Legislation Details (With Text)

File #:	Int 0136-2018 **Version:** A	**Name:**	Protections for workers under the city's human rights law.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Civil and Human Rights
On agenda:	1/31/2018		
Enactment date:	10/13/2019	**Enactment #:**	2019/172

Title: A Local Law to amend the administrative code of the city of New York, in relation to protections for workers under the city's human rights law

Sponsors: Brad S. Lander, Helen K. Rosenthal, Deborah L. Rose, Margaret S. Chin, Justin L. Brannan, Ben Kallos, Antonio Reynoso, Keith Powers, James G. Van Bramer, Diana I. Ayala, Carlos Menchaca, Bill Perkins, Carlina Rivera, Donovan J. Richards, Stephen T. Levin, Public Advocate Jumaane Williams, Alicka Ampry-Samuel, Mark Levine, Adrienne E. Adams, Laurie A. Cumbo, Rafael L. Espinal, Jr.

Indexes: Oversight

Attachments: 1. Summary of Int. No. 136-A, 2. Summary of Int. No. 136, 3. Int. No. 136, 4. January 31, 2018 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 01-31-2018, 6. Minutes of the Stated Meeting - January 31, 2018, 7. Committee Report 6/18/18, 8. Hearing Testimony 6/18/18, 9. Hearing Transcript 6/18/18, 10. Proposed Int. No. 136-A - 9/5/19, 11. Committee Report 9/12/19, 12. Hearing Transcript 9/12/19, 13. September 12, 2019 - Stated Meeting Agenda with Links to Files, 14. Hearing Transcript - Stated Meeting 9-12-19, 15. Minutes of the Stated Meeting - September 12, 2019, 16. Int. No. 136-A (FINAL), 17. Fiscal Impact Statement, 18. Legislative Documents - Letter to the Mayor, 19. Local Law 172

Date	Ver.	Action By	Action	Result
1/31/2018	*	City Council	Introduced by Council	
1/31/2018	*	City Council	Referred to Comm by Council	
6/18/2018	*	Committee on Civil and Human Rights	Hearing Held by Committee	
6/18/2018	*	Committee on Civil and Human Rights	Laid Over by Committee	
9/12/2019	*	Committee on Civil and Human Rights	Hearing Held by Committee	
9/12/2019	*	Committee on Civil and Human Rights	Amendment Proposed by Comm	
9/12/2019	*	Committee on Civil and Human Rights	Amended by Committee	
9/12/2019	A	Committee on Civil and Human Rights	Approved by Committee	Pass
9/12/2019	A	City Council	Approved by Council	Pass
9/12/2019	A	City Council	Sent to Mayor by Council	
10/13/2019	A	Administration	City Charter Rule Adopted	
10/15/2019	A	City Council	Returned Unsigned by Mayor	

Int. No. 136-A

By Council Members Lander, Rosenthal, Rose, Chin, Brannan, Kallos, Reynoso, Powers, Van Bramer, Ayala, Menchaca, Perkins, Rivera, Richards, Levin, the Public Advocate (Mr. Williams), Ampry-Samuel, Levine,

Adams, Cumbo and Espinal

A Local Law to amend the administrative code of the city of New York, in relation to protections for workers under the city's human rights law

Be it enacted by the Council as follows:

Section 1. Section 8-102 of the administrative code of the city of New York, as amended by local law 98 for the year 2018, is amended to read as follows:

Employer. For purposes of subdivisions 1, 2, 3, 11-a, and 22, subparagraph 1 of paragraph a of subdivision 21, [and] paragraph e of subdivision 21 and subdivision 23 of section 8-107, the term "employer" does not include any employer [with] that has fewer than four persons in the employ of such employer at all times during the period beginning twelve months before the start of an unlawful discriminatory practice and continuing through the end of such unlawful discriminatory practice, provided however, that in an action for unlawful discriminatory practice based on a claim of gender-based harassment pursuant to subdivision one of section 8-107, the term "employer" shall include any employer, including those with fewer than four persons in their employ. For purposes of this definition, (i) natural persons [employed as independent contractors to carry out work] working as independent contractors in furtherance of an employer's business enterprise [who are not themselves employers] shall be counted as persons in the employ of such employer and (ii) the employer's parent, spouse, domestic partner or child if employed by the employer are included as in the employ of such employer.

§ 2. Paragraph (f) of subdivision 1 of section 8-107 of the administrative code of the city of New York, as amended local law 63 for the year 2018, is amended to read as follows:

(f) The provisions of this subdivision [shall] do not govern the employment by an employer of the employer's parents, spouse, domestic partner, or children; provided, however, that such family members shall be counted as persons employed by an employer for the purposes of the definition of employer set forth in section 8-102.

§ 3. Subdivision 23 of section 8-107 of the administrative code of the city of New York, as added by

local law number 9 for the year 2014, is amended to read as follows:

23. Additional provisions relating to employment. The [provisions]protections of this chapter relating to employees [shall] apply to interns, freelancers and independent contractors.

§ 4. This local law takes effect 90 days after it becomes law.

MN/JJ/HKA/BAM
LS #4450/Int. 1016-2015
LS #355 9/4/2019 4:26 p.m.