



## Legislation Text

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### Res. No. 341

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation that would prohibit the alteration of terms and conditions of employment for all employees during a state disaster emergency.

By Council Members Paladino, Mealy, Holden, Ariola, Carr, Borelli, Kagan and Vernikov

Whereas, Terms and conditions of employment refer to the matters that define the essential aspects of the employment relationship between an employer and an employee; and

Whereas, These terms and conditions, generally through a written contract or agreement, may include work hours, termination policy, job responsibilities, benefits, salary and employer policies; and

Whereas, The United States Department of Labor (DOL) administers and enforces more than 180 federal laws to ensure minimum standards for terms and conditions of employment are upheld, including rules regarding the minimum wage, overtime pay, the standard workweek, mandated break times, worker safety and discrimination issues; and

Whereas, In addition to the DOL's standards, New York State and New York City laws establish additional rights and responsibilities of New York employers and employees; and

Whereas, New York State law grants the Governor authority to declare a state disaster emergency to respond to a disaster for which local governments are unable to respond adequately, including events that may cause widespread or severe damage, injury or loss of life; and

Whereas, The declaration of a state disaster emergency allows the Governor to direct local officials and state agencies, and to suspend state and local laws and regulations to facilitate disaster response efforts; and

Whereas, In addition, the Mayor has the authority to declare a state of emergency within New York City,

of which generally directs agencies to preserve public safety and the health of their employees, while also protecting the security, well-being and health of the residents of the City; and

Whereas, Notably, as a result of the COVID-19 pandemic, and the related state disaster emergency declared by the Governor and the local state of emergency declared by the Mayor, New York City established COVID-19 vaccination requirements for public and private employees; and

Whereas, As a result of the COVID-19 vaccination requirements, many public and private employees have lost their jobs due to refusal to comply with the requirement, citing violations of religious and medical rights; and

Whereas, In an effort to ensure that all employees in New York City and New York State are provided fair and constant terms and conditions of employment throughout their employment, the alteration of terms and conditions of employment should be prohibited during a declared state disaster emergency; 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 that would prohibit the alteration of terms and conditions of employment for all employees during a state disaster emergency.

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LS 8842  
9/27/22