Legislation Details (With Text)

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On agenda:	6/18/2020				
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Title:	A Local Law to amend the administrative code of the city of New York, in relation to suspending the schedule change premium when a state of emergency modifies fast food restaurant operations				
Sponsors:					
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Attachments:	1. Summary of Int. No. 1969, 2. Int. No. 1969, 3. June 18, 2020 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 6-18-20, 5. Minutes of the Stated Meeting - June 18, 2020				

Date	Ver.	Action By	Action	Result
6/18/2020	*	City Council	Introduced by Council	
6/18/2020	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 1969

By Council Member Gjonaj

A Local Law to amend the administrative code of the city of New York, in relation to suspending the schedule change premium when a state of emergency modifies fast food restaurant operations

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 20-1222 of the administrative code of the city of New York, as added by local law number 107 for the year 2017, is amended to read as follows:

c. Notwithstanding subdivisions a and b of this section, a fast food employer is not required to provide a fast food employee with the amounts set forth in such subdivision in the event that:

1. The employer's operations cannot begin or continue due to:

(a) Threats to the employees or the employer's property;

(b) The failure of a public utility or the shutdown of public transportation;

(c) A fire, flood or other natural disaster; or

(d) [A state of emergency declared by the president of the United States, governor of the state of New York, or mayor of the city; or

(e)] Severe weather conditions that pose a threat to employee safety, although where a fast food employer adds shifts to an employee's schedule to cover for or replace another employee who cannot safely travel to work, such employer shall provide the replacing or covering employee with the amounts set forth in subdivision a of this section;

2. The employee requested in writing a change in schedule;

3. Two employees voluntarily traded shifts with one another, subject to any existing employer policy regarding required conditions for employees to exchange shifts; [or]

4. The employer is required to pay the employees overtime pay for a changed shift[.]; or

5. The employer is required to substantially modify its operations pursuant to a state of emergency declared by the president of the United States, governor or mayor.

§ 2. This local law takes effect 60 days after it becomes law, except that the director of the office of labor standards may promulgate any rules necessary to implement this local law on or before its effective date.

JG
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