

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE  
AND LABOR

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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: CARMEN N. DE LA ROSA

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GAIL BREWER  
SHAHANA HANIF

## A P P E A R A N C E S (CONTINUED)

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CLAUDIA HENRIQUEZ, Comptroller Brad  
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ANTONIO SOLIS, Workers Justice Project

SHERRY LEIWANT, A Better Balance

DEBIPRIYA CHATTERJEE, Community Service  
Society

MALCOLM GIBBS

AMELIA ADAMS, Adams Buckner Advisors

JESSICA WALKER, head of Manhattan Chamber  
of Commerce

ZUBIN SOLEIMANY, Taxi Worker's Alliance  
attorney

BHAIRAVI DESAI, NY Taxi Worker's Alliance

## A P P E A R A N C E S (CONTINUED)

ALPHA BARRY, NYTWA

IBRAHIM ZOUVE, NYTWA

2 SERGEANT AT ARMS: This is a radio check  
3 for the Committee on Civil Service and Labor recorded  
4 on June 20th, 2023 in the City Hall Chambers by Jess  
5 Alvavera.

6 MODERATOR: Good afternoon and welcome to  
7 the New York City Council hearing of the Committee on  
8 Civil Service and Labor. At this time, can everyone  
9 please silence your cellphones. If you wish to  
10 testify, please go up to the Sergeant's desk to fill  
11 out a slip. Written testimony can be emailed to  
12 testimony@Council.NYC.gov. Again, that is  
13 testimony@Council.NYC.gov. At this time and going  
14 forward no one to approach the desk. Thank you for  
15 your cooperation. Chair, we are ready to begin.

16 CHAIRPERSON CARMEN DE LA ROSA: Thank  
17 you. Gavel pounding. Good afternoon. I am Council  
18 Member Carmen De La Rosa, Chair of the Committee on  
19 Civil Service and Labor. Thank you for joining  
20 today's hearing on strengthening the earned safe and  
21 sick time act. In addition to today's oversight  
22 topic, we will also be hearing the following bills:  
23 Intro 078 sponsored by Council Member Brewer  
24 providing for a public education campaign by the  
25 Department of Consumer and Worker Protection and

2 Coordination with the Department of Health and Mental  
3 Hygiene to education employees of their rights under  
4 the Earn Safe and Sick Time Act. Intro 563 also  
5 sponsored by Council Member Brewer adding a right to  
6 file private civil action to Earn Sick Time Act which  
7 allows most private employees in New York City earn  
8 paid sick time for their employers. And Intro 617  
9 sponsored by Council Member Hanif amending the  
10 definition of employee in the Earn Safe and Sick Time  
11 Act to extend the Act's benefits to independent  
12 contractors who meet certain conditions. The Earned  
13 and Safe Time Act -- the Earned Safe and Sick Time  
14 Act also known as ESSTA grants employees the right to  
15 use Safe and Sick Leave for care and treatment of  
16 themselves or a family member and to seek legal  
17 social services assistance or take other safety  
18 measures if the employee or a family member may be  
19 the victim of any act of or threat of domestic  
20 violence. The law ensures that New Yorkers across  
21 the private sector won't lose a paycheck because they  
22 themselves or a family member is sick or in crisis.  
23 The law has been expanded and strengthened three  
24 times over the past decade. Most recently in 2020,  
25 the law now covers more New Yorkers employed by small

2 businesses and allows employees to Safe and Sick Time  
3 as it is occurred -- accrued. This Law has renewed  
4 significance for our community since New York City  
5 was hard hit by the COVID-19 pandemic. Paid safe and  
6 sick leave was an effective policy used to fight the  
7 spread of COVID-19 because many New Yorkers have  
8 strong paid safe and sick leave puts actions in place  
9 that could isolate, get tested, get vaccinated and  
10 ultimately reduce the risk of contagium. The aim of  
11 today's hearing is to evaluate the impact, expansion  
12 and limitations of ESSTA. The Committee will examine  
13 the ways the law and its enforcement could be  
14 improved to ensure that employers are aware of their  
15 obligation. Employees are informed of their rights  
16 and those aggrieved by a violation has recourse. My  
17 questions will refocus on DCWPs ability to  
18 investigate and process complaints in a timely manner  
19 as well as Administration's outreach and education  
20 efforts. Because enforcement of ESSTA is largely  
21 complaint driven. Understanding the guidance about  
22 the benefits the law provides is paramount to  
23 ensuring proper coverage. I am eager to hear about  
24 DCWPs efforts to inform and education workers across  
25 industries of their rights. I also look forward to

2 DCWPs feedback on the three bills we are hearing  
3 which would expand and strengthen ESSTA. I'd like to  
4 thank the Committee staff for their hard work in  
5 preparing for this hearing. Policy analysts, Rie  
6 Ogasawara and Elizabeth Arts as well as my staff  
7 James Burk, Kiana Diaz and Fraynette Familia. Now,  
8 I would like to turn to Council Member Brewer for  
9 her opening statement.

10 GAIL BREWER: Thank you very much. Thank  
11 you, Chair De La Rosa, for convening this really  
12 important hearing on Paid Sick and Safe Time. This  
13 is now the 10th Anniversary I call my bill; De Blasio  
14 can't take credit; I passed the bill by the New York  
15 City Council in 2013. At that time, the New York  
16 City I call it, Paid Leave Law was really led by a  
17 coalition of what I want to think is better ballots,  
18 Community Service Society, make the road, CWA and  
19 many, many labor partners. I know 32 BJ was with us  
20 this morning but all the unions participated, working  
21 families, women's organizations, doctors, nurses,  
22 parents, business owners, non-profits. Many, many,  
23 many more and at that time we were trying to  
24 guarantee paid time off for 3.4 million private  
25 sector workers across New York City including 1.2

2 million who did not have access to paid sick time  
3 before the law was passed and it was really passed  
4 even though at that point Speaker Quinn and Mayor  
5 Bloomberg were against it. There was an election and  
6 I, as I said earlier, I think Mayor De Blasio won  
7 because of support from him of this Law. Some  
8 animals got in the way too but it was mostly paid  
9 sick days. We all know we are much healthier and  
10 thank goodness we had it when the God-awful pandemic  
11 hit us. We were all healthier when we have access to  
12 paid sick leave. We weren't the first, we had to  
13 have San Francisco beat us in terms of passing such  
14 legislation but we were the largest of the country's  
15 municipalities to do so. In fact, it was before  
16 technology so I had to drag a huge right into this  
17 room screen wires coming all the way down from the  
18 mayor's office. I had to put tape all the way from  
19 the other side. It was the first time in the history  
20 of the City Council that anything had been videoed  
21 from another city. And the Labor Leader from, the  
22 Commissioner from San Francisco testified right here  
23 on the screen, first time in the history of the City  
24 Council with paid sick days. I'll never forget that  
25 day. We know that the work, a reach change doesn't



2 end with the passage of any law. We have to continue  
3 to make our City healthier and fairer. We have to be  
4 more proactive, particular on issues that have to do  
5 with workers. And I want to say last year, A Better  
6 Balance and the Community Service Society published a  
7 report finding that over half of low-income women and  
8 a significant number of middle-income women are not  
9 aware of paid safe and sick time. And that's  
10 important. I think every law that exists always  
11 needs to be tweaked as time goes on. And that's why  
12 because there is this, I would say outstanding gap  
13 about education. That's why I introduced Intro 78  
14 with borough President of Manhattan Mark Levine  
15 requiring an education and outreach campaign on the  
16 Law so that workers are aware of their rights to  
17 utilize paid sick and self-leave. And I think we  
18 will hear more from the speakers here today about how  
19 to make that happen in communities.

20 My second bill on today's agenda is Intro  
21 563 that adds a private right of action to the Law.  
22 When paid sick leave was first passed, we focused on  
23 establishing a robust administrative process and  
24 enforcement agency workers for workers and employers  
25 without a private right of action. And yet nearly

2 2/3 of the paid sick time laws across the United  
3 States, there are more of them than there were when I  
4 passed ours. They include a private right of action  
5 which allows workers to go to court to enforce their  
6 rights and seek remedies for violations. If the  
7 administrative doesn't work. So, it's in addition to  
8 an administrative enforcement mechanism through the  
9 state or local government. There are many strong  
10 arguments for adding the private right of action  
11 particularly getting workers the relief and justice  
12 they are entitled to which can only be guaranteed by  
13 a court of law. And I just want to add because I  
14 know there are people who are concerned about that  
15 who are employers. I want to say this is used very,  
16 very little. I also do want to thank the  
17 Commissioner, Department of Consumer and Worker  
18 Protection and Liz Waggoner who has been doing a  
19 great job on the administrative level and we thank  
20 you very much for all the work you've been doing we  
21 just need more education and when possible, when its  
22 only necessary private right of action. Thank you  
23 very much.

24 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
25 so much Council Member Brewer for your continued

2 leadership and now we will hear from Council Member  
3 Hanif.

4                   SHAHANA HANIF: Thank you to our  
5 incredible Chair De La Rosa, her team and the  
6 Committee on Civil Service and labor for securing  
7 this important hearing and including Intro 617 on  
8 today's agenda. I also want to extend gratitude to  
9 the 27 Council Members who are sponsors of this bill,  
10 especially Chair De La Rosa and Council Members  
11 Caban, Riley and Velasquez who introduced this bill  
12 alongside me. Currently the New York City earned  
13 sick and safe time act only applies to workers  
14 classified as employees and exempts those who are  
15 classified as independent contractors. While this  
16 exemption might make sense for certain independent  
17 contractors who are legitimately self-employed free  
18 lancers. It is deeply harmful for workers who are in  
19 more vulnerable working arrangements. At base  
20 workers such as delivery workers and rideshare  
21 drivers are amongst those wrongly exempted. Due to  
22 the absence of state or federal legislation that  
23 clearly defines an independent contractor Silicone  
24 Valley App Companies are able to classify their  
25 workers as contractors despite closely mimicking

2 traditional employer-employee relationships. Workers  
3 who are illegally misclassified as contractors such  
4 as certain home health aides, nail salon workers, and  
5 construction laborers are also currently exempted.  
6 These workers meet the standards of an employee but  
7 are blatantly misclassified as contractors by  
8 employers attempting to drive down wages, rob workers  
9 of essential benefits and avoid paying payroll taxes.  
10 If these exempted workers get sick, they have to make  
11 the impossible decision to either skip a paycheck or  
12 to come in to work and endanger their health and the  
13 health of those around them. Exempted workers who  
14 are survivors of domestic or gender-based violence  
15 are also unable to access the critical safe leave  
16 provisions that workers classify as employees are  
17 protected by. These carved out workers who combined  
18 are at least 140,000 strong are absolutely essential  
19 to our economy. They keep us fed, the get us to  
20 where we need to go. They take care of us. They get  
21 us looking our best and they build our  
22 infrastructure. It is time that we stop robbing them  
23 of the earned sick and safe time protections due to a  
24 technical classification issue. If passed, Intro 617  
25 would say that under the context of the New York City

2 earned sick and safe time act these workers are  
3 consider employees and therefore are covered. This  
4 bill is deeply personal to me. The gig worker sector  
5 disproportionately employees immigrant workers who I  
6 am privileged to represent as chair of the Committee  
7 on Immigration. Gig work is also an undeniable part  
8 of life in my home neighborhood of Kensington which  
9 is home to countless rideshare drivers, delivery  
10 cyclists and misclassified construction workers.  
11 When I was growing up my dad was one of these works  
12 who was unable to take a paid day off when he or one  
13 of my family members got sick. It is perfect timing  
14 that two days after Father's Day I get to honor his  
15 sacrifices by having this bill heard. I want this  
16 next generation of workers in my family, in my  
17 neighborhood and in my city to have the basic  
18 protections that he did not. I want to note that  
19 this bill would be transformative it is not  
20 unprecedented. In March of this year, Seattle passed  
21 a bill expanding paid sick leave to gig workers. New  
22 York City must follow suit. And within this body, we  
23 have enacted a number of laws protecting this work  
24 sector including local law 172 of 2018 which granted  
25 independent contractors' coverage under the City's

2 human rights law. Local law 150 of 2018 established  
3 minimum pay for drivers and local law 115 of 2021  
4 which established minimum pay for delivery workers.  
5 This bill is a natural next step for New York City to  
6 take in combating the flotation that is all too  
7 prevalent in gait economy. It is very meaningful  
8 that we have the majority of council sponsoring Intro  
9 617. It is indicative that this is popular in common  
10 sense legislation that will tangibly improve the  
11 quality of life for working New Yorkers across the  
12 five boroughs. It shows that the Council has gig  
13 workers back and is committed to dismantling unjust  
14 labor practices. I am sure that the App Companies  
15 and their allies will oppose this bill at today's  
16 hearing and fearmonger around increased operating  
17 costs and subsequent job loss. These are the same  
18 concerns that were raised by employers when the  
19 original earned sick time act was passed in 2014 as  
20 the committee reports notes studies on the  
21 implementation of the act demonstrate that these  
22 fears are unfounded. Costs imposed on businesses  
23 have been extremely limited with 84% of employers  
24 reporting that the implementation of the act had no  
25 immediate effect on their business cost. In fact,

2 the CDC has found that in the long run businesses  
3 actually save money via the implementation of paid  
4 sick leave policies due to reduced turnover,  
5 increased productivity, decreased workplace injuries  
6 and fatalities, improved preventative medical care  
7 and reduce transmission of contagious disease. I  
8 want to thank the incredible coalition of advocates  
9 who have coalesced behind Intro 617 and rallied with  
10 us this afternoon including delivery [inaudible].  
11 The New York Taxi Workers Alliance, the National  
12 Employment Law Project, New Immigrant Community  
13 Empowerment, the Community Service Society and 32 BJ.  
14 Their insights were critical in the drafting of the  
15 bill's text and their collective worker power will be  
16 the fuel that propels it forward. I also need to  
17 thank the Progressive Caucus which has championed  
18 this bill as one of the core pieces of its  
19 legislative agenda. I want to extend gratitude to  
20 Council Member Brewer who carries the other two  
21 pieces of the package being heard today and the  
22 architect of the existing paid sick and safe leave  
23 law. We would not be here today without your work.  
24 Thank you. I also want to thank Comptroller Lander  
25 who introduced a previous version of this bill last

1 session and has been an invaluable resource along  
2 with his whole team. Before closing I would like to  
3 note two amendments of this bill that have been made  
4 since last session that ensures that the bill is  
5 targeted to relevant workers and is not overly broad.  
6 The first and true freelancers that have more control  
7 over their work via a professional services clause.  
8 The second exempts true self-employed business owners  
9 who are exempted via business-to-business clause. I  
10 would like to pass it now pass it back to Chair de La  
11 Rosa. Thank you.

12  
13 COUNSEL: We will now hear testimony from  
14 the Administration. Before we begin, I will  
15 administer the affirmation. Panelists, please raise  
16 your right hand. And I will read the affirmation  
17 once and then call on each of you individually to  
18 respond. Do you affirm to tell the truth, the whole  
19 truth, and nothing but the truth before this  
20 committee and to respond honestly to Council Member  
21 questions?

22 VILDA VERA MAYUGA: I do.

23 ELIZABETH WAGONER: I do.

24 CARLOS ORTIZ: I do.



2 COUNSEL: Thank you. You may begin when  
3 ready.

4 VILDA VERA MAYUGA: Good afternoon Chair  
5 de La Rosa and members on the Committee on Civil  
6 Service and Law and Labor. I am Vilda Vera Mayuga,  
7 Commissioner of the New York City Department of  
8 Consumer and Worker Protection. And I am joined by  
9 Elizabeth Wagoner, Deputy Commissioner of our Office  
10 of Labor Policy and Standards and Carlos Ortiz,  
11 Assistant Commissioner of External Affairs. It is my  
12 pleasure to be here today to testify on a topic that  
13 is essential to our efforts to protect New Yorkers  
14 and their families, paid safe and sick leave. New  
15 Yorkers should never have to make a decision, should  
16 never have to make a choice between their health or  
17 the health of their loved ones and their livelihood.  
18 As a working parent myself, I rest easier knowing  
19 that if I need to take care of my children or my  
20 mother when they have to stay home sick, I will not  
21 face any repercussions when I go back to work. And  
22 we are all more comfortable at work knowing our  
23 colleagues have the right to take time off when they  
24 are sick or when their loved ones are sick. New York  
25 City's Stay Safe and Sick Leave Law ensures New

2 Yorkers have the right to take time off of work to  
3 care for themselves or loved ones when they are sick,  
4 need preventive care or access services or take  
5 safety measures related to domestic violence, sexual  
6 violence, stalking or human trafficking. Currently  
7 most eligible workers have the right up to 40 or 56  
8 hours of paid leave per year depending on the size of  
9 their employer. As we saw through the pandemic Paid  
10 Safe and Sick Leave was essential for our city's  
11 workers and as continue our recovery it remains a  
12 crucial workplace right for working families and  
13 individuals. Our team at DCWP works tirelessly to  
14 ensure that New Yorkers know about and can exercise  
15 their right under the Paid Safe and Sick Leave Law  
16 and are not penalized for taking care of themselves  
17 or their loved ones. Our education and outreach  
18 efforts inform workers through presentations,  
19 informational gathering and high visibility events  
20 partnering with key community-based organizations.  
21 We have also used city-wide paid advertising  
22 campaigns, social media platforms and more to bring  
23 the word to New Yorkers that paid safe and sick leave  
24 protections are here for them. Last year, we  
25 conducted a multi-lingual marketing campaign on paid

safe and sick leave to raise awareness of employee's rights with a focus on workers on industries and neighborhoods with high incidents of sick leave complaints. Overall, since the start of the Adams Administration we have held close to 1,000 outreach events connecting with more than 76,000 New Yorkers. And when workers report violations of their rights to us, we take action. Since the Paid Safe and Sick Leave Law went into effect in April of 2014 DCWP has received more than 3,450 complaints about potential paid, safe and sick leave violations, closed more than 2500 investigations and obtained resolutions requiring approximately \$21 million in combined fines and restitution for 60,000 workers. Last year, we reached New York City's largest ever Worker Protection Settlement with Chipotle following violations of the Paid Safe and Sick Leave Law and the Fair Workweek Law. That settlement provided \$20 million in compensation to approximately 13,000 workers, millions of which is attributable to Chipotle's Safe and Sick Leave Violations. Just last month, we have reached a settlement with Con Edison over violations of Paid Safe and Sick Leave securing more than \$200,000 in restitution for 480 workers who

2 were denied the right to Safe and Sick Leave and  
3 \$40,000 in Civil Penalties. And we are not stopping  
4 there, we remain committed to our efforts to protect  
5 workers and keep businesses and employers in  
6 compliance with the law. Turning to today's bill,  
7 Introduction 78 would require DCWP to hold a public  
8 education campaign informing employers and employees  
9 of their responsibilities and rights to paid safe and  
10 sick leave. DCWP would be required to coordinate  
11 with the Department of Health and Mental Hygiene to  
12 distribute posters, flyers and other reading material  
13 to pharmacies, doctor's offices and hospitals as well  
14 as invite New York City Health and Hospitals to  
15 participate in the posting and distribution of this  
16 material. DCWP supports the intent of this  
17 Legislation. We currently in extensive outreach  
18 efforts to educate New Yorkers about their rights in  
19 the workplace as I described earlier in my testimony.  
20 Introduction 563 would allow New Yorkers the right to  
21 file a civil action in court if their right to Paid  
22 Safe and Sick Leave is violated. At the municipal  
23 level, workers can file a complaint with DCWP but not  
24 in court for violations of the City's Paid Safe and  
25 Sick Leave Law. Many labor laws have private rights

2 of action that assist in promoting compliance as well  
3 as providing workers an important additional option  
4 if their rights are violated. DCWP supports  
5 introduction 563 and believes that a private right of  
6 action for Paid Safe and Sick Leave will promote  
7 deterrence and help to ensure more workers are made  
8 whole when their rights are violated. The laws and  
9 rules of our city in particularly those that advance  
10 dignity for workers must be followed and bad actors  
11 should be held accountable for violations of the law.  
12 Introduction 617 would amend the definition of  
13 employee under the Paid Safe and Sick Leave Law to  
14 include workers who would be deemed an employee under  
15 a new standard included in this bill. DCWP supports  
16 the intent of Introduction 617. We appreciate and  
17 share the goal of expanding worker protections. That  
18 said, we have concerns about expanding the definition  
19 of employee at the Municipal level alone. Any  
20 changes to the definition of employee under city law  
21 should be consistent with laws at the State and  
22 Federal levels to ensure that workers and employers  
23 understand how workers should be classified and  
24 workers are able to access all benefits available to  
25 them as employees. The law department is currently

2 reviewing the bill and we welcome further discussions  
3 on how this can be accomplished. Thank you for the  
4 opportunity to testify before your committee on our  
5 essential work, uplifting New Yorkers and today's  
6 legislation. DCWP and the administration share your  
7 commitment to protecting New York City's workers. I  
8 welcome any questions you may have for further  
9 discussions. Thank you.

10 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
11 so much Commissioner. I want to recognize we have  
12 been joined by Council Members Nurse, Dinowitz,  
13 Hanif, Brewer, Joseph and Feliz. Okay. well, first  
14 of all thank you Commissioner for being here and for  
15 the major job that your agency has done and continues  
16 to do. I do have some questions regarding some of  
17 the complaints around the current law and what you  
18 all have received. You testified that there were  
19 3,450 complaints. And \$21 million in fines for  
20 workers thus far.

21 VILDA VERA MAYUGA: 3,520 complaints.

22 CHAIRPERSON CARMEN DE LA ROSA: 520.

23 VILDA VERA MAYUGA: Yes.

24 CHAIRPERSON CARMEN DE LA ROSA: Okay.

25 And there was a report that came out The State of

2 Worker's Rights Report in 2021 in which 49% of all  
3 calls received by DCWP hotline in 2021 were about the  
4 paid Pay Safe and Sick Leave. Can you detail what  
5 are some of the typical complaints your agency  
6 reviews and receives from affected workers.

7 VILDA VERA MAYUGA: Absolutely. Thank  
8 you, Council Members. It's the work that we have  
9 done in Paid Safe and Sick Leave and always looking  
10 for ways to keep spreading the working and taking and  
11 employing any technique that we can to resolve  
12 complaints as soon as possible. I am going to ask my  
13 Deputy Commissioner of OLPS to give you some more  
14 details on that. The specifics of your question.

15 ELIZABETH WAGONER: So, some typical  
16 types of complaints that we receive are workers  
17 telling us that their employer does not offer a sick  
18 leave benefit. That is probably the most common type  
19 of case that we receive. When we get a complaint  
20 like that our practice is to, you know where the  
21 worker is alleging that nobody in the company is  
22 receiving the benefit. We will typically open a  
23 workplace line investigation to make sure that  
24 looking at that allegation and make sure that all

2 workers who have experienced that are compensated and  
3 that the company comes in to compliance.

4 CHAIRPERSON CARMEN DE LA ROSA: Great.

5 Do you happen to know what percentage of the  
6 complaints that are coming in are of that nature?

7 ELIZABETH WAGONER: We don't. We don't  
8 have that percentage off hand.

9 CHAIRPERSON CARMEN DE LA ROSA: Okay.  
10 According to DCWPs 2021 State of Worker's Rights  
11 Report, it took about 328 days to close out 218  
12 investigations. This is an increase from 2020 when  
13 it took 231 days to close out 196 cases. How about  
14 the agency's ability to effectively resolve cases  
15 changed over time.

16 VILDA VERA MAYUGA: Thank you Council  
17 Member. I would like to first start by saying that  
18 it is generally the number of days it is something to  
19 consider and I'm going to have the Deputy  
20 Commissioner share a little bit more on how our  
21 investigations take place. The various steps and the  
22 factors that claim to how long it may take but we, I  
23 think we give mention to also going back the amount  
24 of complaints we resolved and the amount of money we  
25 have been able to get back to workers. So, I would



2 like to highlight that as well as the success and not  
3 necessarily how long it might take to resolve an  
4 investigation.

5 ELIZABETH WAGONER: Yeah. So, we  
6 investigate workplace wide complaints by sending out  
7 a notice of investigation and document request to the  
8 employer and then we analyze the information that  
9 comes back to understand whether violations have  
10 occurred. Every investigation is fact specific and  
11 may take different amounts of time to investigate and  
12 then ultimately resolve depending on whether we are  
13 reaching a settlement versus going to trial and that  
14 can really impact the numbers. Restitution for  
15 workers has been trending upwards in the past few  
16 years and our investigation times have actually gone  
17 down since 2021. So, in 2022, we resolved 197 cases  
18 and the median time to resolution was 172 days. So,  
19 resolution times in 2022 actually improved  
20 significantly not only on our 2021 numbers but also  
21 on our 2020 numbers.

22 CHAIRPERSON CARMEN DE LA ROSA: That's  
23 good to hear. And we have not been shy about talking  
24 about vacancy rates at agencies and I know it is not  
25 a popular topic for you all on that side of the data

2 but we remain concerned about vacancy rates and our  
3 agencies abilities to carry out basic functions for  
4 New Yorkers. I am not going to ask you to comment at  
5 this point but I just want to state that for the  
6 record. When DCWP collects restitution from  
7 employers who violate earned safe and sick time act,  
8 how does the city determine what percentage goes to  
9 the employee?

10 VILDA VERA MAYUGA: Thank you for the  
11 question. We prioritize employee relief over civil  
12 penalties so the law actually sets forth a specific  
13 amount of money that each employee is to receive and  
14 then a specific amount of money in civil penalties.  
15 For many, not all violations the paid safe and sick  
16 leave is \$500 per employee per violation and we  
17 prioritize particularly our settlements making sure  
18 that employees are made fully whole getting that full  
19 amount of money where we can and then an appropriate  
20 civil penalty amount in addition to that.

21 CHAIRPERSON CARMEN DE LA ROSA: Great.  
22 Thank you. I want to also acknowledge that we have  
23 joined by Council Members Moya, Caban and Menin on  
24 zoom. Okay. I have one more question and then I  
25 will pass it on to colleagues. At prior hearings

2 DCWP had discussed using investigations in high  
3 violation industries as a proactive tool rather than  
4 simply relying on complaints from employees. What  
5 are some examples of high violation industries and  
6 how does the DCWP evaluate whether they will  
7 proactively investigate an employer complaint to  
8 comply with the Paid Safe and Sick Leave Law?

9 VILDA VERA MAYUGA: Thank you Council  
10 Member. I want to go also after the prior question  
11 that you know, we share some of the numbers on how  
12 much restitution we have obtained from workers and  
13 you know the \$19 million, \$20 million, \$21 million  
14 versus the penalties we share about \$3.5 million so  
15 just to put real numbers behind what we do and  
16 prioritize in relief for workers. In terms of the  
17 industries, I mean I think I will again have my  
18 Deputy Commissioner of OLPS share a little bit more  
19 but we just this morning I was doing a business  
20 location day walk and we give a lot of information to  
21 the businesses right, to make sure that they are  
22 compliant with the various laws that enforce. And I  
23 think we are always trying to take a realistic  
24 approach to anything that comes our way. We are  
25 still going to be touching on Paid Safe and Sick

2 Leave. Somebody may come to us for something  
3 different and we are still going to be asking  
4 questions about Paid Safe and Sick Leave Laws so that  
5 we can address everything in that way like you have  
6 mentioned right now. For our worker, to raise an  
7 issue that perhaps is the one worker who is not aware  
8 of those rights. I would just add you know in terms  
9 of high violation industries and affirmative  
10 investigations; you know, a core piece of our work is  
11 making sure that we get a complaint. We do not just  
12 investigate for that individual but also, we ensure  
13 that we are looking at that entire workplace. The  
14 entire scope of workers who are affected which is a  
15 form of affirmative investigations that we routinely  
16 do. In terms of high violation industry, I think we  
17 are looking at situations where workers are low wage  
18 workers, or they may be less likely to file a  
19 complaint or have more fears of retaliation so that  
20 can be the range from the home healthcare industry  
21 where our paid care division is still actively  
22 looking at that industry to fast foot to low wage  
23 construction work, so we really do see the full range  
24 there.

2 CARLOS ORTIZ: And if I could also just  
3 amply something the Commissioner mentioned in her  
4 testimony. It's I think our team does a great job in  
5 using this data to look at the high-risk industries  
6 for investigation but also now from a proactive  
7 education model, we are also using that to direct our  
8 Paid Campaigns focusing in the main neighborhoods and  
9 industries where we know there is high Paid Safe and  
10 Sick Leave complaints.

11 CHAIRPERSON CARMEN DE LA ROSA: Thank  
12 you. I am going to pass it on to the colleagues for  
13 some questions. Council Member Hanif, followed by  
14 Council Member Brewer.

15 SHAHANA HANIF: Thank you so much Chair  
16 de La Rosa and thank you to Commissioner Mayuga,  
17 Deputy Commissioner Wagoner and Assistant  
18 Commissioner Ortiz for just all the work that you all  
19 do and I want to just emphasize the incredible wins  
20 that the agency has had in support of workers and to  
21 have an agency really rooted in workers is a gift.  
22 And the work you've done for the Chipotle workers,  
23 the Con Edison workers is tremendous so thank you for  
24 the work that you've done in those regards and the  
25 work you've done just on paid sick and safe and it is

2 super encouraging for me to hear and for all of us to  
3 really know about supporting the intent of Intro 617  
4 and I really want to be able to work together to get  
5 this to the finish line. I know you have expressed  
6 some concerns around the definition of employee.  
7 Could you specify if there are any other specific  
8 operational concerns that the department has  
9 regarding this bill as it is currently written?

10 VILDA VERA MAYUGA: Thank you Council  
11 Member. And thank you for paying attention to our  
12 work and seeing the results of it. We do take a lot  
13 of pride in it and you know worker protection was the  
14 last few sets of the agency that was added to our  
15 title and we have really embraced it and brought in a  
16 remarkable team to ensure that enforcement of those  
17 laws take place. In terms of Intro 617, you heard me  
18 say we support it. Anything that is going to expand  
19 worker protection we are going to be supportive. I  
20 come from the State, I used to be out of the  
21 Department of Labor, right. Doing worker protection  
22 there as well and I just think it is very important  
23 to make sure that we are consistent with the  
24 definition of employee when it comes to  
25 misclassification, right. It could be really complex

2 at the federal and state level alone to add on a  
3 piece at the Municipal level. I know that there are  
4 some advocates here and some workers specifically  
5 that will be testifying. I am really looking forward  
6 to their testimony to also hear how exactly we can  
7 support their needs and other protections but our  
8 core concern is with the definition.

9           SHAHANA HANIF: That's really great. I'm  
10 excited to work on this together and of course hear  
11 from everybody who has signed up to testify. Are  
12 there any other particular changes that you all want  
13 to talk about. Any other feedback or any flags that  
14 dis-iteration of the bill raises?

15           VILDA VERA MAYUGA: No. I mean we know  
16 that the Law Department is also reviewing and they  
17 have some thoughts. So, we will look forward to  
18 having those discussions.

19           SHAHANA HANIF: Okay. Excellent. And  
20 then when the previous version of this bill was heard  
21 last session, I think you gave the estimate that over  
22 140,000 workers would stand to benefit from its  
23 passage given the rapid expansion of the good economy  
24 in recent years. Does the department have an updated  
25

2 estimate of the number of workers that would benefit  
3 from Intro 617?

4 VILDA VERA MAYUGA: Again, I think it is  
5 a little complex to define who will fall into the  
6 category so we don't have a current estimate of how  
7 many workers will be covered by the bill but we again  
8 the discussions that we will have after today, we can  
9 certainly look more too having that number.

10 SHAHANA HANIF: Okay. Understood. And  
11 then I know Council Member de La Rosa asks about or  
12 didn't really ask but made the statement about the  
13 capacity issues. Does DCWP feel that it is  
14 adequately resourced to lead on language accessible  
15 culturally competent education and outreach efforts  
16 as well as carryout enforcement responsibilities upon  
17 passage of Intro 617?

18 VILDA VERA MAYUGA: Thank you. Yet any  
19 new law right might require additional resources for  
20 us so we would make that part of the discussion in  
21 the process and would engage to make sure that we  
22 have the resources necessary. Right now, I think we  
23 are just continually looking at how we operate and  
24 you know the team at OLPS attorneys, investigators,  
25 data scientists. We try to really make sure that we



2 are staffing with the right group of people to make  
3 sure that we are maximizing every resource.

4 SHAHANA HANIF: Great. Thank you.

5 That's all for me.

6 CHAIRPERSON CARMEN DE LA ROSA: Thank  
7 you. Council Member Brewer.

8 GAIL BREWER: Thank you. When I first  
9 passed Paid Sick Day, we did include a partial  
10 opportunity for domestic workers to take advantage of  
11 it. So, I think it has been expanded. So, can you  
12 talk about the expansion for domestic workers and  
13 what kind of outreach has been taking place. I snuck  
14 it in so nobody knew about it in 2013. I told  
15 absolutely nobody and nobody knew except for me and A  
16 Better Balance. That was it.

17 VILDA VERA MAYUGA: Thank you so much  
18 Council Member and I think all of us have expressed a  
19 thank you for really bringing this bill. It's  
20 definitely being, it's what launched us I think in  
21 providing a worker protection arena at the city  
22 level. One of the things that we have done recently  
23 is launched a mediation program for domestic workers  
24 specifically so that is one area of focus for us  
25 where we have created a program for both workers and

2 employers to come to mediation through a professional  
3 mediator at oath so that their issues can be resolved  
4 not just in Paid Safe and Sick Leave but even just on  
5 paid wages and any other matter that may come up in  
6 the relationship of employer/employee. So that is a  
7 specific area that we have done. I know that in  
8 terms of outreach we do partner with A Better Balance  
9 and other organizations. Specifically, I remember  
10 last year I was in Brooklyn just giving out  
11 information about it. Even just this last Saturday I  
12 was able to attend Nanny graduation from A Carol  
13 Gardens Nanny Association and that was really great  
14 to be there. There was about 50 childcare  
15 professionals who were being graduated in learning  
16 about a number of things that would get them better  
17 skilled at the job and also teaching them about this  
18 right. There was something that -- there was a  
19 little skit that was done on this. I actually knew  
20 about it so that was wonderful. So, these are some  
21 of the things that were done to educate and the  
22 expansion. Do you want to add anything?

23 ELIZABETH WAGONER: No. I think that  
24 covers it. It was a great change to the law and I  
25 think very impactful.

2 GAIL BREWER: Okay. And then generally  
3 if we do more outreach. I know you've done some.  
4 How would you use some of the community-based  
5 organizations to do outreach. Obviously, language as  
6 you know is a big challenge and more community-based  
7 organizations speaking different languages helps.  
8 Money is always tight, I know. But I was just  
9 wondering if you have some ideas about how to work  
10 with the CBOs to do outreach. It is great what you  
11 do. It is even greater if you can get extensions  
12 from them.

13 VILDA VERA MAYUGA: Thank you Council  
14 Member. We definitely engage CBOs and I also look  
15 forward, some of you, we have engaged some of you.  
16 We would like to re-engage and getting the word out  
17 into the district. I think CBOs is something that  
18 not just for Paid Safe and Sick Leave and worker  
19 protection in general, anything that we do. I think  
20 one of you mentioned that the law may be in the  
21 books. People that know about it, to exercise their  
22 rights it is going to be a little bit harder to see a  
23 difference so we definitely see the value in the CBO  
24 and engaging them not just for language capacity but  
25 also just in knowing the neighborhood and the trust

2 factor, right, if people who are just in the  
3 community to reaching and interacting with a  
4 particular member of the community so that it can  
5 bring that. We would just continue expanding. I'll  
6 have the Commissioner explain since he oversees  
7 outreach at the agency.

8 GAIL BREWER: He is very good. He comes  
9 to everything.

10 CARLOS ORTIZ: Well, thank you very much  
11 Council Member.

12 GAIL BREWER: I'm going to be there,  
13 that's why I see you at everything.

14 CARLOS ORTIZ: I just want to echo what  
15 the Commissioner is mentioning about the outreach.  
16 And I would say that the Community based  
17 organizations are a core facet of our outreach model.  
18 The work that we do now with you know close to 1000  
19 at the start of 2022 wouldn't be possible  
20 specifically the depth and the reach without our  
21 community-based organizations. And some examples,  
22 you know just taking the domestic worker piece. You  
23 know, over the past few months we've increasingly  
24 leveraged our presentation style informational model  
25 to go to community meetings and talk to folks about

2 these rights. Though been also a lot more creative  
3 too with canvassing for example. And going with  
4 partner organizations to areas where as the  
5 Commissioner mentioned, where the workers are and  
6 talking to them one-to-one to shifting our  
7 information, answering questions and meeting them  
8 where they are at. So, I think just say it one more  
9 time community-based organizations in New York City  
10 are on of the greatest resources we have and we  
11 certainly leverage it in our outreach every day.

12 GAIL BREWER: Okay. One just final  
13 question about outreach, so how much complaint driven  
14 when it could be on Paid Sick Days because that is  
15 what we are talking about today. And then how much,  
16 I know you said if you have complaint then you look  
17 at the whole work space. But just generally, do you  
18 have a sense of how much is complaint driven? Or the  
19 outreach, you know, where you are finding something  
20 because you are surveying X industry or whatever?

21 VILDA VERA MAYUGA: It's an interesting  
22 question. You know we; I think the outreach actually  
23 does turn in to complaints quite often and we have  
24 very low barriers to file in a complaint. You know  
25 really all it takes is just an email to our intake

2 box. You know people don't even have to fill out a  
3 form. And so, while I can't say as how much came  
4 from a complaint versus just someone who read  
5 information on our website. You know our external  
6 affairs team and you know our staff who is going out  
7 they are generating a lot of awareness that  
8 eventually turns in to complaints.

9 GAIL BREWER: Okay. Thank you, Madam  
10 Chair.

11 CHAIRPERSON CARMEN DE LA ROSA: Thank  
12 you. We have been joined by Council Member Bottcher  
13 as well. I do have a question from Council Member  
14 Menin who is on Zoom but can't ask the question  
15 because of quorum rules. But as you know Council  
16 Menin was the Commissioner of DCWP when the pace 50  
17 law was launched. And she shares your concern of  
18 taking the agency too much according today to close  
19 some cases. I know you gave us some updated number  
20 for 2022. Her question is how many members at the  
21 agency currently have who are investigating cases and  
22 how many attorneys are there also doing this work?  
23 Are there any vacancies in those areas in the Paid  
24 Sick Leave Division are there any vacancies and if

2 there are vacancies in those areas what is the agency  
3 doing to fill the vacancies.

4 VILDA VERA MAYUGA: Thank you Council  
5 Member. We currently have an OLPS 44 staff and we  
6 have one vacancy I believe. I'm not sure we can  
7 consider having [inaudible] which is to be fully  
8 transparent. It is a combination of I think I  
9 mentioned before investigators, data scientists,  
10 attorneys, that work on all of the worker protection  
11 laws. I will have my Deputy Commissioner give you  
12 maybe some more details about how it works but that,  
13 we have 44 total in that unit.

14 ELIZABETH WAGONER: I am not sure I have  
15 anything to add to that you know and so I think we  
16 can leave it there.

17 CARLOS ORTIZ: Well, I think one piece I  
18 would like to add to elevate with the Commissioner's  
19 testimony is around Instruction 563 we certainly see  
20 that as an extremely important legislation to  
21 continue and we are supportive of it as another  
22 mechanisms to assists with the turns.

23 CHAIRPERSON CARMEN DE LA ROSA: Thank  
24 you, you said investigators, attorneys and what other  
25 title?

2 VILDA VERA MAYUGA: Data scientists.

3 CHAIRPERSON CARMEN DE LA ROSA: I'm not  
4 sure if it was asked already but does the  
5 Administration believe, the Agency believe that this  
6 would actually alleviate an administrative burn on  
7 DCWP?

8 VILDA VERA MAYUGA: I mean I think  
9 anything that you add more options to enforce the law  
10 is always going to be helpful. I don't think we will  
11 take our foot off the pedal in the way we do our work  
12 and there is always work to be done in, in Worker  
13 Rights areas but it certainly will be great to have  
14 another option for workers to exercise their Paid  
15 Safe and Sick Leave, right.

16 CHAIRPERSON CARMEN DE LA ROSA: Okay. Do  
17 you all come across workers who are undocumented  
18 works who are filing complaints around paid sick  
19 leave?

20 VILDA VERA MAYUGA: Absolutely. Yes, I  
21 mean I think you are aware that our laws are not  
22 specific to immigration status. That is definitely  
23 something that we include in every outreach  
24 presentation to make sure that workers know to come  
25 forward or anybody who hears the information who may



2 know someone can share that people coming forward.  
3 We do not disclose the name of the complainant.  
4 Those are one of the first things that we cover when  
5 we talk to workers about complaints or when we do an  
6 outreach.

7 CHAIRPERSON CARMEN DE LA ROSA: Great.  
8 Thank you to the Administration, that concludes  
9 questioning. We are going to move to the public  
10 portion of the hearing. So, we will now turn to  
11 public testimony. We will be limiting public  
12 testimony today to three minutes each. For in person  
13 panels, we will come up to the table once your name  
14 has been called. For virtual panelists, once your  
15 name is called a member of our staff will unmute you  
16 and the Sergeant at Arms will set the timer and give  
17 you the go ahead to begin. Please wait for the  
18 Sergeant to announce that you may begin before  
19 delivering your testimony. For the first panel I  
20 would like to call up Claudia Henriquez from  
21 Comptroller Lander's Office. Okay. We are going to  
22 turn to our second panel, which is a hybrid panel.  
23 Just bear with us for a moment. We would like to  
24 call up Antonio Solis from Worker's Justice Project.  
25 On Zoom, we would like to call Sherry Leiwant

2 followed by Debipriya Chatterjee. Followed by  
3 Malcolm Gibbs. You may begin when ready Antonio.

4 ANTONIO SOLIS: [Speaking foreign  
5 language].

6 UNKNOWN SPEAKER: I am translating for  
7 today. Thank you so much for the opportunity to  
8 testify today. My name is Antonio Solis and I am a  
9 member of the Worker's Justice Project and the leader  
10 of Los Deliveristas Movement that is filing to expand  
11 protections for 65,000 delivery workers. We are  
12 proud to stand and support this particular  
13 legislation that expand paid sick leave to  
14 independent contractors like Los Deliveristas where  
15 65,000 delivery stats that take the risk every day in  
16 the streets of New York without health insurance and  
17 even risking our own lives and without knowing  
18 whether we are going to be able to come back home.  
19 At Delivery has become one of the deadliest jobs in  
20 our city. The delivery demand has grown which means  
21 the pressure to do this work has also increased. To  
22 do this much faster. While we celebrate our victory  
23 of the minimum pay that enters in effect July 12th,  
24 we will keep fighting to ensure that no delivery  
25 worker has to take unnecessary risks especially when

2 new are sick. More than 35 delivieristas have died  
3 since 2020 and many more, hundreds get injured and  
4 thousands go out to work sick without being able to  
5 stay at home. Just last year I got into an accident  
6 while I was working with doordash. I hurt my leg.  
7 Even though the accident wasn't so serious, I  
8 actually had to keep working while I was injured  
9 because I did not have the luxury to stay home  
10 without not being paid. When we get into an accident  
11 and we report this accident or when we report being  
12 sick, the company doesn't take any responsibility to  
13 cover our health insurance and much less to actually  
14 provide us paid sick leave. The reality is that  
15 many of our colleagues get sick but we only have one  
16 option to actually go out to work because we depend  
17 on this to provide to our families. We cannot afford  
18 to stay at home and not to be paid because this means  
19 that our families will not be able to stay fed. And  
20 we are here supporting this package of legislation  
21 because we want to keep working and doing this job  
22 with more protections so we don't have to risk or  
23 lives nor our health. Thank you.

24 ANTONIO SOLIS: Thank you.

2 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
3 so much for your testimony and thank you for all the  
4 work you continue to do. Thank you. Next, we will  
5 hear from Sherry Leiwant on Zoom. You may begin when  
6 the Sergeant starts your clock.

7 SERGEANT AT ARMS: Starting time.

8 SHERRY LEIWANT: Good afternoon and thank  
9 you to the Committee for this opportunity to testify.  
10 My name is Sherry Leiwant. I am the Co-President and  
11 Co-Founder of a Better Balance which is a national  
12 legal advocacy organization based here in New York.  
13 Since our founding we have helped pass dozens and  
14 dozens, now about 45 sick time laws across the  
15 country as well as paid family and medical leave  
16 laws, pregnancy protection laws as well but there is  
17 nothing, we are prouder of than our role in helping  
18 to draft and negotiate the Earned Sick Time Act  
19 (ESSTA) that was passed in 2013 giving millions of  
20 New Yorkers the right to paid sick time. Passage of  
21 our law led directly to a cascade of other paid sick  
22 time laws around the country so everyone should be  
23 very, very proud of all. We all owe a particularly a  
24 debt of gratitude on this 10-year anniversary to the  
25 City Council that passed the law and most especially

2 to the sponsor of the legislation, Gale Brewer, who  
3 fought so hard to make sure that paid sick time was a  
4 right for all New Yorkers. Recognizing that even the  
5 best conceived laws which this was can be improved  
6 on, the City Council has amended the paid sick time  
7 law several times, expanding the definition of  
8 family, adding domestic violence purposes, increasing  
9 the time available for workers at larger employers.  
10 We are here today to urge you to further improve the  
11 law and testify in support of two particular  
12 improvements sponsored by Council member Brewer:  
13 addition of a private right of action and  
14 improvements in outreach and education. First the  
15 Critical Need for a Private Right of Action. The  
16 vast majority of the paid sick time laws that we have  
17 passed across the United States include a private  
18 right of action, allowing the workers to go to court  
19 to enforce their rights there are no reported  
20 problems with enforcement of this law. ESSTA law  
21 here in New York has a strong administrative remedy  
22 and with DCWP, an excellent enforcement agency  
23 dedicated to enforcing ESSTA. We want to emphasize  
24 that administrative enforcement is the mechanism that  
25 most workers will feel most comfortable using and

2 less intimidated using. Going to DCWP to file a  
3 claim rather than to court particularly for what is  
4 often a relatively small amount of money but the  
5 usual means of enforcement of rights will be  
6 administrative. However, there are a number of  
7 important reasons why we need to add a private right  
8 of action to go to court and ESSTA. Probably most  
9 important is that equitable relief, particularly job  
10 restoration often can only be obtained through court  
11 action. And many times, that is the most important  
12 thing to a worker, especially when they have lost  
13 their job just because they took protected sick time.  
14 A Better Balance runs a free clinic and most of the  
15 complaints that we hear about paid sick time, we can  
16 help someone file a complaint and that's all that  
17 needs to be done. I want to share the story of one  
18 of our clients, Anthony Lynah, who was unable to get  
19 the relief he should have gotten. We feel confident  
20 he could he gotten in court. Anthony submitted  
21 written testimony and very much wanted to be here  
22 today but he could not because he has a job so I  
23 would like to read a portion of Anthony's testimony.

24 SERGEANT AT ARMS: Time is expired.

2 SHERRY LEIWANT: Excuse me time has  
3 expired on me. I'm going to continue.

4 CHAIRPERSON CARMEN DE LA ROSA: I just  
5 want to say.

6 SHERRY LEIWANT: I'd just like to read  
7 Tony's testimony because it is really. It really  
8 shows why we need this action. I won't read the  
9 whole thing. He was a worker for JetBlue Airlines.  
10 He had to take care of his mother who was in a  
11 nursing home and he was called in suddenly to take  
12 care of her. He was nine minutes for work and he was  
13 fired. When he called us and we told him he was  
14 protected by the Sick Time Act we filed a complaint  
15 for him. And this is in 2014. Just this past few  
16 months, about a month or two ago he finally got a  
17 settlement but he wasn't able to get his job and  
18 that's what he really wanted. He loved his job and  
19 it was something that he desperately wanted and we  
20 wanted to get a court hearing for him but we couldn't  
21 because he wasn't in private right of action. So, I  
22 think, I want to emphasize there are a lot of folks  
23 out there who is like Anthony who's only relief could  
24 be gotten in court. And I want to also build on I  
25 think what the testimony of the Department was that

2 it will make their job easier if there a back stop of  
3 a court action when a case is very difficult or when  
4 there are a lot of violations that need to be put  
5 together and cases will be easier to settle if  
6 employers who violate the law know that there is a  
7 private right of action. And I think, again she is  
8 going to testify and I hope she'll testify on the  
9 importance of the education and outreach we do,  
10 report together that shows that we really need to  
11 continue to foster that and I understand a lot but a  
12 lot more needs to be done. Thank you for the  
13 opportunity to testify today it is much appreciated.  
14 And thank you to the Council.

15 CHAIRPERSON CARMEN DE LA ROSA: Thank  
16 you. Now, we will hear from the last person on this  
17 panel, ,Debipriya Chatterjee. Apologies for any  
18 mispronunciation. You may begin when the Sergeant  
19 starts your clock.

20 SERGEANT AT ARMS: Starting time.

21 DEBIPRIYA CHATTERJEE: Thank you so much  
22 Chairperson Carmen de La Rosa and to Council Members  
23 Brewer and Hanif and to all the members of the Civil  
24 Service and Labor Committee for the opportunity to  
25 testify today. My name is Debipriya Chatterjee, and



2 I am a Senior Economist at the Community Service  
3 Society of New York. We have been dedicated to  
4 advancing economic opportunity for working New  
5 Yorkers for many years now. And we were especially  
6 instrumental in working with our collaborators  
7 including A Better Balance in securing paid time off  
8 for workers in New York City and stated. Based on  
9 our latest Unheard Third Survey of low-income New  
10 Yorkers, we know that approximately two-thirds of all  
11 covered employees receive paid sick time from their  
12 employers. But this statistic masks crucial  
13 differences by race and income. For working New  
14 Yorkers who are in poverty, that are earning less  
15 than the poverty threshold only 40 percent reported  
16 receiving paid sick time. Among workers who earned  
17 slightly more—between 100 to 300 percent of Federal  
18 Poverty Line (FPL)—almost 54 percent reported  
19 receiving paid sick time. High income workers, those  
20 who earned above 400 percent of the Federal Poverty  
21 Line were much better off almost 80 percent do  
22 receive paid sick time off. In other words, our  
23 lowest income New Yorkers who need access to paid  
24 sick time the most, are the ones who are being denied  
25 this workplace right on a regular basis. Women

workers reported slightly higher rates of receiving paid sick time compared to their male counterparts, around 68. White and Black workers received paid sick time at higher rates 70 percent—than Asian workers at 61 percent and Hispanic workers at 55 percent. We are saying that this loss is probably a reflection of the lack of formalization or immigration restrictions that a lot of Asian and Hispanic workers face. So, these low rates of coverage can be traced to a lack of awareness of their workplace rights. We have also seen and Council Member Brewer has mentioned then at the beginning of today's session that almost half of low-income workers had little to no awareness that they were even entitled to paid sick time law. What was more concerning about 51 percent of low-income working mothers had hardly any knowledge of the law at all. Something that is crucial for that. So, it is imperative that we undertake a proactive campaign to spread information about Intro 78 and moving on to extension of coverage to gig workers. We have done an extensive report showing that most of these workers in the so called 'gig economy' are misclassified workers. They have no defense on the

2 regular employers and it is just a point that they  
3 are denied their employee rights and workplace  
4 protection.

5 SERGEANT AT ARMS: Time is expired.

6 DEBIPRIYA CHATTERJEE: I just very  
7 quickly finish. These works provided essential  
8 services during the pandemic and had had higher rates  
9 of virus infection as a result of that. There is  
10 only rationale to deny the passage of Intro 617. And  
11 finally, as many of us have already mentioned.  
12 Passing 563 would take a load off of DCWP and make  
13 enforcement much easier. A law is only as good as  
14 the extent of which is enforced and having the  
15 opportunity that they can live up any court of  
16 jurisdiction would probably would work together and  
17 support many more employers. Thank you again and I  
18 finally, am here for any questions.

19 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
20 so much. I want to thank this panel for testifying  
21 and sharing your experiences. It is always  
22 meaningful for us to year. Thank you so much.  
23 Gracias. Thank you to this panel. Next up we will  
24 hear from Claudia Henriquez from the Comptrollers  
25 office.

2                   CLAUDIA HENRIQUEZ: Good afternoon Chair  
3 De La Rosa and members of the Committee on Civil  
4 Service and Labor and thank you for the opportunity  
5 to testify before you today. My name is Claudia  
6 Henriquez, Director of Workers' Rights at the Office  
7 of the New York City Comptroller Brad Lander. On  
8 behalf Comptroller Lander who is unfortunately not  
9 able to be here today. I am proud to share his  
10 support, as the former sponsor of the bills now  
11 numbered Ints. 563 and 617, for all the legislation  
12 before the committees today and the robust  
13 enforcement of the Earned Safe and Sick Time Act or  
14 the ESSTA. I want to applaud the Department of  
15 Consumer and Worker Protection enforcement of this  
16 regime, especially during these past few tumultuous  
17 years of COVID-19, and the \$202,000 in restitution  
18 they secured just this past month for nearly 500  
19 workers at Con Ed. In October of 2022, the  
20 Comptroller's Office released a follow-up audit  
21 report on DCWP's enforcement of the ESSTA and  
22 assessed the implementation status of recommendations  
23 issued to DCWP in a prior 2019 audit. The  
24 Comptroller's office determined that DCWP had  
25 improved its monitoring of restitution and fine

1 payments and intake, investigative, and litigation  
2 processes related to its enforcement of the ESSTA.  
3 Of the 21 recommendations made in the initial audit  
4 in 2019, this follow-up audit found that 19 of those  
5 had been implemented and two are no longer  
6 applicable. Despite DCWP's strong enforcement of the  
7 ESSTA, unfortunately many low-income workers are  
8 still unaware of their existing rights and  
9 protections under this law. Seven years after the  
10 law took effect, data from the Community Service  
11 Society's 2021 Unheard Third survey showed that half  
12 of low-income workers were not aware of their rights  
13 and 42 percent said that they still don't receive  
14 paid leave from their employer, more than double the  
15 share of those with moderate to higher incomes. Int.  
16 78 introduced by Council Member Brewer and Manhattan  
17 Borough President Levine to create an informational  
18 campaign concerning workers' rights under the ESSTA  
19 is an essential step to closing this awareness gap  
20 and ensuring that all workers can access their  
21 allotted leave. This law is a necessary complement  
22 to this Council's passage of Local Law 83 of 2022  
23 which required a mayorally-designated agency in  
24 collaboration with DCWP and other city entities to  
25

2 administer a public education campaign regarding  
3 reproductive health care and the rights of pregnant  
4 or recently pregnant persons under ESSTA and other  
5 worker rights laws. In March 2022, Comptroller  
6 Lander was honored to release The Path Forward to a  
7 Feminist Recovery: Twelve steps NYC must take to  
8 advance gender equity in the wake of the pandemic,  
9 alongside Council Members Tiffany Cabán and Shahana  
10 Hanif. In the report, they called for the passage of  
11 Int. 617 to expand ESSTA to cover app-based gig  
12 workers and other workers misclassified as  
13 independent contractors. This bill would ensure that  
14 more than 140,000 contingent workers in New York City  
15 are able to take a paid sick day to take care of  
16 themselves or family members when needed and I am so  
17 glad Council Member Hanif is continuing that  
18 important fight. To make the existing and new rights  
19 under ESSTA real for the workers entitled to its  
20 protections, we must also provide workers with the  
21 ability to sue when they are illegally denied paid  
22 time off by adding a private right of action like  
23 found in many companion worker protections. Council  
24 Member Brewer so valiantly led the fight to pass the  
25 original law, and we are so glad she will now

2 shepherd this through the Council. At the same time  
3 the Council boldly moves forward with this  
4 legislation to cover more workers and empower them.  
5 DCWP needs to update its rules under the ESSTA to  
6 implement the reforms that the Council passed back in  
7 2020. Comptroller Lander testified before DCWP in  
8 the fall regarding the proposed rules and submitted  
9 his comments to the rules at that time. It has been  
10 6 months since those rules received a public hearing  
11 and it is integral, they come out promptly and  
12 without further delay. Our office is incredibly  
13 honored to organize alongside you all for the passage  
14 of these integral worker rights bills and to continue  
15 to protect and innovative for the dignity and  
16 economic security of all New Yorkers.

17 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
18 very much for your testimony.

19 CLAUDIA HENRIQUEZ: Thank you.

20 CHAIRPERSON CARMEN DE LA ROSA: Next, we  
21 will turn to a panel on Zoom. Amelia Adams. Followed  
22 by Jessica Walker. Amelia Adams you may begin when  
23 the Sergeant starts your clock.

24 SERGEANT AT ARMS: Staring time.

2 AMELIA ADAMS: Hi. Good afternoon.

3 Thank you so much Chair de La Rosa and the bill

4 sponsors for allowing me time to address this very

5 important hearing. My name is Amelia Adams, and I am

6 a co-founder and partner of Adams Bucker Advisor. I

7 am an MBA certified business. I am proud to say that

8 I am 100 staff. I started this business in 2018. I

9 am also going to submit. I do not have that much

10 time but I want to talk about some of the issues that

11 or concerns that I have around Intro 617 that tries

12 to change the classification of an independent

13 contractors to be treated as an employee when they

14 start earning sick time. I do want to say that not

15 all businesses are created equal. We personally

16 bring on independent contractors for several reasons

17 and I know that the legislation doesn't have

18 exceptions to this issue. But you know, perfect

19 example, one of my independent contractors is a full-

20 time employee that has full benefits and health and

21 other thing like that and she is she individually

22 hired on a project-by-project basis. I have a very

23 small business with seven people. We had to let go a

24 staffer or even like someone less. There is no

25 duplicated jobs and to have someone on staff getting



2 that tax for income and all of that stuff is just  
3 really hard and someone doesn't really fully  
4 understand. So we do a trial and a 1099 employee  
5 with an additional bonus for healthcare costs. And  
6 I know that, like I'm going to keep repeating this.  
7 Not all businesses are created equal. Since I  
8 started this business, I have joined a lot of  
9 chambers around the state, mostly Black and Ethnic  
10 and I am signed to meet more and more business  
11 owners. And I do want to, two things I want to say  
12 is like there is a perception. There is a perception  
13 that some of these small business owners feel that  
14 governments they say are the worst employee that they  
15 want to undercharge and misclassify but I know that  
16 is not all the case, but there a perception there  
17 amongst especially with black businesses that don't  
18 have access to capital that are often overlooked for  
19 grants and small business loans. So that they have  
20 all of these others barriers to getting resources and  
21 throwing this on top of that. I do want to say that  
22 there is a burden of when I used to work in  
23 government, I heard this all the time, there's a  
24 burden, there's a burden. That is very real and I  
25 just want to say last week alone we spent, you know

2 between other staff and us four hours doing  
3 paperwork, invoicing, renewing my insurance, health,  
4 liability, professional liability. All of these  
5 things took away from me actually doing my job which  
6 is servicing a client and I know that I am in a  
7 better place than a lot of small businesses but these  
8 are real and I think people overlook.

9 SERGEANT AT ARMS: Time is expired.

10 AMELIA ADAMS: My time is expired.

11 CHAIRPERSON CARMEN DE LA ROSA: You can  
12 continue. You may continue.

13 AMELIA ADAMS: And I do want to say  
14 because I know I'm just complaining about, I'm going  
15 to submit this as well. There is some possible  
16 solutions, you know, outreach has been talked about  
17 from the Administration and even council members  
18 here. I don't think that is ever given enough time  
19 in energy and resources. I know that they've done  
20 canvassing on like the business districts. There are  
21 so many people that are no longer brick and mortar.  
22 There are a lot of people that started businesses and  
23 they are not able to scale up because there is so  
24 much burden on following and compliance. The perfect  
25 example, BNYC is a program that I just recently heard

2 about but as a certified, MWBE business, the city  
3 doesn't even send out notices about everything that  
4 you have to comply with. You already have to have a  
5 list of business, why are you not doing that?  
6 Similar to how there is a register to vote on every  
7 city website. I think that these need to be a lot  
8 more outreach and I am more than happy. There are a  
9 lot of businesses that would be more than happy to go  
10 through a lot of these things that are not part of  
11 the traditional chambers that I have found in the  
12 Chamber and outside of the chamber if that makes  
13 sense. And I am sorry I went over my time.

14 CHAIRPERSON CARMEN DE LA ROSA: Thank  
15 you. Next up on this panel, we will hear from  
16 Jessica Walker. You may begin when the Sergeant  
17 starts your clock.

18 SERGEANT AT ARMS: Starting time.

19 JESSICA WALKER: Hi. I'm Jessica Walker.  
20 I'm the head of the Manhattan Chamber of Commerce.  
21 Obviously, we're in the business of helping  
22 businesses, particularly small businesses thrive here  
23 in New York City. I am going to touch upon all three  
24 bills very, very quickly. On Intro 78, we certainly  
25 would never disagree with educating people about

2 their rights. My only critique here is that I do  
3 think that since the City has such scarce resources  
4 that those funds are probably better spent helping  
5 business comply with the law, educating businesses on  
6 the Law. Again, from the very beginning when this  
7 law was in fruition, we have always disagreed with  
8 the premise that employers are not trying to support  
9 employees. They do want to go right by their  
10 employees who, it is far and few between the bad  
11 apples are far and few between. So, we know that  
12 there continues to be mass confusion about the rights  
13 of employees, post COVID. There were so many laws  
14 that were put in temporarily at the city level.  
15 Things that didn't always match. They were very  
16 confusing and it continues to be because of the city  
17 laws have gone away but some of the state laws are  
18 still on the books. So, I do think that if you want  
19 to spend some of those funds right now to really get  
20 the biggest bang for the buck, I would focus on  
21 educating businesses. As you know, most small  
22 businesses do not have human resources support. So  
23 that is really fundamental. On Intro 563, we do not  
24 support putting in a private right of action and we  
25 have not supported that from the beginning. Again,

2 this is because small businesses, it is very  
3 disruptive particularly to small businesses. If the,  
4 if someone sues them in court, they have to hire a  
5 lawyer. Each time that is, we are talking about a  
6 \$5000 fee just to get somebody on a retaining for one  
7 case. Even if they are found that they did not do  
8 anything wrong. This is a very costly premise and  
9 certainly we don't support this because there is  
10 already a system in place for remedy within the  
11 administrating agency. So, we do not support that  
12 and then finally Intro 617, I thought the testimony  
13 of my colleague, Amelia Adams sort of said it all in  
14 terms of what it means to expand the rights to  
15 independent contractors, especially for a small  
16 business. This could be very cost prohibitive and so  
17 we do not support that bill as well. I just want to  
18 say, look, I know that the City Council is always  
19 trying to make this a better place, a better city for  
20 everyone and certainly we have to support and protect  
21 our workforce. There is no question about that. And  
22 we believe in that deeply. I just always want the  
23 Council to also weigh and consider the needs and the  
24 realities and the costs of being a struggling small  
25 business owner, particularly in light of everything

2 that they have gone through in the last few years.

3 Many are still, even though we are sort of hump, many  
4 still have very high debt that they took on during  
5 the pandemic to get through.

6 SERGEANT AT ARMS: Time has expired.

7 JESSICA WALKER: Thank you.

8 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
9 very much to this panel. Next, we are going to turn  
10 to an in-person panel. We going to turn to Zubin  
11 Soleimany followed by Bhairavi Desai, Alpha Barry,  
12 and Ibrahim Zouve. Please come up to the panel to  
13 testify.

14 BHAIRAVI DESAI: Thank you. Good  
15 afternoon, Council Members, my name is Bhairavi  
16 Desai. I am the Executive Director of the New York  
17 Taxi Workers Alliance. We are over 27,000-member  
18 union of TLC licensed drivers across the city. More  
19 than half of our members now work for Uber and Lyft.  
20 I just really want to clarify something here. We are  
21 talking about such a basic human dignity. We are  
22 talking about five days a year that people can,  
23 workers can take off and still be paid. Five days a  
24 year. An uber and lyft driver on average works about  
25 288 days of the year. That's 48 weeks, six days a

2 week. Okay. That's assuming that the person doesn't  
3 work all 52 weeks of the year. Five days off is  
4 equal to less than 2 percent of the days that  
5 driver's put in for back breaking work in this  
6 industry. Going to the emergency room should not be  
7 your first and only alternative when you get sick.  
8 This is a job that lends itself to creating many  
9 occupational illnesses from diabetes, kidney failure,  
10 heart failure. Drivers should not be able to take  
11 time off only when they're in chronic pain or when  
12 they're facing a chronic illness. We are talking  
13 about such a basic dignity and we are saying that the  
14 update to this law, it does not reclassify workers.  
15 It does not specify Uber and Lyft as employers. What  
16 it does do is make a simple statement that in  
17 determining whether or not the worker is eligible for  
18 this law we look at who controls the economic reality  
19 of their work. We're not talking about you know when  
20 people work, if they have control over setting their  
21 schedules. We're talking about the economic  
22 relationship. How they are able to earn their living  
23 if they are able to earn any living. In this  
24 industry, Uber and Lyft they set the rates that  
25 drivers earn. They dictate which passengers you're

2 going to get. They monitor your speed. They can  
3 fire you at will. When you have this level of  
4 economic control, you should bear some level of  
5 responsibility over the safety and health of the  
6 workforce that makes you your richest. That is a  
7 basic sense of human dignity and basic sense of  
8 fairness that we're asking for. Not only does this  
9 industry lend itself to drivers having high risk of  
10 illness but also high risk of on-the-job assaults, of  
11 accidents, things that require you to be alert which  
12 you cannot be when you are not well. This is a basic  
13 thing that we're asking for. Lastly, I just want to  
14 say drivers pay to go to work every day. When you do  
15 not go to work not only do you lose your income, but  
16 you have to pay for expenses out of pocket. This  
17 deal would get a basic sense of rights to a workforce  
18 that serves 700,000 people every single day who are  
19 equally dependent on the health and safety of the  
20 drivers that keep them safe during that ride every  
21 day. We urge the Council to pass this bill. We urge  
22 the mayor to sign on to this bill and not stand in  
23 opposition. Thank you.

24 IBRAHIM ZOUVE: You left it on. My name  
25 is Ibrahim Zouve. I am a member of NYTWA and I am



2 also working currently for Lyft and Uber. So, I am  
3 very happy that you gave me time today to express  
4 myself on this bill of workers not even having the  
5 chance to take a leave from work when they are sick.  
6 All I want to ask is that as a worker, as a taxi  
7 driver it comes time that I have to make a choice if  
8 I can stay home and look over my health condition or  
9 go to work. So, I have to go to work because I have  
10 bills to pay. I have my car note to pay. I have  
11 food to put on the table and if I don't go to work  
12 who is going to do that for my kids. And I cannot  
13 tell my kids that because I am sick and can't work  
14 that they cannot eat. So, I want to ask you city  
15 officials you do it a lot for us because the last  
16 time we was here you was fighting for many items that  
17 you try to implement for us. So, our job is to give  
18 good service to the New York population. We are in  
19 the center of the activities of the city because if  
20 no taxi drivers go to work just for one day, New York  
21 City is going to have a lot to respond to the public  
22 and also to the government. So, we asking of New  
23 York City to really care of our physical well-being  
24 and to also care of our mental state because if one  
25 has to choose between his health condition and you

2 know going to work while sick that is not good for  
3 the future generation of workers in this City. So,  
4 please we are just asking as our sister did already  
5 say, this is just a basic human right that the labor  
6 law grant all workers who work to benefit from that.  
7 We should not come here to fight for just the basic  
8 right that is available to all workers around the  
9 world. So, thank you very much. There is more to  
10 say but thank you for listening.

11 ZUBIN SOLEIMANY: Good afternoon, Chair  
12 de La Rosa, Council Member Hanif. My name is Zubin  
13 Soleimany. I am an attorney with the New York Taxi  
14 Worker's Alliance and I think I am the policy. This  
15 is where I said this is like a no brainer. I don't  
16 think whether it's COVID or whether it's the flu  
17 anybody wants to be getting into a car with somebody  
18 who is sick. It is not right for the drivers. It is  
19 not right from the public health standpoint. But I  
20 want to direct most of my attention to the legal  
21 framework and some of the questions that have been  
22 raised today. I think what Intro 617 does is we do  
23 not so much as extending coverage to a group of  
24 workers who wouldn't already have it but about  
25 clarifying their right to those benefits that they do

2 already have but is subject to a very process of  
3 determining who is an employee who gets that right.  
4 We know this as a workforce of Uber and Lyft drivers  
5 in New York City because we spent eight years winning  
6 but fighting tooth and nail to secure that right in  
7 the unemployment context where it took two Federal  
8 lawsuits against Cuomo's administration to ensure  
9 that drivers would be getting unemployment if they  
10 were fired without a good reason. Despite the fact  
11 that black car drivers had continually gotten that  
12 for years. We fought that. We won it in 2016. We  
13 won it every appeal. An upstate Uber driver won  
14 every appeal all the way to the court of appeals and  
15 yet, when the pandemic rolled around, everybody acted  
16 like they didn't know the answer to whether driver's  
17 during COVID had a right to unemployment. We had to  
18 sue Governor Cuomo again and as a result of that  
19 68,000 Uber and Lyft drivers got higher benefits at  
20 the employee rate. So, the thing about this is we  
21 don't -- it's not that we don't know the answer to  
22 the question, it's that in this context the question  
23 is made so that the company can say oh well, a couple  
24 of things changed. We changed the acceptance rate,  
25 the cancellation rate. Let's start all over again as

2 if we don't the answer. What the ABC test in this  
3 bill does it streamlines that process so when a  
4 driver isn't getting paid or any worker isn't getting  
5 paid the sick leave that they deserve that they can  
6 access that, DCWP or private attorney to do an action  
7 can enforce that without years of litigation. It is  
8 to deter people from securing their rights. I think  
9 that is the real benefit to 617. On the question  
10 that the administration raised about potential  
11 inconsistency. I just don't think that is a real  
12 argument and I don't think that's the real reason for  
13 opposition. If that were, I mean states have  
14 different tests for some benefits than the federal  
15 government does. New Jersey uses the ABC generally.  
16 Massachusetts uses this generally. We use it in New  
17 York for construction workers and truck drivers. The  
18 federal government doesn't do that. If we were to  
19 aim to be consistent with state and federal law and  
20 labor rights, we would have never passed this bill in  
21 the first place when there was no state or federal  
22 sick leave. We pioneered it and that's. I think  
23 that's the beauty of having the Council that  
24 recognizes workers rights are a priority in the city  
25 and we will move ahead of state government and ahead

2 of federal government. And thankfully if there is  
3 any more confusion well, we've got Intro 78 for  
4 public outreach and education so I'm not too  
5 concerned about that. Thank you for your time.

6 ALPHA BARRY: Good afternoon. My name is  
7 Alpha Barry. I'm an NYTWA member. I've been driving  
8 for almost 20 years. I was a yellow cab driver and  
9 the you, the business went down, we saw the share  
10 rides. So, we talking about sick leave paid. This  
11 should not be an argument about. We know whenever  
12 there is something that we come with even if it is  
13 good for them, they are going to oppose it as long as  
14 it didn't come from them. If you care about safety  
15 this is also about safety because when the driver  
16 goes out there you stating you are sick. Not the  
17 safety for the passenger. It's not the safety for  
18 you. So, you know we need to realize that we bring  
19 to them they never complain about it. But when we  
20 talk about giving us a sick leave, just five days for  
21 the whole year, we know what they're going to come up  
22 with. They're going to talk about, they're going to  
23 say we are independent contractors. That's going to  
24 be that. It seems. We don't know how much caution  
25 to take. When they get in the car. We don't know

2 how much money they paying. They don't show us how  
3 much, they just give us and they call us independent  
4 contractors. Okay. We are independent contractors.  
5 But that's the way, how it is supposed to be. So, we  
6 are sick and tired of the way how these companies are  
7 treating us. Please, we argue all I want to thank  
8 Shahana for introducing this bill and looking out for  
9 us because she feels our pain and we got a lot more  
10 to do but this is a big step forward. I urge all the  
11 members please pass this bill. Pass this bill. We  
12 are doing a lot out there. Thank you so much.

13 CHAIRPERSON CARMEN DE LA ROSA: Yeah.  
14 Thank you so much for company. Thank you so much to  
15 the New York Taxi Worker's Alliance and for your  
16 incredibly articulate testimonies and really shedding  
17 light to the scale of how many workers would be  
18 impacted. Uber in our city has 80,000 drivers and I  
19 don't want to go through the list of it I am sure  
20 that there are more unaccounted for in the other  
21 apps. The scale of the workers that we are talking  
22 about are not these really tiny businesses. We are  
23 not trying to attack or provoke small businesses from  
24 going out of business here. And so, I do want to  
25 just clarify for folks who are tuned in and

2 testifying and perhaps testifying in opposition that  
3 I made an earlier point that this iteration of the  
4 bill is with these two amendments that would exempt  
5 businesses that have certain true freelancers and  
6 then would also exempt true self-employed business  
7 owner which would be exempt from a business-to-  
8 business clause. So, if you want to take that piece  
9 into account as we further engage in dialogue and  
10 conversation about this bill. But it is really  
11 important for us to acknowledge just how many  
12 thousands of workers right now when they fall ill and  
13 as you described so beautifully that the decision to  
14 stay home with your daughter versus the decision to  
15 earn for the food, you'll be feeding her. I mean no  
16 parent, no worker in this city should have to pick  
17 one or the other. That is, that's struggle  
18 inherently is -- that is antithesis to a sanctuary  
19 dignified city. No worker should need to say hey do  
20 I look after my child today or go out there to make  
21 sure she's fed. And so, I applaud you for joining us  
22 today I know this is a workday for you all. And  
23 tremendous respect or taxi workers and you are  
24 absolutely right, if the city, if the city's taxi  
25 workers decided I am not working together no Uber, no

2 Lyft, no yellow and green cabs and then none. And  
3 then if our delivery workers on the same day decided  
4 well, I'm not delivering any food today either.  
5 You're not getting your groceries today. This city  
6 would be lost. We would not be the city we know we  
7 are today and so I just want to put out in the record  
8 that our city is stronger because of these essential  
9 workers who keep this city's economy thriving and  
10 just one, even one hour without the workforce sectors  
11 that we've talked about today would really turn the  
12 city off in ways that we cannot even imagine. It is  
13 beyond a fantasy and I hope that we don't have to  
14 take those measures to make a point that these  
15 workers are essential and we absolutely must  
16 guarantee paid sick and safe time. Thank you.

17 COUNSEL: Thank you to this panel. I am  
18 going to do a last call for any folks in the room who  
19 we may have missed who want to testify as well as  
20 folks on Zoom. Okay seeing no hands. I'm going to  
21 turn it over to the Chair for closing comments.

22 CHAIRPERSON CARMEN DE LA ROSA: Thank you  
23 so much. I just want to take the opportunity to  
24 thank Council Member Hanif, Council Member Brewer for  
25 their brave and bold leadership today in bringing



2 these bills forward. We look forward to continuing  
3 the conversations around Intro 78, Intro 563 and  
4 Intro 617. I also want to take the opportunity to  
5 thank all the workers who took time out of their day  
6 today to also give us a glimpse of that struggle. As  
7 the Committee, we're dedicated to hearing all sides  
8 of the argument but also ensuring that we're  
9 censoring the rights of workers in our city. So, we  
10 thank you all for coming and the hearing is  
11 adjourned. Gavel pounding.

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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 JULY 19, 2023