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Proposed Int. No. 147-A

By Council Members Lancman, Koo, Richards and Rodriguez

A Local Law to amend the New York city charter and administrative code of the city of New York, in relation to enacting the "city workforce injury reduction act."

Be it enacted by the Council as follows:

Section 1. This act shall be known and may be cited as the "city workforce injury reduction act."

§ 2. Chapter one of the New York city charter is amended by adding a new section 20.1 to read as follows:

§ 20.1 **Office of Risk Management.** a. The mayor shall establish an office of risk management in the executive office of the mayor or mayor's office of operations. Such office shall be headed by a director who shall be appointed by the mayor.

b. The office of risk management shall have the power and duty to:

1. work with city agencies to improve workplace safety and overall public health and safety;

2. evaluate workplace accident, injury and illness data and make recommendations to agencies to help avoid recurring accidents; and

3. analyze and coordinate agency workplace safety plans as required by law.

§ 3. Paragraph (2) of subdivision c of section 12-127 of the administrative code of the city of New York is amended to read as follows:

(2) Each agency shall transmit records gathered pursuant to paragraph (1) of subdivision c of this section, as soon as practicable, to the [mayor] mayor's office of risk management of the city of New York[.], together with a written action plan for reducing occurrences of occupational injuries and diseases to agency employees in the coming year. Such plan shall be developed in collaboration with authorized employee

representatives and be subject to existing collectively bargained contractual language. For purposes of this section, "authorized employee representative" shall have the same meaning as in section 27-a(1)(c) of the labor law.

§ 4. Paragraph (3) of subdivision c of section 12-127 of the administrative code of the city of New York is amended to read as follows:

(3) The [mayor] office of risk management of the city of New York shall ensure that an annual report is prepared utilizing the records received from each city agency pursuant to paragraph (2) of subdivision c of this section. Such report shall be transmitted to the mayor, the comptroller, the public advocate and the speaker of the council of the city of New York by the first day of May, covering the previous calendar year. Such report 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] a list of each agency included in the report;

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

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

(iv) [year-to-year comparisons of information compiled pursuant to this paragraph.] a list of the specific sites where injuries and diseases occurred for each agency and for the city as a whole;

(v) year-to-year comparisons of information compiled pursuant to this paragraph;

(vi) the number of persons employed in each agency during that calendar year, and the number of persons employed in each job title within that agency;

(vii) the number of accidents or diseases occurring within each job title in each agency;

(viii) the number of accidents or diseases involving lost time within each job title in each agency;

(ix) the number of days of lost time due to workers' compensation injuries and diseases within each job title in each agency;

(x) the total amount of wages and workers' compensation paid by the city for disability to injured or diseased persons within each job title in each agency;

(xi) the total amount of medical expenses paid by the city for diagnosis and treatment of injured or diseased persons within each job title in each agency;

(xii) the number and nature of the injuries or diseases suffered by persons within each job title in each agency with relation to body parts, such as spine, lower extremity, upper extremity, pulmonary, etc.;

(xiii) the causative factor of the injuries or diseases suffered by persons within each job title in each agency in categories, such as lifting, assault, trauma, occupational/repetitive stress, etc.;

(xiv) the average and median number of days after the onset of disability that elapsed before the first payment of compensation was made to injured or diseased persons with lost time cases within each job title in each agency;

(xv) the average and median periods of lost time for injured or diseased persons within each job title in each agency;

(xvi) the amount of penalties paid by the city in workers' compensation cases related to each agency; and

(xvii) each agency's action plan for reducing occurrences of occupational injuries and diseases to agency employees in the coming year.

§ 5. Section 12-127 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. The office of risk management shall issue the report required by subdivision c of this section in

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written and electronic format on the website of the city, provided that reports submitted in 2015 or after shall be made available in a commonly available non-proprietary database format that permit the data to be searched and sorted by the recipients of the report.

§ 6. This local law shall take effect immediately.

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