ease the potential burden on the agency charged with enforcement. And for simple cases, a small claims case can be a quicker – less time consuming – resolution for BOTH the employer and the worker. New York City should keep pace with the trend locally, and across the country, to give workers the option of filing in court or with the enforcement agency.

Second, for the law to have maximum impact, it will be critical for workers to know of their new rights. The law does provide mandatory written notice of the law at the time of hire. But the

law should be amended to require that employers **post notice of the law** at the worksite year-round. This will ensure that workers know where to file a complaint, and that as the years go by they remain aware of their rights. Notably, all NYC employers – no matter how small – already have obligations to post information about state and federal worker protection laws. Thus, it is not at all burdensome to require that they now add a simple posting – created by the enforcement agency – at their worksites.

Third, it is crucial that the law provide **meaningful fines** for violations – both to deter employers from violating the law in the first place, and to encourage workers to come forward to report abuse when it does occur.

- The bill should include modest but meaningful fines, paid to the City, when employers fail to keep required records.
- The damages paid to workers who are illegally denied time off, illegally not paid for time they take, or who face retaliation should be increased and there should be damages for workers whose medical information is revealed unlawfully.

Fourth, a key loophole in the law's strong protections against retaliation should be closed. In nearly all the other cities and states that have passed earned sick time, their laws **prohibit retaliation** against workers who assert their rights by *anyone*, not simply the narrow categories of actors who count as the technical "employer." While the cases will be rare, some of the worst instances of retaliation we have seen workers suffer are at the hands of, for example, family members of the employer.

For example, a few years ago Make the Road New York represented a group of construction workers who hadn't been paid for a few weeks of work. Each time they went to the boss's house to ask for their pay, the boss's wife (who certainly was not their "employer") came to the door threatening to call the police and immigration if they continued to seek their pay. Under the current earned sick law, this would not count as retaliation.

In another instance, a client at Make the Road pursuing a federal case for unpaid wages was physically assaulted and slashed in the face by a young family member of the employer just days before the case went to trial. Again, under the current earned sick law, this would not count as retaliation.

To be sure, these will be the rare, worst-case scenarios. But these cases *do* happen, and should not be beyond the reach of this law. This is why New York City should follow the lead of other cities and ban retaliation by *anyone* against workers who stand up for their rights.

Again, in conclusion, we are truly thrilled that New York City is poised to extend the right to paid sick leave to more workers than any other city in the country. This is an exciting and historic moment. As they Council moves forward, we urge you to take this opportunity to close a handful of loopholes that otherwise threaten to undermine the real impact of this law in the lives of workers throughout our City and to disadvantage those good businesses who will follow the law.



Committee of Interns and Residents *SEIUHealthcare.*

Testimony IN SUPPORT of Int. 0001-2014, the Paid Sick Time bill.
Committee on Civil Service and Labor
New York City Council
February 14, 2014

Good afternoon. My name is Dr. Hemant Sindhu, and I'm one of the Vice President for CIR - the Committee of Interns and Residents/SEIU Healthcare here in New York.

CIR doctors have supported Earned Sick Time laws whenever they've come up across the country. We've testified before you and your predecessors in this chamber, and before similar legislative bodies in San Francisco, DC, Newark, and Jersey City.

We've done so because, as physicians, we believe earned sick time is a clear-cut public health issue. When you're sick, you should stay home. If you're really sick, you should come see a doctor. That's it. End of story.

Last year's legislation was a dramatic step forward—and not only for the nearly one million New Yorkers now able to earn paid time off to deal with their illness or that of a loved one. It benefitted all of us. In a city like New York, we share our personal space intimately. This has consequences. The flu virus, for example, spreads via surfaces, like a doorknob at work, a computer mouse, or the dreaded pole on the subway. To give a worst case scenario from recent history, during the peak months of the 2009 H1N1 pandemic, 8 million workers went to work sick nationwide, and may have infected 7 million of their co-workers. This year's flu has affected 14,000 people so far in New York State alone. How many of these got the disease at work?

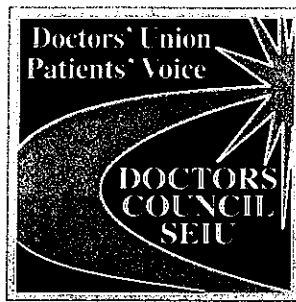
Another example is norovirus, the virus that forces cruise ships to stay out at sea. It causes fevers, vomiting and serious diarrhea and is spread through oral-fecal contact. Since most food service employers didn't offer paid sick time, affected food workers are forced either to work sick or to take unpaid leave. What is one to choose in tough economic times?

Germs don't care about job sector or business size. If we believe that earned sick time is an urgent public health issue – as I and physicians from across the city argue – then we must acknowledge that there is no public health rationale to limit the scope of this policy as reflected in current law.

With the bill before you, an estimated 300,000 additional New Yorkers would be protected from becoming that parent who must choose between sending a sick child to daycare or lose a day's wages. Becoming that parent who must take a child to an ER because of you weren't able to see the pediatrician earlier. Becoming that patient who has inadvertently turned a preventable or a manageable situation into a full blown catastrophe, increasing your own suffering while creating added healthcare cost for all of us.

I urge you to quickly consider and pass this extended Earned Sick Time law in front of you. It has the physician's seal of approval.

Thank you.



FOR THE RECORD

February 13, 2014

Doctors Council SEIU Testimony in Support of Legislation to Expand Earned Sick Time Act

I would like to thank Mayor de Blasio, Speaker Mark-Viverito, Council Member Chin, members of the Civil Service and Labor Committee, and all of the other City Council members for convening this hearing to review the expansion of the City's Earned Sick Time Act.

We applaud Mayor de Blasio, the City Council, Manhattan Borough President Gale Brewer and all the coalitions and groups for championing this important issue.

I am Dr. Frank Proscia, President of Doctors Council SEIU. We are a union for doctors and voice for patients.

We represent doctors throughout the country, including in New York City hospitals and clinics. Our members everyday see New Yorkers who have to make choices and deal with consequences. We see them as patients in our ERs and clinics. No one should have to choose between going to work or caring for yourself or a loved one.

Everyone gets sick, but unfortunately, not everyone can afford to. The U.S. Bureau of Labor estimates that up to 79% of low-wage workers in America do not have access to short term paid sick leave, and in New York City it's estimated that over one and a half million New Yorkers can't call in sick without losing out on valuable income.

Health care is a basic human right. As Martin Luther King, Jr. stated in a speech to the Medical Committee for Human Right: "Of all the forms of inequality, injustice in health care is the most shocking and inhumane."

Working families, who make up the majority of our city's residents, should not have to choose between working sick to make ends meet, or staying home to care for themselves or a sick family member.

This is a patient care issue.

If someone is sick themselves or a family member is ill, you should have the ability to take a sick day to get better or take yourself or a family member to see a doctor. You should not have to fear losing your job. If untreated or not seen earlier in time, an illness can get worse and become more acute. Then, a patient will enter the health care system at a later point in time, with a higher acuity that may be more difficult to remedy and that will end up costing more to treat than if seen earlier.

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Affiliated with the Service Employees International Union (SEIU)



We applaud the Mayor's expedited plan through Introduction Number 1, to expand paid sick leave to employers with five or more employees and urge this Committee and the full City Council to rapidly pass this legislation.

We fully agree that New Yorkers need meaningful paid sick leave legislation that will protect working people and ensure that their jobs and families are protected in case of illness. .

Beyond addressing the important concern of economic fairness, the question of paid sick leave is a major public health issue.

Sick workers should stay home; not place their coworkers and clients or customers at risk of infection. Similarly, sick children need to be at home, not at child care and school, where they readily spread illness to other children and to their teachers.

For example, in 2009 the Institute for Women's Public Research reported that employees who attended work while infected with H1N1 (swine flu) are estimated to have caused the infection of as many as 7 million co-workers (this is according to data compiled by IWPR from the Centers for Disease Control and Prevention and the Bureau of Labor Statistics).

This is also an issue of critical importance to women workers, who are the least likely to have paid sick leave, and who need it the most, since they provide most of the caregiving responsibilities in their homes.

The thriving local economies of Seattle, San Francisco, and other major American cities that have embraced paid sick leave for all, should illustrate that paid sick leave promotes a healthy and productive workforce, and in turn a robust local economy.

It is our hope that this year, the City Council will act expeditiously and approve the expanded Earned Sick Time Act, for the public health and betterment of all working people in New York.

About Doctors Council SEIU

Doctors Council SEIU, a professional organization for doctors, is the oldest and largest union of attending physicians and dentists in the United States, with members in New York City, and in states across the country. Formed in 1973, Doctors Council SEIU is a national union for doctors and a voice for patients, and represents attending physicians and dentists at Health and Hospitals Corporation (HHC) facilities and hospitals, including doctors employed by the affiliates New York University School of Medicine, the Mount Sinai School of Medicine and the Physician Affiliate Group of New York (PAGNY). HHC is the largest public hospital system in the nation. Doctors Council SEIU also represents doctors in the New York City Mayoral agencies including the Department of Health and Mental Hygiene (DOHMH) as well as doctors working at Rikers Island, the largest correctional facility in the nation. Affiliated with SEIU, Doctors Council SEIU is a national union representing doctors employed in the public and private sectors.



Testimony by

**Nancy Rankin, Vice President for Policy Research and Advocacy
Community Service Society of New York**

**Before the New York City Council Committee on Civil Service and Labor
February 14, 2014 Hearing on Int 0001-2014, the “Earned Sick Time Act”**

Thank you for the opportunity to testify today in support of the expansion of the city’s paid sick time act. We applaud the Mayor, the Speaker and Council Member Chin for building on the landmark legislation passed last year under the tireless leadership of Gale Brewer.

My name is Nancy Rankin. I am Vice President for Policy Research at the Community Service Society of New York, a 170 year-old organization that works to advance upward mobility for low-income New Yorkers. I led the research that first identified the widespread lack of sick leave among our city’s low-wage workers, 72 percent of whom do not have a single paid sick day according to our 2013 Unheard Third Survey.

The proposed improvements to our sick days law are the right thing to do—not just because they will cover more of the workers most in need of paid sick time—but because they are good public policy.

First, lowering the size threshold is so important because it is precisely the workers in smaller businesses who are the ones least likely to have access to paid sick time now. In our 2013 Unheard Third survey, CSS found that 64 percent of workers employed by businesses with fewer than 15 workers lack paid sick days compared to 38 percent of those in larger firms. The original law, while a huge step forward at the time, would have left out more than a quarter of workers who needed paid sick time.

Second, covering smaller businesses helps low-wage workers who are more likely than higher-earners to work for small businesses. And these are the workers for whom losing a few days’ pay can mean not filling a prescription, not buying milk for the kids, or falling behind in the rent.

Third, a more inclusive application of the law is fairer not just for workers but for businesses. It ensures that employers have to play by the same rules and one business is not at a competitive disadvantage versus another simply because it employs a few more workers. We know from solid economic research by Arin Dube, Alan Krueger, David Card and others and from the experience of localities that have already implemented paid sick days laws that small cost increases, like a few days sick pay or a rise in the minimum wage, do not have a negative impact on jobs. Once a law creates a level playing field, most employers find that these modest costs can be easily absorbed through minor adjustments in operations, prices, or compensation.

In short, a paid sick days law will not be detrimental to businesses or the economy. In fact, providing greater financial stability for working families helps neighborhood businesses grow. What drives the shoe store owner to hire the next worker or open the next shop is not cutting government regulations, but a long line of customers at the cash register who can afford to buy new shoes.

Finally, the proposed expansion will also benefit employers by creating a healthier, safer workforce. A 2013 study by University of Pittsburgh researchers found that allowing employees with influenza to stay home for one or two days reduced workplace infections by 25 percent and 39 percent respectively. In another recent study, the National Institute for Occupational Safety and Health concluded that workers with access to paid sick leave were 28 percent less likely to be injured on the job.

We estimate that the expanded law will provide a legal right to paid sick leave for over 400,000 workers, including 355,000 employed in firms between 5 and under 15 and another 55,000 in manufacturing (in firms of 15 or more) who will no longer be exempted. When we add those who will gain a right to paid sick leave sooner, we are talking about half a million workers. That includes more than 300,000 who now lack a single paid sick day. The 225,000 workers in workplaces under five will gain job protection, so they will no longer need to fear being fired or punished for being out sick a few days. However it will leave about 133,000 workers without paid leave. They should be covered in the future.

As a New Yorker and the daughter of a small business owner, I understand the concerns of business. But I am also here as the granddaughter of an immigrant owner of a hat store, who went to work in a hat factory during the Great Depression to keep my mom's family afloat, and was tragically killed as a result of an industrial fire. So I also understand that there are times when government has a necessary role in setting minimum labor standards. Requiring paid sick time is one of them.



**Comments from the New York Staffing Association
on Proposed Int. No. 0001-2014: Legislation to Amend Local Law 46**

We would like to present several points that we think would help clarify the intent of Int. 0001-2014, together with the existing Local Law, and which could be incorporated into this new bill. We also wish to raise a couple points of concern for the members of our industry.

SUGGESTED CLARIFYING LANGUAGE

1. Clarify that employees only accrue paid sick time for those hours actually worked within the City of New York. It is clear that the City Council's intent was to link the accrual of benefits to time worked within the City of New York. For instance, Section 20-912(f) of the Act defines a covered "employee" as a person "employed for hire *within the city* ..." (emphasis added). However, there is a technical fix required to effectuate this intent. Specifically, Section 20-913(b) should be modified to read "All employers shall provide a minimum of one hour of sick time for every thirty hours worked by an employee within the City of New York" In the absence of this fix, an employee may argue that time spent working in Westchester, Long Island, or Albany (or California, for that matter) should be counted toward calculating the amount of paid sick time accrued.
2. Clarify that employees may only use accrued paid sick time for absences from work within the City of New York. Again, it is clear that the City Council's intent was to affect the terms and conditions of employees working within the City of New York. To make this clear, Section 20-914(a) should be modified to read "An employee shall be entitled to use sick time for absence from work within the City of New York" In the absence of this technical fix, employees might argue that they are eligible to use accrued time for absences from work anywhere in the nation.
3. Clarify whether a notice posting is required in addition to providing individual employee notice. As currently drafted, Section 20-919 states that, in addition to providing individual workers with a notice of rights under the Act, employers "may also" conspicuously post a notice of rights at the employer's place of business. Because of the permissive ("may" also) language used by the City Council, this Section should be clarified to read that "In the alternative, [s]uch notice may also be conspicuously posted at an employer's place of business"

POINTS OF CONCERN WITH LANGUAGE CONTAINED WITHIN THE DRAFT 0001-2014

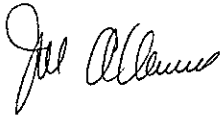
1. The statute of limitations to file a claim should be consistent with the limitations periods applicable to other similar employee protection agencies, i.e., 1-year. We strongly disagree with the draft legislation's proposal to extend the statute of limitations to file a claim from 270 days to 3 years. First, we believe that the limitations period should be consistent with those applicable to analogous state and local employee protection agencies, including the New York State Division of Human Rights and New York City Commission on Human Rights, which both apply a 1-year statute of limitations. Second, tripling the statute of limitations period will only serve as a punitive measure against employers. Put simply, there is no legitimate reason why an employee need wait three years before filing a claim against an employer, especially because the existing law has strong anti-retaliation

provisions. Accordingly, tripling the statute of limitations will only serve to unreasonably punish employers and embolden potentially vindictive former employees. The City's businesses simply cannot afford to defend against meritless claims three years after-the-fact, especially given the current economic and regulatory environment.

2. *The Council Should Not Delegate to the Mayor its Responsibility to Designate an Enforcement Agency.* As you are aware, which particular City agency is responsible for enforcing the earned sick time legislation was heavily and publically debated among stakeholders in prior years. The stakeholders came to an agreement, now codified by law, that the City's Department of Consumer Affairs (and for instance, *not* the Department of Health) would be the appropriate agency to do so. By simply delegating to the Mayor (in the draft 0001-2014) its legislative responsibility to designate an enforcement agency, the legislation would unfairly eliminate the public's and business community's opportunity to be heard on the benefits and drawbacks of empowering each specific City agency. Moreover, should the Mayor appoint more than one enforcement agency (or switch such an appointment), it would likely result in inconsistent enforcement outcomes. Accordingly, we believe that 0001-2014 as currently drafted would result in a less transparent and unpredictable enforcement process.

Please feel free to contact us directly if you wish to discuss any of these points. Thank you.

Sincerely,



Joel Klarreich

NYSA General Counsel

Partner

Tannenbaum Helpert Syracuse & Hirschtritt LLP

212 508-6747

jklarreich@thsh.com



James A. Essey

NYSA Metro Legal/Legislative Chair

President/CEO

The TemPositions Group of Companies

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jessey@tempositions.com

**Testimony of Doreen Zayer
President and Owner, Relax on Cloud 9 Spa
694 Clove Road, Staten Island, NY 10310**

The problem with paid sick time as it relates to my personal service business and similar businesses is the real cost of implementation and the negative consequences on employee compensation.

A one size fits all approach does not allow for industry anomalies.

Relax On Cloud 9 Inc. has 14 employees including myself, the majority of which are professional, licensed therapists working a 4 day work week by choice.

My average employee took 21 unpaid days off for personal reasons in 2013.
(There is clearly no fear of retribution for taking days off within my business model)

When a professional in my business takes off we call “their” clients and reschedule for that therapists next available day.

Our clients are not interested in seeing just any therapist/employee - they want their therapist - leaving the business and the professional employee both taking a loss of income.

The cost to the business is approximately \$425 per day a therapist does not come in.
The therapist/employee has the opportunity to see those same clients on a different day they have the opportunity to add a day, and to see clients privately.

My ability to hire and pay employees a good wage is in jeopardy when the additional expense of paid time off is forced in to an already struggling, high labor intensive business. Considering my current staff the payroll cost would be over \$10,000 annually, and the loss of sales just around \$20,000 annually, we are operating at a 1.2% profit margin.

It is very disappointing that business owners are continually asked to give feedback on the impact this would have on their business and yet it continues to be asked again and again and again. I have testified twice before the council, been quoted numerous times in local papers and yet no council member has introduced a bill that protects my ability to hire and pay professional employees well.

I don't believe the council is hearing the challenges every business owner faces every day in starting, maintaining and growing a business. When my business grows my staff benefits - when my business is hit with increased taxes, fees, and mandates my hands are tied and our growth is stifled, affecting all employees and my ability to hire. As I struggle to increase employees wages every year, which is what they want, I am thrown a council curveball in the form of a legal mandate making it difficult for me to not only hire new people but to increase wages of current employees.

I wish this council would look for incentives to help grow business instead of mandates that hinder growth.

5 Boro Chamber of Commerce Testimony

NYC Council Hearing Intro 01

Friday February 14, 2014

Good morning. My name is Nancy Ploeger and I am the president of the Manhattan Chamber of Commerce. I am here this morning representing the Five Borough Chamber Coalition, consisting of the Chambers of Commerce from Brooklyn, Bronx, Manhattan, Queens and Staten Island and our 34 business association partners.

Our position on paid sick leave from day one was that while expanding the social safety net to include mandatory paid time off is a worthy goal, we feel a cost sharing mechanism should be considered. Putting the entire cost of paid sick leave solely on the backs of the small business community adds additional financial burdens to their already over-taxed and over-fined small businesses.

However, this was not an alternative the proponents or City Council adopted. Since then, in 2010, the 5 Borough Chambers, representing the combined interests of 34 business organizations and thousands of businesses, large and small, from across New York City, negotiated a paid sick leave bill in good faith. We all agreed that goals and objectives of Paid Sick Leave were honorable and morally correct. We concurred that no individual should ever have to make a choice between going to work sick or losing their job, or even being fearful of losing their job. We understood that too many New Yorkers could not afford to lose a day's pay and being forced to going to work ill was in nobody's best interest. However, we did have concerns over the plans costs, implementation, and actual effect on our City's small businesses.

Ultimately, the path to a final version of the Paid Sick Leave Act which was passed by the City Council last year did not come easily. A large coalition of business groups joined the five borough Chambers to discuss our concerns with the bill's sponsor, Gale Brewer, advocates, including Make the Road and a Better Balance, and our locally elected Council members. More than two dozen provisions in the bill were discussed, not in an effort to weaken the legislation, rather to make sure its purported goals were met and all stakeholders. The opinions and views of all parties were addressed through meetings, discussions and line by line comparisons of various draft bills.

Today we have a single hearing on this important legislation without having the opportunity to have timely meetings or discussions. We understand the Council plans to pass in just a few weeks. We have been told there is no need for debate as this bill has been debated for almost three years. It has been said again and again that small businesses are the gears that keep our City's economic engine working. It is essential to all New York City workers, business owners and residents that government and our small business community work together on important issues moving forward. We want to be part of the agenda of this Council and Mayor, as vital stakeholders at the table and hope that we continue to work with Council members in discussing and crafting any bills affecting small businesses, the backbone of our economic engine.

There are always unintended consequences to any legislation. You will hear from my colleagues about some of those consequences the new Paid Sick Leave bill may contain. We hope you give them serious consideration. This is an important and historic time for our City. The business community looks forward to working with this Council, this Speaker and this Mayor to make New York City great for everyone and being able to be part of a "Tale of one City."

Thank you for your time this morning and for hearing our concerns with this new version of the bill.

TESTIMONY BEFORE THE CITY COUNCIL. INTRO 1,

FEBRUARY 2014

Robert Bookman, Counsel, NYC Hospitality Alliance

My name is Robert Bookman, and I am Counsel to the NYC Hospitality Alliance, the trade association here in NYC that represents our city's restaurants, nightclubs, bars and destination hotels, from large spaces to the smallest mom and pop operations.

We too are very concerned about the weak process as stated by Jack Friedman and the lack of phase in time for our small restaurant and bar owners as discussed by Victor Wong. In fact, DCA has yet to even promulgate the rules for the law that was passed.

But there are other concerns with these amendments as well. The change that allows Consumer Affairs to initiate investigations on their own accord, or as we call it in the law "fishing expeditions", as opposed to responding to complaints from workers as stated in the original bill, is a MAJOR change, with no discussion. This will add yet another layer of government on already overburdened small businesses, replete with gotcha fines. So even when there are no problems or complaints about a business, they can now be investigated and fined for some minor paperwork rule. That does not protect sick workers.

Nor does the change which quadruples the time a complaint can be filed from 9 months to three years protect anyone. If you are sick and your employer does not allow to take one of your earned sick days under this law, you will know that within the pay period or a few weeks later at most. Even 9 months was a liberal time frame to file a complaint. Our industry has considerable turn over of employees. Three years means ex employees long after they are gone can force us to defend a complaint about something which may or may not have happened a long time ago. This is intended to force businesses to settle rather than ask for their day in court as it will be cheaper than gathering old records or tracking down a supervisor that is also long gone. We will have to defend with one arm and leg tied behind our backs.

Finally, the provision that allows the Mayor to change the enforcement agency without coming back to the Council is asking the Council to write an unprecedented blank check, abrogating its legislative authority. It is the Council's job, while working together with the administration, to make the decision when new laws are passed of which agency will enforce it. It would be an institutional mistake to do as this amendment allows.



The Bodega Association USA, Inc

Good morning. I am Zulay Mateo-Burgos , Executive Director of the Bodega Association, USA.

Board of Directors

Ramón Murphy
President

Ignacio S. Castillo
Vice President

Hylonkys Lachapel
Chairperson

Manuel Lora
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Radhamez Rodríguez
Dir. of Finances

Luis O. Gonzalez
Dir. of Organization

Manuel Lara
Treasurer

William Troncoso
Chair Membership

Domingo Salcedo
Brooklyn Coordinator

David Diaz
Member

Carlos Herrera
Member

Zulay Mateo-Burgos
Executive Director

Our association is a local development corporation that seeks to link the interests of independent inner city entrepreneurs, government and the non-profit sector in a partnership to promote job creation and long-term, sustainable economic growth in New York City. The ASOBEL targets its efforts to the needs of the threatened small business sectors of the inner city marketplace. The bodega Association has about 5, 000 members in New York City, the average size of a Bodega are 4-7 employees. All Bodega owners are minorities' business owners and are independently owned.

We are here today to express our concerns about Intro #1 involving paid sick leave.

As our member organizations are mostly small businesses with less than (10) employees, this new legislation will affect them directly. We understand that you wish to enact this legislation on April 1st, 2014 and, aside from the additional costs to provide paid sick leave which will be a burden in itself, you are now requiring our small businesses to get ready in less than 50 days to comply with the new law. They won't even know that this law affects them within that time frame and will not even be able to figure out the calculations, paperwork and how to comply. We need more time to educate them and get them prepared. As you gave the businesses with 20+ employees 9 months to understand, calculate and set up the needed paperwork to comply, we are asking you to give our smallest of businesses that same opportunity. It is only fair.

Our business owners do not have human resource departments or other dedicated people to help them figure all this out. This all lands squarely on the backs of the business owner, who is trying to run his or her business, make enough money to continue to operate, support their families and pay their employees. They are also busy complying with the vast number of other regulations affecting their small businesses and now you want them to do this in such a short window of time.

The Bodega Association USA Inc
3835 9th Avenue, New York NY 10034 (212) 928-0252

National Supermarket Association's Statement

Ref. Int. No 1- In relation to the provision of sick time earned by employees. Amendment to Subdivisions b and c of section 20-924 of the administrative code of the city of New York, as added by local law number 46 for the year 2013
New York City Council Hearing
2-14-14

Thank you for the opportunity to share our position on one particular amendment of the Paid Sick Leave legislation. My name is Zulema Wiscovitch, I am the executive director of the National Supermarket Association, a non-profit trade association that represents the interests of independent supermarket owners. Most of our members are Hispanic entrepreneurs, many of them in the late 70s opened supermarkets in areas abandoned by the big chains. Our largest footprint is in NYC with more than 200 stores in the boroughs of The Bronx, Manhattan, Brooklyn and Queens.

Most of our members are already paying sick days to their employees, but we are very concerned with this legislation, in large part because of the enormous tracking and paperwork documenting hours worked and sick time accumulated and taken by each employee, that will be required to be in compliance. Our members are predominantly small supermarket operators, without a large back office infrastructure.

With that said, we urge the City Council to keep the time of filing a complaint to 270 days, as stated on the approved law, three years will create an unnecessary burden to the independent supermarket operator who may not have the infrastructure to keep records for such a long period of time. This could create havoc for the stores, as any disgruntle employee could file a complaint three years after an incident. Also, we know what happens to the retailer if a violation is found, but what happens to the employee that files a bogus claim?

In addition to the administrative burdens, increased labor and operating costs and the threats of exorbitant fines and lawsuits, this legislation would fall on these small businesses as they also face the new federal Affordable Care Act (also known as Obamacare), and the increase in the State minimum wage.

The independent supermarket owners confront many challenges, including increased competition by big box stores, pharmacies, and discount stores, just to name a few. These operators want to continue providing healthy foods to many underprivileged communities, but legislation like "Paid Sick Leave" could hinder the ability of many supermarkets to survive all these pressures.

We urge the council members to reconsider the aforementioned amendment, as it will have a seriously damaging effect on small business in the city.

In closing, the National Supermarket Association opposes the amendment to change the time of filing a "paid sick day" complaint to three years. Thank you for your time and consideration.

Testimonio de Rafael Navor -- Dias de Enfermedad Pagados
Testimony of Rafael Navor – Paid Sick Days

Buenos dias. Mi nombre es Rafael Navor, soy miembro de Trabajadores en Accion, un proyecto de Se Hace Camino Nueva York en Bushwick, Brooklyn. Vivo en Nueva York, 14 años aqui con mi Sra. y mis 3 hijos.

Good Day. My name is Rafael Navor, I am a member of the Workers in Action project of Make the Road New York in Bushwick, Brooklyn. I have been living in New York for 14 years with my wife and my three kids.

Yo he trabajado en varias companias de construccion casi todo mi vida aqui en Nueva York y nunca he recibido dias de enfermedad pagados. Normalmente son empresas pequenas y el trabajo es muy duro. Yo he trabajado 12 a 15 horas diarias sin derecho a un descanso pero con mucha presión del dueño y los managers.

I have worked with multiple construction companies since arriving here in New York and I have never received paid sick days. Normally these are smaller construction firms and the work is very hard. I have worked 12 – 15 hours per day without the right to a break and with constant pressure from my bosses to get the work done.

El trabajo de construccion es bien duro y aun mas duro cuando uno esta enfermo. Teníamos que trabajar a veces enfermos en medio de polvo sin mascarilla, guantes ni lentes. Si le pedi permiso a mi patron irme porque estaba mal, el me dijo que tomara una pastilla, que con eso se me quitaba el dolor. Si nos enfermábamos y no podíamos trabajar uno, dos, o más dias, no nos pagaban nunca esos dias. Teníamos que trabajar por necesidad, no queríamos perder el trabajo.

Construction work is labor intensive and very difficult especially when one is sick. I have had to work while sick in dusty zones without proper protective gear. Whenever I asked my boss for permission to take the rest of the day off because I was sick, he would tell me to take a pill and my pain would go away. Whenever I was too sick to make it to work and missed one or two days, I would have to forfeit my pay. Many workers including myself did not have a choice, so we would often go in sick because we could not afford to lose a day's pay.

Una vez, yo estaba mal con el flu por una semana y no pude trabajar. Le habia informado a mi patron, pero cuando llegue al trabajo despues de haberme recuperado, mi patron me corrio del trabajo. Ese tipo de represalia es muy comun en la industria. Por eso todos necesitamos el derecho de dias de enfermedad pagados.

One time, I was sick with the flu for one week. I had advised my boss that I would need to be out, but when I returned to my workplace, my boss ran me out of my job. That type of retaliation is very common in the industry. For this reason, workers like myself need the right to paid sick days.

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Testimony of Rafael Navor – Paid Sick Days

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One time, I was sick with the flu for one week. I had advised my boss that I would need to be out, but when I returned to my workplace, my boss ran me out of my job. That type of retaliation is very common in the industry. For this reason, workers like myself need the right to paid sick days.

Días de Enfermedad Pagados es una necesidad para todos los trabajadores, no es un lujo. Para nosotros los trabajadores de construcción, que normalmente trabajamos en empresas pequeñas, la expansión de la ley de días de enfermedad pagados para cubrir empresas con por lo menos cinco empleados es urgente. Se trata de nuestra dignidad como trabajador.

Paid sick days are a necessity for all workers and not a luxury. In my industry, for construction workers who normally work with smaller firms, the new expansion of paid sick days which covers businesses with at least five employees is critical.

También queremos asegurar que la ley se implemente de manera fuerte. Queremos proponer algo que no está actualmente en la ley, que el trabajador o la trabajadora debe poder llevar su caso a la corte si es necesario. En Se Hace Camino Nueva York hemos visto una y otra vez que las agencias del gobierno están allí para protegernos pero a veces no tienen suficientes recursos para responder a todos los casos. Por ejemplo queremos tener la opción también llevar el caso a la corte si es necesario.

While this is a good bill, I want to be sure that it is implemented once it goes into effect. I also want to recommend something that is not part of the current bill, that a worker can take his or her case directly to the courts if necessary. At Make the Road New York we have seen that some government agencies that are supposed to be there to protect workers do not have adequate resources to respond to all cases. For that reason it would be good for workers to have the option to take their case directly to court if necessary.

Por eso les pido que apoyen la expansión de ley de días de enfermedad y también asegurar que se fortalezca para asegurar una implementación fuerte. Quiero agradecer a la Vocera Melissa Mark Viverito, la Consejal Margarit Chin, los miembros de este comité y todos los Consejales que han apoyado los días de enfermedad pagados. Gracias.

For these reasons I ask that you support the expansion of Paid Sick Days and work hard to make sure that there is strong implementation of this law. I want to thank Speak Melissa Mark Viverito, Councilwoman Margaret Chin, members of this Labor Committee and the entire City Council whom have supported this effort. Thank You!

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/14/14

(PLEASE PRINT)

Name: Eva ORBAN

Address: 2187 HOLLAND Ave A14H BROOKLYN NY 10462

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0001 Res. No. _____

in favor in opposition

Date: Feb. 14, 2014

(PLEASE PRINT)

Name: RAFAEL NAVAJO

Address: 705 G

I represent: Make the Road NY

Address: 301 Grove St, Brooklyn, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: HEMANT SINDHU

Address: 7 Hegeman Ave #11C, BROOKLYN NY 11212

I represent: CIR/SELL

Address: 520 8th Ave Suite 1200 New York NY 10018

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 001 Res. No. _____

in favor in opposition

Date: 2/14/2014

(PLEASE PRINT)

Name: Cesar ortiz

Address: 405 Grove Street, Brooklyn, NY

I represent: Make the Road NY

Address: 301 Grove Street, Brooklyn, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____

in favor in opposition

Date: 2/14/14

(PLEASE PRINT)

Name: Rahul Saxena ROC - NY

Address: 275 7th Ave, Suite 1703

I represent: ROC - NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/14/14

Name: Zulay Mated (Biologics Association)

Address: _____

I represent: Biologics Association, U.S.A

Address: 3835 19th Ave, NY, NY

Panel

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ady Barkan
Address: 3223 41st St Apt 3 Astoria NY
I represent: Center for Popular Democracy
Address: 802 West Avenue, Brooklyn

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Paro Sicle

Date: 2-14-14

(PLEASE PRINT)

Name: Frank Proscia, M.S.
Address: 50 Broadway NY NY 10004
I represent: Doctors Council SEIU
Address: SIA

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: RICHARD MCGAHEY
Address: MILANO SCHOOL OF PUBLIC POLICY, THE NEW SCHOOL
I represent: - Economist in favor of legislation
Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____

in favor in opposition

Date: 2/14/14

(PLEASE PRINT)

Name: Victor Wong

Address: One Battery Park Plaza NY NY 10064

I represent: Go Biz NYC, Partnership for New York City

Address: Speaking w/ 5-Boro Chamber Panel

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____

in favor in opposition

Date: Feb 14 2014

(PLEASE PRINT)

Name: Nancy Rankin

Address: 360 East 88th St, 35C NY NY 10128

I represent: Community Service Society

Address: 105 East 22nd St, NY NY 10010

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 6661 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: My Leiwant

Address: _____

I represent: A Be Her Balance

Address: 80 Mac L Lane NY NY 10028

Please complete this card and return to the Sergeant-at-Arms

ON 5
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PANEL

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. 1

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: NANICK PLOEGER c/o MCC

Address: 1375 BROADWAY / 3RD FLOOR

I represent: 5 BORO CHAMBERS OF COMMERCE

Address: SAME

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Robert Bookman

Address: 325 BWAY

I represent: NYC HOSPITALITY ALLIANCE

Address: SAME

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/14/14

(PLEASE PRINT)

Name: Caroline Batzdorf

Address: 374 5th STREET

I represent: HAND-IN-HAND; THE DOMESTIC EMPLOYERS NETWORK

Address: domesticemployers.org AND ADHIKAAR.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1 Res. No. _____

in favor in opposition

Date: 2-14-2014

(PLEASE PRINT)

Name: Gale Brewer, Manhattan Borough President

Address: 1 Centre St 19th floor. NY NY 10007

I represent: _____

Address: _____

ON 5
BARO CHAMBER
PANEL

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Zolena Wisnitch

Address: 50 Sutton Pl. South, New York, NY 10022

I represent: National Supermarket Assoc.

Address: 30-50 Whitestone Expressway, Suite 301
Fushing, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 001 Res. No. _____

in favor in opposition

Date: 2-14-14

(PLEASE PRINT)

Name: Alicia Glen, DM for Housing - Economic Development

Address: Alba Pico, Marla Tepper, Dept. of Consumer Affairs

I represent: Gregg Bishop, Small Business Services

Address: Sam Miller, Dept. of Health

Representing the City of New York
Please complete this card and return to the Sergeant-at-Arms