



Legislation Text

File #: Res 0611-2015, **Version:** *

Res. No. 611

Resolution calling upon the New York State Legislature to pass and the Governor to sign, legislation to grant the City of New York the authority to enforce State worker protection laws.

By The Speaker (Council Member Mark-Viverito) and Council Members Miller, Arroyo, Chin, Gibson, Johnson, Lander, Palma, Richards, Rose, Koslowitz, Rosenthal, Menchaca, Cohen, Crowley, Rodriguez, Van Bramer, Williams, Dromm, Cornegy and Kallos

Whereas, The New York State Department of Labor is vested with the power to enforce State worker protection laws, including the payment of wages, workers compensation, and unemployment benefits; and

Whereas, In addition, the State Attorney General (AG) has a Bureau dedicated to investigating labor violations and enforcing State labor laws, including the Wage Theft Prevention Act; and

Whereas, According to the most recent statistics from the United State Census Bureau, there were 1.9 million business firms located in New York State, with 50.8 percent of the firms based in New York City; and

Whereas, According to the New York State Department of Labor, as of December 2014, there were at least 3.6 million people working in the private sector in New York City; and

Whereas, According to a 2006 National Employment Law Project (NELP) report, *Protecting New York's Workers: How the State Department of Labor Can Improve Wage-and-Hour Enforcement*, the State Department of Labor had just 120 investigators dedicated to investigating labor law violations statewide; and

Whereas, In 2009, NELP published a report, *Broken Laws, Unprotected Workers: Violations of Employment and Labor Law in America's Cities*, that examined worker protection law enforcement in Chicago, Los Angeles and New York City; and

Whereas, The NELP report highlighted the roles that local communities can play in enforcing worker

protection laws, noting that local collaboration can provide the vital ears on the ground to identify where workplace violations are most concentrated;” and

Whereas, Further, according a 2014 New York Times article, *More Workers are Claiming ‘Wage Theft,’* wage theft is becoming an increasingly widespread problem in New York City; and

Whereas, Presently, employees have few options to pursue action against their employers, and even when employees resort to litigation, there are considerable hurdles to the eventual collection of judgments; and
Whereas, While the NYSDOL and the AG work to enforce worker protection laws, giving New York City the authority to locally enforce these laws will greatly expand enforcement capacity and help safeguard worker rights; and

Whereas, Local governments are equipped to address local problems because they are in a better position to identify and swiftly respond to local concerns; and

Whereas, Granting New York City the authority to enforce worker protection laws will allow the City to concentrate and deploy resources in a way that more effectively addresses the problems employer misconduct; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign, legislation to grant the City of New York the authority to enforce State worker protection laws.

GZ
03-10-15
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