

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

Civil Rights

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March 25, 2014  
Start: 1:00 p.m.  
Recess: p.m.

HELD AT: Hearing Room 16<sup>th</sup> Floor  
City Hall

B E F O R E: Darlene Mealy  
Chairperson

COUNCIL MEMBERS:  
Mathieu Eugene  
Daniel Dromm  
Deborah L. Rose  
Andy L. King

A P P E A R A N C E S  
Jimmy Vacca

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[sound check]

[gavel]

CHAIRPERSON MEALY: Were gonna start this Civil Rights hearing. Good Afternoon I am Council Member Darlene Mealy. I am the Chair of the committee on Civil Rights. Today the committee will vote on the proposed introductory bill number 173-A. A local law to amend the administrative code of the City of New York in relations to prohibition of discrimination against interns. The committee held a hearing on introductory bill number 173 on March 17. This bill was introduced in response to the press coverage of a recent court finding that protections against workplace discrimination under the city human rights law do not extend to unpaid interns. The goal of this bill is to make sure that interns whether or not they are paid whether they are working for 1 month or 6 are treated like all other employees and are protected from discrimination and harassment while participating in their internship programs. [cough] Excuse me. I thought that this hearing was held on this legislation was very important and highlight the importance of this legislation. I would like to encourage my colleagues to vote I this

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2 afternoon. With that I would like to give the bills  
3 sponsor council member Jimmy Vacca the opportunity to  
4 make a statement.

5 COUNCIL MEMBER VACCA: Thank you, thank  
6 you very much. I wanna thank Chair Mealy holding the  
7 vote today on this intro and it's a bill that will  
8 amend the New York City human rights law to define  
9 the term intern. In order to prohibit employers from  
10 discriminating against interns on the basics of  
11 protected categories. I wanna thank Manhattan  
12 Borough president Gail Brewer with whom I introduce  
13 this legislation last year. So it's important today  
14 that we act. Intern programs are extremely  
15 beneficial to both employers and employment seekers.  
16 In both the public and private sector. An intern has  
17 the potential to gain valuable skills and experience  
18 and in many cases, internship may lead to employment.  
19 Intern programs give employers the opportunity to  
20 cultivate talent while potentially increasing  
21 workplace productivity. Both Borough President  
22 Brewer and I can speak from experience. Internship  
23 programs in our office has yield incredible results.  
24 In fact to of my top staffers are former interns.  
25 Interns are valuable members of the workplace and the

1 law should reflect that. While many places  
2 employment had detailed anti-discrimination in sexual  
3 harassment policies that are meant to also cover paid  
4 and unpaid intern interns there's a glaring hold in  
5 New York City's human right law. That may be  
6 interrupted to exclude unpaid interns. We have to  
7 close this hole. In one recent high profile case, an  
8 intern for a television network Ms. Wang was  
9 subjected to sexual harassment by her employer. When  
10 she attempted to bring an employment discrimination  
11 case under New York City's human right law. The  
12 judge found that the current loss for protection for  
13 employees does not extend to unpaid interns. In  
14 other words Ms. Wang was unable to bring a  
15 discrimination claim under current human rights law  
16 simply because she has not been compensated for her  
17 work. Like most people who read this case, I was  
18 dumbfounded and interns I know are just as valuable  
19 if not more valuable to harassment than any other  
20 employee. No employee whether paid or unpaid should  
21 have to fear that they are not equally protected  
22 under the law. And they should not be subject to a  
23 hostile work environment. Intro 174 is intended to  
24 expand these protections to unpaid members of the  
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2 workforce. The bill will simply define the term  
3 "intern" in the New York City human rights law. In  
4 order to prohibit employers from discriminating  
5 against interns on the basis of their actual or  
6 perceived age, race, creed, color national origin,  
7 gender, disability, marital status, partnership  
8 status, sexual orientation, alienage or citizenship  
9 status or status as a victim of domestic violence,  
10 sex offenders or stalking. The state of Oregon is  
11 only municipally to currently defined interns in its  
12 human rights law. And there are similar pending  
13 cases in New York and California so if passed; New  
14 York City will be the first local government to enact  
15 such a law. So I urge you to vote yes on this  
16 legislation. I thank the speaker and of course I  
17 thank chair Mealy for their help in this matter.

18 CHAIRPERSON MEALY: Just let the record  
19 show local 174 you said 4 its 3.

20 COUNCIL MEMBER VACCA: I did.

21 CHAIRPERSON MEALY: Yes. Just for the  
22 record its 173 and I just hope all my colleagues will  
23 vote I on this. Can we have the roll call? Anyone  
24 would like to have any other statement. Andy King of  
25 the Bronx would like to make a statement.

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COUNCIL MEMBER KING: Thank you madam chair and I just wanted to thank you for your leadership in this conversation with equally important council member Vacca. This is such a real piece of legislation with all the work that we do. We know that we are not a success if we didn't have a number interns that helped get this things that we get done each and every day. So I really appreciate you putting this on the table and I'm looking forward to voting I and urging everyone today to vote yes on this piece of legislation. Go 173-A.

CHAIRPERSON MEALY: Thank you. Anyone else? Mathieu Eugene we are all joined by my colleagues Mathieu Eugene, Debbie Rose, Andy King and a guess speaker Jimmy Vacca. So can we have the roll call?

KEVIN PENN COMMITTEE CLERK: Kevin Penn, committee clerk roll call on the committee on Civil Rights. Council Member Mealy.

CHAIRPERSON MEALY: I vote I and I urge all my colleagues to vote I on this important legislation we never know the extent of how many interns are being harassed every day. So this legislation will help this city to combat that

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discrimination against our young interns, so I vote I.

KEVIN PENN COMMITTEE CLERK: Eugene

COUNCIL MEMBER EUGENE: I vote I.

KEVIN PENN COMMITTEE CLERK: Rose

COUNCIL MEMBER ROSE: I

COUNCIL MEMBER EUGENE: I'm sorry about that, I vote I.

KEVIN PENN COMMITTEE CLERK: Rose.

COUNCIL MEMBER ROSE: I.

KEVIN PENN COMMITTEE CLERK: King.

COUNCIL MEMBER KING: I.

KEVIN PENN COMMITTEE CLERK: By a vote of 4 on the affirmative, 0 negative, no extensions. Items 173A is been adopted. Members please sign the committee report.

CHAIRPERSON MEALY: Yes, and we will open up leave the vote open for 15 mins.

[PAUSE]

CHAIRPERSON MEALY: Come on back.

[LAUGHTER].

KEVIN PENN COMMITTEE CLERK: Council Member Dromm.

COUNCIL MEMBER DROMM: I vote I.

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KEVIN PENN COMMITTEE CLERK: Final vote  
on the committee on Civil Rights 5 on the  
affirmative, 0 negative, no extensions.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Date April 21, 2014