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|  | **The Council of the City of New York**  **Finance Division**  Latonia McKinney, Director  **Fiscal Impact Statement**  **Proposed Intro. No. 108-A**  **Committee:** Civil Rights |
| **Title:**  A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employment discrimination based on an individual's actual or perceived status as a caregiver. | **Sponsors:** Council Members Rose, Chin, Eugene, Johnson, Mendez, Rosenthal, Mealy, Koslowitz, Rodriguez, Kallos, Reynoso, Lander, Williams, Miller, Menchaca, Dromm, Richards, Torres, King and Cumbo (by request of the Manhattan Borough President) |

**Summary of Legislation**: Pursuant to the New York City Human Rights Law, it is an unlawful discriminatory act for an employer to refuse to hire, terminate, or discriminate against an employee in compensation or in relation to terms, conditions or privileges of employment, based on an employee’s actual or perceived status as a member of a protected class. Proposed Int. No. 108-A would add caregivers as a protected class, thereby prohibiting employment discrimination based on an individual’s actual or perceived status as a caregiver.

Proposed Int. No. 108-A defines the term “caregiver” as a person who provides direct and ongoing care for a minor child or a care recipient. “Caregivers” would include those who provide direct and ongoing care for a child under the age of 18 or a care recipient. “Child” would include a biological, adopted or foster child, or a child for whom the caregiver has assumed a primary parental role. “Care recipient” would mean anyone who: (i) has a disability and relies on the caregiver for medical care or to meet the needs of daily living; and (ii) is in a relationship with the caregiver as follows:

* Caregiver’s child (including children over the age of 18);
* Caregiver’s spouse;
* Caregiver’s domestic partner;
* Caregiver’s parent (including a biological, foster, step- or adoptive parent, a legal guardian of a caregiver, or a person who acted as the caregiver’s parent when the caregiver was a child);
* Caregiver’s sibling (including a brother, sister, half-siblings, step-siblings, and siblings related through adoption);
* Caregiver’s grandchild or grandparent;
* The child or parent of the caregiver’s spouse or domestic partner;
* An individual who resides in the caregiver’s household; or
* Any individual in a familial relationship with the caregiver as designated by the New York City Commission on Human Rights.

**Effective Date:** This legislation would take effect 120 days after enactment, provided, however, that the City Commission on Human Rights may take any actions necessary prior to such effective date for the implementation of the local law, including, but not limited to, the adoption of any necessary rules.

**Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2017

**Fiscal Impact Statement:**

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|  | **Effective FY16** | **FY Succeeding**  **Effective FY17** | **Full Fiscal Impact FY17** |
| **Revenues (+)** | $0 | $0 | $0 |
| **Expenditures (-)** | $0 | $0 | $0 |
| **Net** | $0 | $0 | $0 |

**Impact on Revenues:** It is anticipated that there would be no impact on revenues resulting from this legislation.

**Impact on Expenditures:** It is anticipated that there would be no impact on expenditures resulting from the implementation of this legislation because it is anticipated that the administrative requirements or functions proposed under this bill can be implemented by existing personnel at the Commission on Human Rights.

**Source of Funds to Cover Estimated Costs:** NA

**Sources of Information:** Finance Division

**Estimate Prepared by:** Eisha Wright, Unit Head, Finance Division

**Estimate Reviewed by:** Regina Poreda Ryan, Deputy Director, Finance Division

Rebecca Chasan, Assistant Counsel, Finance Division

Tanisha Edwards, Chief Counsel, Finance Division

**Legislative History:**  Intro. No. 108 was introduced by the Council on February 26, 2014 and referred to the Committee on Civil Rights. The Committee considered the legislation at a hearing on September 21, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 108-A, will be voted on by the Committee at a hearing on December 14, 2015. Upon successful vote of the Committee, Proposed Intro. No. 108-A will be submitted to the full Council for a vote on December 16, 2015.

**Date Prepared:** December 11, 2015