

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL RIGHTS

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DECEMBER 14, 2015

Start: 12:18 P.M.

Recess: 12:50 P.M.

HELD AT: 250 BROADWAY - COMMITTEE RM, 16TH FL

B E F O R E: DARLENE MEALY
CHAIRPERSON

COUNCIL MEMBERS:
DANIEL DROMM
MATHIEU EUGENE
ANDY KING
DEBORAH ROSE

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

2 CHAIR ROSE: Good morning were going to
3 start this Committee on Civil Rights. I'm Darlene
4 Mealy, I'm the Chair of the New York City Council,
5 Committee on Civil Rights. I'd like to introduce
6 other members of the Council who has joined us this
7 morning. Danny Dromm, Debbie Rose, I want to thank
8 you'll for being here and being here early to.

9 Today the committee on Civil Rights will
10 vote on a proposed Int. 108. It is a very important
11 piece of legislation that will make sure that people
12 are not being treated differently just because they
13 are a caregiver. As time goes on more and more
14 people are having to provide care given
15 responsibility for children, the elderly and family
16 members with disabilities. Int. 108 will help these
17 people by making caregiver status a protected class
18 under the City Human Rights law. Along with other
19 protected classes such as gender, race, religion,
20 status, disability and many, many more. This bill is
21 even more important because studies has shown that
22 caregivers responsibilities have a greater impact on
23 women in general. Single mothers and families living
24 in poverty. It is our hope that this bill will help
25 protect employees who have caregiving

2 responsibilities. Thank Council Member Rose for
3 introducing this important legislation. Thank you to
4 the staff Eisha Wright in Finance, Muzna Ansari,
5 Policy Analyst, Rachel Cordero, Deputy Director of
6 Governmental Affairs and Alesha Brown our Counsel to
7 the Committee. Thank you all for being here and all
8 you'll hard work on this legislation. I hope that my
9 fellow colleagues and members of this body will
10 support this bill today so we can vote on it on
11 Wednesday at the Stated Meeting. Thank you again for
12 making this time to vote on such an important
13 legislation. There will now be a statement from
14 Council Member Rose who has sponsored this beautiful
15 and great legislation and the former Chair of this
16 Committee on Civil Rights. Thank you, I'm going to
17 turn over to my colleague Ms. Rose.

18 COUNCIL MEMBER ROSE: Thank you so much
19 Chair Mealy. I... I like, I... I like that. So I am so
20 excited to be addressing you today as the Committee
21 on Civil Rights convenes to vote on Int. 108-A. The
22 Caregivers Discrimination Bill which will prohibit
23 employment discrimination based on an individual's
24 actual or perceived status as a caregiver. Thank you
25 to Speaker Melissa Mark-Viverito for highlighting

2 this bill in her State of the City Address earlier
3 this year and she stayed the cost to ensure speedy
4 passage of this legislation. I want to thank Chair
5 Mealy for her support in moving this bill along and
6 recognizing how important this is. I want to also
7 thank the Civil Rights Committee legislative staff,
8 Alesha Brown, Rachel Cordero and Eisha Wright for
9 their hard and diligent work on this legislation. I
10 also wish to thank a better balanced AARP and all of
11 the advocates who worked so hard to help me bring
12 this to this point and at last but not least, I want
13 to thank my partner Manhattan Borough President, Gail
14 Brewer. We have been working together on to get this
15 legislation passed for many years. Truly it takes a
16 village to pass a bill. So many worked on this
17 legislation because it will have a dramatic impact on
18 many New Yorkers. I have pursued this legislation
19 because I believe that no workers should be fired or
20 punished at work for for filing important familiar
21 obligations. The reality of the work world today is
22 that they are many workers who must juggle the
23 responsibilities of work while acting as a caregiver
24 for children or other family members. I have
25 personally experienced this. And this is truly

2 especially true for those of us who are a part of the
3 sandwich generation taking care of children and
4 elderly parents at the same time. The majority of
5 two parent households in this City have both parents
6 in the workforce and 61% of women with children under
7 age 6 are in the labor force. Looking at national
8 statistics more than 1 and 6 American workers provide
9 care to an elderly disabled family member or
10 relative. And a number of disabled adults over 60
11 years in New York City alone is projected to grow by
12 40% over the next 20 years. The responsibilities of
13 the modern worker can include raising children or
14 taking care of a domestic partner or spouse, a child
15 or a parent. Many workers can be afraid of losing
16 their jobs because of family responsibilities. So
17 how do you protect these workers and their jobs while
18 reaching a fair balance for employers? The answer is
19 Int. 108-A. This bill will prevent employment
20 discrimination based on caregiver's status, providing
21 protection to caregiving workers similar to those
22 that are already exist in the workplace
23 discrimination based on race or religion. Moreover,
24 all caregivers would be protected from retaliation
25 for requesting a flexible schedule. The bill would

2 prohibit employers from punishing workers who request
3 a change in the terms or conditions of their
4 employment as they relate to caregiving
5 responsibilities. Currently they are no explicit
6 protections under federal, State or local law for
7 workers in this position. So Int. 108-A will also
8 address gaps in the current law. For example, sex
9 discrimination laws often leave men falling through
10 the cracks because men can be primary caretakers for
11 a sick child or parent. And the family and medical
12 leave act excludes 40% of the workforce from it's
13 protections. This bill when enacted will be
14 landmarked legislation. Highlighting once again why
15 New York City remains the best place to both work and
16 live in the United States if not in the World. Thank
17 you Chair Mealy for allowing me to statement.

18 CHAIR MEALY: Thank you. And now on this
19 great legislation and I must say a landmark
20 legislation and saying that a caregiver is a
21 recipient with mean anyone who has a disability
22 relies on caregivers for medical care or to meet the
23 needs of a daily living and is in a relationship with
24 a caregiver as following: caregivers child,
25 including; children over the age 18, caregivers

2 spouse, caregivers domestic partner, caregivers
3 parents; including biological, foster, stepchild, or
4 adopted parent, a legal guardian of a caregiver or a
5 person who act as the caregivers parent when the
6 caregiver was a child, caregivers sibling; including
7 a brother, sister, half sibling, step sibling, a
8 sibling related through adoption, caregiver
9 grandchild or grandparent, the child or parent of the
10 caregivers spouse or daughter or domestic partner and
11 individual who resides in the caregivers household or
12 any individual in a family relationship with a
13 caregiver as designated by the New York City
14 Commission on Civil Rights and I must say to my
15 colleague, it is a landmark legislation today so I
16 thank for bringing this up and we going to have a
17 roll call now.

18 COMMITTEE CLERK: William Martin,
19 Committee Clerk, roll call vote, Committee on Civil
20 Rights, Int. 108-A, Chair Mealy.

21 CHAIR MEALY: You know I say I. Thank you
22 yes.

23 COMMITTEE CLERK: Dromm.

24 COUNCIL MEMBER DROMM: Thank you with
25 congratulations to Council Member Rose, I vote I.

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2 COMMITTEE CLERK: Rose.

3 COUNCIL MEMBER ROSE: Thank you Council
4 Member Dromm and Chair Mealy for voting
5 affirmatively. I vote, I vote I also, thank you.

6 COMMITTEE CLERK: By a vote of 3 in the
7 affirmative, 0 in the negative and no abstentions,
8 item has been adopted.

9 CHAIR MEALY: Thank you and we will leave
10 the vote open to about quarter to 11 for my other
11 colleagues to come in. But thank you for this
12 legislation, thank you this body.

13 COMMITTEE CLERK: Continuation roll call,
14 Committee on Civil Rights, Council Member King.

15 COUNCIL MEMBER KING: I vote yes.

16 COMMITTEE CLERK: Vote now currently
17 stands at 4 in the affirmative.

18 [paused]

19 COMMITTEE CLERK: Continuation roll call,
20 Committee on Civil Rights, Int. 108-A, Council Member
21 Eugene.

22 COUNCIL MEMBER EUGENE: First of all let
23 me explain my vote. I just want to thank Madam
24 Chair, the Chair you know Council Member Mealy and
25 all the wonderful staff worked very hard to make sure

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2 that we go through this vote to (inaudible) and I
3 vote I. Thank you very much.

4 COMMITTEE CLERK: Final vote now,
5 Committee on Civil Rights, stands at 5 in the
6 affirmative, 0 in the negative and no abstentions.

7 CHAIR MEALY: And this is the end this
8 Committee on Civil Rights, thank my colleagues all
9 for voting on this landmark legislation and this
10 meeting is now adjourned.

11 [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 December 15, 2015