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COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS  
LICENSING

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AFFAIRS AND  
BUSINESS LICENSING

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December 16, 2019  
Start: 1:09 p.m.  
Recess: 2:07 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: Rafael L. Espinal, Jr.,  
Chairperson

COUNCIL MEMBERS:  
Justin L. Brannan  
Margaret S. Chin  
Peter A. Koo  
Karen Koslowitz  
Brad S. Lander  
Keith Powers

COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS  
LICENSING

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A P P E A R A N C E S

Lorelei Salas

Commissioner for the Department of Consumer  
Affairs, Consumer and Worker Protection

Michael Tiger

Deputy General Counsel for the Department of  
Consumer Affairs

Carlos Hernandez

A griller at Chipotle in Manhattan

Lawrence Ben

Political Coordinator at the RWDSU

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COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS  
LICENSING

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2 CHAIRPERSON ESPINAL: [GAVEL] Good afternoon, my  
3 name is Rafael Espinal; I am the Chair of the  
4 Committee on Consumer Affairs and Business Licensing.  
5 I am joined today by members of the public. So, you  
6 will be hearing feedback on two bills that have been  
7 introduced by the request of the Mayor, Intro. No.  
8 bill 1609 sponsored by Council Member Torres in  
9 relation to changing the name of the Department of  
10 Consumer Affairs to Department of Consumer and Worker  
11 Protection. And Intro. bill No. 1622 sponsored by  
12 myself in relation to remedying fraudulent, deceptive  
13 and unconscionable business practices.

14 The Department of Consumer Affairs was first  
15 codified as an agency by legislation passed in 1969.  
16 Since that time, the Department has acted as a vital  
17 advocate for New York City's consumers.

18 As Chair of the Committee, responsible for  
19 overseeing the Department, I have been pleased with  
20 the different initiatives that the Council and the  
21 Department have been able to implement together to  
22 strengthen protections for New Yorkers.

23 In this session for example, we have been able to  
24 tighten the regulations of the site seeing bus  
25 industry by imposing stricter requirements on the

1  
2 qualifications of bus drivers and limiting site  
3 seeing bus routes and stops. We have also enacted  
4 legislation to require clearer disclosures by bail  
5 bond agents who for far too long have been charging  
6 misleading and illegal fees of people in their moment  
7 of emotional stress.

8 Since the passage of Local Law 104 of 2015, which  
9 established the Office of Labor and Policy Standards,  
10 DCA has seen it's mandate broaden substantially. In  
11 addition to licensing and educating businesses under  
12 applications and protecting consumers, DCA is now  
13 also responsible for overseeing the city labor laws.

14 It is encouraging to see the success the  
15 department has already gained in securing restitution  
16 for workers who employers have violated laws, such as  
17 the Paid Safe and Sick Leave and the Freelance Isn't  
18 Free Act. Intro. 1609 which seeks to change the  
19 departments name to Department of Consumer and Worker  
20 Protection, reflects this new focus.

21 We are hopeful that with this recognition the  
22 newly named department will be able to dedicate its  
23 resources to protect the rights of New York City's  
24 workers, while of course still performing its role as  
25 the advocate for the city's consumers.

1 Updating the Departments ability to remedy the  
2 accepted business practices is also an important and  
3 timely change, which is why we are seeking feedback  
4 today on Intro. 1622. The civil penalties of the  
5 consumer protection law have not been updated since  
6 1969. So, it's vital that we bring DCA's enforcement  
7 powers into the 21<sup>st</sup> Century. If enacted, Intro.  
8 1622 would increase fines from between \$50 and \$350  
9 to between \$350 and \$2,500. This should help to  
10 prevent businesses from simply absorbing their fines  
11 or violations into their cost of doing business.

12 Finally, the bill also addresses changes in  
13 modern day trading by updating the deceptive trade  
14 practices provision to consider online practices, as  
15 well as penalizing a business if it fails to provide  
16 translations of documents for transactions not  
17 primarily negotiated in English.

18 We look forward to hearing feedback on these  
19 bills today and working with the administration to  
20 strengthen the rights of consumers and workers.

21 I would like to call up the first panel, which we  
22 have the Commissioner Lorelei Salas and we have Mike  
23 Tiger as well, from both from the Department of  
24 Consumer Affairs and Worker Protection.  
25

1 COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS LICENSING 6

2 COUNCIL CLERK: Please raise your right hands.

3 Do you swear or affirm to tell the truth, the whole  
4 truth and nothing but the truth before this Committee  
5 and to answer Council Member questions honestly?

6 PANEL: Yes, I do.

7 COUNCIL CLERK: Thank you.

8 CHAIRPERSON ESPINAL: Thank you. Feel free to  
9 begin whenever you can.

10 LORELEI SALAS: Good morning Chair Espinal and  
11 Members of the Committee on Consumer Affairs and  
12 Business Licensing. I am Lorelei Salas; Commissioner  
13 for the Department of Consumer Affairs, Consumer and  
14 Worker Protection and it's my pleasure to testify in  
15 support of Introduction 1622 and Introduction 1609.  
16 Legislation that will modernize the agency's landmark  
17 Consumer Protection Law and officially rename the  
18 agency to the Department of Consumer and Worker  
19 Protection. And I would like to thank you Chair for  
20 always being a champion for consumers and workers in  
21 New York City.

22 In 1969, the City Council recognized a need for  
23 broad consumer protection against deceptive or  
24 unconscionable trade practices. It passed the New  
25 York City Consumer Protection Law or CPL, and in

1  
2 doing so, created the first municipal consumer  
3 protection agency in the United States, the  
4 Department of Consumer Affairs, an agency I am proud  
5 to lead.

6 Today, the CPL remains an indispensable  
7 instrument to fulfill our mission of protecting and  
8 enhancing the daily economic lives of New Yorkers.  
9 Since becoming Commissioner, I have prioritized  
10 prosecuting deceptive business practices under the  
11 CPL to hold accountable a range of individuals and  
12 businesses including bail bond agents;  
13 telecommunications companies; immigration service  
14 providers; and others that often prey on our city's  
15 most vulnerable communities.

16 The CPL protects New Yorkers from deceptive  
17 practices in the marketplace, provides redress to  
18 consumers, and stipulates penalties to deter future  
19 abuse. Like any decades old law, the CPL requires  
20 amendments to adapt to the modern marketplace and  
21 clarify any ambiguities in the law. Introduction  
22 1622 amend the city's Administrative Code to address  
23 these issues.

24 In 2019, digital communication between businesses  
25 and consumers are everywhere in the marketplace.

1  
2 When the CPL was passed by the City Council in 1969,  
3 they intended the CPL to be a comprehensive  
4 substantive ban on all forms of consumer fraud but  
5 could not possibly foresee the prevalence and  
6 influence of online communications and  
7 advertisements. With that intent in mind, DCWP  
8 already brings cases under the CPL for deceptive  
9 online practices. To bring the text of the CPL into  
10 the 21<sup>st</sup> Century and reflect the work currently done  
11 by the agency, Intro. 1622 clarifies that the CPL  
12 covers digital mediums that businesses and  
13 individuals use to deceive consumers.

14 For context, it was in October 29, 1969 it was  
15 the date when the first communication ever is sent  
16 through the ARPANET which is the precursor to the  
17 internet. Back then, we had no idea how the internet  
18 was going to reshape and redefine consumer  
19 transactions.

20 Since the CPL's inception, the penalty amounts  
21 have remained unchanged. Penalties that may have  
22 been effective at deterring unlawful behavior in 1969  
23 are less so in 2019. Introduction 1622 updates the  
24 penalty amounts to levels equivalent to where they  
25 were in 1969, after adjusting for inflation,



1 increasing the penalty range from \$50 to \$350 per  
2 violation to \$350 to \$2,500 and from \$500 to \$3,500  
3 for a knowing violation. Furthermore, Introduction  
4 1622 clarifies that the agency may seek restitution  
5 on behalf of aggrieved consumers for violations of  
6 the CPL whenever we bring an action at OATH or in  
7 state Supreme Court.  
8

9 As way of comparison, in 1969, a gallon of gas  
10 was \$0.35, a gallon of milk cost \$0.93, movie tickets  
11 cost \$1.86 and Broadway tickets were under \$10.00.  
12 Our CPL finds the time made sense, not anymore.

13 Finally, changing our city is not just reflected  
14 in technology, but in our neighborhoods and in our  
15 communities. New York City is proudly, more diverse  
16 than it was half a century ago, when the CPL was  
17 passed. I have had the pleasure of walking with many  
18 of you in your districts busiest business corridors  
19 and utilizing multi-lingual resources to communicate  
20 with residents in their native tongue. The language  
21 of New York City's marketplace is not just English,  
22 but Spanish, Cantonese, Arabic and more.

23 To that end, Introduction 1622, makes clear that  
24 it is a deceptive business practice under the CPL for  
25 businesses to fail to provide consumers complete and

1  
2 accurate translations of documents into the language  
3 the transaction was negotiated in.

4 Modernizing the CPL with these updates and  
5 clarifications will ensure that the agency can  
6 continue to perform its work and build on its legacy  
7 established so many years ago.

8 I will now turn my attention to Introduction  
9 1609. In 2015, the City Council created the Office  
10 of Labor Policy and Standards to enforce vital  
11 workplace protection laws, such as Paid safe and Sick  
12 Leave Law, the Fair workweek Laws and the Freelance  
13 Isn't Free Act, to name a few.

14 To better reflect the expansion of our mission  
15 and send a strong message to everyday New Yorkers of  
16 our role in the City, the Mayor announced at his 2019  
17 State of the City Address that our agency would be  
18 renamed the Department of Consumer and Worker  
19 Protection, DCWP. Introduction 1609 would formalize  
20 our renaming in the Charter and Administrative Code,  
21 all our public facing communications and legal  
22 documents.

23 This legislation also clarifies our agency's  
24 authority to order restitution, on behalf of  
25 consumers and workers, for any laws or rules that

1 DCWP enforces, providing a meaningful remedy for New  
2 Yorkers. It also clarifies our authority to inspect  
3 businesses onsite for workplace violations, a common  
4 compliance tool for labor enforcement agencies.  
5

6 New York City is the fairest big city in America.  
7 Modernizing the CPL and memorializing our expanded  
8 mission to advocate for and protect workers, will  
9 ensure that it remains that way.

10 We look forward to working with the Council on  
11 these critical bills and other progressive policies,  
12 like paid personal time, that will ensure New York  
13 remains in the words of our Mayor, a city where work  
14 is rewarded and prosperity shared. Once again, thank  
15 you Chair and Council Member Torres and Members of  
16 the Committee for the opportunity to testify today  
17 and I am happy to answer any questions you may have.

18 CHAIRPERSON ESPINAL: Thank you Commissioner. I  
19 just want to acknowledge that we've been joined by  
20 Margaret Chin from Lower Manhattan and Ritchie Torres  
21 of the Bronx. Ritchie is one of the prime sponsors  
22 of on of the bills, so I will have to give him an  
23 opportunity to say a few words and ask questions if  
24 necessary.  
25

2 COUNCIL MEMBER TORRES: Thank you Mr. Chair.  
3 Thank you, Commissioner, for your testimony. No  
4 longer will the City of New York leave it to the  
5 state and federal government alone to ensure the  
6 safety of workers. Intro. 1609 ensures that the City  
7 of New York will assume a central role in protecting  
8 the safety of workers and industries notorious for  
9 exploitation.

10 Even before the Introduction of 1609, the  
11 Department of Worker and Consumer Protection,  
12 formally known as the Department of Consumer Affairs  
13 has established an exceptional record of advocating  
14 for worker protection, especially among low wage  
15 workers and businesses as various as car washes, fast  
16 food restaurants and industrial laundries.

17 DCWP has emerged as an advocate for exploited low  
18 wage workers who historically have been left behind  
19 by a chronic shortage of state and federal labor  
20 enforcement. By legally restructuring the Department  
21 of Consumer Affairs as the Department of Consumer and  
22 Worker Protection, not only with a new name but also  
23 with new enforcement powers, the City of New York is  
24 affirming the truth that we have long known that the  
25 safety of consumers and the safety of workers are

1  
2 inextricably bound together. You cannot have one  
3 without the other and it is emphatically the duty of  
4 our city to protect both.

5 At a time when working people face an  
6 unprecedented assault from the most anti-union  
7 presidency in American history, I'm proud that New  
8 York City is standing up for a protected workforce  
9 and that our city is putting both its dollars and its  
10 laws where its mouth is and I have to say the  
11 transformation of your agency would not have been  
12 possible, not only because of your work but without  
13 the really the grassroots organizing of our allies in  
14 the labor movement, foremost among them 32BJ and  
15 RWDSU, we're indebted to them for their leadership.

16 So, thank you for your great work Commissioner.

17 CHAIRPERSON ESPINAL: Thank you Council Member.  
18 We've also been joined by Peter Koo and Karen  
19 Koslowitz from Queens.

20 So, I guess my first question Commissioner, you  
21 know, it's clear that the agency does more than just  
22 consumer protection. There's a lot of labor work  
23 that you do for protections. You also go out issue  
24 licenses to small businesses. Would you be able to  
25 breakdown how the agency currently prioritizes

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2 various responsibilities. For example, like, what  
3 percentage of staff focus on consumer protections  
4 while the other percentage focuses on labor policy?

5 LORELEI SALAS: Thank you, thank you for the  
6 question. I'll try to answer to the best of my  
7 ability and obviously supplement later. I don't have  
8 percentages in mind but I would say that the Office  
9 of Labor Policy and Standards currently has  
10 approximately 40 staffers, which includes  
11 investigators, attorneys, intake personnel, and  
12 research staff.

13 There are about 15-20 staffers in the Office of  
14 Financial Empowerment and as you know that office  
15 very well, ensuring that we're working on issues that  
16 will help improve the financial help of New Yorkers.  
17 And then we have what I would say our enforcement  
18 inspectors, our patrolling inspectors were in the  
19 field regularly, walking the streets and making sure  
20 that we're protecting consumers.

21 We have about 60 field inspectors and a few other  
22 more supervisory level personnel. Our general  
23 council office who you know, provides like general  
24 oversight to the agency but also litigates cases of  
25

1  
2 consumer fraud, using our consumer protection law has  
3 about 80-90 staffers in total.

4 MIKE TIGER: Yeah, that's right and that includes  
5 our consumer services.

6 CHAIRPERSON ESPINAL: Can you state your name for  
7 the record?

8 MIKE TIGER: Oh, I apologize Council Member,  
9 Michael Tiger; I'm the Deputy General Counsel of the  
10 agency.

11 So, the General Counsel division has a consumer  
12 search unit within it which is the intaking mediation  
13 unit, non-lawyers where any consumer in New York can  
14 make a complaint whether it by mail, by 3-1-1, and  
15 so, that unit is within the General Counsel division  
16 which then separately had several dozen lawyers  
17 devoted to various licensing and consumer protection  
18 work.

19 LORELEI SALAS: And finally, our licensing  
20 division has about 90 staffers in total and then we  
21 have communications and outreach divisions that have  
22 probably 15 staffers in total.

23 CHAIRPERSON ESPINAL: Okay, I also want to  
24 recognize that we've been joined by Brad Lander from  
25 Brooklyn as well.

1  
2 In the most recent MMR, DCA noted that there was a  
3 54 percent decrease from the previous year on the  
4 amount of restitutions accrued New York City  
5 consumers. The MMR also noted that this was likely  
6 due to the fact that DCA no longer was dedicating  
7 attorneys in filing cases on behalf of consumers  
8 against DCA licensees. Can you provide more  
9 information on that?

10 LORELEI SALAS: Yes, I would say that as you may  
11 remember recently, we have announced a number of big  
12 cases that we are currently pursuing in court at OATH  
13 and they are also just recently being resolved. So,  
14 our commitment to enforcing Consumer Protection Law  
15 is firm and is there and we will continue to do so.  
16 In this case, there's a consumer docket piece of the  
17 work that we do, which in many cases is treating  
18 individual cases for consumers. We have you know,  
19 had to actually have some budget reductions in the  
20 last couple of years as you know and so, that is one  
21 unit in which it was really difficult to hire for and  
22 it was a line that we sacrificed but it was only one  
23 single line dedicated to that particular work.  
24 However, what we continue to do is remediate those  
25 cases. So, consumers who have a complaint can come



1  
2 to us, we'll help mediate and when we cannot reach a  
3 resolution, we don't always take those cases to OATH,  
4 but recommend other alternatives to the consumers.

5 Now, we do prioritize our resources, we know we  
6 have limited resources and we continue to look out  
7 for those cases in which we see numerous consumers  
8 that are being effected by serious violations and  
9 losing thousands of dollars. Like in cases, like  
10 Major World, in cases like, we recently filed  
11 lawsuits against Berkeley College and Metro PC's by  
12 T-Mobile where we see consumers getting the product  
13 by thousands of dollars.

14 CHAIRPERSON ESPINAL: Now, since the Mayor's  
15 announcement, as you mentioned there has been a  
16 decrease in your budget over the years, since the  
17 Mayor's announcement of restricting the agencies  
18 include the labor aspect of it. Has the agency been  
19 adequately funded to deal with the case work?

20 LORELEI SALAS: Our head count has not changed  
21 much since you know, for a number of years. So, as I  
22 said, we have definitely accommodated within our  
23 agency to expand on the work conducted by the Office  
24 of Labor or Policy and Standards and we continue to  
25 be as smart as we can to again use our resources in

3 an effective way and prioritize cases depending on  
4 the gravity of the violations.

5 CHAIRPERSON ESPINAL: I know it's not budget time  
6 yet and we're going to get to that conversation in  
7 the months coming ahead but it's something I take  
8 very seriously. I want to make sure you have all the  
9 resources you need in order to protect our consumers  
10 but also you know, enforcing these new labor laws  
11 that have been passed. It's expected of you to take  
12 seriously.

13 LORELEI SALAS: Council Member we will never say  
14 no to additional resources and we could always do  
15 more if we had more of them.

16 CHAIRPERSON ESPINAL: Thank you. Any questions  
17 from my colleagues. Yeah, Ritchie.

18 COUNCIL MEMBER TORRES: How many industries do  
19 you license?

20 LORELEI SALAS: I'm sorry, how many -

21 COUNCIL MEMBER TORRES: Industries do you  
22 license?

23 LORELEI SALAS: Oh, we license close to 55  
24 categories of businesses.  
25

1  
2 COUNCIL MEMBER TORRES: And among those 55, I  
3 guess where have you found the most exploitation of  
4 workers?

5 LORELEI SALAS: Well, what I would say is that we  
6 see that not all of the businesses where we see a lot  
7 of the most serious violations that workers are  
8 facing are those in which we actually provide a  
9 license to the business to operate right. And so,  
10 for instance the home help aid industry, recently  
11 launched an initiative looking at the entire  
12 industries practices and compliance with labor laws  
13 that don't just include municipal work based laws,  
14 but also state labor laws and it's not an industry  
15 that we license.

16 So, a lot of the worse cases that we're seeing  
17 are not really for those categories of businesses  
18 that have to obtain a license from DCA to operate.

19 COUNCIL MEMBER TORRES: So, you're limited in  
20 areas where you have no licensing authority?

21 LORELEI SALAS: So, because the laws that we  
22 enforce in the Office of Labor Policy and Standards  
23 apply to most businesses that have you know, five in  
24 place or more. We did not require, you know, they  
25 don't have to have a license from the agency. So,

1  
2 our laws apply across the board to licensees and non-  
3 licensees. So, what I am saying is that in some of  
4 the industries that we placed a lot of focus  
5 recently; the fast food industry, right, where we  
6 enforce the Fair Workweek. In the homecare industry  
7 where we see a lot of workers who are not getting  
8 paid according to the law. Those are two industries  
9 in which we do not have to provide licenses to those  
10 businesses. They may get licenses from other  
11 agencies from the city or from the state or the  
12 federal government but not from us.

13 COUNCIL MEMBER TORRES: And I saw recently in an  
14 announcement relating to a McDonalds in Queens, can  
15 you speak about that a bit?

16 LORELEI SALAS: Yeah, so that is like a good  
17 illustration of the types of cases we continue to  
18 prioritize in the agency cases in which major  
19 corporations are failing to comply with the most  
20 basic pay sick and sick leave laws and on top of that  
21 are retaliating against workers who voice their  
22 concerns and file complaints against those  
23 businesses. So, McDonalds, Chipotle, is another case  
24 that we recently filed a lawsuit on. It's a major  
25 corporation, these are major businesses that should

1  
2 have known about you know, the laws they need to  
3 comply with and had no letch of them and still  
4 refused to come into compliance.

5 COUNCIL MEMBER TORRES: Is litigation still  
6 ongoing or has there been a settlement?

7 LORELEI SALAS: For McDonalds, we solved that  
8 case and will obtain a settlement. This involved I  
9 believe three of four franchises owned by the same  
10 owner and for us, I mean, retaliation is something  
11 that we take very seriously. So, we publicized that  
12 case because we want to make workers get the message  
13 that if they come to our agency, we will not just  
14 look into the violations but we also make sure that  
15 employers don't take advantage of them and threaten  
16 their jobs when they actually are asserting their  
17 rights under the law.

18 COUNCIL MEMBER TORRES: And the workers who fell  
19 victim to retaliation, were those workers restored?

20 LORELEI SALAS: I can't remember specifically in  
21 that situation in McDonalds, but we often seek and  
22 often have obtained reinstatement for workers who  
23 have been retaliated against. We actually a fast  
24 track retaliation unit in our office.

1  
2 So, if we're in the middle of an investigation  
3 and a worker calls us with fear that they may – the  
4 employer may know who filed the complaint, we  
5 immediately act. If there is an allegation of  
6 retaliation, we open a separate track to move very  
7 quickly on that, because we don't want to chill  
8 workers voices. We want to make sure that they know  
9 they can come to us and not you know, lose their  
10 jobs.

11 So, reinstatement is something that is provided  
12 in some of our laws and it's a relief that is really  
13 important for workers.

14 COUNCIL MEMBER TORRES: And what's the you know,  
15 worker protection is a new area for the city, because  
16 typically that's been reserved for the federal and  
17 state government. What's the nature of your  
18 collaboration with OSHA at the federal level and the  
19 Department of Labor at the state level? Is there a  
20 close working relationship?

21 LORELEI SALAS: Absolutely, and we want to always  
22 make sure the workers in New York City can come to us  
23 with any question or any complaint that they have.  
24 And what we do is for the issues that we can take  
25 care of as a city office, we will do so and we work

1  
2 very closely with the State Department of Labor and  
3 the State Attorney Generals Office. In some  
4 instances, we have to litigate together. For  
5 instance, we have two home healthcare agencies in  
6 which we found serious violations of paid sick and  
7 sick leave law and minimum wage and overtime laws, so  
8 we have jointly investigated and are prosecuting  
9 those two cases together.

10 So, a worker in New York City who has any  
11 question regarding their employment can call us and  
12 we make sure that they get to the right place. If we  
13 are not the right place for them.

14 COUNCIL MEMBER TORRES: I know that there have  
15 been interagency task forces between the state and  
16 local government around harassment, do you think we  
17 could see something comparable around worker  
18 protection?

19 LORELEI SALAS: Definitely, we would be happy to  
20 explore that and we think that could be a very  
21 effective way of making sure that we relay these are  
22 real for workers.

23 COUNCIL MEMBER TORRES: Now, typically your  
24 agency takes civil action against abusive employers,  
25 what happens when you discover something criminal

1  
2 like wage theft? What's the nature of your  
3 collaboration with criminal law enforcement agencies?

4 LORELEI SALAS: Yeah, so we are always looking  
5 for collaborating with other agencies. There are  
6 some cases in which we have identified potential  
7 criminal violations to that are maybe not under our  
8 same law but a different law. And we have worked  
9 with DA offices, we have worked with Department of  
10 Investigations. We are not shy to call onto other  
11 sister agencies to work with us, especially if we  
12 feel that matter requires there is a serious threat.

13 As an example, we recently had a case in which an  
14 actual vendor from the city was under investigations  
15 for paid sick and sick leave law and some other  
16 workers were receiving - one worker was receiving  
17 threats against his life and worked quickly to work  
18 with the NYPD and with the Department of  
19 Investigations to make sure that that employer was  
20 stopped.

21 COUNCIL MEMBER TORRES: And I know and this will  
22 be my final question, I know the Chair brought up  
23 staffing resources, beyond resources is there  
24 anything that Council can do legislatively to  
25 strengthen your ability to protect workers?



1  
2 LORELEI SALAS: We would love to see this  
3 legislation become law as soon as possible.

4 COUNCIL MEMBER TORRES: 1609.

5 LORELEI SALAS: 1609 and 1622.

6 COUNCIL MEMBER TORRES: Okay, beyond that,  
7 anything else?

8 LORELEI SALAS: We are just really happy that  
9 this Council has really you know, put workers and  
10 consumers first. We want to continue to lead in the  
11 country as a city that can cultivate both having a  
12 strong economy and strong protections in the books.  
13 So, we would be happy to continue to work with you  
14 all.

15 COUNCIL MEMBER TORRES: Thank you Commissioner.  
16 I'm excited, I think your agency has been a real  
17 innovator in the field of worker protection. That's  
18 something for which I'm grateful, so thank you.

19 LORELEI SALAS: Thank you so much.

20 CHAIRPERSON ESPINAL: Thank you Council Member.  
21 Before I go to Peter Koo, just one question to follow  
22 up on something that Ritchie brought up around  
23 enforcement. Can you explain the current process  
24 that the department follows before conducting an  
25 onsite inspection?

1  
2 LORELEI SALAS: Yes, so and as you probably know  
3 already, for our consumer protection law, you know,  
4 we routinely conduct onsite business inspections,  
5 right, to look for compliance with posting  
6 requirements, pricing requirements. That language is  
7 not explicit in our Charter with regards to workplace  
8 investigations.

9 So, we want to make sure that we have the same  
10 tools that other labor enforcement agencies do, like  
11 the state and the federal Department of Labor, having  
12 the ability to walk into a business and ask for  
13 records and documents that are already required by  
14 the law. It's a critical tool because it helps build  
15 with making sure that we're not just responding to  
16 complaints but we also have the ability to  
17 proactively investigate industries in which we know  
18 there are violations and maybe workers could be  
19 fearful of coming forward to our office.

20 CHAIRPERSON ESPINAL: Thank you. Council Member  
21 Koo. I also want to recognize we've been joined by  
22 our friend Keith Powers from Manhattan.

23 COUNCIL MEMBER KOO: Thank you Chair and thank  
24 you Commissioner. I want to congratulate you on  
25 taking on workers protection as part of your agency

1  
2 but how do we classify workers because everyone is a  
3 worker, we are workers too you know and the guys  
4 working in Washington are workers, there are hospital  
5 workers and construction site workers. I don't think  
6 you have the capacity to handle all of these workers,  
7 you know.

8 So, how do you respond to my question now, are  
9 you limited to certain workers to help or just you  
10 can help everyone?

11 LORELEI SALAS: So, yes, thank you for the  
12 question Council Member Koo and yes, we are all  
13 workers, I am a worker too. We obviously do not have  
14 unlimited resources and like I said earlier, if we  
15 had additional resources, we could do more, but what  
16 we do is we try to focus our energies on the biggest  
17 problems that we see in our communities right.

18 So, where consumers and workers are getting  
19 harmed or hurt the most, that is where we put our  
20 attention and our resources.

21 Our laws apply; to give an example, paid sick and  
22 sick leave law applies to cases in which airport  
23 workers are denied sick leave. It also applies to  
24 cases in which an attorney may have not been given  
25

1  
2 sick leave by his law firm and we had a case just  
3 like that recently.

4 So, the law applies to all workers in New York  
5 City. We do try to prioritize our work into  
6 industries where we see the greatest harm for the  
7 most vulnerable workers. So, in that spirit, we  
8 prioritize doing work in the homecare industry. We  
9 prioritize doing work in the fast food industry, but  
10 we have an obligation to respond to complaints. So,  
11 if a worker from any other type of business has a  
12 complaint with us, we look into that, we investigate  
13 that.

14 So, I think that's the best answer I can give  
15 you. We will not turn anyone away but we do when we  
16 can try to think about proactively looking into  
17 industries where we see a lot of low income or  
18 individuals who are paid low wages, people of color,  
19 we will focus our energies there.

20 COUNCIL MEMBER KOO: So, a worker at a  
21 construction site, they should complain to the  
22 building department right or they should call you?

23 LORELEI SALAS: A worker from a construction  
24 site, well, I mean, it depends on which law we're  
25 talking about right. So, if a worker calls us and

1  
2 it's not a paid safe and sick leave complaint for  
3 instance or it's not a minimum wage or overtime and  
4 other things that we could help partner with other  
5 agencies, we will have to talk to other sister  
6 agencies if it's a law that the enforce but we want  
7 to make sure that the message is strong and clear.  
8 If a worker has an issue in the workplace, they  
9 should call us, they can call 3-1-1, they will get to  
10 us and we will help them navigate when it is not our  
11 agency but a different agency that will take care of  
12 their problem.

13 COUNCIL MEMBER KOO: Yeah, because I worry you  
14 know, other agencies may say hey, how come you guys  
15 come to take my jobs, my turf. We cover all these  
16 areas now Consumer Affairs wants to take away our  
17 jobs.

18 So, and at the same, I don't think you have  
19 enough staff to do all these things to.

20 LORELEI SALAS: Yeah, and I would say sadly,  
21 there's too much work to go around and no one's going  
22 to be taking anyone's work away. Again, our goal  
23 really is to help people navigate the system. We  
24 have different levels of government, local, state and  
25 federal agencies that look into these workplaces and

1  
2 we don't have the expertise to enforce all of those  
3 laws, only the laws that are in our code and our  
4 Charter.

5 COUNCIL MEMBER KOO: And before the Mayor renamed  
6 your agency, how do workers complain here? They  
7 complain to the Department of Labor, right, if they  
8 have problems?

9 LORELEI SALAS: Right, but for instance, the  
10 Department of Labor whether it's the state or federal  
11 Department of Labor, they do not enforce the paid  
12 safe and Sick Leave Law. That is a law that is  
13 unique to our city. We are one of the few  
14 municipalities that has that law in place. They  
15 don't enforce the Freelance Isn't Free Act, which is  
16 a law that protects Freelancers in New York City. We  
17 are to date, the only city in the country that  
18 enforces, that has those protections in the books.  
19 They don't enforce the Fair Workweek Laws, right, and  
20 so, there are many laws that are just unique to us  
21 that we only have, only us, as an agency have the  
22 authority to enforce to protect New Yorkers.

23 COUNCIL MEMBER KOO: Okay, thank you.

24 LORELEI SALAS: Thank you.  
25

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2

CHAIRPERSON ESPINAL: Thank you Council Member.

3

Council Member Chin has a question.

4

COUNCIL MEMBER CHIN: Thank you Chair. Thank  
you, Commissioner, always great to see you.

6

So, my question is focused on, how do you get the  
word out to the communities so that the worker who  
could benefit from what you're doing to help them  
know about it? In terms of you know, in different  
languages, utilizing local media, so that now they  
know that Department of Consumer Affairs, also  
Department of Consumer Affairs and Worker Protection.  
So, they know that you are the agency to go to if  
they don't get paid sick leave or if they don't have  
flexible work time. How do we get that word out to  
make sure people know what their rights are?

10

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LORELEI SALAS: Thank you for the question

18

Council Member Chin and it's good to see you to. We

19

take every opportunity we can to make sure that

20

workers know about our existence and the message is

21

really simple. In reality, for any service that the

22

city provides to our communities it's call 3-1-1 and

23

the people who answer those calls will know how to

24

route people to us.

25

1  
2       However, we recently put together a public  
3 awareness campaign. It was in the subways and the  
4 bus shelters, making sure that people knew about this  
5 agency, our new name and making sure that they knew  
6 that we could touch them in different ways whether  
7 through employed out of McDonalds or employed as a  
8 nanny or employed in construction.

9       We have also worked and work regularly with  
10 groups such as 32BJ, who is here today. Other  
11 community based organizations and unions to make sure  
12 that the workers that they help organize are aware of  
13 our protections in the city and we do have most of  
14 our materials translated into as many as 13 languages  
15 I believe. And most recently, actually also decided  
16 to translate some of our materials into five  
17 indigenous languages.

18       So, we're doing everything we can to get the word  
19 out there. Whether it's using radio or other types  
20 of media to communicate important milestones,  
21 important successes and solutions, so that both  
22 workers know where we are but we also help to create  
23 a cultural compliance because that is the purpose  
24 right. It's to make sure that these rights are  
25 available to people and that's our goal.



1  
2 COUNCIL MEMBER CHIN: So, you do publicize the  
3 cases? You know, when you have a victory, do you get  
4 that out there, so that at least people know wow, all  
5 of this happened. If I have a similar situation, I  
6 can go there and file a complaint and also, for the  
7 employers to know, oh, somebody got punished for not  
8 doing the right thing and this is you know, something  
9 that they need to be careful about.

10 LORELEI SALAS: Absolutely, we do that regularly  
11 and I was just looking for my outreach numbers, which  
12 I have somewhere here but we do that. We definitely,  
13 we use newspaper articles, we do press releases,  
14 press conferences, there's a lot of value in making  
15 sure that again, workers see that - they come to us  
16 and find a solution to their issues. But also, the  
17 business community understands that we are present  
18 and that we want to you know, be again, cultivating a  
19 cultural compliance.

20 And you know, I don't want to forget the  
21 businesses that are doing the right thing, right,  
22 there are many businesses out there that are working  
23 really hard. Not just to comply with the laws, but  
24 to do even more and they suffer when they are  
25

2 competing with businesses that are disregarding all  
3 the requirements of the law.

4 We have done a number of outreach events. I  
5 think and I still don't see them here, but just to  
6 give you a little bit of a picture of the numbers of  
7 cases that we are handling right now. We just - with  
8 Paid Safe and Sick Leave alone, we've obtained  
9 resolutions that total more than \$11 million in  
10 restitution for 35,000 workers.

11 COUNCIL MEMBER CHIN: Wow.

12 LORELEI SALAS: For Fair Workweek Laws, which is  
13 a law that has been in the books only since 2017, we  
14 have received over 300 complaints and we've closed  
15 more than 120 investigations requiring over \$1  
16 million in combined fines and restitutions for close  
17 to 3,000 workers.

18 So, for outreach, we have conducted close to  
19 2,000 events for workers since 2014. Last year alone  
20 in 2019, we conducted more than 180 events seeing  
21 close to 14,000 workers.

22 So, our outreach team, so we don't just use  
23 advertisements but our outreach team are on the  
24 ground. Again, working with groups in the  
25

2 communities and making sure that we are every day  
3 educating New Yorkers about their rights.

4 COUNCIL MEMBER CHIN: I mean it's good to hear  
5 about all the workers that you were able to help and  
6 to be able to help them get back the wages that they  
7 lost. I think that needs to be publicized more and  
8 then especially during budget time, so that we can  
9 help advocate for more staff, because if you don't  
10 have enough people to do the outreach, to do the  
11 advocacy and to help the worker, we're not going to  
12 get the good result that we want.

13 So, let's work together on this next budget and  
14 make sure that you have enough staff to do the work.

15 LORELEI SALAS: I will work on that, thank you so  
16 much.

17 COUNCIL MEMBER CHIN: Thank you. Thank you,  
18 Chair.

19 CHAIRPERSON ESPINAL: Thank you. To focus on the  
20 language aspects of the job, I know in 1622, there's  
21 language around translation requirements. There has  
22 been some concerns from small businesses about what  
23 this actually means for them. I think there's a fear  
24 this will require them to translate every single  
25 transaction, every single receipt that they give to

1  
2 consumers. For example, a coffee shop would have to  
3 give a receipt in Spanish or Arabic, depending on the  
4 consumer that comes in speaking that language.

5 So, is this a misreading of the bill that the  
6 small business community has? Can you expand on how  
7 you would envision enforcing that aspect of the law?

8 LORELEI SALAS: Yeah, absolutely and a simple  
9 answer, it would not apply to consumer receipts. A  
10 perfect illustration of why we need this in place, is  
11 a case like Major World, a case in which we have a  
12 company targeting communities who speak other  
13 languages, targeting them in their advertisement in  
14 Spanish then bringing them into their premises and  
15 negotiating heavily in Spanish and then putting in  
16 front of them a stack of documents, only in English.

17 So, a business that chooses to target  
18 communities, our immigrant communities in their  
19 languages and then negotiates primarily in those  
20 languages should be accommodating those consumers in  
21 the language that they are trying to lure them into,  
22 right. We think that that's just fair to the  
23 consumers and it wouldn't apply in situations where a  
24 store has to just give someone a receipt.

1  
2 CHAIRPERSON ESPINAL: Alright, so, I guess maybe  
3 there is room for us to figure out language to ensure  
4 that those small transactions are not somehow misread  
5 into the current language of the bill.

6 LORELEI SALAS: We would be happy to.

7 CHAIRPERSON ESPINAL: I know Council Member Brad  
8 Lander has a few questions.

9 COUNCIL MEMBER LANDER: Thank you very much Mr.  
10 Chair and congratulations on your good bill today  
11 which I will be signing on as a co-sponsor for and  
12 I'll also be signing on as a co-sponsor to Council  
13 Member Torres's bill and I don't need to speak long.  
14 You know that I'm along time fan of the work that  
15 you have built out of the Office of Labor and Policy  
16 Standards and that you have reflected that change  
17 already in your informal use of Department of  
18 Consumer and Worker Protection and I'm glad that we  
19 will be changing the Charter to make that something  
20 that we really work on and agree on together as we've  
21 done such good work to build out the practice of  
22 worker protection through LLPS and we've had a lot of  
23 back and forth and a lot of hearing. We've been out  
24 with a lot of workers in the streets that you've been  
25 backing up and helping and we'll need to keep doing

1  
2 the budget advocacy to make sure that you have the  
3 resources to enforce and enact the laws.

4 I'm actually over in the next room trying to give  
5 you even another one to protect a utility safety  
6 workers from unfair scheduling practices. So, thank  
7 you for all that work.

8 I guess one question I just wanted to ask. As  
9 you are doing this, I know that's it's been important  
10 to you to do that work in partnership with workers  
11 organizations and to build a practice of worker  
12 protection in which people can go to the city, get  
13 protected from city laws. If there is a state law or  
14 federal law being violated, get information but also  
15 work with the kinds of organizations if workers  
16 aren't in a union that might help them know their  
17 rights, have access to them.

18 I just wonder if you could talk a little about  
19 that model of collaboration and partnership with  
20 those organizations, which I think is still an area  
21 that we can strengthen even further in the city.

22 LORELEI SALAS: Yes, thank you. Thank you for  
23 the question and thank you also for always being a  
24 champion for workers in New York City and supporting  
25 the work that we do at the agency. Absolutely

1  
2 working with community based organizations, labor  
3 organizations is part in parcel of what we do every  
4 day. We recognize that in order to be impactful, we  
5 need to make sure we are reaching as many workers as  
6 we can and these are the kinds of groups like 32BJ  
7 behind me, who are able to really you know, work with  
8 numbers, a good numbers of workers.

9 An example of how we work in partnership with  
10 other groups is you know, Fair Workweek Law which is  
11 a law that obviously you champion. Having a law that  
12 really addresses issues that workers are facing and  
13 being the law informed by the group that supports  
14 them is critical.

15 So, in our enforcement work, we have often talked  
16 about how we're thinking of prioritizing our  
17 investigations. We obviously rely on some of these  
18 groups to bring complaints forward to us, right, we,  
19 as I mentioned earlier, filed a lawsuit against  
20 Chipotle covering six locations I believe and another  
21 ten are under investigation and we wouldn't be able  
22 to do that without having a group like BJ, be so  
23 present in that industry, keeping us updated and  
24 facilitating our communication with workers. We  
25 think that is a very valuable collaborative approach

1  
2 and we try to do that with respect to the other  
3 enforcement that we do, even when there are no  
4 organized groups, we're always seeking out input from  
5 people who are in the community. Our paid care  
6 division is another example of that, where we have an  
7 advisory group that includes representatives of  
8 worker advocates but also of - I will say with the  
9 industry but really employers, right. Of household  
10 workers and workers and together thinking about what  
11 are the strategies that we need to put in place so  
12 our workers have access to the services they will  
13 need as they age into their jobs and hopefully retire  
14 in dignity and respect.

15 COUNCIL MEMBER LANDER: That's great and you  
16 know, I'll flag you've done the same with the  
17 Freelancers union on the Freelance Isn't Free Act and  
18 with a range of other organizations as well and  
19 obviously with 32BJ and for a while with Fast Food  
20 Justice.

21 I guess one question I just want to, my last, you  
22 know kind of question here, is about the resources  
23 for that work. You know, I think we have to stand up  
24 and keep pushing so you have the resources for all  
25 the new laws that are put in place but if we want to



1  
2 enable work organizations of these sorts to be able  
3 to do this work, we have to think about how they get  
4 the resources as well. I think we're lucky that 32BJ  
5 has seen fit to use what are essentially the do's of  
6 building service workers and airport workers and  
7 their members to help in advance workers in places  
8 like Chipotle and other fast food workers have their  
9 rights protected and that's wonderful and generous of  
10 BJ but it's probably not a sustainable model.

11 LORELEI SALAS: Right.

12 COUNCIL MEMBER LANDER: And you know, I wonder if  
13 we could be using you know, the Council provides some  
14 resources for different kinds of worker organizations  
15 and day labor. You know, could we - you know, do you  
16 have thoughts or could we think together about how we  
17 might team up the administration and the Council and  
18 some of these organizations. Obviously, they're  
19 developing their own models as well, so that we can  
20 resource appropriately the kind of co-enforcement  
21 that I think really is the model that you are  
22 building out.

23 LORELEI SALAS: Yes, absolutely and I know that  
24 in other municipalities in other states, there's been  
25 some successful collaborations on enforcement right,

1  
2 which requires some resources dedicated to that.  
3 Obviously, as you well said in this case, our  
4 priorities at the agency align with the priorities  
5 for certain groups and when that happens, you know,  
6 it compliments each other but our agencies are always  
7 going to be depending on the groups that are in the  
8 communities and if we want them to help us with  
9 outreach, we cannot be asking people to do something  
10 without resourcing it.

11 So, we would be happy to have a discussion about  
12 what a good model would look like. Certainly, I do  
13 think that the outreach work is better done by the  
14 groups that are present in those communities. So, we  
15 try to maintain a smaller outreach team in our office  
16 but try to be bigger than we are, but I do think that  
17 there is a lot of value that comes from properly  
18 resourcing community based organizations and other  
19 groups who can help with the enforcement.

20 COUNCIL MEMBER LANDER: Wonderful. Thank you,  
21 thanks for your work here. I will be signing on to  
22 both of these bills and thank you Mr. Chair.

23 CHAIRPERSON ESPINAL: Okay, great, thank you  
24 Council Member Lander. Just to dig in back on the  
25

1  
2 process of inspections and investigations of a  
3 business.

4 What legal authorities do you have to be able to  
5 come in and do an inspection or investigation in  
6 regards to labor standards or what sort of  
7 constitutional limitations do you have?

8 LORELEI SALAS: Well, what I would say is that  
9 and we have you know, obviously depending – each  
10 individual set of laws has its own record keeping  
11 requirements. And so, for different laws, you would  
12 have employers who are required to maintain certain  
13 proof of payment or make sure that accruals for Paid  
14 Safe and Sick Leave are being kept, right.

15 And so, the laws are already very specific about  
16 the kinds of things employers need to do and how long  
17 they need to keep that information for our review.  
18 And so, what happens right now, is that what is not  
19 clear in the language, especially for workplace  
20 investigations, it is not explicit there that we have  
21 the authority to walk into a business and ask to see  
22 those records that the law already requires them to  
23 keep.

24 And so, we want to clarify that that is an  
25 important enforcement tool that needs to be in place.

1  
2 Now, obviously, it wouldn't provide for like a  
3 general search of an entire business, but it's  
4 limited to us being able to look at information that  
5 the law already tells them they have to have in  
6 place.

7 CHAIRPERSON ESPINAL: Okay, thank you. Do you  
8 feel if OATH is equipped to handle DCA cases seeking  
9 restitution and other forms of relief allowed by  
10 Intro. 1622?

11 LORELEI SALAS: So, these are clearly a new set  
12 of laws that had not been before OATH, right. This  
13 new body of work that they have to now adjudicate and  
14 so, we have had a decision that questioned our  
15 authority. In 2017, OATH issued a decision  
16 questioning our authority to seek consumer  
17 restitution in cases before OATH when the business at  
18 issue was not licensed by the city.

19 Now, we don't agree that that's the correct  
20 interpretation and we obviously want to make clear  
21 that we can pursue consumer restitution in both state  
22 court and at OATH for all consumers. Whether they  
23 are deceived by a business that has a license or not.  
24 Because the law is very broad as it is. So, we're  
25 seeking clarification so that it provides - it's

1 transparent, the language is transparent and clear.  
2  
3 So, OATH as a tribunal can go to something that is  
4 just very clear, has very clear language.

5 We don't have I would say, as some other  
6 enforcement agencies have for cases for very  
7 important cases, like cases that deal with a lot of  
8 consumer deception and consumers are you know losing  
9 out on money, or workers, when other workers cases  
10 they all go to the trial part at OATH. And for that  
11 trial part, we do not have an avenue to appeal those  
12 decisions. It would believe the judged aired, so  
13 there are some agencies like CCHR and TLC and other  
14 city agencies that have the ability to get report and  
15 recommendation instead of a final decision from OATH,  
16 which is something that we would love to explore.

17 CHAIRPERSON ESPINAL: Thank you, any other  
18 questions from my colleagues. Thank you, alright,  
19 thank you Commissioner, thank you for your testimony  
20 and the answers to your questions. I appreciate it.

21 LORELEI SALAS: Thank you so much. Happy  
22 Holidays to everyone.

23 CHAIRPERSON ESPINAL: Happy Holidays. Can I call  
24 up Lawrence Ben and Carlos Hernandez. Lawrence Ben  
25 from RWDSU and Carlos Hernandez at 32BJ.

1  
2 You guys can have a seat, press the button on the  
3 mic. When you see a red light, you can testify and  
4 feel free to testify when you are ready. Just make  
5 sure you state your name for the record.

6 CARLOS HERNANDEZ: Good afternoon Chair Espinal  
7 and Members of the Committee. Thank you for the  
8 opportunity to testify today. My name is Carlos  
9 Hernandez and I work at Chipotle in Manhattan and I  
10 am a griller.

11 My co-workers and I are here to support Intro.  
12 1609. Under the lead of 32BJ fast food workers are  
13 organizing to make fast food jobs good jobs and join  
14 a union.

15 We deliver petitions, go on strike and workers  
16 from over 33 stores including mine have filed  
17 complaints with the Department of Consumer and Worker  
18 Protection all to demand Chipotle start following the  
19 Fair Workweek Laws, which the City Council passed in  
20 2017 to mandate scheduling and premium pay for late  
21 notice scheduling changes.

22 As a result, many workers are starting to see  
23 changes in their stores. At my store, since we filed  
24 complaints with DCWP, we have started to get our  
25 schedules two weeks in advance. Not only that DCWP

1  
2 recently announced that they are filing a lawsuit for  
3 over \$1 million in restitution for workers against  
4 Chipotle for Fair Workweek violation in five Brooklyn  
5 stores. They also announced that they would be  
6 launching investigations into more Chipotle stores  
7 including mine where Fair Workweek complaints have  
8 been filed more recently.

9       Seeing the victories that DCWP is winning for  
10 workers gives me hope that conditions at work will  
11 continue to improve. My job is demanding and not  
12 easy but I work hard to support myself and my family.  
13 I have bills to pay, I help pay rent for my  
14 grandmother and Christmas is coming up.

15       I also want to go back to school but I struggle  
16 to find the time to apply. Having a stable schedule  
17 and receiving the premium pay I am owed is important  
18 to me to be able to accomplish these goals and DCWP  
19 is helping me to make that happen.

20       The departments name should be officially changed  
21 to Department of Consumer and Worker Protection in  
22 recognition of its crucial work.

23       Thank you again for the opportunity to testify  
24 and I hope the City Council will pass the bill.

25       CHAIRPERSON ESPINAL: Thank you.

2 LAWRENCE BEN: Good afternoon, my name is  
3 Lawrence Ben; I'm the Political Coordinator at the  
4 RWDSU.

5 The RWDSU represents 100,000 workers across the  
6 United States in desperate industries including  
7 retail, grocery stores, food processing, car washes  
8 healthcare, warehousing, building services,  
9 manufacturing and the public sector. We have  
10 approximately 25,000 members in New York City.

11 I want to thank Council Member Torres who was  
12 here before for introducing Intro. 1609. I'd also  
13 like to thank the Chair of the Committee for  
14 introducing Intro. 1622 and for holding today's  
15 hearing.

16 The RWDSU is supportive of Intro. 1609 and the  
17 positive impact it will have to strengthen workers  
18 rights and the enforcement of these rights in New  
19 York City. The Department of Consumer Affairs has a  
20 strong record for undertaking this important work.  
21 For the RWDSU, the licensing of car wash businesses  
22 by the Department has directly benefited our members  
23 who have historically experienced rampant levels of  
24 wage theft and exploitation. So, to the licensing of  
25 ticket sellers and tour guides by the Department has



1  
2 also directly impacted RWDSU members by providing a  
3 regulatory framework to uphold industry standards.  
4 Furthermore, the enforcement of paid leave  
5 entitlements by the Department has benefited all  
6 workers throughout New York City.

7 Changing the Departments name to the Department  
8 of Consumer and Worker Protection, as well as  
9 designating that the Office of Labor Policy and  
10 Standards and Paid Care Division be housed within the  
11 Department, accurately reflects the Departments  
12 important role in upholding workers rights and  
13 ensuring it will be an ongoing priority in years  
14 going forward.

15 In addition, the changes to clarify onsite  
16 inspection authority and the ability to secure  
17 restitution will also serve as important shop floor  
18 protections and enforcement mechanisms for workers  
19 throughout the city.

20 The RWDSU is fully supportive of these changes.  
21 The RWDSU is also support of Intro. 1622 to update  
22 the city's Consumer Protection Law. It is critical  
23 that vulnerable populations, such as low income  
24 workers and immigrants, are protected from unfair and  
25 deceptive consumer practices. Updating the Consumer

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Protection Law to increase penalties and to cover modern communication businesses, particularly in the digital sphere, are positive changes that the RWDSU supports.

Thank you for you time and consideration today.

CHAIRPERSON ESPINAL: Thank you both and thank you Carlos for sharing your story, it really gives us insight of how the law has been benefiting workers. So, I appreciate you taking your time in coming here and my regards to the union.

Thank you, guys, I appreciate it.

Okay, with that said, this hearing is adjourned.

Thank you all. [GAVEL]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 1, 2018