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Title: A Local Law to amend the administrative code of the city of New York, in relation to establishing a commission to study the feasibility of creating public/private partnerships to develop and operate job centers for immigrant day laborers.

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Int. No. 622

By Council Members Gentile, Sears, Stewart, DeBlasio, Gioia, Brewer, Clarke, Comrie, Foster, Gennaro, Jackson, Koppell, Liu, Lopez, Martinez, Quinn, Recchia, Weprin and Gerson

A Local Law to amend the administrative code of the city of New York, in relation to establishing a commission to study the feasibility of creating public/private partnerships to develop and operate job centers for immigrant day laborers.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent. The Council finds that immigrant day laborers often work under dangerous conditions, without the benefit of proper training, equipment or safety precautions. An estimated 15,000 day laborers live and work in New York State, including between 5,800 and 8,300 in the greater metropolitan region, the vast majority of whom are believed to be immigrants. A recent survey of day laborers in New York City found that almost 85% of those surveyed have experienced some type of abuse in the industry: 50 percent experienced non-payment of wages, and 56 percent were paid less than the agreed upon wage. The informal congregation of day laborers on City streets while they wait for employment creates additional concerns regarding day labor employment.

In New York City, non-profit and community organizations have set up a handful of formally designated

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hiring sites, known as job centers, where day laborers and employers are able to connect under regulated conditions. These arrangements provide day laborers with viable and preferable alternatives to congregation on city streets, facilitate monitoring of health and safety conditions and improved enforcement of wage and hour laws, and create more systematic mechanisms for service providers to reach the day laborer community, which is otherwise transient and disorganized. The Council finds that job centers can improve the day labor industry through ensuring the use of contracts that clearly spell out agreed upon wages and dates of payment, assuring the availability of equipment essential for worker safety, gloves, and overalls, and by connecting employers with workers who have appropriate skills. The Council further finds that job centers have proven to be successful models for addressing the issues and concerns regarding day labor employment.

§ 2. Title 21 of the administrative code of the city of New York is hereby amended by adding a new chapter 8 to read as follows:

§ 21-801. Commission on Day Laborer Job Centers. a. There is hereby established a Commission on Day Laborer Job Centers which shall examine the feasibility of fostering public/private partnerships to develop and implement job centers for day laborers.

b. The Commission shall consist of twelve members and shall be co-chaired by the Commissioner of the Mayor's Office of Immigrant Affairs and the Speaker of the Council, each of whom shall serve as ex-officio members, or a designee. The remaining members of the Commission shall consist of five members appointed by the Mayor, which shall include the Commissioner of the Department for Small Business Services, who shall also serve as an ex-officio member, or a designee, and five members appointed by the Speaker of the Council. The Commission shall include at least one representative of a construction-related labor union, one representative of the construction industry, and one representative from a group advocating for immigrants' rights. The members of the Commission shall be appointed within forty-five days of the effective date of this section, shall serve without compensation and shall continue in service until their successors have been appointed.

c. No later than six months from the effective date of the local law that added this chapter, the Commission shall submit to the Mayor and the Speaker of the Council a report containing the recommendations of the commission.

§ 3. This local law shall take immediately upon enactment.

J.D.S.
11/25/03