



Legislation Details (With Text)

File #: Int 1382-2016 **Version:** B **Name:** Reporting of information on the workforce of contractors performing construction work for the city.

Type: Introduction **Status:** Enacted
In control: Committee on Small Business

On agenda: 12/6/2016

Enactment date: 1/11/2018 **Enactment #:** 2018/039

Title: A Local Law to amend the administrative code of the city of New York, in relation to the enforcement of requirements on reporting of information on the workforce of certain construction projects

Sponsors: Robert E. Cornegy, Jr., I. Daneek Miller, Laurie A. Cumbo, Rafael Salamanca, Jr., Donovan J. Richards, Ritchie J. Torres, Inez D. Barron, Carlos Menchaca, Margaret S. Chin, Ben Kallos

Indexes: Grace Period Applies, Oversight, Report Required

Attachments: 1. Summary of Int. No. 1382-B, 2. Summary of Int. No. 1382-A, 3. Summary of Int. No. 1382, 4. December 6, 2016 - Stated Meeting Agenda with Links to Files, 5. Int. No. 1382, 6. Committee Report 1/9/17, 7. Hearing Testimony 1/9/17, 8. Hearing Transcript 1/9/17, 9. Committee Report 9/13/17, 10. Hearing Testimony 9/13/17, 11. Hearing Transcript 9/13/17, 12. Proposed Int. No. 1382-A - 11/27/17, 13. Proposed Int. No. 1382-B - 12/6/17, 14. Committee Report 12/7/17, 15. Hearing Transcript 12/7/17, 16. December 11, 2017 - Stated Meeting Agenda with Links to Files, 17. Hearing Transcript - Stated Meeting 12-11-17, 18. Int. No. 1382-B (FINAL), 19. Fiscal Impact Statement, 20. Legislative Documents - Letter to the Mayor, 21. Local Law 39, 22. Minutes of the Stated Meeting - December 11, 2017

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------------------------|-----------------------------|--------|
| 12/6/2016 | * | City Council | Introduced by Council | |
| 12/6/2016 | * | City Council | Referred to Comm by Council | |
| 1/9/2017 | * | Committee on Small Business | Hearing Held by Committee | |
| 1/9/2017 | * | Committee on Small Business | Laid Over by Committee | |
| 1/9/2017 | * | Committee on Civil Service and Labor | Hearing Held by Committee | |
| 1/9/2017 | * | Committee on Civil Service and Labor | Laid Over by Committee | |
| 9/13/2017 | * | Committee on Small Business | Hearing Held by Committee | |
| 9/13/2017 | * | Committee on Small Business | Amendment Proposed by Comm | |
| 9/13/2017 | * | Committee on Small Business | Laid Over by Committee | |
| 9/13/2017 | * | Committee on Economic Development | Hearing Held by Committee | |
| 9/13/2017 | * | Committee on Economic Development | Amendment Proposed by Comm | |
| 9/13/2017 | * | Committee on Economic Development | Laid Over by Committee | |
| 9/13/2017 | * | Committee on Contracts | Hearing Held by Committee | |
| 9/13/2017 | * | Committee on Contracts | Amendment Proposed by Comm | |
| 9/13/2017 | * | Committee on Contracts | Laid Over by Committee | |
| 12/7/2017 | * | Committee on Small Business | Hearing Held by Committee | |

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|------------|---|-----------------------------|----------------------------|------|
| 12/7/2017 | * | Committee on Small Business | Amendment Proposed by Comm | |
| 12/7/2017 | * | Committee on Small Business | Amended by Committee | |
| 12/7/2017 | B | Committee on Small Business | Approved by Committee | Pass |
| 12/11/2017 | B | City Council | Approved by Council | Pass |
| 12/11/2017 | B | City Council | Sent to Mayor by Council | |
| 12/18/2017 | B | Mayor | Hearing Scheduled by Mayor | |
| 1/11/2018 | B | Administration | City Charter Rule Adopted | |
| 1/17/2018 | B | City Council | Returned Unsigned by Mayor | |

Int. No. 1382-B

By Council Members Cornegy, Miller, Cumbo, Salamanca, Richards, Torres, Barron, Menchaca, Chin and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to the enforcement of requirements on reporting of information on the workforce of certain construction projects

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 22-1102 of the administrative code of the city of New York, as added by a local law amending the administrative code of the city of New York, in relation to information regarding the workforce for certain construction projects, as proposed in introduction number 752-C for the year 2015, is amended to read as follows:

a. Beginning on July 1, 2021, each covered developer for a covered project shall provide workforce disclosure records consisting of the following information for such project to the administering agency on at least an annual basis with respect to covered projects that receive city financial assistance on or after such date:

1. For each individual employed or otherwise engaged to perform construction work by the covered developer or any covered contractor during the prior year:

- (a) the number of hours worked;
- (b) job title;
- (c) full-time or part-time designation; [and]
- (d) gross wages[.];
- (e) hourly rate of payment; and

(f) zip code of primary address.

2. For each individual employed or otherwise engaged to perform construction work by the covered developer or covered contractor who has voluntarily disclosed the following information to such covered developer and covered contractor for the purpose of reporting under this section:

(a) gender;

(b) race or ethnic group.

3. For each job title, where such information is made available to such covered developer:

(a) the total number of individuals employed or otherwise engaged to perform project work by the covered developer or any covered contractor during the prior year, disaggregated by gender, race or ethnic group, full-time or part-time designation;

(b) the average number of hours worked by such individuals; and

(c) the average compensation of such individuals.

4. The address, block and lot number of such covered project.

5. An indication as to whether such covered developer is certified as either a minority-owned business enterprise or a women-owned business enterprise, as such terms are defined in section 11-278.

§ 2. Section 22-1103 of the administrative code of the city of New York, as amended by a local law of the city of New York amending the administrative code of the city of New York, in relation to information regarding the workforce for certain construction projects, as proposed in introduction number 752-C for the year 2015, is amended to read as follows:

§ 22-1103 Reporting on covered projects. a. By no later than September 30, 2021, the administering agency shall make data regarding the number of hours worked, job title, full-time or part-time designation, total compensation, zip code of primary address, gender and race or ethnic group received pursuant to section 22-1102 of this chapter publicly available online where such data can be anonymized.

b. By no later than October 31, 2022 and every five years thereafter, the administering agency shall

submit to the mayor and the council, and post publicly on the city's website, a report providing details concerning the workforce of covered projects. Beginning with the second report required pursuant to this subdivision, the report shall include information concerning trends related to individuals employed on covered projects based upon data aggregated from workforce disclosure records as provided for by section 22-1102.

§ 3. Chapter 11 of title 22 of the administrative code of the city of New York, as added by a local law of the city of New York amending the administrative code of the city of New York, in relation to information regarding the workforce for certain construction projects, as proposed in introduction number 752-C for the year 2015, is amended by adding a new section 22-1105 to read as follows:

§ 22-1105 Recordkeeping. Covered developers shall retain copies of the information required to be submitted pursuant to section 22-1102 of this chapter for at least six years after the covered project's completion date and make such copies available to the administering agency at the administering agency's request.

§ 4. Chapter 11 of title 22 of the administrative code of the city of New York, as added by a local law of the city of New York amending the administrative code of the city of New York, in relation to information regarding the workforce for certain construction projects, as proposed in introduction number 752-C for the year 2015, is amended by adding a new section 22-1106 to read as follows:

§ 22-1106 Remedies and enforcement. Violation of this chapter shall be punishable by a civil penalty of not more than \$5000, provided that the administering agency shall offer a covered developer an opportunity to cure for a first time violation of this chapter. Such civil penalty may be recovered in a proceeding before an administrative tribunal within the jurisdiction of the office of administrative trials and hearings or in a civil action in any court of appropriate jurisdiction.

§ 5. This local law shall take effect on the same date that a local law amending the administrative code of the city of New York, in relation to information regarding the workforce for certain construction projects, as proposed in introduction number 752-C for the year 2015, takes effect.

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