



## Legislation Text

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Int. No. 692

By Council Members De La Rosa, Schulman, Joseph, Maloney, Won, Louis, Encarnación, Narcisse, Hankerson, Gutiérrez, Brewer, Dinowitz, Krishnan, Abreu, Epstein, Gennaro, Aldebol, Wong, Nurse, Marte, Hudson, Santosuosso, Banks, Cabán, Hanif, Salaam, Ossé, Hanks, J. Sanchez, Lee, Thomas-Henry, P. Sanchez, Avilés, Restler, Riley, Zhuang, Ung, Stevens, Brooks-Powers, Feliz, Farias, Wilson, Ariola, Paladino, Morano, Vernikov and the Public Advocate (Mr. Williams) (in conjunction with the Bronx, Brooklyn, Queens and Manhattan Borough Presidents)

A Local Law in relation to workforce stabilization payments for school paraprofessionals, and providing for the repeal thereof

Be it enacted by the Council as follows:

Section 1. Legislative intent and findings. The council finds and declares that (i) the city of New York has experienced persistent difficulties in recruiting and retaining school paraprofessionals, resulting in staffing shortages and turnover that impair the continuity of educational and student-support services, including critical services for students with disabilities; (ii) maintaining a stable school paraprofessional workforce is necessary to protect student safety and to ensure the effective delivery of instructional and support services in schools; (iii) temporary workforce stabilization payments are necessary to address these emergency conditions until these conditions are rectified through collective bargaining; and (iv) this local law is intended to provide such payments in a manner that does not limit or diminish the rights of any party to collectively bargain pursuant to article 14 of the civil service law or chapter 3 of title 12 of the administrative code of the city of New York.

§ 2. Workforce stabilization payments for school paraprofessionals. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Department. The term “department” means the department of education of the city of New York.

Eligibility date. The term “eligibility date” means June 30 of each year.

Eligible school paraprofessional. The term “eligible school paraprofessional” means any school paraprofessional employed during the school year, including the relevant eligibility date.

School paraprofessional. The term “school paraprofessional” means any employee of the department in a title or position designated by the department as a paraprofessional or substitute paraprofessional title for purposes of the salary schedule applicable to school paraprofessionals.

Workforce stabilization payment. The term “workforce stabilization payment” means a non-pensionable lump sum payment of \$10,000 made to an eligible school paraprofessional in addition to any salary, wages, differentials or other compensation otherwise payable.

b. Payment schedule. No later than August 1 of each year, the department shall provide a workforce stabilization payment to each eligible school paraprofessional.

c. Proration. The workforce stabilization payments required pursuant to subdivision b of this section shall be prorated according to the proportion of days an eligible school paraprofessional was on the department’s payroll in the school year including the eligibility date.

§3. Nothing in this local law shall be construed to limit or otherwise alter the right of the mayor, a certified employee organization, or any other person or entity, to bargain pursuant to chapter 3 of title 12 of the administrative code of the city of New York.

§4. Nothing in this local law shall be construed to require the payment of any workforce stabilization payment following the date of the repeal of this local law.

§5. This local law takes effect immediately and is deemed repealed upon the execution of a collective bargaining agreement that includes a term that provides for an increase in the total annual compensation for school paraprofessionals equal to or greater than the amount of the workforce stabilization payments required pursuant to subdivision b of section two of this local law. Upon such execution, the mayor shall notify the corporation counsel for the purpose of effectuating section 7-111 of the administrative code of the city of New York. Any failure to provide the notification described in this section shall not affect the effective date of any

provision of this local law.

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