

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND
WORKER PROTECTION

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Wednesday, March 22, 2023

Start: 3:09 p.m.

Recess: 6:20 p.m.

HELD AT: Committee Room, City Hall

B E F O R E: Marjorie Velázquez, Chairperson

COUNCIL MEMBERS:

Shaun Abreu
Erik D. Bottcher
Gale A. Brewer
Amanda Farias
Shekar Krishnan
Sandy Nurse
Chi A. Ossé
Julie Won

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

Vilda Vega Mayuga
Commissioner
Department of Consumer & Worker Protection

Kenny Minaya
First Deputy Commissioner
Department of Consumer & Worker Protection

Carlos Ortiz
Assistant Commissioner
Department of Consumer & Worker Protection

Michael Tiger
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Sonia Perez
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Anna Lucia Maldonado
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Joanna Tabor
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Street Vendor Project

Autumn Weintraub
Fast Food Worker Organizing Campaign
SEIU Local 32BJ

Megan D'Amato
Starbucks Employee

Magdalena Barbosa
Director of Legal Services
Catholic Migration Services

Sarah Feldman
Director Worker Rights Program
New Immigrant Community Empowerment

David Orkin
Worker Advocate
Make The Road New York

SERGEANT AT ARMS: Good afternoon and welcome to today's New York City Council hearing for the Committee on Consumer and Worker Protection. At this time, please silence all electronic devices. Chair Velázquez, we are ready to begin.

[GAVEL]

CHAIR VELÁZQUEZ: Good afternoon and welcome to the fiscal 2024 preliminary budget hearing. My name is Marjorie Velázquez, and I am the chair of the Committee on Consumer and Worker Protection.

This morning we will be reviewing the proposed budget of the Department of Consumer Affairs and Worker Protection, also known as DCWP. Specifically, we will be assessing DCWP's programs and activities to ensure that the agency is serving the public in a fiscally responsible way. The fiscal 2024 prelim budget for the Department of Consumer Affairs totals \$64.2 million, which includes \$30.5 million in personnel services to support 448 full-time positions. The budget also includes \$33.7 million in other-than-personnel services to cover all general operating expenses of the department.

The funds in this fiscal plan are primarily allocated to resolve consumer worker complaints,

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2 issue numerous licenses, educate and protect
3 consumers, and ensure that businesses comply with the
4 law.

5 At today's hearing, we will examine the various
6 components of DCWP's budget, and I'd like the
7 Commissioner to tell us where the Department
8 currently is and making rules i establishing the
9 minimum wage for app-based food delivery service
10 workers. I'd also like to better understand how
11 going forward, DCWP will transition over street
12 vendor enforcement to the Department of Sanitation.
13 And additionally, the Committee is interested in
14 understanding if it is collaborating with the Office
15 of Cannabis Management, and the work it is doing in
16 regulating the growing industry. I particularly want
17 to hear about the efforts DCWP is making to deal with
18 the drastic increase in illegal smoke shops that are
19 popping up on every corner. I'd also like to welcome
20 DCWP's Commissioner Vilda Vega Mayuga, First Deputy
21 Commissioner Kenny Minaya, Assistant Commissioner
22 Carlos Ortiz, and General Counsel Michael Tiger.

23 After the testimony, members will have the
24 opportunity to follow up with questions for the
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Commissioner. I hope that the Commissioner and staff remain to listen to the public testify.

It is essential that the budget we adopt this year is transparent, accountable, and reflective of the priorities and interests of the Council and the people we represent.

I look forward to an active engagement with the administration over the next few months to ensure that the fiscal 2024 adopted budget meets the goals that the Council has set out. I will now ask Committee Counsel to please swear the Commissioner.

COUNSEL: Good afternoon, Commissioner, First Deputy Commissioner, Assistant Commissioner, and counselor. Please raise your right hands.

Do you affirm to tell the truth, the whole truth and nothing but the truth before this committee, and to respond honestly to council member questions?

ALL: I do.

COUNSEL: Thank you, you may begin.

COMMISSIONER MAYUGA: Okay, good afternoon Chair Velasquez and members of the Committee on Consumer and Worker Protection. It is wonderful to be here today's very spring weather I'm looking forward to more of these days. I am Villa Vera Mayuga,

Commissioner of the Department of Consumer and worker protection, and I am joined by members of my senior leadership team. It is our pleasure to be here today before this committee to testify on the work of our agency and its budget for fiscal year 2024.

Despite being one of the city's smaller agencies, DCWP has an outsized impact on New York City. In almost every aspect of their daily lives, new Yorkers are entitled to keep protections and services provided by my agency. In the workplace, our laws ensure that workers have basic rights to work with dignity. In the marketplace, our consumer protections prevent predatory actors from taking advantage of New Yorkers. We work to educate and uplift our small businesses that play by the rules so they can thrive for the benefit of our entire city and focus our enforcement on actors that flout our city's laws.

And for our households, our financial empowerment programs allow individuals and families to optimize their financial health, whether by securing crucial tax refunds or learning how to manage their budgets and tackle their debt.

When I spoke to you at this time last year, I was only two weeks into my tenure as Commissioner, I laid out a fundamental goal for you: To be a steadfast partner to New Yorkers, by aligning these agency's efforts with the work it does best.

One year later, under my leadership and that of Mayor Adams, I feel confident that this agency has been an effective champion for the residents of our great city on our central mission remains strong: To protect consumers and workers.

DCWP licenses more than 51 businesses and individuals in more than 40 industries. We serve countless New Yorkers through enforcement of our consumer and workplace laws, through business education and relief efforts, and through free programming that supports New Yorkers' financial health. To accomplish this, DCWP's preliminary budget for fiscal year 2024 is approximately \$64.2 million. Our authorized headcount stands at 449, with 416 active personnel.

Our intrepid team has been able to accomplish a great deal in the past year. In 2022, we received almost 28,000 consumer complaints and carried out almost 60,000 inspections for predatory business

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2 activity. We initiated almost 700 worker cases and
3 secure more than \$23 million in restitution,
4 including the largest workplace settlement in New
5 York City history. And we provided financial
6 counseling to more than 7,000 New Yorkers and
7 prepared almost 80,000 tax returns, all for free.

8 In addition to this core work, DCWP has taken on
9 a number of new mandates. Over the past year, we
10 have implemented the Delivery Worker Protections
11 passed by the city council in 2021. And we are
12 moving as quickly as possible to set an equitable
13 minimum pay rate for this essential workforce. We
14 also expanded both of our flagship financial
15 empowerment programs. The Financial Empowerment
16 Center Counseling has been integrated into select
17 Workforce1 Career Centers, and select NYC free tax
18 prep sites began offering specialized tax preparation
19 for self employed New Yorkers with more services to
20 be offered in the coming year.

21 Let me tell you more about each of these as well
22 as provide a general overview of my agency's work.
23 DCWP knows that stability is key for New York's
24 workers, whether you are trying to put food on the
25 table for your family or put money away for your

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2 edification, knowing that you will have stable hours,
3 stable income, and stable employment is crucial. In
4 2020, to our work focus on promoting this stability
5 through the implementation of new protections, and
6 the enforcement of existing ones. New York's large
7 and growing population of delivery workers is one of
8 our city's most essential workforces. I am sure that
9 we can all remember the vital role they played in the
10 early days of the pandemic, bringing us food when
11 many of us were hesitant to leave our homes.

12 Despite the importance of what they do, these
13 delivery workers are in a precarious situation
14 working difficult jobs for low pay. We applaud the
15 Council for recognizing this and taking legislative
16 action. In 2022, we began to enforce rights allowing
17 delivery workers to make informed decisions about the
18 deliveries they take, including having an option to
19 choose the maximum distance they want to travel, and
20 receiving upfront disclosures about the route, pay,
21 and gratuities associated with the delivery. We are
22 working closely with workers and apps to ensure
23 compliance with the law.

24 At the end of 2022, we announced our initial
25 proposal for a minimum pay rate for app-based

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2 delivery workers based on a rigorous study of the
3 industry, including pay and working conditions. We
4 recently published an updated minimum pay rate
5 proposal for an additional round of public comment
6 after incorporating feedback from workers apps and
7 many councilmembers, including members of this
8 Committee. The public comment period will end on
9 April 7, and we welcome any testimony you can
10 provide. The minimum pay rate represents
11 groundbreaking progress for New York City's delivery
12 workers, and we want to make sure that our final rule
13 allows New Yorkers the opportunity to review and
14 provide input.

15 DCWP has continued to enforce the other worker
16 rights under our jurisdiction. In August, we
17 announced a major settlement with Chipotle over
18 violations of the Fair Work Week law which gives fast
19 food workers scheduling stability, and an opportunity
20 to move into full time work, and the Pay Save And
21 Sick Leave law which gives workers the right to take
22 time off to care for themselves or their family.

23 The settlement has secure more than \$20 million
24 in restitution to approximately 13,000 workers, and
25 requires Chipotle to collect to pay \$1 million in

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2 civil penalties. This represents the biggest
3 workplace settlement in New York City history, as
4 well as the largest ever Fair Work Week settlement in
5 the entire country. Our Fair Work Week enforcement
6 has also included cases centered on the law's newest
7 component, Just Cause, which ensures that fast food
8 workers can no longer be arbitrarily fired from their
9 jobs and have a right to reclaim their former jobs if
10 they are illegally laid off or fired.

11 Last month, we settled with Starbucks in a case
12 in which a longtime worker was illegally terminated.
13 Starbucks will pay more than \$21,000 in employee
14 relief and penalties. This builds on a previous case
15 in late 2021 when we obtain restitution for two
16 Brooklyn Subway workers who were illegally terminated
17 to demonstrate that this DCWP is here to protect the
18 city's fast food workers.

19 In December, we also announced a free mediation
20 program for domestic workers and their employers to
21 resolve workplace issues in a respectful and
22 confidential manner without needing to go to court.
23 DCWP previously conducted a study of paid care
24 workers which found that at least half of the city's
25 paid care workers, the majority of whom are

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2 immigrants and women of color, have experienced
3 exploitation such as wage theft, Pay Save And Sick
4 Leave violations, harassment, discrimination or
5 retaliation. This mediation program will provide an
6 accessible forum for domestic workers to assert their
7 rights in a supportive environment and resolve issues
8 with their employers without the expense and
9 adversarial nature of litigation.

10 Through our consumer protection work, we strive
11 to create fairness in the marketplace. I am
12 committed to ensuring that New Yorkers are free from
13 exploitation when they are looking to purchase goods
14 and services. At the same time, I also want to make
15 sure that our city's small business owners have an
16 opportunity to succeed. I believe that our efforts
17 to protect New Yorkers from predatory activity should
18 work hand-in-hand with supporting our small
19 businesses and the contributions they make to their
20 communities. It is a delicate balance, but we
21 continue to endeavor to make progress on both fronts.

22 One way we try to foster an education-first
23 approach is through our visiting inspector program.
24 We send senior inspectors to brick-and-mortar
25 businesses that have recently received licenses from

us to provide an educational inspection with the business owner. During the educational inspection, the inspector will identify any potential violations and explain how the business can correct them. Our VIP inspectors identify a potential violation at three out of every four businesses they visit. I am proud to share that since the start of the program, we have conducted more than 11,000 inspections.

We know that despite their best efforts at being compliant. Many businesses may still receive violations, and because of that we are committed to making sure that the penalties we charge for violations match the gravity. Last year, Mayor Adams tasked city agencies with reviewing our most issued violations and identifying opportunities to reduce or eliminate penalties. We went one step further, reviewing all our penalties, leading to 24 proposals, many of which lower civil penalties to \$0 for first-time violations. The bill to enact these proposals is currently before the Council as introduction 845 carried by Councilmember Menin, and is projected to save businesses almost \$1 million a year.

I look forward to seeing an advance and provide substantive relief to New York City small businesses.

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2 And I'd like to highlight that these great work also
3 built in our reforms under Local Law 80 of 2021,
4 which we also implemented last year to make business-
5 friendly changes to 30 areas of our enforcement.

6 In addition to reviewing our penalties, we have
7 also been reviewing our procedures to reduce the
8 burden on small businesses trying to operate in New
9 York. This year, we are using our discretion to
10 remove criminal background questions from our license
11 applications unless city or state law require a
12 fingerprint for the license. This will ensure that
13 justice-involved New Yorkers paths do not limit their
14 future. We welcome any suggestions from counsel as
15 to other ways we can increase the fairness of our
16 license application process.

17 While we try to structure our enforcement to
18 ensure that businesses acting in good faith are
19 educated about our laws and rules, and not unduly
20 punished for any minor violations they may incur,
21 when we do become aware of egregious non compliance
22 we take action.

23 Let me tell you about some of our enforcement
24 efforts to protect New Yorkers from bad-faith
25 business actors. Last summer, we announced two major

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2 settlements with use car dealerships. In May we
3 obtained \$225,000 in restitution from JF Motors, a
4 Queens-based business that use deceptive advertising
5 to lure in consumers before exploiting them with
6 illegal contracts and fake fees. And in July, we
7 obtained more than \$300,000 from two used car
8 dealerships, Brooklyn Mitsubishi and Brooklyn
9 Volkswagen that use deceptive advertising in
10 advertising and false promises of guaranteed
11 financial approval to draw consumers in before
12 selling them cars at prices well above what was
13 advertised. Across both settlements, DCWP also
14 secure \$650,000 in civil penalties.

15 In October, we announced a settlement with ASA
16 College, one of New York City's largest for profit
17 colleges, for running deceptive and misleading
18 advertising that targeted immigrants on the subway
19 and on social media. For example, one advertisement
20 claimed that non-citizen students could get specific
21 types of visas that would allow them to stay in the
22 United States. Another falsely claimed that students
23 could graduate from specific programs in 16 months.
24 ASA agreed to pay \$112,500 in civil penalties for the
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violations and to comply with city laws going forward.

We also reached a settlement with Van Leeuwen ice cream for \$33,000 in civil penalties of a repeat violations of the city's cashless ban. Van Leeuwen's 19 locations have repeatedly refused to take cash, sending a message to the more than 300,000 unbanked households in New York City that their business was not welcome there. Our settlements send a message back that any New Yorker who wants to pay in cash will be able to, and that noncompliant businesses will be held accountable for repeatedly violating our laws.

Moving on to our financial empowerment efforts, DCWP has some excellent programs that focus on uplifting the financial lives of tens of thousands of New Yorkers every year. New York City free tax prep offers New Yorkers access to free professional tax filings. We work closely with the New York City Housing Authority, Department of Education, Administration for Children's Services, houses of worship, and other community partners to ensure New Yorkers learn about and use this vital resource. Our tax preparers working with nonprofits in every corner

of the five boroughs are trained to help maximize tax refunds, which are the biggest annual cash infusion that many New Yorkers receive each year.

Next year, thanks to the support of Mayor Adams, the program will be expanding to process an additional 26,000 tax returns. I am proud to say that many of the returns we processed this year will likely result in a higher refund than last year's, thanks to the leadership of Mayor Adams. Starting this year, the New York City earned income tax credit is increasing from a flat 5% match of the federal credit to 10% to 30% match in a new equity-based structure that has a higher match for filers with the lowest income levels. This means a dramatic increase in the credit's value.

For example, a single parent with one child and an income of approximately \$14,000 will see the EITC increase by 400% to almost \$1,000 per month. This will make an enormous difference to our working families.

This free tax prep season will also be different in that for the first time, self employed New Yorkers like gig workers, freelancers, and small business owners can come to us for specialized help with their

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2 taxes. Our tax preparers are currently available for
3 annual tax filing at select sites, and will be
4 offering estimated quarterly filing, one-on-one
5 consultations, and presenting workshops and compiling
6 resources on topics like best practices for record
7 keeping starting later this summer. This service
8 will be provided year round. So we encourage New
9 Yorkers to come to us for help with their annual tax
10 filings this spring, as well as their quarterly
11 estimated tax filings later this year.

12 Outside of taxes, New Yorkers can take advantage
13 of our Financial Empowerment Centers, where they can
14 meet with trained financial counselors to talk
15 through any and all aspects of their financial
16 health. I am particularly proud of this program,
17 because I personally use it. I have been seeing one
18 of our counselors in Manhattan since last year, and
19 have really appreciated having a safe space to talk
20 about my finances and get professional advice. My
21 counselor and I have talked about everything from
22 budgeting to the Public Service Loan Forgiveness
23 Program.

24 Looking back at my childhood, I wish my mother
25 had the same opportunity to see a financial counselor

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2 as I do now. Growing up, I watch her work multiple
3 jobs to raise my sister and me. Being young. I did
4 not realize there was anything more to this than my
5 mother being a hard worker. Now as an adult, I
6 wonder how she could have benefited from financial
7 counseling during those years. Did she know how to
8 budget and find savings? Was she always struggling
9 to stay above water? I remember distinctly how often
10 she had to borrow to pay off debt. And I cannot help
11 but think that some guidance from a financial
12 counselor could have set her on an easier path.

13 We want to ensure that as many New Yorkers as
14 possible can take advantage of our Financial
15 Empowerment Centers. We talk about them in all of
16 our outreach. When our community of first team
17 travels across the city to meet with communities
18 where they are. That outreach helped us reach a
19 milestone last March, when we surpassed \$10 million
20 in total savings, along with \$93 million in debt
21 reduction facilitated by our financial counselors
22 since the program's inception in 2008.

23 Since then, the savings have continued with more
24 than \$1 million in additional savings by New Yorkers
25 last year. This year, we have taken an additional

step to make financial counseling more available to New Yorkers by bringing it to some of the Department of Small Business Services Workforce Career Centers.

Now, New Yorkers receiving job readiness services will also be able to meet with a financial counselor to ensure that when they get that first paycheck, they know how to maximize it. I think this is a wonderful example of how DCWP and this administration are taking smart steps to serve New Yorkers efficiently and effectively.

2022 was an exceptional year for DCWP, as we continue to effectively champion New Yorkers in every phase of their lives, and now as we look forward toward the new fiscal year, I want to reassure you that our commitment to our mission remains undiminished, and we plan to use our resources strategically to ensure that we can continue to do our core work, protecting and empowering New Yorkers in all phases of their lives.

Before I conclude, I want to take a moment to thank all of you, as well as your other colleagues in the Council, for your interest in and support of the work we do at DCWP. We are fortunate that New

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2 Yorkers have such staunch consumer and worker
3 advocates representing them.

4 Lastly, I want to shut out the dedicated members
5 of the DCWP family who strive every day to fulfill
6 the essential work of our agency. Without the
7 committed and passionate efforts of these public
8 servants, our work could not succeed.

9 Thank you for the opportunity to testify today.
10 I look forward to answering your questions.

11 CHAIR VELÁZQUEZ: Thank you so much. So the
12 Department of Consumer Worker Protection fiscal 2024
13 preliminary budget totals \$64.2 million, including
14 \$30.5 for personnel services for 448 full-time
15 positions. What are the budget priorities that the
16 agency has submitted to OMB for fiscal 2024?

17 COMMISSIONER MAYUGA: Thank you, Councilmember.
18 We are focused on our mission, right?, our core
19 mission of protecting New Yorkers and really looking
20 at ways we can continue to do more efficient work, or
21 work more efficiently and more effectively to make
22 sure that we can ensure consumers are not being
23 defrauded by any deceptive practices, that workers
24 are getting restitution that they need based on the
25 rights that the Council has asked us to-- mandated

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2 us, right?, to enforce. And at the same time,
3 support the businesses that are required to comply
4 with these laws. So we're looking-- You know, we're
5 always looking at where is the most need so we can
6 focus our efforts there.

7 CHAIR VELÁZQUEZ: So-- But what are those budget
8 priorities out of that, in the fiscal 2024?

9 COMMISSIONER MAYUGA: I can tell you, for
10 example-- I mean, we continue to look at compliance
11 with the Fair Work Week Law, and Pay Save And Sick
12 Leave. I mean, Pay Save and Sick Leave is what
13 created the worker protection arm for our agency. So
14 we are looking to make sure that workers continue to
15 know what are their rights. We want to make sure
16 that as Fair Work Week rolls out more, right?, we
17 just added Just Cause. That is a big piece of our
18 focus right now, not just for the workers, but for
19 the businesses that have to comply with that law. We
20 want to make sure there is an understanding about the
21 requirements so that we can be sure they can comply
22 with it, and we can have answers, right?, when the
23 workers come towards us.

24 I think we continue to look at where do we get
25 the most complaints, so that we can put our efforts

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2 in that. If you look at our numbers, you see that
3 the majority of our complaints come-- focus on
4 tobacco, and e-cigarette retail dealers. So we put a
5 lot of attention to that as well, and make sure that
6 we're being diligent in those areas. And I will say
7 also, that one last piece with our Financial
8 Empowerment Centers: You've seen that we have worked
9 to expand that line of work. We know that we need
10 more New Yorkers to take advantage of our free tax
11 prep program. There was an expansion we started this
12 year, particularly with the self employed New
13 Yorkers. We know that, especially during COVID, and
14 as people have continued to come out of that, there's
15 been a shift in gig workers. And we want to make
16 sure that those businesses, right?, those
17 entrepreneurs are getting the support that they need,
18 so that they can succeed. Oftentimes, they have the
19 subject matter expertise in what they've chosen to
20 start a business, but we want to make sure that they
21 also have financial success, and expanding the free
22 tax prep program is a core priority for us and this
23 administration. I think when Mayor Adams advocated
24 for the increase in the matching from the city for
25 the Federal Earned Income Tax Credit, that's a

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2 reflection of what some of our priorities are as
3 well.

4 CHAIR VELÁZQUEZ: Are there any new needs that we
5 can expect to see in the upcoming executive plan that
6 you can tell us about?

7 COMMISSIONER MAYUGA: The mayor did announce also
8 an expansion of our free tax prep program, even
9 beyond what we're doing right now, so that we can
10 reach more New Yorkers, and also an effort to get
11 more volunteers to come to the program. The program
12 does rely heavily on volunteers through our
13 community-based organizations. So we want to have a
14 focus on those. We are currently in some
15 conversations. I think I'm going to also pass it on
16 to my Assistant Commissioner to add some more
17 information.

18 ASSISTANT COMMISSIONER ORTIZ: Thank you. Yeah,
19 I would just-- I was just going to add that the--
20 VITA program itself under which the free tax prep in
21 New York City is set up is-- it relies on-- on
22 funding these contracted providers who use volunteer
23 income tax assistance. So I think the Commissioner
24 has hit the nail on the head in the sense that we
25 have a number of priorities that we are deeply

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2 invested in, and we've-- we're extremely appreciative
3 of the Mayor's support on those.

4 CHAIR VELÁZQUEZ: Do you anticipate additional
5 resources will be needed? Or is this current funding
6 level sufficient?

7 COMMISSIONER MAYUGA: So any-- anything that's a
8 new need, we certainly will want to have a
9 discussion, and especially if there are new bills
10 that are being discussed at the City Council, we will
11 want to make sure that we have a conversation with,
12 obviously, the City Council and OMB to ensure that we
13 have the necessary resources to deliver on those
14 mandates.

15 CHAIR VELÁZQUEZ: Does the agency have adequate
16 headcount to meet the needs of the community and
17 effectively run all the programs and initiatives?

18 COMMISSIONER MAYUGA: Thank you. Thank you for
19 that question. So let me let me tell you, I really
20 appreciate the support that you give us, because I
21 know that you are-- you're a true partner. You
22 really do reach out constantly, and I really
23 appreciate the-- the constant contact that we have
24 with your office to make sure that we can deliver
25 services, and we can bring our expertise to not just

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2 your district, right?, but to all New Yorkers. So I
3 really I really thank you for that for caring so much
4 about our work.

5 I said in my testimony, right? I shared some of
6 our successes from just the last year. I definitely
7 want to make sure that we can do more of that. We
8 are definitely in line to do, and repeat a very
9 successful year, as we had last year. And I have a
10 big focus on education as well. I really want to
11 make sure that people understand the-- for the
12 businesses, what is required of them, and at the same
13 time for New Yorkers, what are their rights, so that
14 they can come to us. I very much enjoy going out
15 into the community, and getting New Yorkers to, you
16 know, come-- come from behind the desk, right?, and
17 engaging with them, and making sure that what we're
18 doing, and the way we're doing it is the way that
19 they need us to do it.

20 So right now, I am confident with the work that
21 we've been doing, and I think we're going to continue
22 to accomplish a lot.

23 CHAIR VELÁZQUEZ: And I'm sorry, I rushed through
24 my opening statement and I forgot to recognize the
25 councilmembers that have been here from the

beginning, Councilmember Won, Cabán, Nurse, Brewer, Bottcher, and virtually we have Ossé and Krishnan.

Alright, so another question I have for you: Vacancies. As part of the Mmayor's Program to Eliminate-- Eliminate the Gap, the prelim plan includes a PEG that would eliminate positions at DCWP. Fiscal 2024 prelim includes a savings of \$1.2 million in fiscal 2023 and \$2.4 million in fiscal 24 through 27 through vacancy reduction. Can you provide us with details on what exact program areas are impacted, and what positions will be removed?

COMMISSIONER MAYUGA: Thank you for that question, Councilmember. We continue to do a lot of work, and always looking and strategizing, where do we move around with our headcount, and where we can have efficiencies? Sometimes we look for efficiencies through technology, right? We want to make sure that we can be more efficient. I can tell you that there have been no programs eliminated, no services eliminated. We are not cutting on anything, any of the work that we do. The vacancies are quite spread out throughout the agency. And we are-- Even with the vacancies that we have right now, we are currently recruiting, we are constantly looking for

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2 ways in which to promote also our openings so that we
3 can have the right candidates come and join our
4 agency. It's a very passionate group of public
5 servants. And we know that we're going to be able to
6 get those filled.

7 CHAIR VELÁZQUEZ: How will these vacancy
8 reductions impact the agency's delivery of programs
9 and services?

10 COMMISSIONER MAYUGA: There will not be a
11 negative impact, Councilmember. I think we continue
12 to do the work. We've been very successful. We
13 actually had a lower headcount last year, and we--
14 you heard all of our accomplishments across all the
15 areas of work in our agency. And we expect that we
16 are going to continue to do all that amazing work
17 with having direct impact in the lives of New
18 Yorkers.

19 CHAIR VELÁZQUEZ: How many vacancies does DCWP
20 currently have, including this vacancy reduction?

21 COMMISSIONER MAYUGA: I believe we have 33? Let
22 my-- [TO OTHERS: Is it correct? Okay.] It's 33.
23 Yes.

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2 CHAIR VELÁZQUEZ: And so, what are the main
3 challenges DCWP has specifically been experiencing
4 and hiring new candidates?

5 COMMISSIONER MAYUGA: Well, Councilmember, I
6 think we will read the news. And I think there is
7 nationwide challenges with hiring and retaining
8 talent, and we are not exempt as a city. We are
9 constantly working with DCAS, OMB, City Hall to make
10 sure that we are thinking broad on the strategies
11 that we can implement.

12 I can tell you as an agency, we use LinkedIn
13 Recruiter, for example. It's a platform that has
14 allowed us to reach some candidates directly, and
15 maybe a little bit even faster of onboarding, as we
16 reach more individuals who may be interested in
17 joining our agency.

18 We also very proactively share our postings with
19 various groups. If it's attorneys, we may go to
20 various bar associations. We all have networking
21 circles that we promote, where we promote the open
22 positions. Similarly with colleges to make sure that
23 the recent graduates right that are coming and may be
24 interested in public service know of the
25 opportunities that we have.

1
2 So those are some of the examples in ways that we
3 are looking to address our vacancies so that we can
4 quickly fill those positions.

5 CHAIR VELÁZQUEZ: Perfect. Can you walk us
6 through the hiring process, starting from how the
7 agency identifies a necessary position for hiring,
8 all the way through the approval process with OMB,
9 which I hear can be challenging, and the onboarding
10 of new employees.

11 COMMISSIONER MAYUGA: Thank you for that
12 question, Councilmember. Yeah, we definitely want to
13 always be looking across our agency, and adjusting
14 our headcount, and making sure that we are having the
15 most impact in the work that we do. I'm actually
16 going to ask my First Deputy Commissioner, Kenny
17 Minaya, to give you a little bit more detail about
18 the process itself.

19 FIRST DEPUTY COMMISSIONER MINAYA: Thank you,
20 Councilmember. So, in the current state, OMB has
21 authorized us to hire up to our-- our authorized
22 headcount. So there isn't much OMB involvement
23 there. Previously, I know as you're aware, there was
24 a two-for-one program in the city, and that obviously
25 entailed more OMB involvement. One thing I want to

1
2 highlight, that we're very proud of at the Agency is
3 that our headcount, our active headcount, is actually
4 the highest it's ever been. And I think that
5 reflects the effort the Commissioner was just
6 mentioning, thinking about creative ways, whether
7 that's using LinkedIn Recruiter, reaching out to
8 community organizations, different types of affinity
9 groups, to make sure we're casting as wide a net as
10 possible.

11 What percentage of candidates offered positions
12 accept them? And what are the top reasons they turn
13 them down?

14 COMMISSIONER MAYUGA: Thank you for the question.
15 I-- [TO OTHERS: Do we have those details, that...?]

16 FIRST DEPUTY COMMISSIONER MINAYA: I do-- We do
17 not have that.

18 CHAIR VELÁZQUEZ: Can you get back us?

19 FIRST DEPUTY COMMISSIONER MINAYA: We can get
20 back to you on that, Councilmember.

21 CHAIR VELÁZQUEZ: What are the priority positions
22 the agency most focused on hiring for? [SIRENS IN
23 BACKGROUND]

24 COMMISSIONER MAYUGA: I'm so sorry, can you
25 repeat that question, Councilmember?

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2 CHAIR VELÁZQUEZ: Because that was really loud in
3 the background.

4 COMMISSIONER MAYUGA: Sorry.

5 CHAIR VELÁZQUEZ: That's all right. What are the
6 priority positions the agency most focused on hiring
7 for?

8 COMMISSIONER MAYUGA: I understand. All of the
9 work that we do is really important. I don't think
10 we put one over the other. There are certain areas.
11 It varies. The vacancies throughout the year vary.
12 It's not static. There's no one area that
13 continually is-- continually has vacancies. So we--
14 Depending on the moment in time, we take a look at
15 our position, what initiatives we are working on to
16 make sure that there is no negative impact on any of
17 the work that we do.

18 ASSISTANT COMMISSIONER ORTIZ: I think something
19 that is important to add as well is, you know, we're
20 actively hiring all these vacant positions right now.
21 And ultimately, you know, this-- an agency is an
22 ecosystem where each part is supporting each other.
23 Whether that's an outreach part, or an attorney, an
24 investigator, the person in IT operations who's
25 helping you out. These-- All these divisions work

1
2 together for the ultimate goals of this Agency, and
3 which is why I think, certainly as an entire Agency,
4 we're proud of the successes of 2022.

5 CHAIR VELÁZQUEZ: Can you verify if any of these
6 positions will be removed that are frontline customer
7 positions?

8 COMMISSIONER MAYUGA: We have a number of
9 customer-facing, consumer-facing, public-facing
10 positions. As my Assistant Commissioner, for
11 example, shared. They-- We all work together. We
12 have individuals that come through our licensing
13 center, right?, as the public. We have our
14 inspectors and enforcement that are also out there
15 serving the public, when they go do inspections or
16 educational visits to businesses. And they are-- The
17 vacancies are really just spread out through our--
18 the agency. There is no reduction in services, and
19 no compromising in the customer service that we're
20 providing to all New Yorkers.

21 CHAIR VELÁZQUEZ: Just to ask my final question
22 on vacancies here: What criteria is the Agency using
23 to make vacancy reduction determinations?

24 COMMISSIONER MAYUGA: What criteria is the Agency
25 is using for what? I'm sorry.

1
2 CHAIR VELÁZQUEZ: ...making the vacancy reduction
3 determinations?

4 COMMISSIONER MAYUGA: Thank you for that
5 question, Councilmember. We are looking constantly
6 at the services and our vacancies in our agency. I
7 think it's important to stress that the exercise of
8 looking at the vacancies is not a once-a-year
9 exercise. We are always having meetings internally
10 and determining where there is a need, where we
11 should focus to make sure that we are targeting any
12 hiring for a particular unit, if we see that there is
13 an issue in a particular area. But it is something
14 that we are doing constantly and it really is spread
15 throughout the agency.

16 CHAIR VELÁZQUEZ: Thank you for that. So now
17 moving on to street vendors, and where I just want to
18 recognize everyone here that is from the street
19 vending-- and we'll hear from us shortly. Hi there.
20 Thank you for coming.

21 So back in 2021, the Council passed Local Law 18
22 of 2021, which expanded the availability of food
23 vendor permits. It also created an office of street
24 vendor enforcement, and establish a street vendor
25 advisory board. However, with recent news that the

1
2 Department of Sanitation will take over aspects of
3 the program, I have a few questions. First, who will
4 issue the vendors licenses?

5 COMMISSIONER MAYUGA: DCWP issues the vendor
6 licenses, and DOHMH issues permits as they relate to
7 mobile food vendors.

8 CHAIR VELÁZQUEZ: What will happen to the jobs
9 for enforcement inside DCWP, if and when DSNY takes
10 over the enforcement?

11 COMMISSIONER MAYUGA: We support-- Let me start
12 by saying that we support the decision of the
13 Administration to transfer the enforcement of street
14 vending from DCWP to the sanitation department. We
15 are concurrently in conversations with the sanitation
16 department to make sure that it is an effective and
17 efficient transition. And part of that discussion
18 will include any-- any necessary moves in terms of
19 positions as well.

20 COMMISSIONER MAYUGA: What are the challenges
21 DCWP is having with a sudden shift to sending folks
22 to-- sending the enforcement aspect to DSNY.

23 COMMISSIONER MAYUGA: Councilmember, we have
24 been, as you mentioned, right?, based on prior
25 Administration in 2021, the office of street vendor

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2 enforcement was placed at DCWP. DCWP, since that
3 moment, has faced a number of operational and legal
4 challenges to effectively enforce street vending.
5 Some of those challenges relate to our inspectors,
6 you know, attempting to obtain an identification so
7 that if they found a violation they could issue--
8 they could issue a summons. We had some challenges
9 with that where vendors wouldn't provide
10 identification.

11 Similarly-- Or not similarly, the inspectors
12 sometimes faced aggression and violence in performing
13 their jobs. And that actually resulted in oftentimes
14 of having to do some of these inspections together
15 with NYPD, not just us, which I understand was the
16 intention when the office was first placed at DCWP.

17 We know that the transition to sanitation is the
18 right one. We are not the right agency equipped with
19 the right knowledge to enforce street vending. We
20 will continue to process the licenses for the vendors
21 as they are needed, whether it's renewals or there's
22 any discussions on-- I understand, there's some
23 concerns with caps. But when it comes to the
24 enforcement, sanitation does have the knowledge and
25 the expertise of the public space. We are working

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2 with them to make sure that all of our learnings
3 throughout the last couple of years, that they have
4 those they have that knowledge and they can
5 incorporate it into their taking over this piece as
6 it relates to street vending.

7 And so the proposed date is April 1. So now,
8 will-- And I heard you say multiple times already
9 that you're having discussions about this transition,
10 but will you continue going forward to have
11 conversations about how to best enforce the vendor
12 permits with DSNY?

13 COMMISSIONER MAYUGA: We'll be there for
14 sanitation. Any questions that they have, we want to
15 work with them. We want this to succeed. We believe
16 it is the right decision. We certainly want it to
17 succeed. We want to do it right. This is about
18 getting it right. And so anything that they might
19 need from us, or questions, or any information, we
20 will definitely be willing partners to share that
21 with them and support them as this transitions over
22 to them for the enforcement piece. So still the
23 licensing piece will remain with DCWP.

24

25

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2 CHAIR VELÁZQUEZ: Will the enforcement from your
3 understanding being multilingual? Will it have an
4 ability to reach out to our multilingual vendors?

5 COMMISSIONER MAYUGA: Sure. Councilmember, I
6 can't speak for sanitation in terms of how they will
7 approach and all of the considerations that they'll
8 have. We did find that to be helpful when we had our
9 inspectors. So that is information that we have been
10 relaying to them. I think it's important that any--
11 whether it's you or any of the councilmembers who may
12 have concerns with the next iteration of the
13 enforcement, right?, under sanitation, it is
14 important for them to hear. They will want to hear
15 what are the concerns so they can take those into
16 account and address them. Not just Sanitation, but
17 the Mayor himself, right? This is-- The
18 Administration as a whole wants to make sure that we
19 get this right. And that's only going to happen if
20 we hear about any concerns. You know, we've heard
21 some things throughout the last couple years when we
22 had it. We've relayed those. And then for moving
23 forward, it's important to share that as well.

24 CHAIR VELÁZQUEZ: Do you think you have the
25 proper resources on the education piece, when issuing

1
2 the licenses, to make sure that folks are informed of
3 natto Only their rights but the expectations of
4 street vending in-- in their own native language?

5 COMMISSIONER MAYUGA: We are so proud of our
6 language capacity at DCWP. So certainly when any--
7 whether it's for street vending or something else,
8 they come to our licensing unit, we have a broad-- we
9 have an array of language capacity with our frontline
10 staff. If there is a situation when we don't, then
11 we-- certainly everybody's trained to use Language
12 Line to make sure that we reach every New Yorker, and
13 those that are in front of us at the moment. I go
14 oftentimes to the licensing center myself to make
15 sure. These are very dedicated public servants who
16 really want to help individuals. Sometimes we have
17 people come to us that are-- it's not related to the
18 work that we do, but we still help them, we pick up
19 the phone with them, and we try to connect them and
20 make sure that they're getting what they need from--
21 from our city, whether it's us or another sister
22 agency.

23 I think it's important, also to know that with
24 the education, I want to say yes. You know, I think
25 we've been good in educating and passing along

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2 information. But to the extent that anybody feels
3 that we're not, then I would want to know, right?
4 Because if there is something that we should be doing
5 in the front end, when somebody comes to renew or get
6 a license, we want to take that opportunity. So we
7 do things. We think we're very thoughtful about the
8 way we do it, and intentional to make sure that we're
9 not-- it's not like one size fits all. And if
10 there's feedback, you know, we do that. I mean, part
11 of a lot of the education and outreach that we do is
12 through our Constituent Affairs Unit, and that's led
13 by our Assistant Commissioner of External Affairs, so
14 I'll also let him at some more information about
15 that.

16 ASSISTANT COMMISSIONER ORTIZ: Thank you,
17 Commissioner. Um, yeah, one piece I wanted to
18 mention was are our educational tool, the Plain
19 Language Checklist. These are documents that are
20 available upon receiving a license and are also on
21 our website that are-- explain to a street vendor all
22 the different laws and rules you would have to follow
23 when you operate in New York City. These are
24 translated in more than the 10 languages required by
25 local law. I think, with this particular

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2 constituency, we were very sensitive to the fact of
3 language access requirements and needs. And
4 additionally, these all these documents were provided
5 to the Department of Sanitation.

6 In terms of the-- the transition and the support
7 that we're providing Sanitation, I think there's the
8 enforcement piece, but also the educational piece,
9 which I know is something that will be significant as
10 we move forward and after April 1. So-- And the one
11 last piece I want to mention too, is the maps that
12 were created pursuant to Local Law 18 of 2021, are
13 also being transitioned to sanitation. These will
14 also help educate mobile food vendors or general
15 vendors on where the permissible vending activity is
16 in New York City.

17 CHAIR VELÁZQUEZ: And so have you seen a
18 significant shift after you developed the plain
19 language in the multiple languages of a reduction in
20 penalties and fines to street vendors?

21 ASSISTANT COMMISSIONER ORTIZ: Well, I would say
22 from the those-- I think when we received the Office
23 of Street Vendor Enforcement, the first priority was
24 education. We had our initial educational period of,
25 I would say, three months and developing those plain

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2 language checklists was the first thing we did. And
3 so I think anything afterwards was-- was also a
4 product of that educational work.

5 CHAIR VELÁZQUEZ: Thank you. And last one on
6 street vendors here. Do you think that DCWP should
7 retain the authority to continue to enforce the law?
8 Or do you think that DSNY will be able to provide
9 just as good of a service?

10 COMMISSIONER MAYUGA: Well, thank you for
11 thinking that we are that good at service and street
12 vending enforcement. We think sanitation is going to
13 succeed. We support 100% the decision of the
14 Administration to move the enforcement of street
15 vending to the sanitation department.

16 Like I said earlier, they are the experts in the
17 public space management, not DCWP. I shared in the
18 beginning with my testimony all of our
19 accomplishments across the areas of our agency,
20 whether it is worker protection, millions of dollars
21 for violations of the Fair Work Week, the Pay Save
22 and Sick Leave law, whether it is in the consumer
23 protection area against secondhand automobile dealers
24 that really prey on a lot of individuals, oftentimes,
25 immigrants, and there's like a language barrier. So

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2 we feel very proud of being able to intervene in
3 those situations. And similarly, with the Financial
4 Empowerment Centers, and the free tax prep program,
5 these are the areas where we are experts. These are
6 the areas where we can truly succeed and help New
7 Yorkers across all areas in the entire city. Every
8 New Yorker is a consumer. The agency used to be
9 called Consumer Affairs. It is now Consumer and
10 Worker Protection. That's what we know how to do.
11 That's what we want to continue doing. And we know
12 that this transfer to sanitation is going to help us
13 to continue focus on-- focusing on the core mission
14 of the Agency to protect and help New Yorkers,
15 workers and consumers.

16 CHAIR VELÁZQUEZ: And I know I had said that that
17 was my last question. But I have one final question.
18 Now because of this transition, do you see a
19 significant shift of funding to adjust for it?

20 COMMISSIONER MAYUGA: We are in the transition
21 conversations with the Sanitation Department to see
22 what may be necessary in that area.

23 CHAIR VELÁZQUEZ: Thank you now to minimum wage
24 for app-based delivery. In September 2021, the
25 council passed Local Law 115 of 2021. This bill

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2 required DCWP to study the working conditions of
3 third-party food delivery workers. Following the
4 study, the department was required to give us the
5 rules establishing the minimum wage for app-based
6 food delivery services by January 1, 2023. I still
7 haven't gotten them. What's the reason for the
8 delay?

9 COMMISSIONER MAYUGA: Thank you, Councilmember.
10 We are the first municipality, right?, the first city
11 to have these protections. We are incredibly proud,
12 and we're so thankful to the City Council for taking
13 action in addressing the needs of very essential
14 workers for all of us.

15 I said it in my testimony. I think when a lot of
16 us had the luxury of being able to be home, these
17 essential workers were who brought us food. They--
18 It didn't matter what were the weather conditions,
19 what was happening outside, the risk with COVID, and
20 all of that. They were there for us. And so it is
21 wonderful to have partners in the City Council who
22 champion this type of action, to make sure that
23 essential workers are taken care of. And last year,
24 we started implementing the various aspects of those
25 bills, those laws that were passed, including

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2 licensing of those third party apps, right? That is
3 something that started in January, and then we moved
4 on to the rights to the workers directly, as it
5 related to having more information about the routes,
6 the tips, the pay, the frequency of the pay, all of
7 that to make sure that they were protected and had
8 some power over deciding which routes to take, which
9 ways, to go which deliveries to accept. And the last
10 piece of that, as you mentioned, setting the minimum
11 pay rates.

12 We engaged in a process that included a study,
13 very robust study that is still published on our
14 website. That is what we base our preliminary-- our
15 proposed-- sorry, our proposed minimum pay rate, we
16 put that out for comment as is required-- required of
17 the rulemaking process. We receive 2000d comments.
18 That is a lot of comments. And we take this
19 seriously. We want to make sure we get this minimum
20 pay rate right. And so we spent the time to engage
21 with those over 2000 comments. That prompted a
22 number of changes that are now in another rulemaking
23 process, so that we can get the feedback from
24 stakeholders, workers, restaurants, apps, consumers,
25 all of us, to make sure that we get this right. That

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2 public comment period will end on April 7. I really
3 look forward to getting all of you to comment and
4 give you give us your feedback. It is really
5 important. It is the only way we're going to get
6 this right.

7 CHAIR VELÁZQUEZ: Thank you so much for that.
8 And why has DCWP decreased the proposed minimum wage
9 by \$3.82.

10 COMMISSIONER MAYUGA: As we are in the current
11 rulemaking process of the CAPA process, I can't
12 comment on that, but we do look forward to-- if
13 there's any questions about it, any comments about
14 it, any concerns about it, really invite that
15 feedback so that we can take it into account during
16 this rulemaking process.

17 CHAIR VELÁZQUEZ: When will the increase finally
18 take effect?

19 COMMISSIONER MAYUGA: As soon as the comment
20 period closes on April 7, we'll-- we'll be reviewing
21 all of those comments. And then deciding what are
22 the next steps. We really want to get this right.
23 And as soon as that's ready, we will issue the final
24 rule.
25

CHAIR VELÁZQUEZ: Now the plan also accounts for increases in inflation. Is there a cap on the pay raise if inflation outpaces predictions?

COMMISSIONER MAYUGA: We will put out in our final rule any considerations that will be expected of the third party apps.

CHAIR VELÁZQUEZ: What influence have the technology companies in control of these apps had on the influence regarding the assessments on what the minimum wage ought to be?

COMMISSIONER MAYUGA: The third party apps are stakeholders, certainly, in this process. And so they have commented during the rulemaking process. We expect that they'll come in again during the current process. And we will take that into account just like anybody else's.

CHAIR VELÁZQUEZ: Have you had conversations with deliveristas? The workers that are affected by this app-based delivery?

COMMISSIONER MAYUGA: Let me just phrase that correctly because I want to make sure I'm not in violation of CAPA. We constantly have conversations with stakeholders and certainly there are times when we see the deliveristas, and we are educating them

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2 just in General. But in terms of the of the minimum
3 pay raise, we've always encouraged anybody that we've
4 had conversations with to make sure that they submit
5 those through the rulemaking process so that we can
6 take into account any considerations. I'm actually
7 going to ask my Assistant Commissioner for External
8 Affairs to also just give you a little bit more
9 detail about ways in which we've engaged with them,
10 not just for this, but in anything to make sure that
11 they know their rights.

12 ASSISTANT COMMISSIONER ORTIZ: Thank you,
13 Commissioner. Yes, I would say during the rulemaking
14 process, we have encouraged external stakeholders to
15 submit formal comments for the public record, which
16 is what we use in our determinations for any
17 adjustments or final rulemaking.

18 That said, as the Commissioner did mention, there
19 was a study that we did before the rulemaking process
20 that helped inform the minimum pay rate that was
21 proposed. That study we did in close collaboration
22 with the-- those deliveristas. We held a public
23 hearing with them last year where we gathered
24 testimony to help inform a minimum pay rate. During
25 those same summer months, we've also worked with

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2 other stakeholders too, such as the hospitality lines
3 that helped us connect the restaurants.

4 So to your question: During the rulemaking
5 process, we are very-- we take very seriously the
6 requirements of the Citywide Administrative Procedure
7 Act. But that said, in setting the minimum pay
8 rating during the study and understanding this
9 industry more, which itself was a very complicated
10 process, we did work very closely with-- with these
11 stakeholders that are involved here.

12 CHAIR VELÁZQUEZ: So can you give me once again,
13 either a direct e-mail or contact if I am affected by
14 this, and I want to go ahead and issue a testimony.
15 How can I go about that?

16 ASSISTANT COMMISSIONER ORTIZ: I believe it's
17 rulescomments@DCWP.NYC.gov.

18 CHAIR VELÁZQUEZ: Survey says?

19 ASSISTANT COMMISSIONER ORTIZ: We'll double
20 check. I mean, there's also-- I know for sure we
21 also have an e-mail address, generally we use for any
22 kind of-- type of constituent inquiry, which is
23 communityaffairs@DCWP.NYC.gov. If we receive a
24 comment through that e-mail address as well, we would
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2 ensure that it was incorporated into the public
3 record.

4 CHAIR VELÁZQUEZ: I appreciate that. Now moving
5 forward to cannabis and marijuana regulation. Wwo
6 short years ago, New York State legalized the
7 consumption of cannabis for recreational adult use
8 with the passage of the Marijuana Regulation and
9 Taxation Act. The Office of Cannabis Management
10 issues licenses and develops regulations outlining
11 how and when businesses can participate in this new
12 industry. While one of the intended goals of
13 legislation was to increase equity among segments of
14 the population that have been harmed by the war on
15 drugs, however, there are many illegal cannabis shops
16 popping up. How does DCWP collaborate with New York
17 State on rolling out this legislation?

18 COMMISSIONER MAYUGA: Thank you, Councilmember.
19 And just to put on the record, the address for your
20 last question for comments. It is
21 rulecomments@DCWP.NYC.gov.

22 CHAIR VELÁZQUEZ: Just to go back and just for
23 clarity, if you're watching. If you are affected by
24 the app-based delivery minimum wage, there's still an
25

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2 opportunity to comment, and commenting on that will
3 be by e-mailing...

4 COMMISSIONER MAYUGA: Rulecomments@DCWP.NYC.gov.

5 CHAIR VELÁZQUEZ: Awesome. Thank you so much for
6 that confirmation.

7 So now going back, how does DCWP collaborate with
8 New York State on rolling out the cannabis
9 legislation?

10 COMMISSIONER MAYUGA: Thank you Councilmember. I
11 think I mentioned earlier that the area of tobacco
12 and e-cigarette retail dealers is where we get the
13 most complaints. And then where we end up spending a
14 lot of time with our inspectors to go out and enforce
15 those laws. We enforce the laws that relate to
16 tobacco and any cigarette retail dealers. We-- Just
17 to clarify also that we don't have-- We don't
18 licensed cannabis, as you mentioned, right? That is--
19 - That is part of the State. But we certainly want
20 to make sure that when it comes to tobacco and e-
21 cigarettes, we are making sure that those laws are
22 being followed.

23 When it comes to licensed businesses, we very
24 much focus on underage sales. We want to make sure
25 that our youth are protected, and they're not taken

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2 advantage of if there's any even licensed businesses
3 selling to underage youth.

4 At the same time looking at certainly at any
5 unlicensed businesses, we want to make sure that that
6 is not happening. So we do send out inspectors to
7 look at, go visit the various places where there
8 might be that activity. Sometimes we get those
9 complaints. Sometimes some of you write and let us
10 know. It is critically important for us so you do
11 communicate with us whenever you see any unlawful
12 activity.

13 We have been working together with other city
14 agencies and the state, right?, on certain efforts to
15 address the-- the cannabis piece, because certainly
16 it does happen usually where there is tobacco sales
17 or e-cigarette sales. Our Assistant Commissioner of
18 External Affairs is our point person in that-- in
19 those efforts, so I want to have him tell you a
20 little bit more about that as well.

21 ASSISTANT COMMISSIONER ORTIZ: Thank you. Yes, I
22 think, you know, as we spoke, I don't know if was a
23 few weeks ago or a couple of months ago with the
24 Sheriff's Task Force, the City under Mayor Adams, has
25 been able to identify various city agencies that have

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2 authorities with respect to these businesses
3 operating in New York City.

4 In our particular case, the touchpoint is tobacco
5 retail dealer licenses and electronic cigarette
6 retail dealer licenses. And then of course, the
7 Sheriff has a role to play as well. I know that OCM
8 does-- is in communication with members of the task
9 force too, and I think generally it is-- I think it
10 has been a creative way for the city to address what
11 has been a gap so far and enforcement. Because it's--
12 - the Commissioner's point is something that we hear
13 about often from-- from folks in the community.

14 So certainly it's something is very important to
15 us. I think it's something of over 15,000
16 inspections conducted in 2022, more than 7,300
17 summonses and 2022 many of them for unlicensed
18 tobacco retail dealer and electronic cigar retail
19 dealer activity.

20 CHAIR VELÁZQUEZ: Does the agency track revenue
21 that New York state collects, and with marijuana
22 licenses given that New York City has the most
23 marijuana shops?

24 COMMISSIONER MAYUGA: No.

25 CHAIR VELÁZQUEZ: That was a quick answer.

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2 CHAIR VELÁZQUEZ: How much revenue does DCWP
3 estimate that it's expected to generate in the coming
4 years, the cannabis sale?

5 COMMISSIONER MAYUGA: Oh, we don't regulate
6 cannabis. I don't know that we're the agency to have
7 that number. [TO OTHERS: But go ahead.]

8 ASSISTANT COMMISSIONER ORTIZ: I think perhaps--
9 I think perhaps the SPS who-- under which-- over
10 which, I should say, has New York City cannabis.
11 They might have more information about expected
12 revenues or the expected growth of that market.

13 CHAIR VELÁZQUEZ: With only a handful of legal
14 shops that have opened so far, does-- has DCWP been
15 in a conversation with other entities to expedite the
16 licensing process in New York City?

17 COMMISSIONER MAYUGA: DCWP does not play a role
18 in licensing of cannabis sales.

19 CHAIR VELÁZQUEZ: What actions can the City take
20 to help alleviate the issue of illegal cannabis
21 shops?

22 COMMISSIONER MAYUGA: Councilmember, we-- You
23 know, as Carlos, my Assistant Commissioner of
24 External Affairs shared, we are working with other
25 agencies. Our role still remains for tobacco and e

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2 cigarette licenses. We don't have any oversight when
3 it comes to cannabis sales.

4 ASSISTANT COMMISSIONER ORTIZ: I think-- I think
5 we'd be happy to connect the committee with folks in
6 the Mayor's office, whether CLA or-- or sorry, State
7 Legislative Affairs or City Legislative Affairs with
8 respect to any plans they have in adjusting any
9 cannabis laws and rules. But again to the
10 Commissioners point, it's not something that we're
11 currently involved in.

12 CHAIR VELÁZQUEZ: Would licensing more legal
13 recreational stores in New York City address the
14 legal cannabis shops?

15 COMMISSIONER MAYUGA: I think again,
16 Councilmember when it comes to things related to
17 cannabis, DCWP is not an agency that is involved in
18 its enforcement or licensing. So we-- As Carlos
19 mentioned, we can certainly connect with SBS, because
20 I know they're supporting that agency or there may be
21 other efforts between the administration at the state
22 level.

23 CHAIR VELÁZQUEZ: In a recent hearing about smoke
24 shops that health, DCWP, and PD covered, is there--
25

1
2 there was a discussion about inspectors. Are there
3 plans to increase the number of inspectors for this?

4 DCWP has always enforced the law. Since whenever
5 we took-- we were mandated to inspect tobacco, and e-
6 cigarette dealer-- retail dealers, we have been
7 inspecting them, sending our inspectors out to
8 conduct certain routine inspections that we do
9 regularly to make sure that there is compliance with
10 the licenses, in terms of specifically like I said
11 underage youth, and then also to make sure that we
12 address any unlicensed activity. So we will continue
13 to does that work. It has become the largest number
14 of complaints. So, you know, it's-- we're constantly
15 looking at where should our focus be? And that
16 certainly is an area of focus for our agency right
17 now, just together with efforts by the mayor.

18 CHAIR VELÁZQUEZ: Um--

19 ASSISTANT COMMISSIONER ORTIZ: Can I also add
20 Councilmember, we of course are working closely with
21 OMB to meet our service needs. That said, you know,
22 when I'm comparing the inspection numbers that we had
23 of-- of tobacco retail dealers, and electronic
24 cigarette retail dealers this year, that was about
25 15,500. Last year was 7,300. It's an 111% increase

1
2 in inspection activity. And I think this really
3 speaks to the point that the Commissioner is making
4 about strategically allocating our resources based on
5 what we're hearing from you, from members of the
6 community, from all sectors, about how these-- these
7 unlicensed-- these smoke shops that have not been
8 licensed by the State, how they're affecting our
9 needs here.

10 So ultimately, the Administration has been a
11 close partner in terms of our resource needs. We
12 also work to create efficiencies and strategically
13 allocate resources, and certainly always will-- are
14 open to conversation with the Council about what else
15 we can be doing.

16 CHAIR VELÁZQUEZ: So I mean, do you have an
17 estimate as to how much that increase would be? And
18 financially, how much would that be for your
19 department? Of what percentage of your funding or
20 your budget?

21 COMMISSIONER MAYUGA: Councilmember we would have
22 to-- you know, we would have to look at what we're
23 currently doing, and how can that work be expanded?
24 I actually would like to have my General Counsel
25 share also a little bit with you when it comes to

1
2 enforcement of the licenses of TRDs, Tobacco Retail
3 Dealers, and e-cigarettes because I think there's a
4 number of steps there, and it might give you a better
5 sense also of the various factors that impact this
6 work, from our perspective as it relates to tobacco
7 and e-cigarette retail dealers.

8 MR. TIGER: Sure. Thank you, Commissioner. So
9 as Mr. Ortiz and Commissioner Mayuga have indicated,
10 this is the number one consumer complaint that we get
11 now. And so we have allocated our resources
12 significantly towards this work recently. There's a
13 complicated structure for licensing, for both tobacco
14 retail dealers and electronic cigarette retail
15 dealers, that was passed by the Council back in 2017,
16 with community district caps, and certain violations
17 that were-- that mandate revocation of those
18 licenses.

19 So we're always on the lookout, as my colleagues
20 were saying, about especially specific violations
21 that we hear complaints about: Underage sales,
22 flavored tobacco, flavored-- flavored vape sales that
23 can lead to mandatory revocation of the license when
24 those summonses are adjudicated at the Office of
25 Administrative Trials and Hearings.

1
2 So when there are certain amount of those
3 violations, that results in mandatory revocation of
4 those licenses. I think the number is in 2022 was
5 462 tobacco and ECRD licenses were revoked.

6 So it has a very clear effect the work that we do
7 out on the street. Based on the feedback that we get
8 from community members, from councilmembers on what
9 is happening at businesses in your district.

10 CHAIR VELÁZQUEZ: And I guess-- What is DCWP's
11 vision for legalized tax and regulated cannabis
12 market in New York City within the next few years?

13 COMMISSIONER MAYUGA: Again, Councilmember, our--
14 our purview is with the sale of tobacco and e-
15 cigarettes. DCWP does not currently play a role as
16 it relates to the-- to cannabis. We see that as a
17 State function. We understand there might be
18 conversations happening between the Administration
19 and the State. And we will provide comment if there
20 is a bill or any discussions that happen at those
21 levels.

22 CHAIR VELÁZQUEZ: All righty. And then-- Now
23 miscellaneous revenue. DCWP is a revenue-generating
24 agency. What is the department's various revenue
25 streams?

COMMISSIONER MAYUGA: Thank you Councilmember.

We want to focus on-- you know, sometimes the revenue, right?, may come from penalties for our purposes. But I also want to stress that our goal is to achieve compliance with the law. So we are always looking at ways to achieve that and get better at that. We want that education piece to happen both on the end of consumers and workers, and also on the end of businesses. We want them to succeed.

Specifically to any revenue, I would like to pass it on to my First Deputy to share some more information.

FIRST DEPUTY COMMISSIONER MINAYA: Thank you, Councilmember. The main sources of revenue for the agency as the Commissioner mentioned, are civil penalties and fees that we receive through the licensing process, and some of the scale inspections that we do pursuant to our weights and measurement authorities.

CHAIR VELÁZQUEZ: How much did the agency generate in revenues in fiscal 2022?

COMMISSIONER MAYUGA: Thank you Councilmember. We collected \$12 million in civil penalties.

CHAIR VELÁZQUEZ: Sorry. Just doing three things at once. Totally fine. How much does the agency expect to generate in fiscal 2023?

COMMISSIONER MAYUGA: Thank you Councilmember. We really only just started, I guess, in the year. We don't have a number right now. We don't necessarily have a target. Again, our goal is to achieve compliance. Revenue certainly is not what funds us, so we don't necessarily have an incentive to drive it up. We really want to focus on achieving compliance through education to the businesses that when we go and visit and enforce the law, that we're mandated to enforce, and at the same time, educate consumers to make sure that they have the information about their rights.

CHAIR VELÁZQUEZ: And then finally, will there be any new sources of revenue in fiscal 2024?

COMMISSIONER MAYUGA: I don't believe so, Councilmember.

CHAIR VELÁZQUEZ: Okay, so I'm opening it up to questions from my colleagues. I also want to recognize that Councilmembers Farías and Abreu have joined us. So we'll begin with Councilmember Nurse.

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2 COUNCILMEMBER NURSE: Thank you, Chair. Nice to
3 meet you, Commissioner. I don't think we've ever met
4 before. I just have some questions about the street
5 vending. Obviously, because now it's being dumped on
6 sanitation. I had some questions just in terms of
7 how, you know-- The SVAB be had their final meeting
8 almost a year ago today in March of 2022. This
9 announcement comes almost a year from that. At what
10 point was the conversation starting with the
11 administration of saying, "We want to consider
12 sanitation."

13 COMMISSIONER MAYUGA: Thank you, Councilmember.
14 It is great to see you. And I do hope we can have
15 many more conversations, and really always trying to
16 bring our services to your district. So-- So I hope
17 we can have more of those. And I think we actually
18 stood together in the in the celebration or maybe not
19 celebration, but overtime pay equity, the day of my
20 hearing last year, in front of the steps. So that
21 was a thing the first time at least I saw you. I
22 think you're right, I don't think we got to meet, but
23 I hope we can have many more conversations.

24 We have encountered a number of challenges that I
25 shared earlier, in terms of when it comes to street

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2 vendor enforcement, and I want to really reiterate
3 that, we are still going to be handling the licensing
4 fees.

5 COUNCILMEMBER NURSE: Do you know when the
6 conversation started? Just so I don't run out my
7 clock.

8 COMMISSIONER MAYUGA: Oh, I'm so sorry. I didn't
9 mean to do that. I'm actually going to then have my
10 Assistant Commissioner first tell you a little bit
11 more. He was our point of contact for the-- with the
12 board.

13 COUNCILMEMBER NURSE: Thank you.

14 ASSISTANT COMMISSIONER ORTIZ: Yeah, I think-- I
15 don't know if I have a specific date in mind. But I
16 think over-- definitely over the past summer, for
17 sure, we identified that this was going to be-- the
18 ongoing legal and operational challenges were going
19 to be difficult for us. You know, ultimately, we--
20 we had to work closely with the Adams-- with the
21 Administration and with our partners to identify
22 where the next place-- where the next best place
23 would be to do that work. And I think we believe
24 that sanitation is the best place.

25 COUNCILMEMBER NURSE: So in the summer.

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2 ASSISTANT COMMISSIONER ORTIZ: I would say that
3 over the summers is-- for clarity is when we've
4 identified that these operational and legal
5 challenges were.

6 COUNCILMEMBER NURSE: Okay. And when did you
7 identify that sanitation would be the one? I guess
8 my thing-- my question: At any point, have you
9 engaged the Street Vendor Advisory Board?

10 ASSISTANT COMMISSIONER ORTIZ: I believe that--
11 I believe that with this-- with this moving
12 transition, that sanitation is working with your
13 office as well.

14 COUNCILMEMBER NURSE: But you've never-- you've
15 never had a conversation with the Street Vendor
16 Advisory Board?

17 ASSISTANT COMMISSIONER ORTIZ: With respect to
18 the Street Vendor Advisory Board, that meets once a
19 year now, annually before June 1. The discussions of
20 those board meetings are supposed to be about the
21 release of--

22 COUNCILMEMBER NURSE: My understanding was that
23 they are about--
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2 ASSISTANT COMMISSIONER ORTIZ: --supervisory
3 licenses, not necessarily about the Office, or
4 treatment, or enforcement.

5 COUNCILMEMBER NURSE: So there's just been no
6 conversation with the group of small businesses that
7 would-- this would impact?

8 ASSISTANT COMMISSIONER ORTIZ: Councilmember, I
9 think ultimately, like the-- the administration is--
10 is committed to making this-- making this succeed,
11 and they are, and there will be--

12 COUNCILMEMBER NURSE: I understand. I think we
13 all are. I'm just trying to get clarity on whether
14 or not, yes or no, there has been a conversation with
15 any of the formal bodies that have been formed to
16 deal with street vendors. Because there was a whole
17 board put together that put forth recommendations,
18 which I believe were recommendations that are
19 supposed to be in concert or in collaboration with
20 your agency to improve and put solutions on the table
21 to make the situation better. And yet there has not
22 been a conversation with them since those
23 recommendations have been put forward. And I'm just
24 trying to get clarity on: Yes or no, if that's true.

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2 ASSISTANT COMMISSIONER ORTIZ: Oh, to be clear,
3 during the Street Vendor Advisory Board
4 conversations, there was discussions about a
5 different-- a different-- about the Office of Street
6 Vendors being in a different place in DCWP. So that
7 definitely happened.

8 Now with respect to moving-- the conversations
9 moving forward, I know the administration is
10 committed to having those conversations with the
11 Street Vendor Project.

12 COUNCILMEMBER NURSE: Yes. I imagine moving
13 forward, there will be a lot of conversation.

14 A question from me about what you all have done
15 in 2022. How many tickets were issued to vendors in
16 2022? And-- Or how many inspections and how many
17 tickets?

18 ASSISTANT COMMISSIONER ORTIZ: Oh, thank you.
19 I'm in 2022, we conducted about 15,000 inspections.
20 With respect to summonses, over the past two years--
21 over the past two years, we've-- we've issued 4,300
22 summonses.

23 COUNCILMEMBER NURSE: Okay, and then you can
24 follow up--
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2 ASSISTANT COMMISSIONER ORTIZ: Sorry. I have the
3 exact I have the exact number for this year.

4 COUNCILMEMBER NURSE: Okay.

5 ASSISTANT COMMISSIONER ORTIZ: In 2022, we issued
6 3300 summonses.

7 COUNCILMEMBER NURSE: Okay. In in your opening
8 statement, Commissioner, you alluded, or you
9 mentioned that some of the challenges you face was
10 violence and aggression coming from vendors towards
11 your inspectors. Without really much specificity,
12 that's kind of a alarming statement, right? So is
13 there a percentage or-- of how many inspections done?
14 Like, what percentage of that was of that nature?

15 COMMISSIONER MAYUGA: Thank you, Councilmember.
16 Yeah. It was certainly a concern of our inspectors
17 when they were going out there to try to enforce
18 street vending. One of the things that we took a lot
19 of pride in was one of the things that I mentioned
20 earlier with the language, right?, capability. So we
21 often sent inspectors that had the same language
22 capacity of the vendors that we expected to encounter
23 in the area.

24 I don't have right now a percentage of the times
25 when that happened, but if you--

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2 COUNCILMEMBER NURSE: A followup-- If I could
3 request a followup of that.

4 COMMISSIONER MAYUGA: Absolutely. We think
5 that's also helpful for the transition to keep in
6 mind. We want to make sure that all the information
7 is-- is available to make it successful.

8 COUNCILMEMBER NURSE: Okay. Okay, I'll go for a
9 second round. Thanks, Chair.

10 CHAIR VELÁZQUEZ: Councilmember Brewer?

11 COUNCILMEMBER BREWER: Thank you, um, just in
12 terms of-- I'm very aware, because I've been out with
13 the Sheriff a few times. So I'm very aware of-- that
14 you only do the tobacco. But when-- And when we
15 would go to the sites in the drawer, because we
16 opened all the drawers, would be the summonses that
17 you had, understandably, levied, and it would be a
18 copy of what the violations are. So we opened all
19 the drawers. So-- but the coordination though, so
20 the service folks, were-- were pleased, but not
21 knowing that there had been that kind of-- that you
22 had been there.

23 So do you coordinate with the Sheriff on things
24 like that? Because he didn't know that you had been
25 there, according to him at that moment.

COMMISSIONER MAYUGA: Thank you, Councilmember.

We certainly aim to coordinate. We do our part of the taskforce. We continue to do inspections outside of the taskforce as well, to inspect the licensed businesses, and if we get complaints about unlicensed businesses. When we observe cannabis, we report it to the taskforce as well. So if there is a specific instance, we would certainly want to make sure that we are checking with the sheriff and ensure that there's no gaps so that we can be effective and efficient.

COUNCILMEMBER BREWER: Okay. Because that would be helpful for him to know. I think that it went to the taskforce, but it never got to the Sheriff, just so you know. It happened twice.

ASSISTANT COMMISSIONER ORTIZ: I just wanted to add, I think--

COUNCILMEMBER BREWER: I'm an expert on going-- I even know all the different types of marijuana and cannabis, which I didn't know before.

ASSISTANT COMMISSIONER ORTIZ: I did want to add that, you know, as we become-- as the work of this taskforce has-- has become deeper and more-- and more coordinated. You know, before-- The taskforce and

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2 our enforcement team does communicate before every
3 inspection to check for licenses, check the status of
4 licenses. We also communicate back in our
5 independent inspections whether we've seen cannabis.
6 So I think, um, you know, certainly the staff members
7 on the taskforce are in communication with our team.
8 And we can certainly work always to make that
9 communication tighter.

10 COUNCILMEMBER BREWER: Okay. The other question
11 I have is just about pricing. And people are
12 supposed to-- the store is supposed to have their
13 prices, obviously displayed. And I know that you do
14 that. So do you know how many inspections you do
15 along those lines? Obviously, I know that the micro-
16 fulfillment centers, were not doing that. And I have
17 been-- harped on them recently. I certainly did harp
18 on them quite a bit when they first arrived. But I
19 do think that they still are not pricing. I think,
20 at least the one I've been in, but it's not across
21 the board. And I do wonder, given all your many, you
22 know, commitments, if you're still doing enough of
23 that pricing. Because I do think in today's times
24 people need to know the prices because they are so
25 incredibly high.

1
2 COMMISSIONER MAYUGA: Thank you, Councilmember.

3 We certainly want to make sure that we're addressing
4 the problems and the issues, the challenges that New
5 Yorkers are facing. We have our complaints. Our
6 largest categories of complaints that we receive is
7 related to the tobacco enforcement, and certainly
8 sometimes grocery/retail. So if there is something
9 that we should be addressing specifically, we will
10 want to make sure we get those details. I know, my
11 General Counsel, you know, oversees a lot of that.
12 So I want him to give you a little bit more
13 information as well.

14 COUNCILMEMBER BREWER: Okay. I don't know if it
15 just complaint-based, or you do some surprises.

16 MR. TIGER: No, we still we do-- we very much
17 still do consumer-protection-oriented work in the
18 field with our patrol inspectors and our enforcement
19 division. I mean, one of the overall themes that we
20 want the Council-- the Committee to take from this is
21 that our core consumer and worker protection work is
22 where we are best-positioned to focus our-- focus our
23 labors, and we think that we can really bring our
24 expertise to bear for the better of all our
25 communities.

1
2 So this is definitely something that we have been
3 doing in 2022. And we'll continue to do in the
4 future.

5 COUNCILMEMBER BREWER: But do you have any
6 numbers as to how many proactive consumer protection-
7 -I don't know what you call--visits? you have made,
8 that kind of thing?

9 MR. TIGER: I don't think we have that sliced
10 exactly that way here. We have different business
11 categories, how many inspections there are. But we
12 can-- we can get back to you.

13 COUNCILMEMBER BREWER: Get that to me?

14 MR. TIGER: We can.

15 COUNCILMEMBER BREWER: Okay. And then the other
16 thing is on paid sick days, as you know, that was a
17 bill that I passed a long time ago. I know that you
18 have been, to your credit, levying, you know, any
19 kind of-- Chipotle being the perhaps the biggest one,
20 but you have been working to make sure that people
21 have-- follow the law.

22 However, what about education? Because there's
23 still an awful lot of people who don't know about
24 paid sick days. And I didn't know if you're the ones
25

1
2 that do education, or is it a different agency to do
3 education? That's my question.

4 COMMISSIONER MAYUGA: Thank you, Councilmember.

5 We-- We do aim to do a lot of education.

6 Unfortunately, I think there's still a lot of people
7 who don't know about that, right? So we-- it's a
8 constant work to do that. We do it through our
9 inspectors. Also for the businesses. When we do the
10 educational visits, we make sure that they know about
11 it. And then we do a lot of outreach events to make
12 sure that individuals know. Carlos, again, is in
13 charge of all that outreach. So I want to I want him
14 to give you a little bit more detail about those
15 efforts.

16 ASSISTANT COMMISSIONER ORTIZ: Yes, thank you,
17 Commissioner.

18 We have a mighty-- a small-but-mighty outreach
19 team that goes out and does educational events with
20 constituents in New York City, over the course of
21 2022, over 620 events, tens of thousands of New
22 Yorkers. Pay Save and Sick Leave is an utmost
23 importance to us to educate on. Ultimately, I think
24 we would always appreciate greater partnerships
25 around Pay Save and Sick Leave. For me outreach is

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2 both about breadth but also depth in reaching
3 communities and touching them consistently with new
4 information or more information. So for sure, this
5 is something that we will be happy to work with the
6 Council on with your office specifically on.

7 COUNCILMEMBER BREWER: So I have a bill which the
8 Health Committee is kindly hearing soon to have more
9 information in pharmacies et cetera. Because
10 hopefully people-- unfortunately or fortunately -- go
11 there to get medication and hopefully would learn
12 more about paid sick days. But we do need to tell
13 more people. It is-- there's no way that you can,
14 except from a complaint based, know. But we need
15 more people to know, so they can complain if it's not
16 being followed.

17 ASSISTANT COMMISSIONER ORTIZ: Pay Save and Sick
18 Leave is a vital minimum labor standard that we feel
19 passionately that New Yorkers need to know about and
20 should have a right to use.

21 COUNCILMEMBER BREWER: Okay, and then just
22 finally, I have a grocery store. I'm not going to
23 name it now, but I sent you letters because it's
24 really unfortunate to me, they're actually
25 overcharging people, and they're adding grocery items

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2 to people's credit cards when they never purchased
3 them. Is that something-- that, I guess falls under
4 consumer protection Is that something that's common?
5 Is it more or less? Is it something that is growing?
6 Or is this been going on for a long time, and it's
7 just something that people do? Pretty outrageous.

8 COMMISSIONER MAYUGA: Thank you Councilmember. I
9 think I'm going to have-- You know, we want to make
10 sure that we're doing, and having the impact where we
11 see it.

12 So if you're seeing it, that's important enough
13 to me, honestly. So we want to make sure that we
14 address it, and then see if there's any trends. I'll
15 have my General Counsel speak to that.

16 MR. TIGER: Yeah. I mean, obviously, this one of
17 the beauties of a forum like this, and our Consumer
18 Services Unit, which is where the intake alarm for
19 the agency is. It allows us to have an ear to the
20 ground about what's happening, what predatory conduct
21 is occurring. So to extent to you've already sent
22 out, you know, we'll-- we'll look back at those and
23 we'll drill down on those complaints. If you have
24 other instances, please, please let us know. And
25 we'll definitely look into that and see if it's a

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2 broader-- a broader prism across the entire city.
3 Again, having an array of consumer complaints that
4 comes in, it allows us-- when some-- when one
5 Councilmember, one constituent points us to
6 something, it allows us to dig deeper.

7 COUNCILMEMBER BREWER: Okay. Because I think--

8 ASSISTANT COMMISSIONER ORTIZ: Councilmember, I
9 just will add that I did receive those letters and I
10 want--

11 COUNCILMEMBER BREWER: I write a lot of letters.

12 ASSISTANT COMMISSIONER ORTIZ: I know. And-- But
13 it's helpful for us, for sure. And we did go out
14 there with inspectors. We tried to identify the
15 overcharging activity. I think now our team is
16 working with the constituents you most recently
17 identified to have our Consumer Services Division,
18 contact that business, get more details from them and
19 figure out how we can get that money back. But we're
20 working on that case, for sure.

21 MR. TIGER: But we do take things like that
22 seriously.

23 COUNCILMEMBER BREWER: Thank you very much. I
24 just will say finally, I know you're doing a lot of
25 work on many topics, but the consumer protection, I

1
2 think, needs to be even more intense. Because I
3 think that in today's world, people think sometimes
4 they can get away with things. I know there's worker
5 protection, but I'd also like to see more emphasis on
6 the consumer protection.

7 COMMISSIONER MAYUGA: Thank you for that. We're
8 looking forward to doing more on that. I think we
9 had some major accomplishments last year. And I
10 think perhaps we also need to do a better job of
11 advertising those accomplishments. Because they are--
12 - they're really nonstop. And you know, sometimes
13 that is the way that we get the trust of the
14 community to come forward and understand that there
15 is something that can be done about a wrong that was
16 done to them.

17 COUNCILMEMBER BREWER: Thank you.

18 COMMISSIONER MAYUGA: So thank you for that
19 feedback.

20 CHAIR VELÁZQUEZ: Now, Councilmember Farías.

21 COUNCILMEMBER FARÍAS: Thank you, Chair. Hello,
22 Team DCWP. Good afternoon. I just wanted to run
23 through some quick questions, from what I've heard of
24 your testimony and just the dialogue today, around
25 cannabis. I just want to go back to that.

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2 I understand that this is fully under the State's
3 jurisdiction right now, between licensing and
4 enforcement. But in terms of licensing and
5 permitting or enforcement that we have, are we saying
6 as a city that we're hoping to never have any
7 jurisdiction or power in regulation or enforcement?

8 ASSISTANT COMMISSIONER ORTIZ: I believe those
9 conversations are happening now with the-- with the
10 Mayor's office. I think it's best if I could connect
11 you with them in terms of what the plans are for the
12 city in that in that sphere of work.

13 COUNCILMEMBER FARÍAS: Okay. You know, we have a
14 bill in the Council that's sponsored by Councilmember
15 Riley to create, you know, an office of cannabis
16 business services, which will help in identifying
17 maybe either DCWP not having any role in its
18 licensing and permitting, or in business services and
19 the regulatory measures.

20 But I just want to, I guess, reiterate or put out
21 there that I don't necessarily know if I agree with
22 us holistically allowing a top-down approach from the
23 State with our five boroughs not having any
24 enforcement or regulatory measures right now.
25 Particularly because, I mean, we have areas like

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2 Councilmember Brewers district that has trucks
3 everywhere that's selling, and I have bodegas in my
4 community that are selling, and we really need to be
5 as consistent as we possibly can in terms of the
6 regulation. Do we happen to have-- Do you folks off
7 the top of your minds, know the breakdown in terms of
8 like the taxes or revenue that we're seeing from any
9 of the enforcement as a city? Does everything go
10 straight-- like in terms of the fines or anything
11 like that, go straight to the state?

12 Councilmember, I can tell you that related to
13 smoke shops, we did collect over \$8 million in 2022.
14 In terms of fines. I'm not talking about taxes,
15 because we don't-- we don't do that piece.

16 COMMITTEE FARIAS: Sure. In 2022 in terms of
17 fines, over \$8 million.

18 ASSISTANT COMMISSIONER ORTIZ: And those are--
19 those are for-- those-- that's for activity related
20 to our licensing regimes. So tobacco retail dealer,
21 and electronic cigarette retail dealer.

22 COUNCILMEMBER FARIAS: Got it. Okay, thanks. I
23 just want to switch a little bit over to the DSNY
24 taking over for you folks on enforcement around
25 street vending. I just wanted to ask questions

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2 around communication to DSNY, if any, around
3 licensing, permitting information, and proper
4 enforcement. Is there a protocol that's going to be
5 set in place in terms of who you approve to have a
6 license, or permit and how that information is
7 transferred out to the agency that will be enforcing?

8 COMMISSIONER MAYUGA: Thank you, Councilmember.
9 That's right. We are continuing to do the licensing
10 fees. And we will always be working with our sister
11 agencies that may have any dealings with street
12 vending enforcement, so that they are aware who's
13 licensed. I mean, the vendors do have the license to
14 produce, and they can certainly show that, but as
15 part of the transition, we are sharing information,
16 and we expect to continue to share information in
17 whichever way makes it effective.

18 COUNCILMEMBER FARÍAS: So let's say a vendor
19 doesn't have their license on them that day and
20 doesn't know their number off the top of their head.
21 How will a DSNY agent go off of a call that they get
22 to go and force to verify that it's a licensed
23 vendor?

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2 COMMISSIONER MAYUGA: I can't really speak for
3 the sanitation department, and what ultimately what
4 would be their protocols--

5 COUNCILMEMBER FARÍAS: What would you be
6 providing them to make it accessible?

7 COMMISSIONER MAYUGA: Whatever information they
8 need to make sure that they-- they know who's
9 licensed and who's not-- who's not licensed.

10 COUNCILMEMBER FARÍAS: I guess I'm-- maybe I'm
11 not being clear. I'm just asking what-- Is there a
12 setup protocol in place. Like an agent goes out to
13 me, and someone has said I'm an unlicensed vendor.
14 How does the agent come to me and ask me-- other
15 than-- if I don't have my license on me to produce,
16 how will they vet that in that moment, other than
17 going off of the word of mouth of the person that--

18 COMMISSIONER MAYUGA: Sure. We'll be working
19 with sanitation during, you know, the next couple of
20 weeks, and whenever-- as long as it takes to make
21 sure that the right protocols are in place. I'll
22 have Carlos also add anything else that they may have
23 been in conversations that he was part of.

24 ASSISTANT COMMISSIONER ORTIZ: Yeah. I think,
25 ultimately under Title 20 and Title 17, street

1
2 vendors are required to have their licenses and
3 present them. And if-- that's the requirement of a
4 street vendor, if you're operating in New York City.

5 COUNCILMEMBER FARÍAS: Okay, so--

6 ASSISTANT COMMISSIONER ORTIZ: And that's part of
7 what's-- part of what we communicate in terms of both
8 educational measures and our enforcement measures.

9 COUNCILMEMBER FARÍAS: Yeah. Will we have a
10 digital database that DSNY and-- and DCWP have access
11 to that have a roster of all the licensed and
12 approved vendors?

13 ASSISTANT COMMISSIONER ORTIZ: I believe-- I
14 believe on New York City Open Data, we do have our
15 general vendor licenses available--

16 COUNCILMEMBER FARÍAS: Open Data-- I'm sorry. I
17 don't mean to cut you off. Open Data is the worst
18 aggregated data we have in New York City. I will put
19 that on record. It is not reliable.

20 COMMISSIONER MAYUGA: Councilmember, you know, I
21 think-- It's an issue, right? I mean, I hear you
22 raising it. So I just want to make sure that you'll
23 at least hear me say that "We've heard it. We will
24 work on it." We will share it with sanitation. I
25 encourage you to reach out to them as well, to make

1
2 sure that it's-- we address that as a concern as we
3 work on the transition.

4 COUNCILMEMBER FARÍAS: Absolutely. I mean, I
5 think part of this too, the mayor's goal is to
6 streamline our city agencies. So this should be part
7 of the goal is to make sure it's streamlined, and
8 it's open and available and transparent, and we have
9 the least amount of hiccups as possible.

10 ASSISTANT COMMISSIONER ORTIZ: Can I also-- I
11 mean, I also wanted to add that we do have a license,
12 lookup on our website as well.

13 COUNCILMEMBER FARÍAS: Okay.

14 ASSISTANT COMMISSIONER ORTIZ: And additionally,
15 in terms of mobile food vendors, those licenses and
16 those permits are held by the Department of Health.

17 COUNCILMEMBER FARÍAS: Sure.

18 ASSISTANT COMMISSIONER ORTIZ: So I think it'd be
19 important to also to-- to include those folks in
20 these meetings as well, which we-- you know, we're
21 happy to be part of to facilitate this transition to
22 be successful.

23 COUNCILMEMBER FARÍAS: Awesome. Yeah, I mean--
24 and Chair, forgive me for taking up additional time.
25 Just, I guess for us on our ends. And I think just

1
2 citywide, as many black-and-white on paper, like,
3 listed ways that we know, that open, transparent data
4 is being provided and accessible. It is the most
5 helpful.

6 And I just have just a quick couple of questions.
7 Have we discussed-- Have you been a part of any
8 discussions with DSNY-- And I know you cannot speak
9 on their-- their behalf, but any discussions on how
10 vendors, products, or food will be managed upon them
11 not being licensed?

12 COMMISSIONER MAYUGA: It is part of the
13 discussions and part of the transition. I mean, I
14 think it's important to know that sanitation has been
15 part of street vending enforcement with us and other
16 agencies, depending on the area and what we expect to
17 encounter. There has been collaboration already
18 happening. So I also want to make sure that that's--
19 you know, that we remember that. This is not like, I
20 haven't been involved, like, "Alright sanitation.
21 Here you go." We have been collaborating for the
22 last two years with a number of agencies depending on
23 where we're going, and the issues that we-- that we
24 encounter. So the conversations are ongoing, and the
25 collective knowledge of those experiences are coming

1
2 together to make sure that this is an effective and
3 efficient transition.

4 COUNCILMEMBER FARÍAS: Great. And then just my
5 last question, do you folks happen to have the
6 breakdown of licenses for like veterans, women, et
7 cetera? Do you have that breakdown?

8 COMMISSIONER MAYUGA: Let me take a minute to
9 find out we have it here. We don't have it here.
10 But we can certainly provide that piece.

11 ASSISTANT COMMISSIONER ORTIZ: In terms of-- In
12 terms of general vendors, the cap for general vendors
13 is 853. And then anything above that would be
14 veteran vendors.

15 COUNCILMEMBER FARÍAS: Okay.

16 ASSISTANT COMMISSIONER ORTIZ: I'm sorry, and
17 when I say "the cap", it's a cap for 806-- Bless you.
18 The cap is 853 for non-veterans, and then any-- any
19 additional folks would be veterans.

20 COUNCILMEMBER FARÍAS: Okay, great. If you can
21 get us those numbers, like specifically, that would
22 be great. And then are we-- My last one. Last--
23 Final. I swear. I know I said that last time.

24 Are we looking at ways or any time to expand
25 these permits and licenses for any of the categories?

1
2 COMMISSIONER MAYUGA: Thank you. We understand
3 that's a very nuanced question. And we certainly
4 would be happy to have conversations to discuss what
5 that could look like.

6 COUNCILMEMBER FARÍAS: Great. Thank you. Thank
7 you Chair for the additional time.

8 CHAIR VELÁZQUEZ: Sure thing. Now we're entering
9 the second round of questions. Very quickly, one of
10 the first ones I had was: You had mentioned that you
11 chatted with the street vendors advisory board about
12 your operational concerns and overall issues. Can
13 you let me know what issues you expressed to them and
14 what the biggest problems your agency faces,
15 especially in the summer months?

16 COMMISSIONER MAYUGA: Thank you Councilmember, I
17 think we try to always have ongoing conversations for
18 sure. And there's a number of issues that we've been
19 raising, and there is a dialogue. We certainly want
20 to look at it that way, not just one way. Again,
21 Carlos has been a part of-- part of a lot of those
22 conversations, and has been leading those efforts and
23 those conversations for our agency. So I'll pass it
24 on to him to share a little bit more detail.

1
2 ASSISTANT COMMISSIONER ORTIZ: Yeah, I think, um,
3 you know, ultimately, we've had a two-year sample
4 size of our enforcement of-- of street vending
5 activity. And the street vendor advisory board was
6 certainly a diverse composition of stakeholders in
7 New York City, whether it was brick and mortars,
8 unions, advocates for immigrants, advocates for
9 street for street vendors. Certainly the challenges
10 that we had, that the Commissioner mentioned: Not
11 being able to compel ID, not being able to issue a
12 summons, and essentially not being able to, kind of,
13 establish any type of deterrence for repeated
14 activity. I think those all were shared over the
15 course of the Street Vendor Advisory Board, and that
16 was-- that process underwent at least six months, if
17 not more, six to eight months. If not, if I'm not
18 mistaken. At least six months, but uh, I think you
19 know, the work that we've done here, over the course
20 of these two years, all the inspections, you know,
21 all the summonses.

22 We worked diligently on street vendor
23 enforcement. And our team worked very hard on this.
24 But ultimately, these legal and operational
25 challenges made it made it something that we

1
2 shouldn't have been doing. And ultimately this can
3 make us-- this can allow us to refocus our-- our work
4 on our core mission, whether that's consumer
5 protection, worker protection, or financial
6 empowerment.

7 CHAIR VELÁZQUEZ: And just to clarify, I know I
8 just mentioned the group, but the Street Vendor
9 Advisory Board consisted of what stakeholders? Who
10 were the stakeholders in that conversation?

11 ASSISTANT COMMISSIONER ORTIZ: There was-- I
12 could try to remember very quickly. On the agency
13 side, there were five agencies, us, PD, DOHMH, DOT,
14 and SBS. There were also 10 stakeholders from the
15 community, each appointed either from the Speaker--
16 Speaker Johnson at the time, or Mayor de Blasio at
17 the time. These included various reps from the
18 Street Vendor Project, NYIC, UFCW. Somebody just
19 passed me this, but I can't read it. It's too small,
20 UFC-- UFCW, the Brooklyn Chamber of Commerce, the
21 Downtown Brooklyn partnership, I believe also the
22 Sunset Park BID. And I-- if I didn't get to 10,
23 there's one or two folks I might be missing there.
24 But I-- it was certainly a very diverse group, 15
25 members in total.

1
2 CHAIR VELÁZQUEZ: Thank you for that. And thank
3 you for clarifying. Now moving back to a statement
4 in question that Councilmember Fariás had asked: You
5 had given me \$8 million for fiscal year 22 for the
6 fines, violations related to tobacco, illegal or
7 unlicensed tobacco sales. What do you have for
8 fiscal year 23 so far? And what are you what's your
9 forecast for 24?

10 COMMISSIONER MAYUGA: We don't-- I don't have
11 those numbers for you right now on-- on the current
12 year. We just-- We brought in what was for the
13 budget for the last year. So-- It's a little early
14 also, for us to find out what we have. Again, we
15 really tried to focus on-- on the compliance and try
16 to put our efforts into that, to make sure that the
17 various businesses that we have to enforce the law
18 against have the information they need to succeed.

19 CHAIR VELÁZQUEZ: Perfect. And then I'm going to
20 read several questions from Councilmember Cabán, who
21 unfortunately, had to dash, and because of the delay
22 couldn't ask them.

23 So how many staff are assigned to fast food Just
24 Cause enforcement?
25

1
2 And this is-- we're going back to Local Law- I
3 believe, hold on.

4 COMMISSIONER MAYUGA: We currently have, I think,
5 44 in the Office of Labor Policy and Standards.

6 CHAIR VELÁZQUEZ: And then how long does an
7 investigation typically take?

8 COMMISSIONER MAYUGA: Related to worker
9 protection?

10 CHAIR VELÁZQUEZ: Yes.

11 COMMISSIONER MAYUGA: There's-- It varies a lot.
12 There are a lot of factors that impact our
13 investigations when it comes to any of our cases.
14 Specifically, with worker protection, it depends on,
15 you know, how many complaints we receive, what is
16 the-- the scope of the investigation that we decide
17 to pursue based on the complaints that we received,
18 and certainly, you know, the time period that goes
19 into it.

20 There's a lot of conversations that happen with
21 the complainants directly, with the company, the
22 employer that we're investigating, requests for
23 records, attempts to-- to settle a case, possibly
24 filing a case at OATH. So it really varies a lot in
25 terms of how long it would take.

CHAIR VELÁZQUEZ: How about specifically for fast food Just Cause investigation. Is it the same? Is it that amount still?

COMMISSIONER MAYUGA: It really is the same. Especially when it comes to Just Cause, so much of it depends on individual workers, right? We have the case that I mentioned in my testimony with the Starbucks worker that was terminated. That's one individual, right?, that we are going to focus on making sure that if that individual wants to have their job back, we can focus on that first. We want the worker to be able to get their job back if we find that it substantiated the complaints. But certainly there are other violations related to Just Cause that could take longer depending on again, what is the scope of the investigation and how long it may take.

[18 SECONDS SILENCE]

Councilmember, I'm looking at our PMMR, where we do have a median number of days to close investigations in worker protection. For fiscal year 22, it was 143.

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2 CHAIR VELÁZQUEZ: Thank you. And so what factors
3 make an investigation last longer? What makes them
4 resolve more quickly?

5 COMMISSIONER MAYUGA: Well think it's a little
6 bit of what I mentioned, or it's what I mentioned
7 earlier. We're going to see how many complaints
8 we're receiving. That determines the scope of our
9 investigation. So it could be even one complaint,
10 but based on the allegations that are made on that
11 complaint and how we engage with the complainant to
12 ask more for more information, we may do an
13 investigation that involves, when it comes to fair
14 work, which relates a lot to fast food, it could be
15 one store, it could be multiple stores, it could be
16 100 stories, right? That was the situation with
17 Chipotle. And that took a very long time, because it
18 certainly is going to add a little bit to the
19 complexity of the case. It is going to require that
20 we have multiple conversations also with the employer
21 to ensure that we get the necessary records so that
22 we can make the right determination, and then engage
23 with them and try to resolve the issue. We're always
24 going to be trying to make the workers whole at the
25 same time as we work towards compliance from the

1
2 company, if there's any misunderstanding of the law
3 so that we can address that. And once we resolve a
4 case, that we can move forward in ensuring
5 compliance.

6 CHAIR VELÁZQUEZ: What happens and what is the
7 timeline if the case needs to be litigated?

8 COMMISSIONER MAYUGA: Say that again. What is
9 the...?

10 CHAIR VELÁZQUEZ: What happens? And what is the
11 timeline if the case needs to be litigated?

12 COMMISSIONER MAYUGA: If the case needs to be
13 litigated, a lot of the time line falls outside of
14 our hands. I mean, we certainly had to file at OATH,
15 which is another city agency. They're going to have
16 their own procedures in assigning a hearing officer
17 or a judge depending on the case. And then how long
18 that takes to to be heard. It could be multiple
19 days. We're going to always try to settle the case,
20 even after we file. So that may put a pause on the
21 litigation moving forward. And we're trying to get
22 back to the table to negotiate a settlement.

23 CHAIR VELÁZQUEZ: What are the current staffing
24 levels for the enforcement of Fast Food Just Cause?

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2 COMMISSIONER MAYUGA: That is all within the
3 Office of Labor Policy and Standards, the headcount
4 of 44 that I shared earlier. There's a combination
5 of attorneys and intake workers, as well as data
6 scientists so that we can look at all the
7 information.

8 CHAIR VELÁZQUEZ: Are current staffing levels for
9 this, enough to meet the demand.

10 COMMISSIONER MAYUGA: We have accomplished a lot
11 in the last year. We had-- Even as my First Deputy
12 shared, had a lower headcount last year, and we still
13 accomplish those groundbreaking cases related to Fair
14 Work Week. There was a lot more that I didn't
15 mention in my-- in my testimony. So we are going to
16 continue to work towards more compliance from the
17 businesses and more education from the workers. If
18 there any concerns about violations, and we really
19 just invite any of the councilmembers to please let
20 us know or encourage their constituents to bring
21 complaints with us so that we can address them
22 promptly.

23 CHAIR VELÁZQUEZ: Do you anticipate current
24 demand staying the same throughout 2023? If not, how
25 do you foresee it changing?

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2 COMMISSIONER MAYUGA: So sorry. Can you repeat
3 that?

4 CHAIR VELÁZQUEZ: Do you anticipate current
5 demand staying the same throughout 2023, of basically
6 the enforcement agents? If not, how do you foresee
7 it changing?

8 COMMISSIONER MAYUGA: We are always looking for
9 ways to be more efficient in the work that we do. I
10 think we're very proud to mention our data scientists
11 for example, in a worker protection cases. It has
12 really helped us address the cases that come in very
13 large-- very large amounts, not just in money, but in
14 the number of workers who may be impacted by these
15 laws. I can tell you because I used to work at the
16 Department of Labor, and it was wonderful to come
17 here and have the data scientists at the city level
18 to look at this information in a way that's going to
19 help us.

20 So we're always going to be looking at ways to be
21 more efficient, to move faster. At the moment, I
22 think we are accomplishing wonderful work. We are
23 getting incredible results. And we look forward to
24 just addressing it any complaints that come our way.

CHAIR VELÁZQUEZ: What impact will this have with respect to staffing needs? With regards to the demand changing for the Fair Work Week?

COMMISSIONER MAYUGA: I mean-- When I say-- When I mentioned it earlier, we are-- it's an exercise that we engage in throughout the year to look at where, you know, our strategize seen, where our vacancies. If there are any new mandates, we will definitely want to have a conversation about new needs, together with the City Council as legislation may be drafted, and certainly with OMB.

So that's-- that's what we look towards. Right now, we are very proud of the work that we've done in enforcing the Fair Work Week Law, the Just Cause protections, Pay Save and Sick Leave. Lime Councilmember Brewer mentioned, a lot of people still may not know about it. When we get a complaint from a worker, we also just look at any of the-- of the laws that we enforce, right? Somebody might have a complaint related to Fair Work Week, but we're going to ask them questions about Pay Save and Sick Leave.

Another effort that we've engaged recently, a pilot that we launched in December, right?, specific to paid care, domestic workers. We know that

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2 different cases are going to require a different
3 approach. So that's another-- that's something else
4 that we do. We're constantly looking about creative
5 ways to address the various issues that are brought
6 before us. With the Paid Care Mediation Program, we
7 really ask that you help us spread the word about it.
8 It's a way for us to, through mediation, professional
9 mediators at the Office of Administrative Trials and
10 Hearings, we are asking workers and their employers
11 to come in and try to resolve any workplace issues
12 that they may see, whether it is related to our laws,
13 or even minimum wage laws that are generally enforced
14 by the state.

15 CHAIR VELÁZQUEZ: Thank you. Now Councilmember
16 Abreu.

17 COUNCILMEMBER ABREU: Thank you, Commissioner.
18 My question is: How can DCWP strengthen the role and
19 partnership with worker advocates to make sure the
20 mission of the Fair Work Week and Just Cause, and
21 Fair Work laws are realized?

22 COMMISSIONER MAYUGA: Thank you for that
23 question. I think that goes to the one of the core
24 things that we try to do, which is education.
25 Certainly strong partnership, is like how many--

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2 where do we reach a workers? What's the language
3 that we need to use to reach them? What's the
4 medium? How are the workers going to feel
5 comfortable coming forward, sharing information among
6 themselves, believing that we are here for them? I
7 think we try to do some of that when we publicize the
8 results of our work. We are constantly working with
9 any partners, any willing partners, to share the
10 information education, whether it is flyers, whether
11 you know, it's me going somewhere to talk, whether
12 it's them hearing directly from our investigators,
13 individuals who have come forward and brought cases
14 to us. Again, we do a lot of outreach through--
15 through our external affairs unit. [TO ASSISTANT
16 COMMISSIONER ORTIZ: Is there anything you want add,
17 Carlos?]

18 ASSISTANT COMMISSIONER ORTIZ: I think, to-- We
19 always want to have strong partnerships with
20 community-based organizations, folks that New Yorkers
21 trust that get this information into their hands.

22 I think ultimately, you know, I-- the
23 Commissioner said it best when she mentioned the
24 Mediation Program. It's-- We want people to know
25 about this. We want people to come to us. And

2 certainly we will always work to-- with our team to
3 address these complaints as needed.

4 COUNCILMEMBER ABREU: That's great, for me, it is
5 very significant when DCA, you know, transformed to
6 DCWP, especially when it comes to the enforcement of
7 workplace laws. Can-- Is there a possibility or a
8 world where-- I guess there's a world, but is there a
9 possibility where DCWP can help fast-track workers
10 who are retaliated against for trying to enforce the
11 Fair Work Week laws or-- or Just Cause?

12 COMMISSIONER MAYUGA: Thank you, Councilmember.
13 We do incorporate that into our practices, right now.
14 We certainly gave an example with Just Cause for
15 example, right? If there is an employee who is
16 terminated and they want their job back -- because
17 that's not always the case, and we want to respect
18 the decision from the worker -- we are going to
19 tackle that issue first, so that we can be sure to
20 get this worker back to work as we continue with the
21 rest of the cases. Does that mean that the case is
22 done? We can certainly take care of the more
23 immediate need and then move on. So absolutely, if
24 there's-- please, if there's anybody who feels that
25 hasn't happened, we would love to hear more details

1
2 so that we can be sure that they are-- they are
3 getting their issue addressed right away.

4 COUNCILMEMBER ABREU: Thank you, Commissioner.

5 My last question is: From a budgetary standpoint, is
6 there a shortfall or more resources that we should
7 pursue in this budget cycle, to help you enforce the
8 amazing work that you're doing to protect worker
9 rights?

10 COMMISSIONER MAYUGA: Thank you. It really is
11 wonderful to hear all of you really care about the
12 work that we do, and making sure that we have the
13 proper-- the proper resources.

14 We are constantly engaging in an exercise to find
15 out ourselves, right?-- to look internally. What our
16 processes looking like? Do we get more-- more
17 people? Or is it something else? Is it something
18 that we need to do about technology? Is there
19 something in the processing of things? Is it
20 something we're doing that we shouldn't be doing? So
21 that we can focus in the core mission of our agency?
22 If there are any new needs, any considerations that
23 might work, we certainly want to have those
24 discussions. I think we are constantly also in
25 communications with OMB to make sure that we have the

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2 necessary resources. So those conversations are
3 ongoing. And we know that we have a willing partner
4 in you. And we'll reach out if there is more
5 discussions that we want to have about those.

6 COUNCILMEMBER ABREU: Chair, one last question?

7 CHAIR VELÁZQUEZ: [inaudible]

8 COUNCILMEMBER ABREU: My last question is: When-
9 - From-- Where do the proceeds go from settlements?
10 Do they go to workers for restitution for the most
11 part?

12 COMMISSIONER MAYUGA: Absolutely. That our
13 focus, again, is always going to be on the worker.
14 So that is what we prioritize, looking at monies that
15 are owed to the workers. If you look at our chipotle
16 case, \$20 million, that was all to the workers.
17 There was a million in civil penalties to the city.
18 Similarly, with consumer protection, we have a lot of
19 the of the money that goes to the to the individuals
20 that were deceived. We're going to try to make them
21 whole. That is going to be our priority.

22 COUNCILMEMBER ABREU: I asked that last question
23 because it just speaks to the level of investment
24 that we make in DCWP. So you can be able to enforce
25

2 these rights, means more pocket means more money into
3 the pockets of working families.

4 And so I think this budget cycle, we need to
5 double down and making sure that you have the
6 capacity you need to carry out this work, to make
7 sure that we're-- whether we are seeing
8 discrimination cases or retaliation cases at places
9 like Starbucks, or you know, a place like Chipotle,
10 that you have the resources to go after the bad guys.
11 Thank you so much for your time.

12 COMMISSIONER MAYUGA: I really appreciate it. If
13 I-- If I actually may do a little bit of a plug also
14 for our free tax prep program and financial
15 counseling, because we do get a lot also through
16 that. It's not enforcement about bad actors, but
17 it's really making sure that New Yorkers know how to
18 access most of their money. A lot of individuals who
19 are eligible for the Earned Income Tax Credit, are
20 not required to file tax returns, so they don't, but
21 that will be the way, right?, the mechanism by which
22 they can obtain the largest cash infusion that
23 they're going to get at any one point.

24 And we have amazing stories of like over \$10,000,
25 right?, that through our community-based

2 organizations, our partners that we've contracted to
3 provide these services, we get that money for New
4 Yorkers.

5 So we definitely want to have those-- you know,
6 we want to make sure that our work, everybody knows
7 about it. The more that people come to us, the more
8 we're going to educate them, we're going to handle
9 those. And at the same time, it is ensuring that the
10 businesses have the information they need to comply.

11 So I don't want to I don't want to talk about any
12 single one of them, because I think they're all
13 equally important, and they all bring money back to
14 the pockets of New Yorkers.

15 CHAIR VELÁZQUEZ: I just wanted to--
16 Councilmember Nurse, you had some questions?

17 COUNCILMEMBER NURSE: Yeah. Thank you, Chair. I
18 had questions, more questions on street vending. How
19 many outreach and education staff were on the books
20 last year and went out and did outreach and education
21 to street vendors? Specifically how many people were
22 reached? And how many people you had doing it?

23 COMMISSIONER MAYUGA: Absolutely. Thank you so
24 much. It definitely goes back to one of our focus in
25 making sure that we are out there sharing the

2 information. I'm going to pass it on to Carlos to
3 share those numbers. He oversees the staff that goes
4 out there.

5 And let me just stress that similar to our
6 inspectors who-- when they're out there, they're
7 similarly doing outreach. You know, they are the
8 ones having that-- those frontline conversations with
9 the-- with the vendors. When our outreach team goes,
10 they are similarly equipped in a variety of languages
11 so that we can make sure that there's always that
12 connection more natural if you speak that same
13 language?

14 ASSISTANT COMMISSIONER ORTIZ: Yes, I think
15 overall, right?, we have five folks on our community
16 affairs team and those--

17 COUNCILMEMBER NURSE: Five? You said five?

18 ASSISTANT COMMISSIONER ORTIZ: It's five. And we
19 handle constituent issues as well as outreach. With
20 respect to street vending, as I mentioned, we had
21 that literature that we discussed earlier, which we
22 distribute at outreach events. There's a
23 presentation which we also posted on our website,
24 Facebook Live. We've done--

2 COUNCILMEMBER NURSE: Do you know how many people
3 you've contacted?

4 ASSISTANT COMMISSIONER ORTIZ: I don't have the
5 exact number of people we've contacted, but I
6 remember we have done extensive outreach events in
7 person as well, 21 business education days in high-
8 density corridors where we encountered street
9 vendors. We've-- We've really focused on making
10 sure that folks have this information with respect to
11 our enforcement. Additionally--

12 COUNCILMEMBER NURSE: That's helpful. That's
13 helpful. I just have a few more questions.

14 ASSISTANT COMMISSIONER ORTIZ: Sorry.
15 Additionally, with each of our inspections, it was
16 always an education-first approach. So that was an
17 important part of our work.

18 COUNCILMEMBER NURSE: I just wanted to know the
19 staff and number of folks. For the 16
20 recommendations that came out of the SVAB, can you
21 share specifically how you work to advance the 16
22 achievable recommendations that came out of that a
23 year ago?

24 ASSISTANT COMMISSIONER ORTIZ: I think, um,
25 currently, the Administration is still working with

1
2 respect to certain-- certain amendments that--
3 certain legislation that was required to enact the
4 amendments.

5 I know one major recommendation the city has
6 completed is-- is providing additional small
7 businesses support to street vendors through--
8 through SBS, although I think they would have the
9 specific details on that.

10 COUNCILMEMBER NURSE: Okay, so one out of 16?
11 Are there any other of the 16 recommendations that
12 has been advanced?

13 ASSISTANT COMMISSIONER ORTIZ: As I mentioned,
14 these have to go through a legislative process, so
15 they have not gone through that, the full legislative
16 process to be enacted.

17 COUNCILMEMBER NURSE: Okay, thank you. Can you
18 say or share, just like your-- the nature of your
19 conversations, with SPS?

20 ASSISTANT COMMISSIONER ORTIZ: Our conversation
21 with respect to... education?

22 COUNCILMEMBER NURSE: To the increasing SBS
23 business support programming?

24 ASSISTANT COMMISSIONER ORTIZ: Oh, yes. I mean,
25 when-- when they were putting together that business

1
2 support programming, we work with them to ensure that
3 they had our materials in place, that they had an
4 understanding of what information was important to
5 street vendors.

6 Yeah, I think ultimately, within the-- within
7 this Administration, though, we've been very
8 committed on breaking down the silos and helping--
9 each agency helping each other out appropriately.

10 COUNCILMEMBER NURSE: Okay. And just my last
11 question: For the five community affairs folks that
12 you have, how many-- how many positions were
13 allocated? Were you fully at capacity for what you
14 were budgeted for, for last year in terms of those
15 specific outreach positions?

16 ASSISTANT COMMISSIONER ORTIZ: Yes. All our--
17 all our positions are filled.

18 COUNCILMEMBER NURSE: Okay. And that was-- Was
19 that an increase from the year before?

20 ASSISTANT COMMISSIONER ORTIZ: I believe the year
21 before, we also had five folks. Yeah.

22 COUNCILMEMBER NURSE: So you've not had an
23 increase for fulfilling those positions? You only
24 have five people?

1 109

2 ASSISTANT COMMISSIONER ORTIZ: From 2021 to 2022,
3 we did add three.

4 COUNCILMEMBER NURSE: Okay. And my last
5 question: Do you feel that that was sufficient
6 capacity to engage all the street vendors that you
7 probably needed to engage?

8 ASSISTANT COMMISSIONER ORTIZ: I felt that our
9 team did amazing work--

10 COUNCILMEMBER NURSE: Of course, all of you-- we
11 know that everybody works really hard.

12 ASSISTANT COMMISSIONER ORTIZ: --in coordinating
13 with folks. Yeah.

14 COUNCILMEMBER NURSE: But from your position,
15 given the amount of street vendors out there who
16 could use a lot of support in a lot of different
17 languages, do you think five people was enough?

18 ASSISTANT COMMISSIONER ORTIZ: I think-- I think
19 our team did amazing work. And yes, that was-- that
20 was--

21 COUNCILMEMBER NURSE: That was adequate?

22 ASSISTANT COMMISSIONER ORTIZ: That was work that
23 we needed to have-- to have done. Yes.

24 COMMISSIONER MAYUGA: Yeah, and I think-- I don't
25 want to just only focus on our outreach workers,

2 because again, our inspectors, when they were out,
3 they really engaged in a lot of conversations. I
4 mean, I went on some myself to make sure that I
5 could-- I could observe and have firsthand knowledge
6 on how, you know, how the inspections took place.

7 And it took a long time, because they were not
8 just there, and be like, "Show me your license."

9 COUNCILMEMBER NURSE: I know. That's why I'm
10 saying, like I feel like you don't have enough people
11 to actually engage all these folks, to get them to
12 understand their rights and responsibilities. You
13 know, were there presentations to community boards?
14 Did you enlist the help of councilmembers? Which
15 community-based organizations did you work with to
16 help get the word out that, you know, are the
17 credible messengers with these-- with these folks?
18 You know, from my understanding, there's only been--
19 the last email that happened to-- to Street Vendors
20 Project was March of last year. And this is a major
21 program switch.

22 So I'm just trying to understand, like-- I
23 understand, you see, you know, you're required to say
24 you have sufficient funding. But I mean, from my
25 point of view, five people to cover the amount of

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2 street vendors who might need support and might need
3 to understand their rights and responsibilities, I
4 cannot believe five people is adequate.

5 COMMISSIONER MAYUGA: And what I'm saying is that
6 it wasn't only the five people who do outreach, what
7 I'm saying is that when the inspectors were out doing
8 the inspections, they also provided information to
9 the street vendors to comply-- this is a reference to
10 the plain-language checklist that we were providing
11 when we will go out. That would also happen through
12 the inspection. So there's a number of efforts. It
13 wasn't only through-- through the five outreach
14 workers.

15 COUNCILMEMBER NURSE: How many inspectors do you
16 have?

17 COMMISSIONER MAYUGA: We have 49 inspectors.

18 COUNCILMEMBER NURSE: Thank you.

19 COMMISSIONER MAYUGA: You're welcome.

20 COUNCILMEMBER NURSE: Thank you, Chair.

21 COUNCILMEMBER BREWER: Madam Chair, I just have
22 one quick question. Maybe you asked us but is there
23 a date for the next street vendor taskforce meeting?
24 Or that hasn't been set? Even if it's a month from
25

2 now, two months from now, whatever? And is it an
3 open meeting?

4 ASSISTANT COMMISSIONER ORTIZ: That hasn't been
5 set. There'll be-- It's required to be-- to be
6 before June 1st.

7 COUNCILMEMBER BREWER: It has to be before June
8 1st?

9 ASSISTANT COMMISSIONER ORTIZ: Yes.

10 COUNCILMEMBER BREWER: Thank you. And it's
11 covered by open-meetings law, as far as you know?

12 ASSISTANT COMMISSIONER ORTIZ: I have to double-
13 check that. I'm not sure. But I can get back to you
14 for that.

15 COUNCILMEMBER BREWER: Thank you.

16 CHAIR VELÁZQUEZ: All right. I'm going to ask
17 you a series of questions for PMMR.

18 For DCWP's Office of Financial Empowerment, the
19 number of clients achieving long-term financial goals
20 decreased by three percentage points from 11% in
21 fiscal year 2022 to 8% in fiscal year 2023. Can the
22 department explain why long-term financial success
23 rates have dropped? And what are you doing to
24 increase these numbers? And I know that was super
25 fast. So let me know if you need me to slow down.

1
2 I'm just trying to make sure we keep the translator
3 here in time to help our street vendors.

4 COMMISSIONER MAYUGA: Thank you. Thank you,
5 Councilmember. No, certainly it's-- as you know, I'm
6 very proud of the work that we do across the
7 agencies, but it's really feel-good work when it
8 comes to the Financial-- the Financial Empowerment
9 Centers.

10 We-- Like you said in 2022, 18% of those clients
11 achieved the long-term financial goals. We have a
12 lot of different ways in which we're measuring this
13 and different-- different customers, different New
14 Yorkers are going to have different needs. So that
15 is part of what-- what is reflected in the financial
16 empowerment counselors are going to meet the needs of
17 the consumers that they-- that they meet with.
18 There's going to be a variety of ways. Some of them
19 don't even have a bank account, but some of them may
20 be ready to do other things related to their-- to
21 their financial goals.

22 CHAIR VELÁZQUEZ: Additionally, what can the
23 department do to raise these numbers up more
24 substantially? And what's the difference between
25

2 eight-- excuse me, the difference between eight or
3 eleven seems minimal? Percent, that is.

4 COMMISSIONER MAYUGA: The difference between
5 what? I'm sorry.

6 CHAIR VELÁZQUEZ: Eight and 11% seems minimal.
7 So what can the department do to raise these numbers
8 up more substantially?

9 COMMISSIONER MAYUGA: Well, we hope we can
10 continue to partner with all of you to make sure that
11 New Yorkers know to come to these centers. I mean,
12 myself, I started going to one and it's been an
13 incredible experience. I'll share publicly here how
14 even I was able to get my student loans forgiven,
15 thanks to my meeting with a financial empowerment
16 counselor. Oftentimes, I gave up trying to follow
17 the process that was set at the federal level and I
18 couldn't understand it. And it was having that
19 meeting with the Financial Empowerment Council that
20 got me there.

21 So I think the more we can continue to get the
22 word out, the more we can share the successes of
23 individuals who have gone through that process, the
24 more individuals that we're going to-- we're going to
25 get to come through our doors to meet with the

1
2 counselors and try to achieve their various financial
3 goals.

4 CHAIR VELÁZQUEZ: DCWP's Office of Labor policy
5 and standards OLPS, their restitution increased by
6 2,752%. Due to the multi-million dollar settlement
7 with Chipotle, a case which also accounts for most of
8 the \$1,063,354 increase in penalties assessed, and
9 the more than 13,000 increase in the number of
10 workers entitled to restitution.

11 Excluding this massive case, how has OLPS
12 performed otherwise, and has OLPS been able to get
13 proper restitution for other cases on file?

14 COMMISSIONER MAYUGA: The amount of work the--
15 the results that our Office of Labor Policy and
16 Standards produces for workers, it is outstanding. I
17 think a lot of us think of Chipotle, correctly so, as
18 a big achievement, a big accomplishment because it is
19 a large number.

20 However, there are a lot more cases ongoing.
21 There's also cases that we are very purposeful also
22 when we share the information, because we want to
23 make sure that it reaches the individuals that it
24 needs to reach. And some of that may be more-- more
25 concentrated in a neighborhood. And so we want

1 individuals to know about particular cases. So the--
2 the results that we've achieved through OLPS have
3 really been consistent throughout the years. And we
4 look forward to just doing more of those. I think,
5 again, it goes back to spreading the word about the
6 rights that the workers have, and any opportunity
7 that we haven't encountered with them, we want to
8 make sure that they know about these rights. We want
9 to work with all of you to make sure that as
10 individuals come to your offices or engage with you,
11 they trust you, right? That you are the
12 representatives in the neighborhood. That they feel
13 confident to come forward to us and share any-- any
14 questions. Sometimes it may not result in an
15 investigation, or we may find that there's not a
16 violation of something that perhaps we-- it's under
17 our purview, but we will certainly want to make sure
18 that we connect them and provide them the
19 information. The team game takes a lot of pride in
20 just engaging with the community, passionate workers
21 that we have in public service to ensure that workers
22 are getting what they're supposed to be getting under
23 the rights and specific laws to New York City.
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2 CHAIR VELÁZQUEZ: Businesses participating in
3 engagement and outreach events in fiscal year 22
4 totaled 21,168. The four month actual for fiscal
5 year 22 was 7,020. In this year's PMMR, there was no
6 data on how many businesses were participating. Do
7 you have an idea, or any data on how many are
8 participating now?

9 ASSISTANT COMMISSIONER ORTIZ: I'm sorry,
10 Councilmember. I don't have I don't have the data on
11 the exact amount of businesses participating,
12 although I can follow up with that.

13 I will say in calendar year-- calendar year 2021,
14 we had 85 events. In calendar year 2022, we had 81
15 events. So in terms of the amount we're producing,
16 it's consistent with what we've had in past years.
17 And on the attendees, I can get that for you.

18 CHAIR VELÁZQUEZ: Thank you. Do you guys have
19 any questions for the Admin? Cool, thank you all.

20 COMMISSIONER MAYUGA: Thank you. We're really
21 looking forward to continuing engaging and spreading
22 the word.

23 ASSISTANT COMMISSIONER ORTIZ: And Councilmember,
24 we will make sure we have somebody on the livestream
25

as well for any follow ups that you might need from us.

COUNSEL: Thank you Chair. We will give the Administration an opportunity to collect their things and then we will turn to public testimony. If you're testifying in person, please come up and take a seat at the table and you may begin once the Sergeant has notified you that your time has started. You will have two minutes to testify. So please begin once the time starts.

For panelists on Zoom, once your name is called a member of our staff will unmute you and the Sergeant At Arms will give you the go ahead to begin. So please wait for the Sergeant to announce that you may begin before delivering your testimony.

For those testifying in person, make sure to press the button on the microphone so that the red light goes on so that we can hear your testimony. We do have translation services available on Zoom, so those testifying in person will complete their testimony and then there will be an additional two minutes for translation.

[3 MINUTES SILENCE]

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Our first panel will be in person, will be Mohammed Attia, followed by Sonia Perez, followed by Miletus Morel, followed by Joanna Nabor.

Panelists can come forward and take a seat in these four chairs.

MS. PEREZ: [SPEAKS SPANISH FOR 2 MINUTES]

[TRANSLATOR] I am-- I have been a tamale street vendor in Bushwick. For the last 16 years I've been very involved in the approval of local law 18. During this process, I was-- I was approved to be one of the people on the Board-- on the Council Board in charge of street vendors. We have had a very active role on this.

When they took decisions to change the agency without consulting us, my work was greatly diminished, and to see also that none of our recommendations was taken into account was very difficult, and to see that the city has taken more and more measures against the street vendors, but not to work on the reform, it has also been very hard and also the fact that they're not offering opportunities to us.

So I think that it would be best if they recognized our contributions as street vendors, and

2 we asked the Local Council to put the-- the reform
3 platform to work for us. Thank you very much.

4 COUNSEL: Thank you, can you repeat your name for
5 the record, please? [TRANSLATOR SPEAKS SPANISH]

6 MS. PEREZ: Sonia Perez.

7 CHAIR VELÁZQUEZ: Sonia Perez. Thank you.

8 COUNSEL: Thank you. Thank you. For our next
9 witness, we're going to ask that you testify to just
10 one or two lines and allow the translator to
11 translate. So we're going to have four minutes in
12 total between your testimony and the translation.

13 [TRANSLATOR SPEAKS SPANISH]

14 COUNSEL: You may begin.

15 MS. MOREL: [SPEAKING SPANISH]

16 [TRANSLATOR] My name is Miletus Morel. I'm from
17 Brooklyn, New York. So the objective of this group
18 is that we want to have the opportunity to have a
19 license as street vendors that represents us.
20 Because we want this as a right as people to work and
21 to help the city grow. So we would also want that
22 the sanitation department doesn't have power over us
23 because we are not garbage, we are human beings.

24 And so it's the right and responsibility as
25 people. It's a right and responsibility that God

gives us all to work, and those that don't work cannot eat. Thank you.

[APPLAUSE]

SERGEANT AT ARMS: No applause please. Would you translate that please?

MR. ATTIA: If the interpreter can help us translate, please do not applause, that will be great. [TRANSLATOR SPEAKS]

CHAIR VELÁZQUEZ: Wait can I just translate myself? [SPEAKS SPANISH]

MR. ATTIA: Good afternoon Chair Velázquez and members of the committee. I'm Mohamed Attia, the managing director of the Street Vendor Project.

First of all, I want to acknowledge all our members who are here today, who took today off, sacrificing their income for today. None of these vendors are waiting for a paycheck at the end of the week or the end of the month.

The Street Vendor Project is a membership-based organization with more than 2900 members, street vendors who call York City home and make a living in the streets and sidewalks. I'm here today to share with you the grievance of our members who feel that they are being disrespected and targeted by the City

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2 Hall decision to transition the offers of street
3 vendor enforcement from DCWP to DSNY.

4 According to their website, DSNY's mission is to
5 keep New York City clean, safe, and healthy by
6 collecting, recycling, and disposing of waste.

7 And how is that relevant to street vendor
8 enforcement? What is the administration trying to
9 tell us? Does the Administration considering street
10 vendors waste and recyclables that need to be
11 collected? The number of tickets that were issued by
12 sanitation department to street vendors in the last
13 four years have been the following: 14 tickets in
14 2022, 14 tickets in 2021, two tickets in 2020, and
15 zero tickets in 2019.

16 That's how little the agency knows about street
17 vendors. That's how little they get involved.

18 We'd love to learn from the administration how
19 this decision was made and who was consulted

20 Before, you said there were two members of the
21 Street Vendor Advisory Board, Sonia Perez on myself.

22 We didn't hear a word from the Administration or
23 any city agency about this whole transition and this
24 whole plan. We would love to learn when New York
25 City will start thinking about something different

1
2 than enforcement when they think about street
3 vendors.

4 The Street Vendor Advisory Board report is here.
5 It includes 16 recommendations. The word enforcement
6 cannot be found in any of them.

7 We finally want to acknowledge that DCWP is the
8 appropriate agency to keep the Street Vendor
9 Enforcement, and DSNY should not be involved with
10 Street Vendor Enforcement.

11 I'm happy to answer any questions you may have
12 for us.

13 CHAIR VELÁZQUEZ: Councilmember nurse?

14 COUNCILMEMBER NURSE: Just one question. Okay,
15 I'm going to try with this. Can you speak to the
16 experience of one of your members receiving an
17 inspection and/or a community affairs person from
18 DCWP interaction? What did that interaction look
19 like when they did outreach to any of your members?

20 MR. ATTIA: Sure. So when it gets to education
21 and outreach, what we have heard from our members
22 since early 2021, when they started the outreach
23 efforts.

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2 Sadly, the outreach efforts created more
3 confusion to the street vendors community then being
4 informative to them on the rules and regulations.

5 The materials that were distributed was not
6 clear. It was really confusing language, and they
7 did little to no education efforts and drives in
8 certain neighborhoods. We know that certain
9 neighborhoods probably received more education and
10 outreach, while others never received any information
11 about this whole transition from the NYPD to DCWP.

12 But throughout 2021 and 2022, we have seen that
13 the number of tickets have increased significantly,
14 the number of inspections we heard them earlier from
15 DCWP. But last year in 2022, the number of fines
16 being issued to the street vendors by NYPD and DCWP
17 have almost tripled compared to 2019 prior to the
18 pandemic.

19 I also want to open the floor to my colleagues
20 here who may share their own personal experience.

21 The interpreter was muted. So if you would like
22 to repeat the question, that would be great.

23 [TRANSLATOR TRANSLATES COUNCILMEMBER NURSE'S
24 QUESTION ABOVE ("Can you speak to the experience of
25 one of your members receiving an inspection and/or a

1 125

2 community affairs person from DCWP interaction? What
3 did that interaction look like when they did outreach
4 to any of your members?")]

5 MS. PEREZ: [SPEAKS IN SPANISH] It has been very
6 frustrating because when we go to work we have the
7 urgency to bring \$1 back home. And when they come
8 and pick up our things, we end up with nothing in our
9 pockets. So how do we come back and tell our
10 children that this was not a favorable day of work--
11 at work because they confiscated our things? Or how
12 do we explain to them that there's no money to pay
13 their school?

14 COUNCILMEMBER NURSE: Thank you. Yes, thank you,
15 Chair.

16 CHAIR VELÁZQUEZ: Gracias.

17 COUNSEL: Thank you all. Our next panel will
18 also be an in person panel. You'll be hearing from
19 Anna Lucia Maldonado, Guadalupe Sosa, Minerva
20 Calderon, and Aliza Compos.

21 MS. COMPOS: [SPEAKS SPANISH] [TRANSLATOR:]
22 Good afternoon to all. So today, this is a very
23 important day for street vendors. And first of all,
24 I want to introduce myself. I have been a street
25 vendor for the last 18 years.

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2 So I have been battled a lot as a street vendor.
3 Even from my days in Mexico, I have never been able
4 to stay inside. When I've been inside I even got
5 sick. Ever since I arrived here I have devoted my
6 time to the production of Mexican candy which is what
7 I did there. With sanitation, with the police, a lot
8 of records that couldn't be cleaned. So the judge in
9 fact said that their job-- they were just doing their
10 job, sanitation and the police. But my job is to
11 sell.

12 I would like to ask you, your honors. I have
13 been working all these years in the shadows, in
14 darkness. If you had someone in your family, say
15 your father or your mother, working as street
16 vendors, you suffer a lot.

17 I come from Corona, from Rosedale, from Corona
18 Park. I ask of you please, on behalf of all the
19 street vendors in every county to please go and touch
20 your heart and please allow us to have a dignified
21 place, a license. We are tired of being in the
22 darkness of always running.

23 I am a single mother, in my case. So I am
24 responsible for my rent, for food. I also have my
25 mother who is alone. My dad unfortunately died last

1
2 year. So imagine if I didn't have anything to pay
3 for my expenses.

4 So it is very sad and it is unfortunate to be a
5 street vendor, you're always either in the cold and
6 the heat, and the police already knows us so we
7 cannot even hide anymore.

8 Gracias.

9 MS. SOSA: Good afternoon, everyone. My name is
10 Guadalupe Sosa, and I've been a street vendor for 10
11 years now, and I've been vending alongside my mother
12 for almost all my life. I sell a mix of general
13 merchandise items in East Harlem. Today I'm here
14 with all my colleagues that are-- were able to make
15 it and those who are still outside vending.

16 And as vendors we faced so many things. With
17 this outdated system, it's a lack of licenses and
18 permits and abuse by police, harassment by different
19 agencies and hefty fines. It's traumatizing and
20 heartbreaking when you spend all your savings and
21 your time to prepare your merchandise or cook for the
22 Department of Health to come along with NYPD to dump
23 and confiscate your stuff.

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2 These departments don't care about the age,
3 disability, race, pain vendors go through as they see
4 their stuff taken from their hands.

5 We urge that you guys reconsider your decision,
6 and allow the proper department to keep dealing with
7 this. Because I have never been approached by a DSNY
8 a member employee to come and tell me something about
9 how I vend. So this is something that should be
10 reconsidered.

11 MS. MALDONADO: [SPEAKS SPANISH] [TRANSLATOR:]
12 Good afternoon. My name is Anna Lucia Maldonado, and
13 I'm Mexican. I sell tamales and food on the street.
14 With due respect to all the authorities in this
15 country, I want to apologize for working in your
16 streets and your country. And we don't do it because
17 we want to do something bad. We're doing it because
18 we wanted to help our families.

19 Many of us are single women with children and we
20 cannot work too many hours, and that's why we need to
21 work on our own, in order to be able to take care of
22 our children at the same time.

23 What I would like is that the delegate please
24 give us more time and permission to work.
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2 In my case with my work I have been paying my
3 daughter's college.

4 She is about to finish college and she will serve
5 the community.

6 And so, with a lot of pride, I can say I do my
7 work, she does her studies and I really ask for
8 sanitation to understand us and not take our ability
9 to work, and not take our materials.

10 We are working people. We are the brothers, and
11 we have no evil for anyone we just want to move ahead
12 in life.

13 So please help us with some ID some
14 identification so that we don't have to keep on
15 running and hiding and having sanitation remove our
16 things. Thank you very much.

17 MS. CALDERON: [SPEAKS SPANISH] [TRANSLATOR:]
18 Good afternoon. My name is Minerva Calderon. I have
19 also been a street vendor for the last 14 years. I
20 left Mexico and came to this country fleeing from
21 domestic violence. Thanks to this country, I found a
22 better life, a better future for my children.

23 I believe that WP must continue in charge of the
24 broadcasting of the information for street vending,
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2 along with all the petition for all the IDs for
3 street vendors-- of the licenses, I'm sorry.

4 Please remember that to my children, I'm the
5 example of a hard-working mother, and to remind the
6 children that work is not a felony, because in the
7 year 2013, only because I was working in the streets,
8 my merchandise was thrown away and I was arrested.
9 Thank you very much.

10 COUNSEL: Thank you. Our next panel will be an
11 in person panel. Karina Kaufman Gutierrez, Vicente
12 Ventimiglia (sorry if I'm mispronouncing), and Joanna
13 Nabor, if she is available.

14 MR. VENTIMIGLIA: [SPEAKS SPANISH] [TRANSLATOR:]
15 My name is Vicente Ventimiglia. I have been a street
16 vendor for the last 47 years. I come to request that
17 you give us the opportunity with the principal actors
18 of this, to know what is going on, and so that we can
19 debate it.

20 We also want to be the part of a solution that's
21 definitive, democratic, and fair. A norm or policy
22 that goes to the vendors cannot-- is not the same
23 than those that have a license, because this excludes
24 a great majority of those who don't have a license.
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2 We believe that to update a legislation is not
3 only transcendental but necessary. The city grows
4 around it and also day to day. Life changes, but
5 laws are not adjusting to the real necessity.

6 So there are no real programs that arouse and
7 that are inclusive to train the vendors, and this
8 with the finality to become more efficient.

9 We are small business owners in development and
10 we are an essential part to the wheels of the system
11 that moves the economy of the city and we want to be
12 part of the process of development, and thus give
13 back or give to our beloved city.

14 Because of the timing, there are several
15 questions, but I only want to pose one question to
16 you: I have children at home, and to these children,
17 I cannot find the way to explain to them that I may
18 not have a job. So I would only like that answer.
19 Thank you.

20 MS. TABOR: Good afternoon. My name is Joanna.
21 I represent Arnolds Tamales, which is my small street
22 business. I feed my people who works in
23 construction, cleaning, drivers, housekeepers. I
24 feed people who are essential workers.
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2 I feed my people who have to leave home early. I
3 have a son that is about to start college this year.
4 I want to support him as a street vendor. I want
5 that he finish his studies, feeling proud of me, and
6 me feeling proud of him.

7 As many of my street vendor partners, this
8 project is a trampoline to a job and in the future
9 have our own restaurants. But we need a support from
10 you guys.

11 Working together, I'm allowed to follow rules,
12 I'm allowed to receive studies, education, how to be
13 a street vendor correctly.

14 I would like this project to have the right
15 agencies to educate us and to support us. We get
16 informed that yesterday, sanitation start removing
17 some stands on the street, and we ask why is this
18 happening? As street vendors, probably we need
19 training, classes indications, but sanitation
20 department is acting like they don't have education
21 or they don't respect us.

22 For some people who sell on the street, COVID was
23 traumatic for how they've been removing, because that
24 is the only way to get income to their homes.
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It was a pleasure to be in this meeting. It's my first time, and I like it. But, please think smart to decide smart about our situation. Thank you. And I, as always, my son and I say I love New York.

MS. GUTIERREZ: Good evening, I guess evening now. Thank you Chair Velázquez for the opportunity, and just also want to shout out everyone who's here from the Street Vendor Project, who has again taken their time off of work to be here to share about how - how critical this change will be for their livelihoods, as well as highlight the lack of services and education that have been provided to street vendors across agencies and policies.

My name is Karina Kaufman Gutierrez. I'm the Deputy Director at the Street Vendor Project. And as you've heard today, we are the only organization across the entire city that exclusively serve street vendors, and essentially are the centralized hub for - for everything street vendor related.

And I'm here today on a bit of a different note, from what you've heard already, regarding our request for support from City Council to sustain and expand our Community Outreach and Education Program for street vendors.

1
2 As you've seen today, right?, street vendors
3 come-- do come from some of the most marginalized
4 communities, specifically immigrant communities of
5 color, and low-income households. Most vendors are
6 new immigrants who rely on vending to provide for
7 themselves and their families. And since the start
8 of the pandemic, this industry has grown
9 exponentially, which has turned to-- led to a
10 dramatic increase in our membership, and hastened the
11 need for culturally relevant educational services,
12 for vendors to educate them on their rights and
13 responsibilities.

14 We conducted a survey of over 2000 of our members
15 in 2021, in which folks responded: 96% had never
16 received any business training from city or state
17 government, and 97% did not receive any small
18 business loans or grants from city or state
19 government during the pandemic, which again, just
20 highlights-- and as you heard today, the true lack of
21 educational services for this essential industry,
22 which serves-- which includes about 20,000 street
23 vendors across the city.

24 And so that's where we stepped in as an
25 organization. Through our community outreach and

2 education program, SVP conducts multilingual outreach
 3 in a variety of formats to street vendors to educate
 4 them on rules and regulations, teach them about their
 5 legal rights and responsibilities and connect them to
 6 a variety of resources from public health and
 7 immigration.

8 And so through our pro bono legal assistance,
 9 technical and financing assistance, financial
 10 literacy and assistance with sales tax applications,
 11 we are respectfully asking for support to continue to
 12 be able to do our work. Thank you.

13 CHAIR VELÁZQUEZ: Thank you.

14 COUNSEL: Thank you. Our next panel will also be
 15 an in-person panel. It will be Autumn Weintraub,
 16 followed by Megan D'Amato, followed by Magdalena
 17 Barbosa. zzz

18 MS. WEINTRAUB: Good afternoon councilmembers,
 19 and thank you for holding this hearing, and thank you
 20 to DCWP. Thank you if you're still listening. My
 21 name is Autumn Weintraub, and I'm the Director of
 22 SEIU Local 32BJ's Fast Food Worker Organizing
 23 Campaign, and I'm here to testify in support of
 24 providing DCWP with additional funding. Towards that
 25 end, I want to speak about the critical role that

DCWP plays in supporting labor standards in the fast food industry, and other industries citywide.

Employment in the fast food sector grew rapidly over the past two decades. This has been especially true in New York City, whose growth and fast food employment outpaced the national rate between 2000 and 2014.

While employment in the sector fell during the pandemic, it has again been climbing as the city's economy and employment recover. Recent data from the Center for Urban Future State of Change Report shows that fast food employment in New York City returned to pre-pandemic levels in 2022. And I just want to add that it was supported by the deliveristas.

Despite the industry's growth, fast food remains notorious for its poor labor standards. In 2022, fast food workers saw the lowest median weekly earnings of the over 350 industries surveyed by the BLS, a mere \$557 a week. Fast food corporations meanwhile, continue to pull in ever soaring profits.

In 2021, the top seven publicly traded fast food companies earned \$16 billion in profits and paid out over \$12 billion to their shareholders in the form of buybacks and dividends. The inequities inherent to

the fast food industry were only intensified by the pandemic, when fast food workers risked their lives and those of their families to continue to maintain the food services that the city relies on.

As a result, during the pandemic food service workers saw disproportionately high mortality rates. communities of color who are the most at risk of death from COVID-19 are over-represented in the fast food industry, especially in urban centers like our city. The city has taken seriously the need for greater protections for fast food workers by passing legislation like the Fair Work Week Law, paid sick and safe leave, freelance protections, and the minimum.

More recently, the Council passed groundbreaking Just Cause legislation, making New York the first city in the country to protect fast food workers against unfair firings and reduction in hours as well as protections for delivery workers.

DCWP has been an unflinching champion of these new standards and 32BJ has been proud to work with this agency to enforce the rights of thousands of New Yorkers subjected to unjust working conditions.

1
2 At our union, we see the impact of DCWP's
3 advocacy every single day. In 2022, DCWP supported
4 Chipotle workers and winning a \$20 million settlement
5 after filing a complaint alleging thousands of
6 violations to their predictable scheduling rights.

7 We've seen similar victories and other industries
8 in which we organize.

9 In 2021 a settlement with American Airlines
10 concerning violations to the city's Paid Sick and
11 Safe Leave Law, DCWP recovered \$220,000 for 598
12 ground crew workers.

13 While the Agency has been a phenomenal advocate
14 in all the complaints that oversees the reality is
15 can only take on so many with its current budget.
16 When a worker files a complaint with DCWP. The
17 current wait time just to be assigned for an
18 investigation is 10 to 12 weeks, due to constrained
19 resources. Workers living paycheck to paycheck and
20 worried about retaliation, as many in underpaid
21 industries like fast food service do, cannot afford
22 to wait this long if they've been unjustly terminated
23 or denied hours or pay that they're owed.

24 The department's level of funding impacts larger
25 investigations as well. The recent Chipotle

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2 investigation, after workers filed complaints,
3 started in 2018. So, last month 27 Starbucks workers
4 from 23 stores filed complaints with DCWP alleging
5 systemic violations of the Fair Work Week and Just
6 Cause Laws. Earlier today, another 11 Starbucks
7 workers filed additional complaints. Starbucks
8 operates three times as many restaurants in New York
9 as Chipotle.

10 The victories DCWP has achieved are a testament
11 to the caliber of the department and its staff.
12 Imagine what they could do for working New Yorkers if
13 they were given funding that matches the scope of
14 their responsibility.

15 Currently, the agencies responsible for enforcing
16 the Fair Work Week and Just Cause Law at more than
17 2600 fast food establishments.

18 The Agency is also responsible for protecting the
19 rights of more than 3.4 million private sector
20 workers under Paid Sick and Safe Leave, for
21 administering the city's new laws protecting more
22 than 65,000 delivery workers across the city, which
23 will require intensive resources given the scale of
24 this industry, for enforcing the Freelancers and Free
25

1
2 Act, and for providing outreach and education to paid
3 care workers.

4 Adding to this the Council is currently
5 considering legislation that would even further
6 expand DCWP's responsibilities, such as universal
7 just cause legislation that would provide further
8 recourse to workers for wrongful termination, and
9 legislation that would provide for training on the
10 city's Fair Work Week laws, and a licensing system
11 for responsible fast food employers.

12 All of these workplace protections are a
13 tremendous step forward for working New Yorkers, but
14 our laws are only as strong as our ability to enforce
15 them. We need more investigators, attorneys, and
16 intake personnel to enforce these standards and
17 ensure that every worker has timely access to the
18 critical services that DCWP provides. If we want
19 these laws to be effective and responsive to the
20 people who need them most, it's essential that we
21 expand this office.

22 In passing Just Cause amidst the pandemic,
23 pandemic New York City sent a bold message that we
24 will rebuild our economy by protecting essential
25 workers, not by sacrificing them.

2 We ask that the council stand by its commitment
3 by funding DCWP, so it can make these laws a reality
4 for fast food workers. Thank you.

5 CHAIR VELÁZQUEZ: Thank you. And we'd like to
6 remind folks that it's a two minute testimony. So if
7 you go a little over, we would like you to just
8 submit your written testimony to make up for it.
9 Just because, you know, it's been a long day for a
10 lot of our committee staff. So we'd like to keep it
11 under-- for two minutes under. Thank you.

12 MS. D'AMATO: Good afternoon. I should be quick,
13 I think. Chair Velázquez and the members of the
14 committee, it's an honor to be addressing you today
15 in support of the increased funding of the Department
16 of Consumer and Worker Protections. My name is Megan
17 D'Amato. I'm from Brooklyn and I've worked for
18 Starbucks for the past 12 years.

19 I love my job as a barista. I enjoy making
20 coffee and drinks and serving our customers and
21 connecting with the members of my community. It's my
22 love of my job that motivates my union organizing.
23 Though my store in Caesars Bay was the first in
24 Brooklyn to unionize, I'm here before you today as
25 one of the 11 new workers to file a complaint with

the DCWP for alleged violations to Fair Work Week law.

My complaint details my lack of access to a regular schedule, which only became an issue for me after my store won our union election, and the lack of access to additional hours before the company hires new workers. These 11 new complaints succeed the previous batch of 27 complaints filed by my co-workers last month. Together, DCWP has before them 38 complaints from workers across 30 stores from all five boroughs in New York City. If we were able to file 38 complaints in two months, you can imagine how many more workers are experiencing similar violations and don't have the time, energy, or resources to file the complaint on their own behalf.

DCWP is tasked with the ensuring vitally important protections like Fair Work Week and Just Cause, both huge victories for the City Council, are enforced across New York City.

With the appropriate funding and resources DCWP could help workers like me receive justice. This historic settlement the city was able to reach with Chipotle last August was a huge victory for Chipotle workers that sent a very clear message to fast food

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2 companies who use abusive scheduling practices that
3 the message is: There's a rule for conducting
4 business here in New York and those rules are to
5 ensure the workers are treated fairly and with
6 dignity and respect.

7 New York has always been at the forefront of
8 championing workers rights so I just think we should
9 be supporting more funding for this. Starbucks
10 workers need it.

11 CHAIR VELÁZQUEZ: Thank you.

12 MS. BARBOSA: Hi, good evening. My name is
13 Magdalena Barbosa. I'm the Director of Legal
14 Services at Catholic Migration Services. We provide
15 free employment, housing, and immigration legal
16 services.

17 This evening, while I understand the focus of
18 today's hearing has been around the DCWP, its
19 programs and budget today, I'm actually here to
20 testify on another issue that's equally important to
21 low wage and immigrant workers. I'm here to testify
22 in support of the renewal and expansion of the Low
23 Wage Worker Support Funding. This is the only
24 dedicated city funding for employment legal services
25 that supports low wage and immigrant workers.

Catholic migration services is a member of SILIC, which is a coalition of legal services providers and base-building organizations that work to strengthen low income immigrant communities. Catholic migration services along with some of my SILIC colleagues are recipients of Low Wage Worker Support Funding.

We use this funding to provide legal advice and legal representation to low-income and immigrant workers. Our clients include some of the city's most vulnerable workers, including undocumented workers, who toil in the most dangerous and lowest-paying jobs in the city. They work on construction sites, in restaurants, supermarkets, salons, deliver our meals and provide care to homebound seniors, and the disabled.

By and large a majority of our clients are victims of wage theft. They're paid less than the minimum wage. They work long hours. They don't receive overtime. And they fear the possibility of retaliation for speaking out.

Our advocates provide advice. They provide representation before agencies like DCWP, and also in court. Just-- Just very quickly, and I apologize for going over.

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2 The most important thing is that for the last
3 five years, the city has funded this critical work.
4 We're incredibly grateful for this Council for
5 stepping in last year to ensure that this funding
6 stream was fully restored after it was cut by the
7 Administration.

8 And this year, we're asking the city to increase
9 funding for this program from \$2.12 million to \$3
10 million to both expand services and address the needs
11 of cost of living adjustments that affect our
12 agencies. Failure to renew this funding will result
13 in agencies with reduced staff that will limit the
14 number of workers that we can serve, and may also
15 leave-- may also risk putting cases that are pending
16 without representation.

17 So we just ask you to renew your commitment to
18 low wage and immigrant workers and support the
19 renewal and expansion of this funding. Thank you.

20 CHAIR VELÁZQUEZ: Thank you.

21 COUNSEL: Thank you. Our final panel will be a
22 virtual panel. We will be starting with Kevin
23 Umanguano, whose testimony will be translated by
24 Sarah Feldman. Sarah Feldman will then follow with
25 her own testimony. And then David Orkin.

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SERGEANT AT ARMS: Time has begun.

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MR. UMANGUANO: [SPEAKS SPANISH] [TRANSLATOR:]

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Hi, my name is Sarah Feldman, and I'll be translating

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for Kevin. My name is Kevin Umanguano. I've been a

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member of NICE for three years. I work in customer

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service and in cleaning. Unfortunately, I've been a

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victim of wage theft. I got a job where I was

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working as a supervisor for some colleagues who did

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cleaning for several weeks at a company called NGC

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Cleaning Services. The employer told me that he

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would give me my pay on the weekend, and later

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delayed it by two weeks. Two weeks passed, and I

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got, I got my payment in the form of a check. I

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deposited my check. And it turned out that it didn't

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have funds. And overtime, I couldn't collect the

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payment from that check.

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It's very frustrating to have to live in this

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situation. I feel disappointed, sad and powerless.

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As you know, one has the obligation to pay for their

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basic life services. I wouldn't want this to happen

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to any other person. NICE has supported me to follow

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up on my case, and it's a pleasure to have an

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organization like NICE, since there are not many

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other organizations that help immigrant workers.

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2 That's why I'm supporting NICE in this hearing, since
3 I was also a victim of wage theft, and we need to
4 stop this.

5 We urge City Council to give resources to
6 organizations like NICE who are in charge of dealing
7 with the thousands or millions of cases of wage theft
8 that happen in New York City. Thank you.

9 MS. FELDMAN: My name is Sarah Feldman. Again,
10 I'm the director of the Worker Rights Program here at
11 NICE, New Immigrant Community Empowerment. And I'm
12 going to offer my own testimony on behalf of NICE.

13 Thank you so much to everyone who is here today.
14 Kevin's story is just one of the many examples of how
15 wage theft is so harmful to immigrant workers.
16 Today, I will testify in support of the stabilization
17 and expansion of the low wage worker support funding,
18 which is essential to combat wage theft in New York
19 City.

20 Wage theft is systemic in New York City. It is
21 sadly the business model of the construction,
22 cleaning, and restaurant industries,
23 disproportionately affecting immigrant workers, the
24 population that NICE works with. We know this
25 because at NICE, we receive more than 500 wage theft

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2 cases per year. In the year 2022, \$1,009,540.95 was
3 reported to NICE in stolen wages by our members
4 alone. But we know that the amount is significantly
5 larger and underreported, since most wage theft
6 victims who are fearful of retaliation or
7 consequences with immigration do not report their
8 cases.

9 We know as well that this is only a fraction of
10 about \$1 billion in wages that are stolen from New
11 York City workers every year. In NICE's Worker
12 Rights Program, our organizers do Know Your Rights
13 Trainings weekly to make sure and we're going to
14 workers are aware of their rights.

15 Workers come to NICE when they experience wage
16 theft. We collect all the information about their
17 case, we research the employer and contact the
18 employer directly to try to reclaim the stolen wages.
19 When it's a larger group of workers, we organize a
20 direct action outside of the worksite as we did last
21 week at La Macarena restaurant in Midtown, and as we
22 have two more actions planned this week, to put
23 public pressure on the employer to pay the workers
24 back.

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If we're unable to resolve the cases through these direct actions, we collaborate with legal services attorneys, some of which we heard from today, or with enforcement agencies such as the Department of Labor, the DA's, and the AG's offices to investigate these cases. All of this work at NICE is done directly by our organizers, as we have no attorneys on staff.

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SERGEANT AT ARMS: Thank you. Your time has expired.

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MS. FELDMAN: Thank you.

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COUNSEL: Thank you. Next we'll be hearing from David Hawkins.

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MR. ORKIN: Hello, thank you for having me. My name is David Orkin, and I'm a resident of Queens and a worker advocate with Make The Road New York. I'm honored to present this testimony on the subject of the critical need to ensure city funding to support low-wage immigrant workers through the Low-Wage Worker Support Initiative or LWWS, and to provide adequate resources to the Department of Consumer and Worker Protection. This is the agency that is primarily charged with enforcing workplace justice laws in the city.

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2 Make the Road New York is a nonprofit community
3 based membership organization with over 25,000 low-
4 income members dedicated to building the power of
5 immigrant and working class communities.

6 Our workplace justice legal team represents
7 hundreds of workers each year in cases to enforce the
8 workplace rights, and provides rights education that
9 reaches thousands more.

10 This critical work is possible in large part y
11 city funding through the LWWS initiative. Thanks to
12 this funding, we and other legal services
13 organizations in the SELIC Partnership, which was
14 mentioned earlier, have helped workers recover
15 millions of dollars in stolen wages from their
16 employers, fight sexual harassment and other forms of
17 discrimination, protect the rights to paid leave, and
18 safeguard their rights to protest these violations
19 free of retaliation.

20 Just this past year, we represented a client who
21 worked at a bakery warehouse and was victim of
22 pregnancy discrimination. Her employer refused her
23 request for accommodation and required her to lift
24 heavy loads, compromising both her health and her
25 baby's health. After that, she was then fired. We

1
2 were able to reach a substantial settlement, which
3 required the company to retrain all of their New York
4 managers and Human Resources staff on pregnancy
5 discrimination, ensuring better compliance company
6 wide. Workers across the city depend on the program
7 supported by LWWS to help them enforce the workspace-
8 -

9 SERGEANT AT ARMS: Thank you. Your time has
10 expired.

11 MR. ORKIN: Thank you.

12 CHAIR VELÁZQUEZ: Please submit your testimony so
13 we can have it on the record. Thank you so much.

14 Thank you, I'm now going to call on registered
15 test witnesses. If you are here, please use the Zoom
16 raise hand function to notify us that you can
17 testify, Ibiya Coyote, Antonio Howes, Amy Zulata.
18 Thank you.

19 CHAIR VELÁZQUEZ: And with that, we are
20 adjourned.

21 [GAVEL]
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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 04/08/2023