



Legislation Text

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Int. No. 569-B

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A Local Law to amend the administrative code of the city of New York, in relation to a workers' bill of rights and outreach to immigrant workers.

Be it enacted by the Council as follows:

Section 1. Section 32-101 of the administrative code of the city of New York, as added by local law number 98 for the year 2016, is amended to read as follows:

§ 32-101 [Reserved.] Definitions. a. As used in this chapter, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of consumer and worker protection.

Department. The term “department” means the department of consumer and worker protection.

Designated citywide languages. The term “designated citywide languages” has the same meaning as set forth in section 23-1101.

Employee. The term “employee” has the same meaning as set forth in section 20-912.

Employer. The term “employer” has the same meaning as set forth in section 20-912.

Mobile application. The term “mobile application” means a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

Temporary languages. The term “temporary languages” has the same meaning as set forth in section 23-1105.

Temporary protected status. The term “temporary protected status” has the same meaning as set forth in

section 1254a of title 8 of the United States code.

§ 2. Chapter 1 of title 32 of the administrative code of the city of New York is amended by adding a new section 32-102 to read as follows:

§ 32-102 Workers' bill of rights. a. No later than March 1, 2024, the commissioner, in coordination with the mayor's office of immigrant affairs, the commission on human rights, and community and labor organizations deemed appropriate by the commissioner, shall provide on the city's website in English, the designated citywide languages, and temporary languages information about rights under relevant federal, state and local law that apply to employees, prospective employees or independent contractors in the city. Such information shall indicate which rights apply to workers regardless of immigration status and shall also include information about the right to organize a union.

b. An employer shall: (i) provide to each employee employed by such employer, no later than July 1, 2024, and thereafter on or before an employee's first day of work, the information described in subdivision a of this section; and (ii) conspicuously post the information described in subdivision a of this section at an employer's place of business in an area accessible and visible to employees employed by such employer.

c. The information required to be provided by an employer pursuant to subdivision b of this section shall be in English and any language spoken as a primary language by at least five percent of employees employed an employer, if the commissioner has made the information available in that language.

d. An employer shall make available online or on its mobile application the information described in subdivision a of this section for employees to view if such means are regularly used to communicate with its employees.

e. Any employer who violates any provision of this section shall be liable for a civil penalty of \$500, except that with respect to a first violation, the commissioner shall notify such business of such violation and request that action be taken to correct such violation within 30 days and shall afford such business an opportunity to contest the commissioner's finding. A proceeding to recover any civil penalty authorized

pursuant to this subdivision may be brought in any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

f. No later than March 1, 2024, the mayor's office of immigrant affairs, in coordination with the department and community and labor organizations deemed appropriate by the department, shall conduct outreach regarding the information described in subdivision a of this section to employees, prospective employees, and independent contractors in the city. Such outreach shall also include the following:

1. Contact information for the immigration legal hotline of the city of New York and the asylum application help center of the city of New York for the duration of its length of operations;

2. Resources and contact information for immigration legal services and the mayor's office of immigrant affairs;

3. Information on what to expect if immigration enforcement authorities come to an individual's workplace; and

4. Information regarding federal eligibility requirements of temporary protected status following designations, extensions, and re-designations of such status pursuant to section 1254a of title 8 of the United States code.

g. Community outreach and education efforts pertaining to the information described in subdivisions a and f of this section shall be conducted via internet, print media, subway advertisements, and LinkNYC kiosks. Community outreach described in subdivision f of this section shall include but not be limited to distributing outreach materials at IDNYC registration sites, humanitarian emergency response and relief centers, emergency shelters, respite centers, asylum seeker resource navigation centers and via LinkNYC kiosks. The mayor's office of immigrant affairs shall create such outreach materials in English, the designated citywide languages, and temporary languages.

§ 3. This local law takes effect 30 days after it becomes law.

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