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Title: A Local Law to amend the administrative code of the city of New York, in relation to reporting of workers' compensation data

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Attachments: 1. Summary of Int. No. 1622, 2. Int. No. 1622, 3. May 24, 2017 - Stated Meeting Agenda with Links to Files

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Int. No. 1622

By Council Members Miller, Gentile and Chin

A Local Law to amend the administrative code of the city of New York, in relation to reporting of workers' compensation data

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 12-127 of chapter 1 of title 12 of the administrative code of the city of New York is hereby amended to read as follows:

c. (1) Each agency shall keep a record of any workers' compensation claim filed by an employee, the subject of which concerns an injury sustained in the course of duty while such employee was employed at such agency. Such record shall include, but not be limited to, the following data:

- (i) the name of the agency where such employee worked;
- (ii) such employee's title;
- (iii) the date such employee or the city filed such claim with the appropriate office of the state of New

York, if any;

(iv) the date the city began to make payment for such claim, or the date such claim was established by the appropriate state office and the date the city began to make payment for such claim pursuant to such establishment, if any;

(v) the date such injury occurred;

(vi) the location at which such injury occurred;

(vii) the nature of such injury, including, but not limited to, the circumstances of such injury, the type or diagnosis of such injury and a description of how such injury occurred;

(viii) the length of time such employee is unable to work due to such injury, if any; [and]

(ix) whether the employee was given modified assignments or was transferred because of such injury;

and

[(ix)](x) a list of any expenses paid as a result of such claim, including, but not limited to, expenses relating to wage replacement, medical costs, administrative costs and any penalties.

(2) Each agency shall transmit records gathered pursuant to paragraph (1) of subdivision c of this section, as soon as practicable, to the [mayor] law department of the city of New York.

(3) The [mayor of the city of New York] law department, in coordination with the office of management and budget, shall ensure that [an annual] quarterly reports are [is] prepared utilizing the [records] data received from each city agency pursuant to paragraph (2) of subdivision c of this section. Such reports shall be transmitted to the department of records and information services pursuant to section 1133 of the charter, the mayor, the comptroller, the public advocate, and the speaker and every member of the council of the city of New York, by the first day of February, May, August and November, covering the previous [calendar year] quarter. The report due in May shall include data and analysis regarding the previous quarter and the previous year. Such reports shall include, but not be limited to:

(i) an analysis, with respect to each agency included in the report, of expenses paid as a result of

workers' compensation claims, including, but not limited to, expenses relating to wage replacement, medical costs, administrative costs and any penalties paid by an agency;

(ii) the listing by agency of the number of workers' compensation claims;

(iii) an assessment of each agency's use of modified duty assignments and disability transfers;

[(ii)](iv) a list of the occurrence of specific claims for each agency and for the city as a whole;

[(iii)](v) a list of the specific sites where injuries occurred for each agency and for the city as a whole;

and

[(iv)](vi) all reports shall include quarterly comparisons of data compiled pursuant to this paragraph, and the report due in May shall include year-to-year comparisons of [information] data compiled pursuant to this paragraph.

Notwithstanding any provision of law to the contrary, a provider of medical treatment or hospital care furnished pursuant to the provisions of this section shall not collect or attempt to collect reimbursement for such treatment or care from any such city employee.

§ 2. This local law shall take effect 90 days after enactment.

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