

**New York City Council
Committee on Civil Service & Labor**

**Testimony by:
Daniel Pollak, First Deputy Commissioner,
Mayor's Office of Labor Relations (OLR)**

Int. No. 692 -- workforce stabilization payments for paraprofessionals

March 9, 2026

Good afternoon, Chair Aldebol and members of the Civil Service and Labor Committee. I am Daniel Pollak, First Deputy Commissioner at the Office of Labor Relations. Thank you for this opportunity to testify today on Int. No. 692, establishing a new workforce stabilization payment for paraprofessional employees employed by the Department of Education.

Int. No. 692 would require the Department of Education to provide eligible school paraprofessionals with annual, non-pensionable workforce stabilization payments of \$10,000. The payment would be provided as a lump sum on August 1st of each year and would be subject to proration.

Under the legislation, the requirement for this annual payment would be deemed repealed upon the execution of a collective bargaining agreement that includes a provision increasing the total annual compensation of school paraprofessionals by an amount equal to or greater than the amount of the workforce stabilization payment.

This legislation is an updated version of Int. No. 1261, which similarly sought to mandate a payment for Department of Education paraprofessional employees.

First, the Administration appreciates the intent behind this bill. Paraprofessionals work every day alongside New York City public school teachers and other school staff to help educate our children, and we understand the motivation behind efforts to provide them with increased compensation. However, we have significant legal, practical, and fairness concerns with an approach that would provide a substantial pay increase for these employees through local legislation.

This bill, like its predecessor, is inconsistent with State law governing collective bargaining in the public sector. As you may know, since 1967, the City has been obligated under the New York State Public Employees' Fair Employment Act—commonly known as the Taylor Law—to bargain wage rates with its municipal unions. The payments contemplated by Int. 692, like other pay items and terms and conditions of employment, are mandatory subjects of collective bargaining under the Taylor Law. This means that the City and DOE must negotiate these matters with its unions, and such benefits cannot be imposed by local legislation.

The New York Court of Appeals made this principal clear in Mayor of City of New York v. Council of the City of New York (2007), stating that: “the Taylor Law prohibits local legislative bodies from usurping the executive's prerogative to agree with unions on terms and conditions of employment.” 9 N.Y.3d 23, 31.

Separately, the proposed bill is preempted by State law because it would usurp the authority of the DOE over personnel matters involving DOE employees.

Beyond the legal concerns, this legislation would fundamentally undermine the City’s collective bargaining process and, in turn, the rights of both the City as an employer and the unions that represent their members. The City has 150 collective bargaining units, represented by almost 100 different unions. For many reasons, both the City and its unions must have confidence that when an agreement is reached, its terms will govern. If compensation changes could instead be enacted through legislation outside of that process, why make a deal at all?

The City would be unable to budget responsibly if the wage increases established in collective bargaining agreements were not the final compensation obligations. Similarly, unions would have less confidence that the agreements they negotiate are equitable relative to those reached by other unions, knowing that additional compensation could later be obtained through legislation. This is not a theoretical concern. In the most recent round of bargaining, the City reached agreements with unions representing 98.5 percent of the City workforce— covering approximately 350,000 employees.

Addressing Paraprofessional pay through legislation outside the bargaining process would be unfair to the many unions that settled their contracts with the understanding that the established pattern would govern. Many of those unions used the dollars available under their agreements to fund targeted increases for certain titles. It would also be unfair to all the other City workers who perform difficult, valuable work but did not receive this extra payment.

Some argue that pattern bargaining prevents low-paid workers from receiving fair increases, but history tells otherwise. Over many years, OLR has worked with unions to find flexibility within each bargaining round’s pattern to address specific titles. In the last round, we had a concept called the equity fund. District Council 37, used this funding to provide additional increases for titles facing recruitment and retention challenges, including 911 operators, lifeguards, and New York City Public Schools Parent Coordinators. OLR remains ready to work with the UFT to use funding within a collective bargaining agreement to increase compensation for Paraprofessionals.

While the bill characterizes this payment as separate from collective bargaining, and states it does not affect collective bargaining rights, it cannot do so simply by declaring it. Payments to employees are compensation--a term and condition of employment under the Taylor Law--and therefore must be negotiated between the employer and the union representing those employees. No one would argue that legislation reducing employee compensation or eliminating benefits

secured through bargaining would be consistent with the bargaining process. The same principle applies here.

Thank you for this opportunity to testify. I will address any questions you may have.

Testimony of Donald Nesbit
Executive Vice President, Local 372, DC 37
Before the Civil Service and Labor Committee
Regarding Int. 692
March 9, 2026

Good afternoon Chair Aldebol and fellow Civil Service and Labor Committee members. I am Donald Nesbit, Executive Vice President of Local 372, DC 37. Local 372 represents NYC Board of Education Employees in various titles, including Family Support Paraprofessionals.

Family Support Paraprofessional is a specialized role focused on bridging the gap between home and school, providing advocacy and services for students (often migrants or high needs) and their families. I would like to take a moment to describe the responsibilities of a Family Support Paraprofessional:

1. Parent Outreach, Consent, and Home Visits - They initiate contact with parents or guardians to explain the evaluation process and obtain consent for student assessments related to special education services.

2. Record Collection and Documentation – Family Support Paraprofessional secure and maintain appropriate records and documentation required for students referred for special education evaluations.

3. Individualized Education Program (IEP) Meeting Coordination – They schedule and send notices to parents or guardians regarding upcoming IEP meetings to discuss such issues as the student’s current academic performance; annual academic and learning goals; recommend special education services; and handle accommodations and/or modifications.

4. Communication of Special Education Services – They provide information to families about services that may be included in a student’s IEP, such as Occupational Therapy (OT); Physical Therapy (PT); Special Education Teacher; Support Services (SETSS); as well as small group instruction and support.

5. Parent Communication and Support – Family Support Paraprofessionals respond to parent inquiries regarding special education evaluations, services, and the IEP process.

6. External Agency Communication – They respond to inquiries and requests for information from hospitals and the Administration for Children's Services (ACS) when appropriate and in accordance with school policies.

7. IEP Meeting Reminders – Family Support Paraprofessionals contact and remind parents or guardians about scheduled IEP meetings; and respond to phone calls and emails.

8. Collaboration with School Staff – They work with the Assessment Team, teachers, administrators, and service providers to support the evaluation and IEP process.

9. Perform other duties as assigned by the school principal or administration.

Paraprofessionals are in high demand in public schools, yet there is a severe shortage throughout the school system. Many children and families rely on Paraprofessionals to navigate the complicated system of the Department of Education, as well as other city agencies. They love working with high need students and families, yet they are underpaid and many find second and third jobs in order to make ends meet. The average Family Support Paraprofessional makes \$18-\$28 per hour. These workers are not getting rich by doing this work, but they stay because they care and are dedicated to the students they serve. With the cost of living constantly on the rise, it is getting harder and harder to make a living. As a result, many Paraprofessionals leave the job because they can no longer afford to stay. The annual lump sum payment of \$10,000 added to Paraprofessional salaries would help in addressing the high turnover rate and may assist with recruitment as well.

We believe if Int. 692 is passed and signed by the Mayor for UFT Paraprofessionals, it should also include Family Support Paraprofessionals represented by Local 372, DC 37.

Thank you for the opportunity to testify before you today and will take any questions you may have.

Emily Smith

New York, NY, 10007

March 9, 2026

To the Members of the New York City Council: Bill 1261

I am writing as a parent of a child with special needs who attends P.S. 89. My daughter, Isabella, has a dedicated paraprofessional who is absolutely essential to her education and well-being. I want to express how vital paraprofessionals are in our public schools, and why they deserve greater recognition, respect, and fair compensation for the life-changing work they do.

For Isabella, her paraprofessional is not just an aide — she is her bridge to learning, inclusion, and confidence. She helps Isabella stay engaged in lessons, navigate the classroom, and build social connections with her peers. Without this daily support, Isabella simply could not participate fully in her education or school community. The paraprofessional's presence allows her to thrive, not just attend.

Paraprofessionals are often the unsung heroes of special education. They perform complex, emotionally demanding, and deeply skilled work — supporting students with physical, developmental, and behavioral challenges. Yet despite their critical role, many are paid wages that do not reflect their responsibilities or the impact they have.

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When paraprofessionals are underpaid or stretched too thin, our most vulnerable students suffer. Stability and continuity are key for children like Isabella, and every time a paraprofessional leaves for financial reasons, it disrupts a child's progress and security.

I urge the City Council to invest in paraprofessionals through better pay and support. This is not just a matter of fairness for workers — it is an investment in our children, in inclusive education, and in the moral fabric of our city.

Please stand up for the paraprofessionals who stand beside our kids every single day.

With gratitude,

Emily Anne Smith

Parent of a student at P.S. 89

~~Bob Teachers - offer due best teaching~~
~~2nd step - work a 0-15~~
~~After school - lion~~
~~Public Health - come una~~
~~OLR - + slow it down~~
~~30k a year~~
~~1440 vacancies~~
~~largely women of color~~
~~3-4k hours needed~~



ISABELLA
+
HER
PAPA PROFESSOR
PERLA

From: [Jennifer Gelb](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support the RESPECT Bill for NYC Paraprofessionals
Date: Thursday, March 12, 2026 9:20:40 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspected phishing emails with the Phish Alert Button or forward them to phish@oti.nyc.gov as an attachment.

Dear Council Member,

My name is Jennifer Gelb and I am a New York City paraprofessional. I am writing to urge you to support and pass the RESPECT bill.

Paraprofessionals are essential members of the school community. Every day we work directly with students who need additional support, including students with disabilities, behavioral challenges, and academic needs. We assist with instruction, help manage classrooms, provide emotional support, and ensure that students are safe and able to learn.

Many paraprofessionals go far beyond the basic responsibilities of the job. We help students regulate their emotions, assist with personal care when needed, support teachers throughout the day, and often serve as a consistent and trusted support system for students who depend on us.

Despite the importance of this work, paraprofessionals remain among the lowest-paid employees in the school system. With the rising cost of living in New York City, many paraprofessionals struggle financially while working full time in our schools.

Many paraprofessionals are forced to take second jobs or work additional hours just to afford basic living expenses in New York City. Despite dedicating ourselves to supporting students every day, many of us still struggle to keep up with rent, transportation, food, and other essential costs. Paraprofessionals should not have to worry about financial survival while working full time in our schools.

Low wages are also causing many paraprofessionals to leave the profession, which creates staffing shortages and makes it harder for schools to provide students with the consistent support they need. When paraprofessionals leave, students—especially those with the greatest needs—are the ones most affected.

The RESPECT bill would provide long-overdue recognition and financial stability for paraprofessionals. Increasing paraprofessional pay would help schools retain experienced staff, support students more effectively, and strengthen the school communities we serve.

I respectfully ask that you support and vote in favor of the RESPECT bill. Paraprofessionals deserve fair pay and recognition for the critical work we do for New York City's students every day.

Thank you for your time and consideration.

Sincerely,

Jennifer Gelb

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 692 Res. No. _____

in favor in opposition

Date: 3/9/26

(PLEASE PRINT)

Name: Daniel Pollak

Address: 22 Cortlandt Street

I represent: Office of Labor Relations

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0692 Res. No. _____

in favor in opposition

Date: March 9, 2026

(PLEASE PRINT)

Name: Vice Chair Anthony Barnes

Address: 52 Broadway

I represent: United Federation of Teachers

Address: 52 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0692 Res. No. _____

in favor in opposition

Date: March 9, 2026

(PLEASE PRINT)

Name: Michelle Herrmann, Policy Dir

Address: 52 Broadway

I represent: UFT

Address: 52 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0692 Res. No. _____

in favor in opposition

Date: March 9, 2026

(PLEASE PRINT)

Name: President Michael Mulgrew

Address: 52 Broadway

I represent: United Federation of Teachers

Address: 52 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0692 Res. No. _____

in favor in opposition

Date: March 9, 2026

(PLEASE PRINT)

Name: Chapter chair Priscilla Castro

Address: 52 Broadway

I represent: United Federation of Teachers

Address: 52 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0692 Res. No. _____

in favor in opposition

Date: March 9, 2026

(PLEASE PRINT)

Name: John Kamp Vice Chair Pasa's

Address: 52 Broadway

I represent: United Federation of Teachers

Address: 52 Broadway

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/4/26

(PLEASE PRINT)

Name: Donald Nesbit

Address: 125 Broadway Street NY NY 10007

I represent: Exec VP Local 372, DC 37

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1261 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: EMILY SMITH

Address: _____

I represent: A NYC STUDENT

Address: _____

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