



Legislation Text

File #: Res 0274-2024, **Version:** *

Res. No. 274

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.9398/S.8166, to establish the Nail Salon Minimum Standards Act.

By Council Members De La Rosa, Gennaro, Hanif, Gutiérrez, Louis, Cabán, Farías, Nurse, Ayala, Ossé, Krishnan, Banks and Hudson

Whereas, Labor regulations have historically excluded industries that depend on disproportionate numbers of female and immigrant workers; and

Whereas, New York's growing nail salon industry, the most geographically concentrated of any state, is overwhelmingly staffed by women of color and recent immigrants; and

Whereas, Years of reporting have indicated that nail salons are rife with exploitation including wage theft and harassment; and

Whereas, Many workers in these salons report the enforcement of a rigid ethnic and racial hierarchy which leaves members of certain ethnic groups with fewer protective gear and less desirable assignments; and

Whereas, Work in nail salons presents occupational hazards such as lengthy hours, unpredictable schedules, and exposure to potentially harmful chemical fumes; and

Whereas, Nail salon employees report that salon owners have skirted recent labor reforms regarding minimum wage, while academic studies suggest workers in the New York City metropolitan area make less than those elsewhere in the state and significantly less than a living wage for a single adult, despite the city's higher cost of living; and

Whereas, Nail salon employees report that few owners comply with the bill of rights, established by the New York Department of State, that entitles workers in the industry to mandatory breaks, tips, and a minimum

wage; and

Whereas, Nail salons rarely provide their employees with benefits such as health insurance; and

Whereas, Immigrant workers with limited English speaking ability or awareness of local laws may not know what protections they are entitled to receive; and

Whereas, Employees in industries without robust labor protections may face retaliation for attempts to organize their fellow worker; and

Whereas, The high level of competition in the nail salon business incentivizes charging the lowest possible prices and can discourage owners from paying higher wages or providing benefits without industry-wide coordination; and

Whereas, Recently passed state legislation, such as the 2019 Farm Labor Fair Practices Act, provides a model for how laws can help workers in industries that have often been cut out of labor protections and foster organization for collective bargaining to improve pay and conditions; and

Whereas, the Nail Salon Minimum Standards Act would establish a Nail Salon Minimum Standards Council to investigate wages and standards within the nail salon industry and submit recommendations on minimum wages, regulations and standards for nail salon workers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.9398/S.8166, to establish the Nail Salon Minimum Standards Act.

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01/17/2024

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