

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

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February 18, 2026  
Start: 10:01 a.m.  
Recess: 12:25 p.m.

HELD AT: 250 BROADWAY - 8TH FLOOR - HEARING  
ROOM 3

B E F O R E: Shirley Aldebol, Chairperson

COUNCIL MEMBERS:

Tiffany Cabán  
Ty Hankerson  
Frank Morano

A P P E A R A N C E S

Carlos Ortiz, Deputy Commissioner of External Affairs for the New York City Department of Consumer and Work Protection

Elizabeth Wagoner, Deputy Commissioner of the Office of Labor Policy and Standards at New York City Department of Consumer and Worker Protection

Jessica Ramos, New York State Senator

Ron Kim, New York State Assembly Member

Dr. Steven B. Auerbach, Health Justice for New York and Physicians for National Health Program, New York Metro

Vittoria Fariello, Democratic District here in Lower Manhattan

Sarah Shapiro, Cross-Union Retirees Organizing Committee

Belinda Hu, Ain't I A Woman

C. O. Moed, self

Zhi Hnan Lin, self

Japneet Singh, self

Zhu Chen Chen, self

Li Chen, self

A P P E A R A N C E S (CONTINUED)

Aaron Liu, self

Carlos Herrera, self

Qin Li, self

Lena Jung, self

Yun Fang Zhang, self

Lucy Estrella, self

Sabrina Fang, self

Shirley Ranz, National Organization for Women,  
New York State

Lily Randall, Youth Against Sweatshops

Casey Robinson, Ain't I A Woman

Anne Kochman, reading statement by former  
Assembly Member Richard Gottfried

Cindy Duran, self

Juana Valentin, self

Suli Li, self

Jihyg Song, reading testimony of Maggie Martinez

Christopher Leon Johnson, self

A P P E A R A N C E S (CONTINUED)

Ilene Brooks, self

Bianca Siu Davies, self

2 SERGEANT-AT-ARMS: Good morning. This is a  
3 microphone check, Committee on Civil Service and  
4 Labor. Today's date is February 18, 2026. recorded by  
5 Kimberley Smith. Location HR 3.

6 SERGEANT-AT-ARMS: Good morning, and  
7 welcome to today's New York City Council hearing on  
8 the Committee on Civil Service and Labor.

9 At this time, during today's hearing, no  
10 one may approach the dais.

11 If you'd like to testify today, please  
12 see one of the Sergeant-at-Arms to fill out a  
13 testimony slip.

14 Please silence all electronic devices.

15 Chair, you may begin.

16 CHAIRPERSON ALDEBOL: Good morning,  
17 everyone, and welcome to today's hearing of the New  
18 York City Council's Committee on Civil Service and  
19 Labor. I'm Council Member Shirley Aldebol, Chair of  
20 this Committee.

21 Today we will be considering Introduction  
22 303, sponsored by Council Member Christopher Marte,  
23 which seeks to implement maximum working hours for  
24 home care workers. We would like to note that this  
25 bill, Intro. 303, was previously heard as Intro. 175

2 during a previous Civil Service and Labor Committee  
3 hearing on September 6, 2022. The testimony from that  
4 hearing will be incorporated by reference in today's  
5 hearing testimony for consideration by the Committee.

6 Home health care services is a crucial  
7 industry with over 130,000 workers providing  
8 essential care to older adults and individuals with  
9 disabilities in New York City. The presence of a home  
10 care worker can mean that an individual who would  
11 have been placed in a congregate care facility can  
12 instead remain at home, living independently. Home  
13 care workers provide a range of services for their  
14 clients, including assistance with eating, mobility,  
15 and other activities of daily living. Depending on  
16 the severity of their needs, recipients of home care  
17 may require part-time intermittent home care  
18 services, or they may need more intensive 24-hour  
19 live-in care.

20 However, despite the vital work that home  
21 care workers perform, this Committee has heard time  
22 and again that the compensation structure that exists  
23 for home care workers in the state is insufficient  
24 and that employees are struggling to make ends meet.  
25 In 2025, the mean annual wage for home health and

2 personal care aides was below 41,000 dollars a year,  
3 which falls well below the estimated true cost of  
4 living in New York City. This cannot be an acceptable  
5 status quo for workers who have made serving others  
6 their career and who hold the well-being of our  
7 city's most vulnerable residents in their hands.

8           As we discuss this legislation, we hope  
9 to ensure that the dialogue surrounding this bill  
10 focuses on meeting the needs of home care workers and  
11 home care recipients, because while the process for  
12 assessing, authorizing, and billing for home care can  
13 be complex, our goal is simple, to ensure that  
14 individuals who require assistance can receive  
15 crucial care without interruption and that the  
16 workers who are dedicated to their clients can be  
17 compensated, safe, and respected.

18           I'd like to thank Committee Staff, Senior  
19 Policy Analyst Nina Rosenberg, and Senior Legislative  
20 Counsel Rie Ogasawara for their hard work in  
21 preparing for this hearing.

22           I'd also like to thank my Chief-of-Staff,  
23 Sophia Brown, for the work that you do for our  
24 constituents.

2 At this point, I would like to recognize  
3 that we've been joined by Council Member Frank  
4 Morano. Anybody else?

5 I'll now turn it over to Council Member  
6 Marte for his opening statement.

7 COUNCIL MEMBER MARTE: Thank you, Chair  
8 Aldebol and my Colleagues, for holding this hearing  
9 on Intro. 303, the No More 24 Act.

10 To people all around the world, New York  
11 City stands as a beacon of workers' rights, but in  
12 thousands of homes across this city, immigrant women  
13 of color are slaving away in forced 24-hour shifts,  
14 and only receiving 13 hours of pay. These work days  
15 in a row with no sleep, no time to eat, no time to  
16 spend with their families, they sacrifice so much  
17 more than their health. They're sacrificing their  
18 lives. My mom worked 24-hour shifts. When she left  
19 for work, it would be days before I saw her again.  
20 She would come back exhausted, only able to spend a  
21 few hours at home before she had to leave again. The  
22 tolls these shifts take on workers meets the United  
23 Nations definition of torture. They are human rights  
24 violations. The workers in this room with us today  
25 are just a fraction of the thousands of home care

2 workers who have been organizing to end the 24-hour  
3 work day for almost a decade. Four years ago, I stood  
4 with them when we first introduced this bill, but  
5 politics and special interests blocked the  
6 legislation from coming to a vote. These workers will  
7 not be silenced. They held rally after rally outside  
8 of City Hall, each time bringing a bigger and bigger  
9 crowd of other home care workers, patients, and  
10 patients' families. Also, other workers joined from  
11 across industries who recognize that our work days  
12 are getting too long and our working conditions are  
13 dragged down so long as the New York City sanctions  
14 24-hour shifts. Their protests culminated in a hunger  
15 strike outside of City Hall in the freezing rain.  
16 These powerful women who have been compromised by the  
17 violence of 24-hour shift risked their well-being  
18 even further just to have their voices heard. Despite  
19 all this opposition, despite the Council legislative  
20 delay, the home care workers nevertheless made  
21 immense progress. Their organizing forced many home  
22 care agencies to stop assigning 24-hour shifts and  
23 split the care into two 12-hour shifts. They won back  
24 hundreds of thousands of dollars of stolen wages from  
25 home care agency. Through the efforts of these

2 workers, many of whom are still working 24-hour  
3 shifts while fighting for justice, they're already  
4 slowly abolishing these inhumane working conditions.

5 I'm proud to be here with my Colleagues  
6 today to do our part to meet this moment and ensure  
7 that these home care workers are no longer fighting  
8 alone. Thank you.

9 CHAIRPERSON ALDEBOL: Thank you, Council  
10 Member.

11 At this point, I'd like to recognize that  
12 we have representatives from DCWP, and I will turn to  
13 Committee Counsel to administer the oath for this  
14 panel.

15 COMMITTEE COUNSEL OGASAWARA: We will now  
16 hear testimony from the Administration.

17 Before we begin, I will administer the  
18 affirmation. Panelists, please raise your right  
19 hands.

20 I will read the affirmation once and then  
21 call on each of you individually to respond.

22 Do you affirm to tell the truth, the  
23 whole truth, and nothing but the truth before this  
24 Committee and to respond honestly to Council Member  
25 questions?

2 Ms. Wagoner.

3 DEPUTY COMMISSIONER WAGONER: I do.

4 COMMITTEE COUNSEL OGASAWARA: Mr. Ortiz.

5 DEPUTY COMMISSIONER ORTIZ: I do.

6 COMMITTEE COUNSEL OGASAWARA: Thank you.

7 DEPUTY COMMISSIONER ORTIZ: Good morning,  
8 Chair Aldebol and Council Member Marte. My name is  
9 Carlos Ortiz, and I'm the Deputy Commissioner of  
10 External Affairs for the Department of Consumer and  
11 Worker Protection. I'm joined by my colleague,  
12 Elizabeth Wagoner, DCWP's Deputy Commissioner of the  
13 Office of Labor Policy and Standards. Thank you for  
14 the opportunity to testify today on Instruction 303  
15 relating to maximum working hours for home care  
16 aides.

17 The New York City Department of Consumer  
18 and Worker Protection is the nation's leading  
19 municipal enforcement agency charged with delivering  
20 economic justice. DCWP leverages its authority to  
21 bring New Yorkers real economic relief and protect  
22 them from predatory, deceptive, and unfair practices  
23 that violate their rights as consumers and workers.  
24 This includes pioneering cutting-edge protections  
25 such as the City's Consumer Protection Law, Protected

2 Time Off Law, Fair Work Week Law, and delivery worker  
3 laws. Through licensing more than 45,000 businesses  
4 in over 45 industries, DCWP ensures fair competition  
5 and a level playing field for responsible small  
6 businesses that are integral to New York City's  
7 vibrant communities. DCWP also provides essential  
8 services such as free tax prep preparation, financial  
9 counseling to ensure New Yorkers keep more of what  
10 they earn and can plan for their futures. DCWP is  
11 committed to making sure New York City is a fair,  
12 more affordable place to live.

13 DCWP has been at the forefront of  
14 advocating for enhanced protections for paid care  
15 workers for nearly a decade. We are home to the  
16 City's Paid Care Division, a first-in-the-nation  
17 initiative to focus on the needs of low-wage paid  
18 care workers. Through the Paid Care Division, DCWP  
19 has built relationships with advocates and provider  
20 organizations holding annual convenings of workers to  
21 help connect them with assistance and educate them  
22 about their rights. DCWP has combined outreach,  
23 advocacy, and enforcement to uphold and expand the  
24 rights of paid care workers in New York City. The  
25 Protected Time Off Law, formerly known as the Earned

2 Safe and Sick Time Act, covers paid care workers,  
3 including domestic workers and home health workers.  
4 During the early months of the pandemic, we partnered  
5 with the Council to update this law to allow domestic  
6 workers to accrue their safe and sick time at the  
7 same rate as other workers in New York City. We also  
8 advocated for and achieved a private right of action  
9 for workers to be able to bring their own cases  
10 forward for violations of their rights. Lastly, the  
11 Protected Time Off Law newly provides for additional  
12 uses of leave, including to care for a child or to  
13 attend a legal proceeding.

14 DCWP has practically used its enforcement  
15 authority to go after unlawful workplace activity in  
16 the paid care industry. We are currently  
17 investigating multiple home health care employers for  
18 sick time violations under the Protected Time Off  
19 Law. Following our standard procedures in these  
20 situations, these are citywide investigations to  
21 protect all affected workers. As an example of this  
22 practice, last year we resolved a sick time case  
23 against Elara Caring for not allowing workers to take  
24 time off work as required by law, which resulted in  
25 nearly 1 million dollars in restitution and civil

2 penalties to more than 2,200 workers. DCWP also  
3 regularly partners with State authorities to identify  
4 and investigate complaints related to labor  
5 protections outside of our jurisdiction.

6           There are approximately 300,000 home care  
7 workers in New York City providing essential  
8 assistance, comfort, and dignity to people in their  
9 care while working long hours and performing  
10 emotionally and physically difficult labor out of the  
11 public view. Home care workers represent the largest  
12 share of the health care workforce, made up in large  
13 part by immigrant women, oftentimes older adults  
14 themselves, being paid only a little more than half  
15 of a New York City living wage. Currently, the New  
16 York State Department of Labor allows for home care  
17 workers to be scheduled for 24-hour shifts. For each  
18 24-hour shift, an employer is permitted to pay the  
19 workers for only 13 hours if the worker receives  
20 three hours for meal breaks and an eight-hour sleep  
21 break, five hours of which must be uninterrupted  
22 sleep. If the worker does not receive these breaks,  
23 the worker must be compensated for the entirety of  
24 the 24-hour shift.

2           Our understanding is that the majority of  
3 home care patients pay for their care through  
4 Medicaid reimbursements. That Medicaid funding is  
5 directed to health insurance providers or local  
6 municipal agencies. These entities contract with  
7 local home care providers to employ the home care  
8 workers for the patient. And depending on the needs  
9 of the patient, a single home care worker could be  
10 scheduled for a 24-hour shift, for which the worker  
11 will typically only be paid for 13 hours.

12           Introduction 303 would prohibit  
13 scheduling home care aides for shifts longer than 12  
14 hours, consecutive 12-hour shifts, or shifts totally  
15 more than 12 hours in a 24-hour period, except an  
16 employer could assign up to two additional hours per  
17 day or 10 hours per week for limited unforeseeable  
18 circumstances. It would also cap a worker's scheduled  
19 hours at 56 hours per week unless the worker gives  
20 consent and the employer provides two weeks advance  
21 notice.

22           DCWP supports the intent of this  
23 legislation to improve working conditions and  
24 compensation for home health aides. All levels of  
25 government must work together to address the

2 exploitation that workers in this essential sector  
3 face far too often. Workers should always be paid for  
4 all the hours that they work. The practical realities  
5 of paid care work make it common for home care  
6 workers' sleep and meal periods to be interrupted.  
7 Yet, despite New York State DOL requirements, we have  
8 heard of some workers not being compensated for the  
9 full 24 hours, even when they report sleep and meal  
10 interruptions. Many of the workers in this industry  
11 are women of color and immigrants who have expressed  
12 fears of retaliation, or in fact have experienced  
13 retaliation when they report that their rest periods  
14 have been interrupted or that they have not been  
15 fairly compensated. This dynamic must be addressed.

16           However, we have concerns that  
17 prohibiting 24-hour shifts without additional  
18 Medicaid funding to home care providers could have  
19 unintended consequences for patients and workers. If  
20 home care providers do not receive the funding to  
21 properly pay multiple workers to cover an entire day  
22 for a home care patient, care could be disrupted and  
23 less shifts could be available for workers.

24           Therefore, ensuring home care workers are  
25 paid for the hours they work will require a

2 comprehensive response. Stronger enforcement of New  
3 York State DOL requirements is essential, as are  
4 greater protections for these workers, especially  
5 immigrant workers who have expressed fears of  
6 reporting violations. Prohibiting 24-hour shifts will  
7 require working collaboratively with the State to  
8 establish necessary funding streams for  
9 implementation. Ultimately, this coordination is  
10 vital to being able to address the fundamental issues  
11 workers are raising with respect to the exploitation  
12 they face in the workplace, particularly around lack  
13 of rest and wage theft, as well as improving care  
14 conditions for New Yorkers.

15           Once again, I would like to thank the  
16 Council for the opportunity to testify on today's  
17 legislation and for your commitment to addressing  
18 workplace issues that impact New York City's home  
19 care workers. DCWP and the Administration are  
20 committed to continue collaboration with workers,  
21 advocates, and policymakers to improve working and  
22 care conditions for all New Yorkers, and we look  
23 forward to today's discussion and questions.

24           CHAIRPERSON ALDEBOL: Sorry. I do have a  
25 question. Since the bill was last heard in 2022, it

2 received some amendments, removing the language  
3 requiring a 50-hour weekly cap, adding language to  
4 implement a 56-hour weekly cap that may be exceeded  
5 if the employer provides two weeks' written notice  
6 and obtains consent from the home care employee, and  
7 files a record of such excess assignment with the  
8 Department of Consumer and Worker Protection,  
9 extending the effective date of the bill to resolve  
10 State funding issues, and adding an educational  
11 outreach component about the rights that home care  
12 workers are entitled to under the law. Do you have  
13 any feedback regarding the amended provisions, and do  
14 they allay any of the previous concerns that were  
15 expressed in the September 6, 2022, hearing when this  
16 bill was last heard?

17 DEPUTY COMMISSIONER ORTIZ: Thank you,  
18 Chair. I would say that these amendments that you've  
19 mentioned are certainly improvements on the bill that  
20 we're supportive of. I think along the lines of the  
21 cap on worker hours, that's something we heard  
22 directly from workers and advocates that they were  
23 interested in. We're very welcome that the Council  
24 has taken that feedback in. I think components of  
25 outreach are essential for the agency. We are an

2 outreach-forward agency. We make sure that we have  
3 relationships with workers directly or with  
4 organizations.

5           And then on the State funding piece, I  
6 think that is, as I related in my testimony, that is  
7 a critical piece, I think, of this equation, and I'm  
8 thankful that the Council is also looking into that  
9 as well.

10           COUNCIL MEMBER MARTE: Thank you for being  
11 here, and thank you for supporting the intent of the  
12 bill. I have a few questions.

13           Has DCWP looked into how many home care  
14 agencies in New York City that schedule 24-hour  
15 shifts compared to how many already schedule split  
16 shifts for 12-hour shifts?

17           DEPUTY COMMISSIONER ORTIZ: Thank you for  
18 the question, Council Member. We wouldn't have that  
19 specific information recorded through complaints or  
20 data sets that we have, but in our outreach to  
21 advocates in this space and our understanding from  
22 providers and employers that there are approximately  
23 300,000 home care workers in the city, and about 10  
24 percent of them, 8 to 10 percent of them are engaged  
25 in 24-hour shifts.

2 COUNCIL MEMBER MARTE: Okay. So, have you  
3 talked to any of the home care agencies who have  
4 scheduled 12-hour shifts, especially ones who stop  
5 assigning 24-hour shifts?

6 DEPUTY COMMISSIONER ORTIZ: We have not  
7 yet had a chance to engage with those agencies that  
8 have been implementing 12-hour shifts, although I  
9 think as part of the legislative process, we welcome  
10 the opportunity to speak with stakeholders on this  
11 issue to understand more about how they're making  
12 changes to their infrastructures. We have spoken with  
13 advocates, but I think this is an ongoing organic  
14 conversation that needs to be had to make sure we're  
15 getting the best protections we can for workers.

16 COUNCIL MEMBER MARTE: Yeah. So, my office  
17 has been working with advocates and home care  
18 workers, and we've met with a few of the bosses of  
19 these home care agencies who have shifted from 24-  
20 hour shifts to 12-hour shifts, and they have not  
21 brought up any concerns of financial burden, and I  
22 know in your testimony, you talked about potential  
23 increased funding through Medicaid when we know that  
24 almost entirely the 24-hour shift home care agency is  
25 funded by that funding stream. Do you have any data

2 to support? Because from our dialogues, these home  
3 care agencies have not said they needed more money to  
4 give the 24-hour care.

5 DEPUTY COMMISSIONER ORTIZ: Thank you,  
6 Council Member. I mean, we would greatly appreciate  
7 being connected with these agencies. I think as we've  
8 done our own research and outreach to non-profits and  
9 other providers across the city, we have heard  
10 concerns about funding streams. I think ultimately,  
11 to implement protections for workers at this scale,  
12 we need to have a multilateral approach that has  
13 greater protections for workers, but also make sure  
14 that we're working collaboratively with the State on  
15 what the City needs from them. But yes, please, I  
16 welcome being connected with more folks to understand  
17 this issue better.

18 COUNCIL MEMBER MARTE: I think that's all  
19 the questions that I have for now.

20 CHAIRPERSON ALDEBOL: We're joined by  
21 Council Member Tiffany Cabán.

22 You have a question?

23 COUNCIL MEMBER CABÁN: Yes, thank you.

24 And this is broad, but it does affect the  
25 topic at hand. We were briefed on the preliminary

2 budget yesterday with the Mayor. That was obviously  
3 released. So, I just would love if you could talk  
4 about what's needed in this moment, budget-wise,  
5 personnel-wise, to take on bigger enforcement  
6 responsibilities, whether it's this bill or the  
7 number of other bills that we passed, like the street  
8 vendor reforms, or maybe even bills that we  
9 anticipate as a Council passing, like the Delivery  
10 Protection Act.

11 DEPUTY COMMISSIONER ORTIZ: Thank you for  
12 the question, Council Member. Currently, the agency  
13 has been implementing key legislation related to  
14 delivery worker minimum pay rate expansion, the  
15 protected time off expansion that I referenced in my  
16 testimony, self-storage licensing expansion. The  
17 fiscal impact statements for those bills that are on  
18 the Council's website total about 34 new staff lines  
19 for implementation. So far, for this preliminary  
20 budget, we received approximately nine staff lines,  
21 but I think those conversations with OMB will be  
22 ongoing, and I think we will also be having further  
23 discussions as we move into the executive budget  
24 phase as well.

2 COUNCIL MEMBER CABÁN: So, I think it's  
3 fair to say you need a lot more.

4 DEPUTY COMMISSIONER ORTIZ: I think we  
5 are, in terms of resources, one, to ensure that we're  
6 able to cover the backlog of cases that we have, both  
7 on the consumer and worker protection side, and the  
8 new mandates that the agency is taking on, because  
9 again, I think these mandates are incredibly  
10 important for New Yorkers, the resources conversation  
11 is significant, and why we put together those fiscal  
12 impact statements too.

13 COUNCIL MEMBER CABÁN: And I think, I  
14 mean, obviously, we've been able to see the good work  
15 that your folks do. Most recently, with some record-  
16 breaking amounts of money coming back to the city,  
17 going back to workers who have been denied those  
18 funds. So, thank you, I appreciate that.

19 DEPUTY COMMISSIONER ORTIZ: And thank you  
20 for elevating what we've been able to recover for  
21 workers. And my colleague, Elizabeth Wagoner, her and  
22 her team have been able to, on just the worker side  
23 alone, recover about 67 million dollars in  
24 restitution for workers. I think it showcases the  
25 efforts of a small but mighty team on delivering real

2 results for New Yorkers, which is core to our  
3 mission.

4 COUNCIL MEMBER CABÁN: Thank you. Thank  
5 you, Chair.

6 CHAIRPERSON ALDEBOL: Thank you.

7 Council Member Morano.

8 COUNCIL MEMBER MORANO: Thank you, Madam  
9 Chair.

10 Thank you, Deputy Commissioner, for such  
11 thorough testimony, such well-prepared testimony, and  
12 thank you for printing out copies for us, which is  
13 always helpful in terms of following.

14 I want to follow up on a couple of the  
15 questions that Council Member Marte alluded to. Your  
16 testimony states that prohibiting 24-hour shifts  
17 without additional Medicaid funding could disrupt  
18 care. Has additional Medicaid funding been secured to  
19 support this change?

20 DEPUTY COMMISSIONER ORTIZ: I don't  
21 believe that additional Medicaid funding has been  
22 thus far secured. But I do take Chair Aldebol's  
23 comments, too, about the amendments to the bill and  
24 making sure we're working with the State on that  
25 issue. And I think for us as an agency, too, it's

2 important that we work collaboratively with the state  
3 as well.

4 COUNCIL MEMBER MORANO: If it hasn't,  
5 isn't there a risk that providers simply won't be  
6 able to comply?

7 DEPUTY COMMISSIONER ORTIZ: I think for  
8 us, we want to make sure that, I mean, that's  
9 certainly a concern that we've raised in our  
10 testimony. But ultimately, I think we need to get to  
11 a place where we are addressing workplace harm, where  
12 we're addressing worker violation, worker  
13 exploitation that Council Member Marte has raised.  
14 And so, again, a multilateral approach is what's  
15 needed there, not just passing legislation, but also  
16 being able to work with the state on the issues that  
17 you're raising.

18 COUNCIL MEMBER MORANO: Following up on a  
19 couple of the cost points that my colleague Council  
20 Member Cabán mentioned, has DCWP calculated the total  
21 additional cost to the system if providers must  
22 replace one 24-hour worker with two or more workers?

23 DEPUTY COMMISSIONER ORTIZ: We don't have  
24 a cost for that yet, but I think that's an important  
25 point to raise for the conversation as well.

2 COUNCIL MEMBER MORANO: And who  
3 ultimately, just for clarity's sake, bears that cost?  
4 Taxpayers, providers, workers, some combination?

5 DEPUTY COMMISSIONER WAGONER: I would just  
6 note that under current law, if a patient actually  
7 needs 24-hour care, it is already the law that an  
8 agency is supposed to provide that level of care. And  
9 so, while I can't speak to exactly the breakdown of  
10 who's funding that, current law does require  
11 compensation for all 24 hours.

12 DEPUTY COMMISSIONER ORTIZ: And I think I  
13 would note on that too, as often happens in these  
14 cases where meal periods don't happen, rest breaks  
15 don't happen, the worker at that point is entitled to  
16 fuller compensation under the law as well.

17 COUNCIL MEMBER MORANO: Do we currently  
18 have enough trained home care workers in New York  
19 City to replace every 24-hour shift with shorter  
20 shifts?

21 DEPUTY COMMISSIONER WAGONER: I don't  
22 think we know the answer to that specific question,  
23 but would just also note that there's a variety of  
24 different care needs among care recipients, and not  
25 every person is actually going to need 24-hour care

2 so it also makes it difficult to estimate the number  
3 you're looking for.

4 COUNCIL MEMBER MORANO: Are there patients  
5 who prefer having one caregiver for longer periods  
6 rather than multiple different caregivers?

7 DEPUTY COMMISSIONER ORTIZ: I think that,  
8 no, I think that's a valid question, but to some  
9 degree, I think the value of a hearing like this is  
10 to hear directly from patients and their advocates  
11 about what those needs are as well. This is not  
12 something that the agency has received direct  
13 information on.

14 COUNCIL MEMBER MORANO: Finally, from me.  
15 Should adult workers have the right to voluntarily  
16 choose longer shifts if they prefer to do so?

17 DEPUTY COMMISSIONER WAGONER: Only if  
18 they're lawfully compensated for the time.

19 COUNCIL MEMBER MORANO: Thank you.

20 DEPUTY COMMISSIONER ORTIZ: Thank you,  
21 Council Member.

22 CHAIRPERSON ALDEBOL: Council Member  
23 Marte.

24 COUNCIL MEMBER MARTE: Just a few more  
25 questions.

2           From your understanding of the bill and  
3 the industry, it's a State-run program, Medicaid.  
4 However, 24-hour shifts are almost entirely assigned  
5 to New York City, while other parts of the states,  
6 like Long Island, Rochester, Buffalo, issue two 12-  
7 hour shifts, what we're trying to achieve, and in  
8 some cities, like Rochester, they have three eight-  
9 hour shifts. So, the funding stream comes from the  
10 same source, to provide 24-hour care. However, it's  
11 just New York City that only pays them for 13 hours  
12 of those 24 hours that they work. Furthermore, if a  
13 patient requests 24-hour care, there is a process in  
14 place now, by having a nurse's note and having  
15 approval from their home care agency and their  
16 insurance company to have two 12-hour split shifts,  
17 which would give proper 24-hour care to that patient.  
18 So, in theory, right now, you can actually do this,  
19 but you have to go through a long process, and it  
20 only happens here in New York City. So, what we're  
21 doing with this bill, we're just ending that long  
22 process that many of the patients, because they're  
23 vulnerable individuals, and many of these workers,  
24 many who don't speak English, are not able to do that  
25 process. So, I would love to hear your take on that.

2 DEPUTY COMMISSIONER ORTIZ: No, thank you  
3 for the clarification, Council Member, on the intent  
4 of that, and this is a little far afield of the work  
5 that we're doing at the agency, but my understanding  
6 as well is that the 24-hour shifts, the directive on  
7 that comes from the State and also is managed by  
8 municipal agencies, too. So, I think the point is  
9 well taken that there are other municipalities across  
10 the state that are engaging in shifts in different  
11 ways, and that's, I think, part of the picture that  
12 we all need to realize.

13 COUNCIL MEMBER MARTE: And as I think you  
14 said really well, I just want to reaffirm this point.  
15 When a worker can't sleep for five hours straight,  
16 they can be compensated for those 24 hours of work,  
17 so technically, the money is there. Technically, the  
18 money can be granted to this patient. They just have  
19 to document that they weren't able to sleep for five  
20 hours, and sometimes, the agency doesn't allow the  
21 paperwork to actually document that disruption of  
22 rest.

23 DEPUTY COMMISSIONER ORTIZ: Respectfully,  
24 I would defer to the State on what money is there,  
25 but I would reiterate again that workers should be

2 paid for all the time they're working. If they're not  
3 getting their meal breaks, if they're not getting  
4 rest, they should be paid for that. And I think we,  
5 as public servants, need to make sure that we are  
6 facilitating that or enforcing that as diligently as  
7 possible.

8 COUNCIL MEMBER MARTE: And my final  
9 question. Medicaid funds a lot of doctor visits, a  
10 lot of different types of surgery. Under Medicaid, is  
11 there any other sector where you see doctors working  
12 without being paid for the hours that they work,  
13 where you see nurses not being paid for the hours  
14 that they work, from your experience in New York  
15 City?

16 DEPUTY COMMISSIONER ORTIZ: I can't speak  
17 to those other professions, doctors and nurses. I can  
18 say, I think in the paid care realm, there are  
19 natural points. There are points that make that work  
20 very difficult for workers. The isolation, folks who  
21 have predominantly immigrant backgrounds, women of  
22 color, these have all contributed to exploitation  
23 happening in that industry specifically.

24 And in terms of our enforcement work,  
25 it's helped us in terms of guiding our enforcement.

2 We have done audits of the industry, so to speak. We  
3 recently had that major case around Elara Caring. We  
4 are investigating home care agencies now. And I think  
5 it ties back to the fact that there are issues with  
6 how workers are treated in that industry.

7 DEPUTY COMMISSIONER ORTIZ: And I'll end  
8 by just saying, just because someone has a PhD, just  
9 because someone has a title or certification, doesn't  
10 mean they're providing better care than home  
11 attendants. All workers should be paid for every  
12 single hour that they work. All workers should be  
13 respected for the compassion and love that they give  
14 to our most vulnerable population. And so, I think  
15 that's what we're trying to address today, to make  
16 sure that all workers have the same representation,  
17 the same value in our city. Thank you.

18 CHAIRPERSON ALDEBOL: I have an additional  
19 question.

20 So DCWP's Paid Care Division focuses on  
21 the needs of paid care workers, including home care  
22 workers. In 2024, the Paid Care Division received 12  
23 complaints, opened 20 investigations, and closed 27  
24 investigations. Do you currently have data on what  
25 the filed complaints were for? Did they exhibit a

2 pattern that indicated that DCWP should investigate a  
3 specific employer or employees, a group of employees?  
4 Of the 20 investigations that were opened in 2024,  
5 are they still open? The Mayor's Management Report  
6 states that in 2024, DCWP received 1,581 total  
7 complaints, opened 476 investigations, and closed 387  
8 investigations. Would all investigations probing the  
9 home care industry be conducted by the Paid Care  
10 Division, or are there other divisions at DCWP that  
11 may incidentally be engaged in oversight of home care  
12 workers based on the information provided in the  
13 complaint?

14 DEPUTY COMMISSIONER WAGONER: So, speaking  
15 to our work in this area, most of the complaints that  
16 we receive that the Paid Care Division staff handle  
17 are against home health care agencies. We also do get  
18 some complaints from workers who work in private  
19 homes as domestic workers, but the largest area of  
20 work is investigations of home health care agencies,  
21 and those are paid sick time investigations. So, it  
22 is a common, unfortunately, fact pattern that workers  
23 report that they're disciplined when they call out  
24 sick, that they are not paid for sick leave without  
25 bringing in a doctor's note. Those practices are not

2 lawful in New York City. We often hear from workers  
3 that these are systemic issues that affect all  
4 workers in the workplace. And when we learn that, we  
5 open up an investigation covering the entire  
6 workforce that's potentially affected by an  
7 allegation of an unlawful practice. And so, we do  
8 have several open investigations right now,  
9 workplace-wide, class-wide investigations into home  
10 health care agencies for practices like that. Those  
11 cases can take some time to work up to ensure that we  
12 are looking at every angle, making sure that every  
13 worker is covered. But that is the bulk of the work  
14 that the Paid Care Division does, is enforcement like  
15 that.

16 CHAIRPERSON ALDEBOL: And do you have a  
17 sense of complaints regarding interrupted sleep or  
18 break times that they're not getting paid the 24  
19 hours?

20 DEPUTY COMMISSIONER WAGONER: So, we don't  
21 track data on those issues because we don't have  
22 authority to enforce wage theft laws, and that would  
23 be a wage theft issue, an overtime issue like that.  
24 And so, because we don't have enforcement authority  
25 over the New York labor law and overtime, we don't

2 track that data, but all our investigators are  
3 trained in issue spotting, other issues that may  
4 affect workers that are outside of our jurisdiction  
5 and making sure they get to the right place. And in a  
6 case like that, the right place is going to be the  
7 Department of Labor and also potentially private  
8 attorneys who would be able to take that case and  
9 bring a case for the worker to recover compensation  
10 for the 24 hours of unpaid work.

11 CHAIRPERSON ALDEBOL: We've been joined by  
12 Council Member Ty Hankerson.

13 Do you have any questions?

14 There are no other questions.

15 I will now open the floor to public  
16 testimony. Before we begin... thank you.

17 DEPUTY COMMISSIONER ORTIZ: Thank you,  
18 Chair. We'll make sure we have our staff monitoring  
19 the hearing as well.

20 DEPUTY COMMISSIONER ORTIZ: Thank you.

21 DEPUTY COMMISSIONER WAGONER: Thank you.

22 CHAIRPERSON ALDEBOL: Before we begin, I  
23 want to remind members of the public that this is a  
24 formal government proceeding and that decorum shall  
25

2 be observed at all times. As such, members of the  
3 public shall remain silent at all times.

4           The witness table is reserved for people  
5 who wish to testify. No video recording or  
6 photography is allowed from the witness table.  
7 Further, members of the public may not present audio  
8 or video recordings as testimony but may submit  
9 transcripts of such recordings to the Sergeant-at-  
10 Arms for inclusion in the hearing record.

11           If you wish to speak at today's hearing,  
12 please fill out an appearance card with the Sergeant-  
13 at-Arms and wait for your name to be called. Once you  
14 have been recognized, you will have two minutes to  
15 speak on today's legislation on Introduction 303.

16           If you have a written statement or  
17 additional written testimony you wish to submit for  
18 the record, please provide a copy of that testimony  
19 to the Sergeant-at-Arms. You may also email written  
20 testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72  
21 hours of this hearing. Audio and video recordings  
22 will not be accepted.

23           When you hear your name, please come up  
24 to the witness panel.

2 For the first panel, we invite State  
3 Senator Jessica Ramos and Assembly Member Ron Kim.

4 NEW YORK STATE SENATOR RAMOS: All right.

5 Buenos dias, Chair Aldebol and Members of the Labor

6 Committee. My name is Jessica Ramos. I represent the

7 Queens neighborhoods of Corona, East Elmhurst,

8 Jackson Heights, Elmhurst and parts of Rego Park and

9 Forest Hills in the New York State Senate. I'm proud

10 to represent one of the most diverse Districts in the

11 entire world, home to thousands of workers who

12 provide essential services across all five boroughs.

13 I submit this testimony in strong support of Council

14 Member Marte's No More 24 Act.

15 In New York City, home care agencies

16 routinely assign workers to 24-hour shifts caring for

17 elderly and disabled New Yorkers. Under the State's

18 so-called 13-hour rule, workers are paid for just 13

19 hours of that shift based on the assumption that they

20 receive uninterrupted sleep and regular meal breaks.

21 But we know that's not reality. Workers have

22 testified for years that sleep is interrupted, meals

23 are skipped and they remain on call around the clock.

24 This is a labor crisis that's been hiding in plain

25 sight. Well, no more. New York City's home care

2 workforce includes roughly 130,000 workers. About 93  
3 percent are women, more than 70 percent are  
4 immigrants. These are overwhelmingly women of color  
5 who speak Spanish, Creole, Chinese and many other  
6 languages, many of whom are my neighbors. They are  
7 performing one of the most physically demanding and  
8 emotionally taxing jobs in our economy while being  
9 compensated for barely half the time they are  
10 required to be present.

11           This is not theoretical for me. When my  
12 aunt Miriam first came to this country from Colombia,  
13 she did this work. I saw firsthand how backbreaking  
14 it is, the lifting, the constant vigilance, the  
15 emotional weight of caring for someone's loved ones  
16 while being far away from your own family. These  
17 workers are not just performing tasks, they are  
18 sustaining human dignity. No one should be expected  
19 to do that for 24 hours straight. No other city in  
20 New York State assigns 24-hour home care shifts. The  
21 No More 24 Act would bring New York in line with the  
22 rest of the state, and I urge you to pass this bill.  
23 Was that my buzzer? Yes, no.

24           CHAIRPERSON ALDEBOL: That's your buzzer.  
25 Thank you.

2 NEW YORK STATE ASSEMBLY MEMBER KIM: Oh,  
3 it's two minutes. I thought it was five minutes.

4 CHAIRPERSON ALDEBOL: No. It's two  
5 minutes.

6 NEW YORK STATE SENATOR RAMOS: We're not  
7 in Albany anymore, Dorothy.

8 NEW YORK STATE ASSEMBLY MEMBER KIM: I'll  
9 improvise.

10 CHAIRPERSON ALDEBOL: We're a little  
11 quicker here in New York City.

12 NEW YORK STATE ASSEMBLY MEMBER KIM: Good  
13 morning. My name's Ron Kim. I'm serving my seventh  
14 term in the State Assembly, and before my current  
15 role as the Chair of Tourism, I chaired the Committee  
16 on Aging for four years, overseeing the interests of  
17 older adults throughout New York.

18 In my role as Aging Chair, I published a  
19 103-page report on how government contractors trusted  
20 to administer home care committed years of wage theft  
21 against home care workers. I also held a State  
22 oversight hearing comparing home care managed by  
23 intermediaries called Managed Care Organizations,  
24 MCOs, that set monthly fees to provide necessary  
25 services for an enrollee versus fee-for-service home

2 care models administered directly by county  
3 governments. Can you guess under which model we have  
4 billions of dollars stolen from home care workers?  
5 What could possibly go wrong when for-profit  
6 intermediaries are financially incentivized to keep  
7 care costs at or below the monthly fees for each  
8 client? The moment the State hired MCOs or insurance  
9 companies to manage our Medicaid-backed home care, we  
10 launched a system based on predatory inclusion. It's  
11 a system driven by undercutting care while maximizing  
12 profits. For 15 years, many chose to look the other  
13 way because so many of our institutions became  
14 detrimentally reliant on this predatory inclusion  
15 system. For example, we know many progressive allies  
16 and friends who work for non-profits that are in  
17 contract with MCOs, and we certainly know governors  
18 and past mayors who have taken millions from  
19 insurance companies, and they played their part to  
20 defend MCOs.

21 But throughout this very complex and  
22 broken system, we're lucky to have truth-tellers like  
23 Christopher Marte, the Chair, the new Speaker, and  
24 we're here to tell that truth. But the best and the  
25 most effective truth-tellers are the home cares

2 standing behind me in the next room, and there are  
3 many of those who chose not to speak up because of  
4 the cultural sensitivity, because of the cultural  
5 pressure to shut up and not speak up. To those people  
6 who are not here (TIMER CHIME) we hear you, we  
7 understand you, we're continuing to fight, and we're  
8 going to end 24-hour work. Thank you.

9 CHAIRPERSON ALDEBOL: Thank you.

10 Christopher Marte, thank you. Council  
11 Member.

12 COUNCIL MEMBER MARTE: Thank you both for  
13 being here.

14 State Senator Ramos, just a simple  
15 question. In your testimony, in your written  
16 testimony, you say that the infrastructure exists to  
17 administer two 12-hour shifts because it happens in  
18 the rest of the state, just not here in New York  
19 City. Can you elaborate that a little bit more?

20 NEW YORK STATE SENATOR RAMOS: That's  
21 correct. As is practiced at a State level, according  
22 to State law, there is a way for us to divide the  
23 work into two shifts in one day instead of forcing  
24 one person to work 24 hours, especially in exchange

2 for only compensation of essentially those 12 or 13  
3 hours.

4 COUNCIL MEMBER MARTE: Thank you.

5 NEW YORK STATE SENATOR RAMOS: It's wage  
6 theft at its best.

7 COUNCIL MEMBER MARTE: And one question  
8 for Assembly Member Ron Kim. You released almost a  
9 110-page report talking about the wage theft that was  
10 happening here in New York City, mostly to Asian  
11 American home care workers. Can you talk a little bit  
12 about that report and why it was so groundbreaking?

13 NEW YORK STATE ASSEMBLY MEMBER KIM: When  
14 we examined decades of stolen wages by a non-profit  
15 contractor, we discovered that they've deployed some  
16 of the worst tactics that every other giant  
17 corporations have deployed against workers, employing  
18 some of the biggest law firms to gaslight the public,  
19 to make it feel like it's the workers' fault. And  
20 within that report, we discovered also the employers  
21 threatening workers to lie on their documented,  
22 submitted work hours, to tell the State that they did  
23 not work 24 hours, because they understood in that  
24 moment that if they did, it's not Medicaid. It was  
25 the employer on record that had to come up with

2 overtime hours. So, there's proven documentation that  
3 these contractors knew, but they chose to continue  
4 the 24-hour work and threaten workers to lie about  
5 the hours that they worked. For these crimes, these  
6 contractors must be held accountable. And this is,  
7 again, it's a complex issue. It's extremely  
8 complicated, because we have allies and friends who  
9 are part of the non-profit world, and I'm not  
10 individualizing any of this. I'm still friends with  
11 them. But as institutions, we have to be honest about  
12 the mistakes we've made, and we all made mistakes,  
13 including the State, including the past governor's  
14 legislature who looked the other way, who created the  
15 system in the first place. But if we can't be honest  
16 about where we are as a system, how can we move  
17 forward? And today, this is a step in the right  
18 direction to trigger that series of actions to hold  
19 institutions accountable and making sure that we can  
20 move forward, ending 24-hour work, but making sure  
21 that the intermediaries, the insurance companies, are  
22 not the one leading the agenda for the State of New  
23 York.

24 COUNCIL MEMBER MARTE: Thank you, Ron. And  
25 I think you brought up a really good point that I

2 want to emphasize. Part of the newer bill with the  
3 amendments that we made, the worker has to document  
4 that they want to work these extra hour shifts, so  
5 we're not putting an absolute cap on how many hours  
6 they can work. They just have to agree and give  
7 consent. And also, that has to be reported to  
8 Department of Consumer Worker Protection just to make  
9 sure that they don't see a pattern from one home care  
10 agency alone where they're getting a lot of  
11 exceptions for additional work hours to make sure  
12 that there is some sort of accountability and trust  
13 in the system.

14 NEW YORK STATE ASSEMBLY MEMBER KIM: Yeah.  
15 Otherwise, these employers will continue to use their  
16 tactics to put them in a box where if you speak up,  
17 they will no longer get the hours. And if you don't  
18 lie about the hours, they'll target you and not give  
19 you the work. And so what do you expect the workers  
20 who lack English to do? They'll just...

21 NEW YORK STATE SENATOR RAMOS: Unionize.

22 NEW YORK STATE ASSEMBLY MEMBER KIM: Yeah,  
23 they are unionizing. This is the step one, right? So,  
24 your bill to safeguard them and efforts to unionize

2 will be the next steps to make sure that they have  
3 the power.

4 COUNCIL MEMBER MARTE: Thank you. I'm  
5 done.

6 CHAIRPERSON ALDEBOL: Council Member  
7 Cabán.

8 COUNCIL MEMBER CABÁN: Thank you, Chair.  
9 Thank you, Senator Ramos and Assembly Member Kim for  
10 being here.

11 And Senator, just wanted to wish you a  
12 meaningful beginning to the Lent season.

13 So, Assembly Member, you talked a little  
14 bit about, because obviously this is a complicated  
15 problem that requires a lot of action. We have work  
16 to do here at the City. There needs to be work done  
17 at the State level. It needs to be work done in the  
18 NGO space, all of the above. And you alluded to some  
19 of the sort of issues at the State level with  
20 legislation, with the State, with the governor. Can  
21 you talk a little bit about also what is being worked  
22 on in Albany and what's needed to help fix this  
23 problem and make sure that workers are being paid for  
24 every hour, that they have dignified work experiences

2 and environments? Like what is overall needs to be  
3 done here?

4 NEW YORK STATE ASSEMBLY MEMBER KIM: Yeah.  
5 We've done something monumental two budgets ago, I  
6 believe, when we included in our one house a fee-for-  
7 service for home care model. In other words, we were  
8 going to take Medicaid home care reimbursement power  
9 away from MCOs and go back to the fee-for-service  
10 where we cut out the intermediary middlemen, and for  
11 the workers that worked, we will pay you for the  
12 hours worked. Other states like Connecticut and many  
13 other states, when they face a decision of  
14 outsourcing to MCOs, they chose to keep it in-house,  
15 and you don't see the kind of wage gap that we see in  
16 those states that we see now so that's one long-term  
17 solution to get us out. But obviously taking on a  
18 multi-billion dollar industry and convincing Governor  
19 Kathy Hochul and leadership to go on board, even  
20 though the legislature did that, we didn't make it to  
21 the finish line because of the power that the  
22 insurance company holds.

23 So that's one. But secondly...

24 COUNCIL MEMBER CABÁN: Wait. Can I just  
25 follow up on that part and when you go into the

2 second part? Because I think there's also more to  
3 flesh out there that would be useful to understand.  
4 It's like just talking a bit more about the  
5 reimbursement issues and the challenges with the  
6 insurance companies.

7 NEW YORK STATE ASSEMBLY MEMBER KIM: Yeah.  
8 When you set a capitation-based formula payment where  
9 they assign a dollar amount for each client, their  
10 margins rely on undercutting and delaying the  
11 payment. Because otherwise, who's going to make up  
12 the difference, right? So, when you get in a request  
13 for split 24 hours, that means that insurance  
14 companies have to pay two 12 hours versus when you  
15 convince the employer to, hey, take on 24 hours, the  
16 burden of paying for overtime no longer is on  
17 Medicaid, but it's on the employer to figure out how  
18 to pay. So, it is a predatory system based on  
19 exploiting workers. And I've, just like the Senator,  
20 have witnessed firsthand when my father passed away,  
21 I was begging. Like after a year and a half fighting  
22 cancer, I was on the phone with insurance companies  
23 begging for 24 hours. You know when I got that call?  
24 Oh, you've been approved? The day after he passed,  
25 they call me. Oh, you've been approved for 24 hours

2 after denying it for three weeks. So, I've lived  
3 firsthand how toxic and how predatory the system has  
4 been on not only workers, but on the patients as  
5 well.

6 Senator.

7 NEW YORK STATE SENATOR RAMOS: Well, I  
8 mean, from the labor perspective, of course, it's  
9 about how pervasive wage theft is in our city and our  
10 state and actually having the mechanisms for workers  
11 to be able to recover their lost and stolen wages.  
12 Unfortunately, even if the DOL deems a claim to be  
13 true, there is no real enforcing of the employer  
14 paying back the wages that have been stolen. This is  
15 why this very same group of workers has been at the  
16 forefront of fighting for SWEAT, which is Securing  
17 Wages Earned Against Theft. We have even introduced  
18 versions of it to be included in budgets in session,  
19 and yet, you know, there's no one to really force  
20 these companies to pay out even when they've been  
21 found guilty.

22 CHAIRPERSON ALDEBOL: Council Member  
23 Morano.

24 COUNCIL MEMBER MORANO: Thank you. Thank  
25 you, Senator. Thank you, Assembly Member.

2           And Assembly Member, I've been a great  
3 admirer of yours for a long time, and I especially  
4 appreciate your leadership on the nursing home issue  
5 in the aftermath of and during COVID so it's great to  
6 see you in person. Your testimony focuses heavily on  
7 wage theft and exploitation by the MCOs. Would you  
8 agree that wage theft is already illegal under  
9 existing state and federal law?

10           NEW YORK STATE ASSEMBLY MEMBER KIM: Yes.  
11 We have some of the strongest, if not the strongest  
12 wage theft.

13           NEW YORK STATE SENATOR RAMOS: It could be  
14 stronger.

15           NEW YORK STATE ASSEMBLY MEMBER KIM: It  
16 could be stronger. On the surface, we have some  
17 strong language, but just like everything in modern  
18 government, it's the administrative capacity to  
19 enforce the laws that we fought so hard for home care  
20 workers and other workers.

21           COUNCIL MEMBER MORANO: If the core  
22 problem is illegal wage theft, how does limiting  
23 shift length address employers who are already  
24 violating the law?

2 NEW YORK STATE ASSEMBLY MEMBER KIM: I'm  
3 sorry. Repeat the last part.

4 COUNCIL MEMBER MORANO: So, if the core  
5 problem is illegal wage theft, which is what your  
6 focus was here, how does limiting shift length, which  
7 is in large part what this legislation does, how does  
8 that address employers who are already violating the  
9 existing law?

10 NEW YORK STATE ASSEMBLY MEMBER KIM: Well,  
11 I think there's two separate lanes. One, under the  
12 current construct, the burden of enforcing the law,  
13 the legal law is not, it's on the State, and we  
14 simply do not have enough governmental public  
15 capacity to crack down and enforce that law. In fact,  
16 oftentimes the Department of Labor, as the Senator  
17 knows very well, often chooses not to and find gaps  
18 to not enforce, which is what's been happening to  
19 many of these workers based on the mandatory  
20 collective agreement that sometimes the workers often  
21 sign without even knowing they're signing onto it.  
22 Even though the federal government came down and said  
23 that doesn't matter, you need to still comply with  
24 the labor law, New York State Department of Labor has

2 chosen to not enforce some of the law based on  
3 collective agreements.

4 COUNCIL MEMBER MORANO: So, would stronger  
5 enforcement of existing wage laws address many of the  
6 abuses that you described without restricting worker  
7 scheduling flexibility?

8 NEW YORK STATE SENATOR RAMOS: Only in  
9 part. Only in part, because what we're aiming to do  
10 here is redefine the shift work, right? Right now, 24  
11 hours counts as one shift, but they're only being  
12 paid for half of that shift. If you actually define  
13 the shift to be 12 hours, which is the State  
14 standard, and we can bring New York City into the  
15 century, then we can make sure that they are being  
16 compensated for the appropriate number of shifts that  
17 they have worked. That is one of the many ways that  
18 employers skirt paying wages to workers. And we may  
19 have lots of laws on the books, but the fact of the  
20 matter is district attorneys decide whether to  
21 prosecute guilty employers or not, and that's based  
22 on the felony that has been created in the penal code  
23 by the State Senate and the Assembly a year or two  
24 ago. That's largely been only used by DA Bragg, the  
25 great district attorney from here, from Manhattan.

2 He's really the only one who's been holding  
3 construction contractors accountable. We would love  
4 for other district attorneys to explore this, but  
5 beyond that, the types of workers that get abused in  
6 this way tend to be immigrants, tend to be women,  
7 tend to speak very little English, don't have access  
8 to representation, right? Even if it's on contingency  
9 fees, they don't know where to go to find an attorney  
10 who speaks Chinese to represent them in these cases.  
11 And then even if they are found, the Department of  
12 Labor does not have the capacity or ability to force  
13 the employer to pay them what they're owed. So, it's  
14 a broken system to the tune of 3 billion dollars a  
15 year that's being siphoned away from the economy of  
16 our communities every year because we don't do enough  
17 about wage theft.

18 NEW YORK STATE ASSEMBLY MEMBER KIM:

19 Council Member, I think you're implying that if  
20 they're breaking the law anyway, even if he changes  
21 law, like what's going to, what's happening, I think  
22 it's a different dynamic when it's illegal to work 24  
23 hours versus right now it's not. So, they're finding  
24 ways to do it and not pay for workers. I think if you  
25

2 make it clear, I think the level of enforcement will  
3 be greater on them.

4 NEW YORK STATE SENATOR RAMOS: Sorry. I'll  
5 add very quickly. This is the same issue with  
6 correction officers. I carry the bill to do away with  
7 their third mandatory shift. Right now, correction  
8 officers sleep in their car and have a high rate of  
9 divorce because they're being forced to work extra  
10 hours even though they shouldn't be and it's not  
11 healthy for them or for the person who is  
12 incarcerated.

13 COUNCIL MEMBER MORANO: Thank you.

14 CHAIRPERSON ALDEBOL: Thank you, Senator  
15 Ramos and Assembly Member Kim.

16 Okay. So, I'm going to call up the next  
17 panel. When you hear your name, please come up to the  
18 witness panel. We invite Steven B. Auerbach, Vittoria  
19 Fariello, Belinda Hu, Sarah Shapiro, and C. O. Moed.

20 Mr. Auerbach, when you're ready.

21 DR. STEVEN B. AUERBACH: Thank you for  
22 inviting me. My name is Dr. Steve Auerbach. I'm a  
23 retired physician and public health doctor here in  
24 New York City, and I'm representing two groups today  
25 in support of No More 24... sorry, both in support of

2 No More 24, both the New York Doctors Coalition  
3 recently renamed Health Justice for New York and  
4 Physicians for National Health Program, New York  
5 Metro. We've endorsed the No More 24 campaign for  
6 years. We're the groups that also supported the  
7 hunger strikers.

8           Let me start by saying that from a moral  
9 and biomedical perspective, in no workplace in  
10 America should a 24-hour shift ever be considered  
11 acceptable, not for the health of the worker and not  
12 for the quality of the work as the human body tires.  
13 As physicians, we know that as a person tires, our  
14 ability to maintain full attention, quality of  
15 decision-making, care to detail, and physical  
16 strength are all reduced, so the caregiver cannot be  
17 giving their best care to the patient, and it's  
18 harmful for both the mental and physical health of  
19 the caregiver and the client.

20           Regardless of any court ruling, it is  
21 absurd and obscene that an employer is allowed to  
22 control where an employed person's body is located  
23 for a 24-hour shift and then pay for only 13 hours.  
24 Now, it is claimed that these shifts are being made  
25 more acceptable under the court's ostensibly ruling

2 that three hours are for meal breaks and eight hours  
3 are for designated rest, of which five hours it  
4 should be for uninterrupted sleep. And I'm going to  
5 be as polite as I can in this setting, but that's  
6 bullshit. The whole point of the 24-hour shift is  
7 that the person needs to have continuous care,  
8 continuous attention paid. It's why everywhere else,  
9 the standard of care is for two caregivers working  
10 12-hour shifts, awake and alert the whole time, three  
11 caregivers...

12 CHAIRPERSON ALDEBOL: Please conclude  
13 your...

14 DR. STEVEN B. AUERBACK: ...to work eight  
15 hours. It's simply self-contradictory to say 11 hours  
16 off and then require them to be there for 24.

17 And if I may, I know my time's up. Let me  
18 just briefly make the point. The whole point of that  
19 five hours' continuous sleep is nonsense because if  
20 the person needs care during that sleep, either  
21 they're not going to get the care they need or the  
22 person's going to be woken, so the entire legal  
23 ruling is based on a self-contradictory lie. So, I  
24 will leave it there and thank you for your time.

25 CHAIRPERSON ALDEBOL: Thank you.

2 VITTORIA FARIELLO: Thank you. Good  
3 morning. Yes, it is morning. Good morning, Chairwoman  
4 and Members of the City Council and members of the  
5 public. Thank you for allowing me the opportunity to  
6 be here to speak. My name is Vittoria Fariello. I am  
7 a Democratic District Leader here in Lower Manhattan,  
8 and I came to urge every Council Member to sign onto  
9 and pass the Intro. 303, the No More 24 Bill.

10 For years, home attendant workers have  
11 marched, rallied, and protested the inhumane practice  
12 of 24-hour shifts. They have held a hunger strike  
13 where home attendant workers, including women in  
14 their late 60s, demanded an end to the 24-hour  
15 workday. Even though some of them no longer work  
16 these shifts or no longer worked, they did not want  
17 to see others have to bear this same burden. The use  
18 of 24-hour shifts has led to countless home attendant  
19 workers to leave the job. It is a job retention issue  
20 as well as a deterrent to bringing on more workers.  
21 While advocating for workers, I personally  
22 encountered three individual women who told me they  
23 left their jobs because of the 24-hour shifts and  
24 they were untenable for them, and they were not part  
25 of the protest, they happened to be walking by. So,

2 only a few home care agencies still require the 24-  
3 hour shifts while many others have settled lawsuits  
4 with workers and no longer assign 24-hour shifts.  
5 These agencies still operate, which shows that it can  
6 be done without hurting their bottom line. We need to  
7 recognize that when funding for agencies is what  
8 prevents support for this bill, we are actually  
9 saying that the financial burden must be carried by  
10 the home attendant workers, who as we have heard from  
11 Chairwoman who noted that they make about 40,000  
12 dollars a year, so we're asking them to carry an  
13 additional burden. So, to CM Morano's point.

14 CHAIRPERSON ALDEBOL: Please conclude your  
15 remarks.

16 VITTORIA FARIELLO: Sorry. Thank you.

17 So, no one wins when our home attendant  
18 workers are overworked, exhausted and abused. So, I  
19 strongly urge all of you to sign on to this bill.  
20 Thank you.

21 CHAIRPERSON ALDEBOL: Thank you.

22 SARAH SHAPIRO: Hi. My name is Sarah  
23 Shapiro. I'm a municipal retiree representing the  
24 Cross-Union Retirees Organizing Committee, known as  
25 CROC. We are a group of New York City retirees from

1 various municipal unions who have stood beside the  
2 home care attendants since before the hunger strike  
3 of March, 2024. We have rallied and marched with  
4 primarily these immigrant women, and we have many  
5 similarities with them. although the home care  
6 attendants are more vulnerable as they are primarily  
7 immigrant women of color. We also both had  
8 legislation in the City Council introduced by Council  
9 Member Christopher Marte and blocked by the previous  
10 Speaker who said that the issue for the home care  
11 attendants was a State issue, not a City issue, even  
12 though most home care attendants in New York state  
13 were not forced to work 24-hour shifts. They say that  
14 home care workers can probably sleep during the  
15 unpaid time, which is not true if you must turn your  
16 patient every two hours to avoid bed sores or  
17 accompany them to the bathroom in the middle of the  
18 night. These 24-hour shifts not only affect the  
19 worker's quality of life, giving them very little  
20 family time, but also their health is affected long  
21 after they can no longer work. It also affects the  
22 patients who are not getting the quality care they  
23 deserve and need. CROC believes that healthcare is a  
24 human right and everyone deserves comprehensive and  
25

2 guaranteed healthcare, and we need to fix the broken  
3 system of for-profit healthcare insurance companies.  
4 So, that's why we support the New York Health Act.  
5 These 24-hour shifts are exploitative, abusive, and  
6 unjust. CROC stands against slavery, which (TIMER  
7 CHIME) was abolished in 1865. We also stand...

8 CHAIRPERSON ALDEBOL: Thank you.

9 SARAH SHAPIRO: ...against wage theft and we  
10 stand with these workers who need to get the justice  
11 and dignity that they deserve. So, we are advocating  
12 for Speaker Menin to do the right thing, bring Intro.  
13 303 to the floor for a vote. It's time to pass the No  
14 More 24 Act. Thank you very much.

15 CHAIRPERSON ALDEBOL: Thank you.

16 BELINDA HU: Thank you. My name is  
17 Belinda, and I'm a young worker living in New York  
18 City and I'm an organizer with the Ain't I A Woman  
19 Campaign. I am honored to testify in support of the  
20 No More 24 Act.

21 Around the time I had learned about the  
22 home care workers' fight to end the 24-hour workday,  
23 I had just left my last office job where I was  
24 regularly working until 10, 11, 12, sometimes even 2  
25 a.m. I'd regularly skip going to the bathroom or put

2 off meals because I was so overworked, and I became  
3 deeply burnt out in the fall of 2023 right when the  
4 genocide in Gaza had started. How could it be that  
5 everyone I knew was so overworked, being grinded to  
6 dust at our jobs just for our wages to be sent  
7 overseas to kill people? It doesn't make sense.  
8 Through organizing alongside home care workers, it  
9 has become clear to me. The 24-hour workday is a  
10 perfect manifestation of the world that we live in,  
11 where our bodies and our lives are viewed as  
12 expendable by our jobs, where we have no control over  
13 our time or where our money goes. It's a world where  
14 workers like me are scared to speak out against these  
15 grave injustices for fear of being fired or  
16 retaliated against, and it is a world where all  
17 working people's health is being destroyed. I don't  
18 want to live in this type of world anymore. Seeing  
19 home care workers bravely unite with their community  
20 to fight back against their bosses, go on hunger  
21 strike, picket in front of the Department of Labor  
22 has shown me that we can reclaim our lives. As long  
23 as a 24-hour workday exists for home care workers, it  
24 sets the precedent that any worker like you or me  
25 could be forced into these types of exploitative

2 conditions. Ending the 24-hour workday is the first  
3 step to building a world that all of us deserve to  
4 live in. Please pass Intro. 303. Thank you very much.

5 CHAIRPERSON ALDEBOL: Thank you.

6 C. O. MOED: Thank you, City College, I  
7 went to City College, I kept saying that. Thank you,  
8 City Council, for this opportunity to participate in  
9 Democracy and Justice for All. I'm C. O. Moed, I'm a  
10 native New Yorker, a writer and when my mother,  
11 Florence, got sick, my sister and I were  
12 beneficiaries of the crappy working conditions  
13 sleeping Medicaid home attendants adored. And after  
14 Florence died, I was mortified to find out that the  
15 home attendants were working 84 hours straight but  
16 only getting paid for 42.

17 So, let's cut to the chase because I only  
18 got two minutes. How many of you here have cleaned  
19 the anus and genitals of your parents, spouse, adult  
20 children? Because I have, mother and father. Who here  
21 would clean the genitals and anus of a stranger and  
22 also do the cooking, cleaning, laundry, shopping,  
23 feeding for 24 hours straight, 72 hours straight, 84  
24 hours straight? Clearly whoever made the policy that  
25 home attendants weren't really working at night have

2 never worked around the clock. Can you imagine  
3 telling someone it was sleepy time, not work time and  
4 that the diaper would get changed in the morning? Now  
5 I had to take care of my dad around the clock for  
6 three days and I was barely functioning afterwards. I  
7 mean I didn't have to do it year in and year out, but  
8 my mom's home attendants were doing 84 hours straight  
9 week after week away from the family and their home,  
10 and that's inhumane. Like it leaves the attendant  
11 exhausted, isolated, separated from what so many of  
12 us take for granted, to get to sleep in our own bed  
13 at night. So, I spoke to home attendants and they  
14 said working 24 hours straight ruined their health,  
15 hurt their families, you couldn't pay them enough to  
16 do that kind of work again. The monks who walked for  
17 peace from Texas to DC urged us to treat one another  
18 with compassion. You, City Council, with this new  
19 Speaker, you can make this happen for the amazing  
20 home attendants by giving them humane 12-hour shifts  
21 so they can sleep in their own bed at night. Thank  
22 you very much. Oh, four seconds to go, yes.

23 CHAIRPERSON ALDEBOL: Thank you very much  
24 for your testimony today. Thank you.

2 I'm going to call up the next panel. When  
3 you hear your name, please come up to the witness  
4 panel. Japneet Singh, Zhi Hnan Lin, Sharc Quin Zov,  
5 Lin Xin Xie, Xue Zhen.

6 Oh, they're coming from the overflow  
7 room. Okay. They may be in the overflow room. Yeah.  
8 Oh, okay. Well, there are people in other rooms, so  
9 let's give them a minute to respond.

10 Okay. One more time. Japneet Singh, Zhi  
11 Hnan Lin, Sharc Quin Zov, Lin Xin Xie, Xue Zhen.

12 Have a seat. We have an interpreter.

13 Okay, okay. Thank you. Okay, please  
14 begin.

15 ZHI HNAN LIN: (SPEAKING FOREIGN LANGUAGE)

16 INTERPRETER: I'm translating for her.

17 Hello, everyone. My name is Zhi Hnan Lin,  
18 and I am a caregiver and a home care worker. I'm here  
19 today to speak in support of Council Member  
20 Christopher Marte's Bill 303 to end the 24-hour work  
21 day. I worked 24-hour shifts for nine years, three to  
22 four days a week. I cared for a patient who suffered  
23 from anxiety and later became bed bound, needing  
24 diaper changes all day long. My bed was placed in the  
25 patient's room. I had to watch her every move from

2 morning to night. I would just lie down, and have to  
3 get up again immediately. We had to be very careful,  
4 because if the patient fell, it would be very  
5 dangerous. Working day and night without rest, I  
6 became a patient myself and developed heart disease.  
7 Because I often used my shoulders to brace the  
8 patients to keep her safe, I developed a frozen  
9 shoulder. Even now that I am retired, my sleep is  
10 still fragmented. I am standing up against the 24-  
11 hour work day, not just for myself, but for the next  
12 generation of this society. The 24-hour work day is  
13 violence. It is against humanity, and it should not  
14 exist anywhere. Thank you, and I wish everyone a  
15 happy new year.

16 CHAIRPERSON ALDEBOL: Thank you.

17 JAPNEET SINGH: Hello. Good morning, Chair  
18 and the Members of the Council. My name is Japneet  
19 Singh, and I'm here today in support of the Intro.  
20 303.

21 First, I want to acknowledge what this  
22 moment represents. After years of organizing and  
23 advocacy, we are finally having this hearing. That  
24 only happened because workers refused to be silent.  
25 But let's be honest, we should have never waited this

2 long. 24-hour shifts are not humane. They are not  
3 safe, and they are not worthy of a city that claims  
4 to stand for justice.

5           For me, this is personal. I watched my  
6 own mother endure these conditions. I've seen the  
7 exhaustion in her eyes. I've seen how much strength  
8 it takes just to survive a system that demands  
9 everything from you while giving so little back. As a  
10 Sikh, I was raised with the principles of seva,  
11 selfless service, and sarbat bala, the well-being of  
12 all people. Our faith teaches us that dignity is not  
13 optional. It is fundamental. When someone serves the  
14 vulnerable, they deserve protection, respect, and  
15 fairness in return. New York proudly calls itself a  
16 sanctuary city. We speak loudly about defending  
17 immigrants, but how can we advocate for immigrants on  
18 the national stage while our own City allows  
19 immigrant women to be exploited through 24-hour work  
20 days? We cannot claim to protect immigrant  
21 communities while benefiting from their exhaustion. A  
22 hearing is not justice. Passing the bill is. The  
23 Council has an opportunity to correct the years of  
24 harm and stand on the side of dignity. I urge you to  
25

2 pass the No More 24 Act and finally end 24-hour work  
3 days. Thank you so much.

4 CHAIRPERSON ALDEBOL: Thank you.

5 ZHU CHEN CHEN (phonetic): (SPEAKING  
6 FOREIGN LANGUAGE)

7 INTERPRETER: I'm translating.

8 Hello, everyone. My name is Zhu Chen  
9 Chen. I am a home care worker with Royal Home Care  
10 Agency. I worked 24-hour shifts for 10 years, usually  
11 three consecutive days each week. During the night, I  
12 had to assist patients to use the bathroom every two  
13 or three hours. Every time I went to work, I had to  
14 bring three days' worth of meals. Even when eating, I  
15 still had to care for the patient at the same time so  
16 my meals were always interrupted or rushed. This  
17 severely damaged my stomach and digestive health. I  
18 reported on agency forms that I did not receive five  
19 continuous hours of uninterrupted sleep. The agency  
20 threatened me, saying that if I did not indicate that  
21 I had five hours of sleep, I will not be given work.  
22 Working 24-hour shifts for so many years has caused  
23 me sleep disorders and serious gastrointestinal  
24 problems. I support City Council Christopher Marte's  
25 Bill 303 to end the 24-hour work day. Thank you.

2 CHAIRPERSON ALDEBOL: Thank you for your  
3 testimony today. Thank you.

4 Calling up the next panel. Zheng Xiu  
5 Chen, Carlos Herrera, Zhu Nujun, Qin Li, Zhu Fengjin.

6 Would you state your name in the  
7 beginning of the testimony to make sure we have  
8 everybody?

9 LI CHEN: (SPEAKING FOREIGN LANGUAGE)

10 AARON LIU (interpreting): Hello. I'm  
11 translating.

12 Hello, everyone. Happy New Year. My name  
13 is Li Chen. I'm a home care worker. I'm speaking here  
14 today in support of City Council Member Chris Marte's  
15 Bill 303 to end the 24-hour work day. I worked 24-  
16 hour shifts for five to six years at home care  
17 agencies such as Prestige and Great Care. I usually  
18 worked six consecutive days each week. During the  
19 night, every one to two hours, I had to change the  
20 patient's diapers and turn the patient's body. After  
21 doing this for five to six years, my body collapsed.  
22 I had heart surgery, bile duct removal surgery, and  
23 surgery on my leg. My doctor told me that if I wanted  
24 to survive, I had to immediately stop working 24-hour  
25 shifts and stop staying up all night. I hate the 24-

2 hour work day. It has harmed me so badly. The 24-hour  
3 shift is inhumane. It must be stopped. Thank you.

4 CHAIRPERSON ALDEBOL: You're going to  
5 testify?

6 AARON LIU: No, I'm just translating.

7 CHAIRPERSON ALDEBOL: You're just  
8 translating? Okay.

9 AARON LIU: If I'm testifying, should I  
10 testify now as well or? I signed, I did the thing to  
11 testify.

12 CHAIRPERSON ALDEBOL: You did not sign to  
13 testify?

14 AARON LIU: I did sign to testify.

15 CHAIRPERSON ALDEBOL: You did. Okay.

16 AARON LIU: Should I testify right now?

17 CHAIRPERSON ALDEBOL: Yeah. What's your  
18 name, please?

19 AARON LIU: Okay, cool. My name is Aaron.  
20 That's unexpected. Cool.

21 My name's Aaron. I'm a Queens resident  
22 and a young worker. I'm here to proudly testify in  
23 support of the No More 24 Act. When I learned about  
24 the fight to end the 24-hour work day, I was working  
25 in finance. I was killing myself. I was working

2 through my lunch break and into the night. I was  
3 vomiting every morning. And I didn't do anything  
4 about my time and health being stolen because I  
5 thought that it was the best that I could get. These  
6 home care workers taught me how to stand up for  
7 myself. Imagine what they have been told. You don't  
8 speak English. You're not educated. As an immigrant  
9 woman, you should be so lucky to get to slave away.  
10 And every New Yorker knows that it's terrifying to  
11 stand up at your job. And yet these fearless women  
12 have not only stood up to their shameless bosses,  
13 they have brought their fights from the insurance  
14 companies to union offices. They've gone all the way  
15 up to the United Nations. They've united with their  
16 patients and their community and they've led workers  
17 like me to fight alongside them. I have seen with my  
18 own eyes how the fight to end 24-hour shifts  
19 resonates across race and trade, across workers of  
20 all income levels. I know tech workers who wake up in  
21 the middle of the night to fix a bug. I have friends  
22 who have worked themselves into the hospital and then  
23 their parents can't even visit them because they're  
24 also too busy at work. We are all told that our  
25 health and our time are not worth anything, and

2 nowhere is this more blatant than in a 24-hour  
3 workday. The 24-hour workday is a stain on New York  
4 City. What does it say to all workers if we continue  
5 to allow this modern-day slavery? It is past time to  
6 end it. So, I am a transformed person because of the  
7 fight to end the 24-hour workday, and it is thanks to  
8 the leadership of these women home care workers that  
9 I know that my time and my health cannot be bought.  
10 We need to end the 24-hour workday. Please pass  
11 Intro. 303. Thank you very much.

12 CHAIRPERSON ALDEBOL: Thank you. What's  
13 your name again, your full name?

14 AARON LIU: Aaron Liu, A-A-R-O-N L-I-U.

15 CHAIRPERSON ALDEBOL: Okay. Thank you.

16 CARLOS HERRERA: Hello. Good morning,  
17 everyone. My name is Carlos Herrera. I am currently a  
18 restaurant worker. I have worked many different jobs.  
19 I have been exploited, discriminated. My health  
20 problems don't come from 24-hour shifts but they come  
21 from similar racist attacks on my health. I am a  
22 victim of workplace assault because I am an immigrant  
23 worker. In all my jobs, they have stolen my wages,  
24 and I never have control over my time because I have  
25 to work whatever my bosses say, no matter how many

2 hours per day or days per week. I have been inspired  
3 from home care workers, how they come together, how  
4 they speak up about the bad conditions of 24-hour  
5 workday shifts. They can't spend time with their  
6 families. They lost their health. If we eliminate the  
7 24-hour workday shifts, that will encourage other  
8 workers like restaurant workers to come forward to  
9 improve our working condition. So, that's why I'm  
10 here organizing with home attendants to eliminate 24-  
11 hour workday shifts. I urge you to pass the No More  
12 24 Act, 303. No more 24, no more 24.

13 CHAIRPERSON ALDEBOL: Thank you.

14 QIN LI: (SPEAKING FOREIGN LANGUAGE)

15 INTERPRETER: I'm here to translate.

16 Honorable Council Speaker, dear friends,  
17 my name is Li Qin, and I am a home care worker. On  
18 the occasion of the Chinese New Year, the year of the  
19 horse, I wish everyone a happy and prosperous New  
20 Year.

21 Today, I am here to speak out about the  
22 inhumanity of the 24-hour workday. Ten years ago, my  
23 job was to care for a patient in their home for 24  
24 hours a day. I was only paid for 13 hours of work,  
25 but for the other 11 hours, I remained in the patient

2 home providing care, working three consecutive days  
3 at a time. Even worse, I was unable to take care of  
4 my own family. I couldn't attend my daughter's high  
5 school orientations or family open day. After my  
6 husband finished work, he wouldn't look after our  
7 child and left the family on his own, which led to  
8 the breakdown of our marriage. Four years ago, I  
9 supported Council Member Christopher Marte's bill and  
10 have come to City Hall many times since then. What is  
11 despicable is that the bill has been blocked by  
12 former Council Speaker Adrienne Adams, causing tens  
13 of thousands of women workers to suffer endlessly  
14 until now. Today, I am here again to support Council  
15 Member Marte's Bill 303. I earnestly urge the City  
16 Council to pass it. This would be a tremendous  
17 encouragement to us, the hardworking home care  
18 workers. Thank you, everyone.

19 CHAIRPERSON ALDEBOL: Thank you, everyone,  
20 for your testimony.

21 Okay. Please come to the witness table  
22 when your name is called. Yun Fang Zhang, Zhu  
23 Wenyang, Ying Na Ruan, Liu Li Ying, Lai Yee Chan.

24 Please make sure that you state your  
25 name. Thank you.

2 LENA JUNG: (SPEAKING FOREIGN LANGUAGE)

3 INTERPRETER: I'm translating for her.

4 Hello. My name is Lena Jung, and I'm a  
5 home care worker. I'm here today to support City  
6 Council Member Christopher Marte's bill 303, the No  
7 More 24 Act. I have been working 24-hour shifts for  
8 seven or eight years now. I usually work five  
9 consecutive days a week caring for patients with  
10 dementia. At night, I have to assist them when using  
11 the restroom five or six times so I get virtually no  
12 sleep. This round-the-clock work has ruined my  
13 health. I frequently suffer from headaches, back  
14 pain, knee pain, and insomnia. I also can't take care  
15 of things at home at all. The 24-hour workday must be  
16 stopped immediately. Pass the No More 24 Act.

17 YUN FANG ZHANG: (SPEAKING FOREIGN  
18 LANGUAGE)

19 INTERPRETER: Happy Lunar New Year,  
20 everyone. This is a good beginning of New Year for us  
21 because we home attendants are gathering here today  
22 to support City Council Member Chris Marte's Bill 303  
23 and end 24-hour workday. I did 24-hour workday for  
24 more than 10 years. It cost my sleep, gives me  
25 chronic pain, and takes away my health that no money

2 can buy it back. The previous City Council Speaker,  
3 Adrienne Adams, however, tried everything she can to  
4 block the bill, continue to exploit us, hurt us, and  
5 break our families. We home attendants united and  
6 mobilized communities across New York City to oppose  
7 her violent dictatorship, making her lose very ugly  
8 in the last mayor race, only 4 percent of votes. And  
9 why is that? Because everybody agrees there should be  
10 no 24-hour workday in New York City. As we enter the  
11 new year, we discard the old and embrace the new. The  
12 new City Council will no longer stop us marching  
13 forward. What a victory for us. We thank the new  
14 Council Speaker Menin for giving us a chance to  
15 testify, and we call on all City Council Members to  
16 stand with us, immigrant workers. Support Bill 303.  
17 Stop the 24-hour workday. No more 24.

18 CHAIRPERSON ALDEBOL: Thank you.

19 May I have your name, please? May I have  
20 her name?

21 INTERPRETER: Yun Fang Zhang.

22 CHAIRPERSON ALDEBOL: Okay. Next panel,  
23 when you hear your name, please come to the table, to  
24 the panel. Lucy Estrella, David Eisenbach, Layla Law-  
25 Gisiko, Sabrina Fang, Shirley Ranz.

2 Okay, please begin.

3 LUCY ESTRELLA: (SPEAKING FOREIGN  
4 LANGUAGE)

5 CHAIRPERSON ALDEBOL: Thank you.

6 INTERPRETER: I will provide a  
7 translation.

8 Hello. My name is Lucy Estrella. I am a  
9 home attendant. I work 12 years, 24 hours shifts for  
10 the agency United Jewish Council. I'm part of 1199.  
11 We are here because we need to end the 24-hour shifts  
12 and divide them into 12. I support Chris Marte's bill  
13 303. 24-hour shifts seriously affected my mental and  
14 physical health. At night, I can't sleep well. I  
15 suffer from stress, high blood pressure, and  
16 depression and have to take medication. Working 24-  
17 hour shifts, I wasn't able to be there for my family.  
18 When my kids were sick, I wasn't there for them. One  
19 time when my son was very sick, the agency wouldn't  
20 send a replacement and I had to stay on my 24-hour  
21 shift for four days. It is a very hard, painful  
22 moment to remember because I couldn't fulfill my  
23 duties as a mother. I don't work 24-hour shifts now,  
24 only 12. It's much better for me because I can be  
25 with my family more and sleep at home. I also can

2 give better care to my patients as I am clearer mind  
3 and have more energy. In my experience, speaking with  
4 other home attendants, many are of the same mind. We  
5 don't want to work 24-hour shifts anymore. I urge you  
6 to pass the No More 24 Act to end 24-hour work days.  
7 Thank you.

8 CHAIRPERSON ALDEBOL: Thank you.

9 SABRINA FANG: Hi, everybody. I'm Sabrina.  
10 I'm a master student studying here in New York City  
11 and I support passing the No More 24 Act. I chose to  
12 come here for what I believe are this city's culture  
13 and values. New York has some of the best worker and  
14 immigrant protections on the books, and yet it is the  
15 only place where immigrant women of color workers are  
16 forced to do 24-hour shifts. Enabling these brutal,  
17 inhumane working conditions in a city that the whole  
18 world looks towards to lead by example says that  
19 anybody in any job should be forced to work around  
20 the clock. I'm talking about my dad, a software  
21 engineer who's on call every other week and sleeps  
22 overnight at the office. He turned 60 this year. I'm  
23 talking about my friends, freelance artists who  
24 overwork and irreparably injure themselves because  
25 they need to make rent. I'm talking about every

2 student who pulls all-nighters for the good grades to  
3 finish their essays and doesn't want to be doing that  
4 for the rest of their life. Every student wants a  
5 good job. For many of us, that means the one where we  
6 get paid the most. We are brainwashed into  
7 sacrificing our time, our health, and our morals to  
8 make more. If we don't wake up and demand better  
9 working conditions, all of us will suffer in this  
10 race to the bottom. I have learned more from the home  
11 care workers in this room and the next than I ever  
12 have in a classroom. The home care workers fight is  
13 my fight and the fight of every other college student  
14 graduating into today's brutal job market. Stop this  
15 racist exploitation and pass the No More 24 Act.

16 Thank you.

17                   SHIRLEY RANZ: My name is Shirley Ranz,  
18 and I'm here to represent myself, my personal  
19 experience, as well as the National Organization for  
20 Women, New York State. As a result of needing home  
21 care for both my mother and father, I learned of the  
22 appalling working conditions and wages of home  
23 attendants for those covered by Medicaid. I was  
24 shocked to learn that when my father was added to the  
25 case, thereby doubling the home attendant's workload,

2 their salary was increased by 50 cents an hour, twice  
3 the work for 50 cents. When my mother's condition  
4 deteriorated, she qualified for 24-hour coverage. I  
5 was informed that instead of two 12-hour shifts,  
6 there would be one 24-hour shift of which only 13  
7 hours would be paid. In other words, they had to work  
8 an additional 12 hours a day for zero wages. I  
9 thought about the lack of sleep, not getting paid,  
10 and wondered what quality of care such exploitation  
11 would result in. I couldn't be a party to this  
12 injustice. I declined the service. When my father's  
13 condition required multiple diaper changes and  
14 repositioning every 12 hours during the night, I  
15 again applied for an additional 12-hour shift. The  
16 managed long-term care company would only provide one  
17 aide to work the entire 24 hours. Despite a letter  
18 from his doctor explaining the need for two 12-hour  
19 shifts, they refused. His bed sores worsened and he  
20 risked infections. I appealed the ruling of the  
21 managed long-term care company, went up the ladder of  
22 denials of the appeals, and then I requested a State  
23 hearing. One day before the hearing was scheduled,  
24 the company changed their mind and approved the two  
25 12-hour shifts. It was a pyrrhic victory. My father

2 died the next day. (TIMER CHIME) Besides being a  
3 labor issue, this is clearly a woman's issue. Because  
4 most of these workers are immigrants, minority women,  
5 they are easy to exploit. If this was a job done  
6 mainly by white men, such conditions would not have  
7 been tolerated. As a lifelong activist and former  
8 chapter president in NOW New York State, I launched  
9 the NOW New York State Domestic Workers Task Force,  
10 and they became a member of the AIW Coalition. We are  
11 committed to ending this modern-day wage slavery.

12 CHAIRPERSON ALDEBOL: Thank you.

13 Council Member Marte has a question.

14 COUNCIL MEMBER MARTE: I have a quick  
15 question for Luz and Sabina, if you can translate,  
16 that would be great.

17 So, you work for UJC, who historically  
18 has done 24-hour shifts, but once you started  
19 organizing with other workers, as of last year, they  
20 stopped issuing new 24-hour shifts and actually do  
21 split 12-hour shifts. And it seems to be that people  
22 still get the care that they need, right?

23 INTERPRETER: (SPEAKING FOREIGN LANGUAGE)

24 And what was the question?

2 Just to affirm that, because she  
3 organized, they stopped doing the 24-hour shift, but  
4 now they do two 12-hour shifts to make sure that the  
5 patient still gets care.

6 INTERPRETER: (SPEAKING FOREIGN LANGUAGE)

7 LUCY ESTRELLA: (SPEAKING FOREIGN  
8 LANGUAGE)

9 COUNCIL MEMBER MARTE: (SPEAKING FOREIGN  
10 LANGUAGE)

11 LUCY ESTRELLA: (SPEAKING FOREIGN  
12 LANGUAGE)

13 COUNCIL MEMBER MARTE: (SPEAKING FOREIGN  
14 LANGUAGE)

15 LUCY ESTRELLA: (SPEAKING FOREIGN  
16 LANGUAGE)

17 INTERPRETER: And to translate, she is  
18 also in agreement with Chris' statement that in  
19 working the 12-hour shift, it was a lot better for  
20 her because, going back to her previous testimony,  
21 she was able to spend time with her family. She  
22 clocks in at 8 a.m., leaves at 8 p.m. She can split  
23 and share the workload with her co-workers, and she  
24 can provide better care for the patients as well.

2 CHAIRPERSON ALDEBOL: Thank you for your  
3 testimony, everyone.

4 So, please come up when I call your name.  
5 Lily Randall, Casey Robinson, Anne Kochman, Glenny  
6 Brooked (phonetic).

7 LILY RANDALL: My name is Lily, and I'm a  
8 member of Youth Against Sweatshops. I am testifying  
9 in support of the No More 24 Act. An actor by trade,  
10 I am no stranger to long hours, low pay, and frequent  
11 uncompensated labor. When I testified in the hearing  
12 for this bill three and a half years ago, I was  
13 working three part-time jobs and barely scraping by.  
14 The 24-hour workday is not an issue isolated to the  
15 home care industry. It is a dangerous precedent that  
16 sabotages working conditions for all of us. Young  
17 workers today are forced to compete for sweatshop  
18 jobs or risk facing unprecedented levels of under- or  
19 unemployment, and the 24-hour workday is the shameful  
20 blueprint for all of our bosses to make us work  
21 longer and longer hours, steal our wages, health, and  
22 labor, and delude us into believing that we should be  
23 grateful to have a job at all. Two years ago  
24 alongside two dozen elderly women of color home  
25 attendants, I went on hunger strike outside City Hall

2 for six days in the hopes that the former Speaker  
3 Adrienne Adams would stop blocking this bill and  
4 allow the Council to vote on it. Home care workers in  
5 one of the most isolated industries came together  
6 from across the city putting their bodies on the line  
7 during the coldest week of winter and united  
8 thousands of working people across trade, race, and  
9 generation around the fight for our health. Under  
10 their leadership, working people now all agree that  
11 this brutal practice must end. Workers organizing has  
12 left many agencies with no choice but to split shifts  
13 and pay back the wages that they stole. Despite fear-  
14 mongering over a funding crisis, none has arisen.  
15 This shows that agencies continuing to assign 24-hour  
16 shifts do so not because of a financial obstacle  
17 (TIMER CHIME) but because they choose to prioritize  
18 their own profits over the well-being of the care  
19 workers and the patients.

20 CHAIRPERSON ALDEBOL: Please conclude your  
21 testimony.

22 LILY RANDALL: Last year, we presented to  
23 the United Nations who also agree that the 24-hour  
24 workday is a violation of human rights law. The world  
25 is watching as 24-hour modern-day slavery is allowed

2 to fester in New York City. It is time for New York  
3 to be a world leader not in exploitation but in  
4 caring for its workers. I strongly urge the Council  
5 to vote to pass Intro. 303 to finally end the 24-hour  
6 workday and bring justice to home care workers and  
7 all working people. Thank you.

8 CHAIRPERSON ALDEBOL: Thank you.

9 CASEY ROBINSON: Hi. I'm Casey Robinson  
10 testifying in support of Intro. 303. I have a  
11 master's degree in South Asian studies from Cornell  
12 University, and I'm currently unemployed. I have been  
13 organizing with the Ain't I A Woman campaign for two  
14 years out of necessity. I'm not a home care worker  
15 and yet I've been fighting to end the 24-hour  
16 workday, not out of charity, but for myself. Ending  
17 the 24-hour workday is not just a home care worker  
18 issue. The abuses here in control of time are  
19 reflective of every other workplace. Home care  
20 workers prove that no matter how hard you work,  
21 workers will never receive the benefits. Bosses will  
22 make billions while we overwork ourselves. I thought  
23 I was a failure and did not have a job because I was  
24 not working hard enough. I did not question friends  
25 who were overworking themselves doing mandatory

2 overtime and competing with AI at jobs offering low  
3 wages and no benefits. Home care workers taught me  
4 the forces at play and a strategy for addressing the  
5 lack of worker protections which harm everyone. All  
6 bosses in every industry take advantage of these lack  
7 of protections to overwork us and offer nothing in  
8 return. It is openly carried out in the home care  
9 industry which forces women of color to work 24-hour  
10 shifts. But so long as these conditions exist in New  
11 York City, it will in turn drag down all our  
12 conditions. Every boss knows the rules of the game  
13 and makes billions of dollars from the blood, sweat,  
14 and deaths of working people. We need to pass Intro.  
15 303, not only to end this abhorrent practice that  
16 exists only in New York City, but also to send a  
17 message to all working people that we can win back  
18 our time from our bosses and to defeat employers who  
19 are overworking us and stealing our wages.

20 ANNE KOCHMAN: Hi. My name is Anne  
21 Kochman, and I'm going to be reading the statement by  
22 Richard Gottfried, former Assembly Member and Health  
23 Committee Chair.

24 I support City Council Intro. 303 by  
25 Council Member Marte to limit the hours a home health

2 aide may work in a shift, in consecutive shifts, or  
3 in a week. Among other things, it would end the  
4 concept of a 24-hour shift for home care aides. I  
5 commend Council Speaker Julie Menin for signing on in  
6 support of the bill. I also call on Governor Hochul,  
7 the State Labor Department, and the State Health  
8 Department to do all they can to achieve this goal.  
9 Until I retired from the Assembly at the end of 2022,  
10 I chaired the Assembly Health Committee for 35 years.  
11 I worked extensively on efforts to protect home  
12 health aides and their patients. Home health aide  
13 work is very difficult and stressful. Long hours are  
14 a serious burden on the worker, increase the danger  
15 of injury to the worker, and increase the danger of  
16 injury or other harm to the patient. 24-hour shifts  
17 should not be allowed. One problem with the 24-hour  
18 shift is the State regulation allowing aids to be  
19 paid for only 13 hours of a 24-hour shift. The  
20 rationale for their 13-hour rule is that for several  
21 hours the workers entitled to sleep and take time for  
22 meals. However, the worker must be prepared to  
23 immediately attend to the patient at any time needed  
24 and, of course, must remain at the workplace. In  
25 practice, they often must attend to the patient

2 during what should be a meal and sleep break and are  
3 often not paid when they lose meal and sleep time. I  
4 believe that if a worker is required to be at the  
5 workplace and be ready to resume work at a moment's  
6 notice, then the workers should be paid for that  
7 whole time. It is not enough to just end the 13-hour  
8 rule. A 24-hour shift is inherently an excessive  
9 burden on a home health aide. Many home care patients  
10 do need 24-hour care, my mother did years ago, but  
11 that is commonly and quite satisfactorily provided as  
12 in my mother's case by what is called split shift  
13 care with coverage being divided into two 12-hour  
14 shifts by separate workers.

15 CHAIRPERSON ALDEBOL: Please wrap up your  
16 testimony. Thank you.

17 ANNE KOCHMAN: An important reason why  
18 home care aides need legal protection of maximum  
19 hours is that they are low-wage workers with little  
20 real power to resist an employer's insistence on  
21 excessive hours. When an aide declines an excessive  
22 assignment, the aide is often denied other  
23 assignments or is cut off entirely by the home care  
24 agency. We need action by the Governor and her  
25 Administration and by the City Council. Thank you.

2 CHAIRPERSON ALDEBOL: Thank you for your  
3 testimony today.

4 Please come up when you hear your name.  
5 Li Chen, Juana Valentin, Suli Li, Cindy Duran, Jihyg  
6 Song.

7 Okay. You can bring her up when she comes  
8 back, yeah.

9 Okay. What is your name?

10 CINDY DURAN: My name is Cindy Duran.

11 CHAIRPERSON ALDEBOL: Okay.

12 CINDY DURAN: And I'm here on behalf of  
13 the home care workers that worked with my mom. My mom  
14 received 24-hour care, and it was very agonizing. My  
15 mom had dementia, and sometimes she would call me and  
16 she'll tell me, you know, the ladies gotta sleep, you  
17 know, who's gonna change me, who's gonna do anything  
18 for me. And for years, she had 24-hour, just 24  
19 hours, and so I know in firsthand how agonizing it  
20 is. The ladies will call me and tell me your mother  
21 needs more hours, your mother needs (INAUDIBLE)  
22 shift, this is not right. You know, she would move  
23 around but she would be waking them up. They wouldn't  
24 sleep. And also they were always like attentive, very  
25 attentive. I was very lucky to get great care for my

2 mom. She passed away three years ago, but, you know,  
3 my mother lived a long life because of home care  
4 workers, you know, and thank God she lived longer  
5 once we got... I supported the workers and they were  
6 able to split the shift and she would live longer,  
7 you know, and there was a time where she had to go to  
8 a nursing home. Oh, my goodness. You know, it was  
9 terrible. She had bed sores in the nursing home. And  
10 thank God, my mother had that great care at home, you  
11 know, and I support, you know, that no more at 24  
12 hours because they don't really get to sleep. You're  
13 worried about in the middle of the night, worried  
14 about your patient, you know, you're in the middle of  
15 the night just listening if they make a noise you  
16 gotta run to see if they're okay (TIMER CHIME) you  
17 know, and so I'm here to support the no more 24-hour.

18 CHAIRPERSON ALDEBOL: Thank you.

19 JUANA VALENTIN: (SPEAKING FOREIGN  
20 LANGUAGE)

21 CHAIRPERSON ALDEBOL: Thank you.

22 INTERPRETER: I didn't really catch her  
23 full name, so I'm going to summarize what she said.

24 Her name is Juana Valentin. She spoke  
25 about how she felt very emotional hearing Lucy's

2 testimony, because she relates to it. Coming to the  
3 country, she didn't know the language, so to make  
4 ends meet, she worked these shifts, and it's taxing.  
5 She has developed depression for it, and she takes  
6 medication. In working these shifts and being away  
7 from her family, she had issues with the school and  
8 her child, and threatening her if she doesn't change  
9 her availability to be with her child, that they  
10 would call child services. She fears having her kids  
11 taken away. It's very emotional. She feels very angry  
12 at the City, at the system, and she wants to end the  
13 shift. She supports the Act of No More 24. Thank you.

14 CHAIRPERSON ALDEBOL: Thank you.

15 SULI LI: (SPEAKING FOREIGN LANGUAGE)

16 INTERPRETER: I'm translating for her.

17 I'm Li Suli, a home care worker. I've  
18 been working 24-hour shifts for eight years. The  
19 patients I take care of are bedridden patients with  
20 dementia and Parkinson's disease or diabetes who  
21 can't move. Work procedures require that I turn them  
22 over and change their diapers for long-term bedridden  
23 patients every two hours. At first, my patient had  
24 two 12-hour shifts, and I was the day shift. But in  
25 2016, the company forced change to 24-hour shifts for

2 three consecutive days. Since then, I haven't been  
3 able to sleep well. I can't eat. My blood sugar is  
4 high. My blood fat and blood pressure have gradually  
5 gone up. And my heartbeat is abnormal. I have to see  
6 a cardiologist. Now I rely on taking medicine every  
7 day to maintain a normal life. I hate the 24-hour  
8 workday. My husband also does 24-hour shifts. This  
9 work arrangement will lead to our family's failure.  
10 And my husband and I spend very little time together  
11 every week. There is no warmth in this family life.  
12 The 24-hour workday harms my health and destroys my  
13 family. It is inhumane, destructive, and violent.  
14 It's insane. It should not continue to exist in this  
15 society. So, I support Bill 303 to end the 24-hour  
16 workday. No more 24.

17 CHAIRPERSON ALDEBOL: Thank you.

18 JIHYG SONG: Hello. Hi. My name is Jihyg  
19 Song, but I am going to be reading the testimony of  
20 my friend, Maggie Martinez, who isn't able to be here  
21 today due to a family medical emergency.

22 Okay. This is my story. I was caring for  
23 my mother, and we were in the long-awaited process of  
24 waiting for split shifts. I was caring for her 24  
25 hours, and I had only a few hours of help during the

2 day on the weekends. I was taking care of her 24  
3 hours a day, and it was during those 24 hours that my  
4 mother fell down right in front of me and broke her  
5 hip because I was beyond exhausted and had fallen  
6 asleep standing next to her. She ended up for months  
7 in the hospital and in a rehabilitation center, and  
8 it was there when the agency tried to push the 24-  
9 hour shift onto us, and we had to obtain a lawyer to  
10 turn it into split shifts. It took months, and during  
11 that process, we could not keep the current home  
12 attendant because they did not want to work 24-hour  
13 shifts, and the agency also had a very difficult time  
14 finding anyone that would accept doing a 24-hour  
15 shift. So, I was back to taking care of my mother 24  
16 hours a day until the court case was finally resolved  
17 four months later, and we finally got our split  
18 shifts. Doing 24 hours greatly put a toll on me and  
19 my body and on my mother. For many years, women have  
20 been asking our government for fair pay and better  
21 work hours. The system has failed our most vulnerable  
22 group, and if we had already abolished 24-hour  
23 shifts, my mother would be alive because that  
24 accident was the beginning of her decline. Home care  
25 workers are the only group of women who have been

2 excluded from fair labor laws. It is racist and  
3 disgraceful. No more 24.

4 CHAIRPERSON ALDEBOL: Thank you. Thank you  
5 all for your testimony.

6 Christopher Leon Johnson, please.

7 CHRISTOPHER LEON JOHNSON: Ready?

8 CHAIRPERSON ALDEBOL: Yeah.

9 CHRISTOPHER LEON JOHNSON: Yeah. Hello. My  
10 name is Christopher Leon Johnson. I support this  
11 bill, Marte's bill. But Mrs. Chair, you need to be on  
12 the record and disclose that you were an executive  
13 board member of 32BJ SEIU, which is an assister  
14 organization to 1199 SEIU, so you'll be hell bent on  
15 making sure that behind the scenes that this bill  
16 does not get on the floor to the point this bill die  
17 on the floor. And many of these Members of the City  
18 Council, including the one I sat here over there, Ty  
19 Hankerson, is nothing but a R.G. Adams clone who will  
20 not support this bill. I want to make this clear  
21 that, look, people, the people going through slavery  
22 with this 24-hour workday. And the big problem is  
23 that we have a City Council that is so hell bent on  
24 making sure that they get re-elected like you, Ms.  
25 Shirley Aldebol, in 2029. Because you know that if

2 this bill passes on the floor, you're going to be  
3 voted out like Marjorie Velázquez and Kristy  
4 Marmorato. So, I think this bill is a great bill, but  
5 this bill is not getting on the floor because of you.  
6 You're the main person is going to be in the way. But  
7 I commend you for doing this because at least you did  
8 it unlike Carmen De La Rosa that refused to put this  
9 bill on the floor when the last term, because Carmen  
10 was so cucked to the unions, she didn't want to put  
11 us on the floor, but I feel that you're going to do  
12 the same thing and being a show to the unions because  
13 you're so concerned about being re-elected in 2029.  
14 You know that bills like this will be political  
15 suicide for you, will be campaign suicide for you in  
16 2029. But I support this bill 100 percent. I support  
17 Chris Marte. But these people need to start calling  
18 this stuff out with this situation, with the 24-hour  
19 workday. And with CPC, the reason they don't want  
20 this, because the reason they're scared, because they  
21 don't want to look like Minnesota when it comes to  
22 with the fraud that's going on in Minnesota. They  
23 scared be exposed, be called quality layering center.  
24 That's what they scared to be exposed by. But you,  
25 Ms. Shirley Aldebol, need to be on a record saying

2 that you're going to do whatever you got to do behind  
3 the scenes to kill this bill and make sure this does  
4 go on the floor. You're nothing but another Lynn  
5 Schulman. You're nothing but the female Dermot Smyth,  
6 a union hack. So that's all you are. And like I said,  
7 a union hack and a union shill. This bill deserves to  
8 go through, but you're not going to let it go  
9 through. (TIMER CHIME) Thank you so much. Enjoy your  
10 day.

11 CHAIRPERSON ALDEBOL: Thank you for your  
12 testimony.

13 I want to thank everyone who came here to  
14 share your thoughts and experiences today. If there  
15 is anyone in the Chamber who wishes to speak but has  
16 not yet had the opportunity to do so, please raise  
17 your hand and fill out an appearance card with the  
18 Sergeant-at-Arms.

19 Can you give us your name, please?

20 ILENE BROOKS: Ilene Brooks.

21 CHAIRPERSON ALDEBOL: Thank you.

22 ILENE BROOKS: Hello, everyone. Am I to  
23 start?

24 CHAIRPERSON ALDEBOL: Yes, you may start.  
25 Thank you.

2 ILENE BROOKS: My name is Ilene Brooks. I  
3 live in Queens, Jamaica. I work as a home health aide  
4 caregiver for five years with Ellison Home Care. When  
5 I worked a 24-hour shift for five days in a row, one  
6 week on and one week off, they told me I need to  
7 clock in at 9 o'clock Friday morning and clock out at  
8 10 o'clock during the night. I worked straight for  
9 seven days, which amounted to 168 hours for the week.  
10 There was no aide that came to relieve me during that  
11 seven-day period. I worked until the next Friday  
12 morning, and I was told that under no circumstances  
13 was I allowed to leave the patient. Even if I ran  
14 short of basic commodities and necessities, I had to  
15 do without it. During the night after I clocked out,  
16 the patient still needed my help. (TIMER CHIME) I had  
17 to take them to the bathroom or even clean them up in  
18 bed.

19 CHAIRPERSON ALDEBOL: Ma'am, please wrap  
20 up your testimony.

21 ILENE BROOKS: I was the only one that was  
22 there with the patient that night. That meant the  
23 patient still needed my help during the night. It  
24 deprived me of my sleep almost 100 percent. How cruel  
25 and inhumane these conditions were. And to make

2 things worse, I wasn't even paid for the night hours.  
3 I was only paid for 13 hours a day.

4 CHAIRPERSON ALDEBOL: Thank you.

5 ILENE BROOKS: I don't finish yet. Because  
6 workers fight back, and my new agency now stopped  
7 doing 24 hours. And now we do this split, 12 and 12.  
8 Another agent comes in and relieves me, and then I  
9 could get to go home. So, I can go home and sleep and  
10 go back to work in the morning. But we cannot rely on  
11 the agency to split the shift when so many are making  
12 huge profit by continuing to steal workers' wages  
13 through this 24-hour shift. That is why I urge all  
14 honorable Council Members to vote to pass this bill  
15 and end this cruel practice of 24-hour shift and give  
16 us workers back our lives. Thank you so much.

17 CHAIRPERSON ALDEBOL: Thank you.

18 Do we have anyone on Zoom who is going to  
19 testify?

20 Oh, Bianca.

21 Okay. I'm going to make a final call for  
22 anyone who hasn't had the opportunity to testify who  
23 signed up to testify.

24 Okay. And then making a final call for  
25 Zoom registrants who have not yet spoken.

2 I have one person. Bianca Siu Davies.

3 SERGEANT-AT-ARMS: You may begin.

4 BIANCA SIU DAVIES: Thank you. Good

5 afternoon, all. My name is Bianca Siu Davies, and I'm

6 a hospice social worker. Firstly, I want to

7 acknowledge what home health aides do. The feeding,

8 bathing, toileting, dressing, turning and

9 repositioning to prevent bed sores, keeping a

10 watchful eye to prevent falls, not to mention the

11 socialization and the love that they provide to

12 alleviate isolation and loneliness. Because of them,

13 my patients have lived longer, happier, and healthier

14 lives. As we've heard, when a worker works a full 24-

15 hour shift, they're only paid for 13 of those hours.

16 Also, as mentioned, the alternate option does already

17 exist, where one aide works 12 hours during the day

18 and another at night. It's just very difficult to get

19 approved, as Assembly Member Kim experienced

20 firsthand. Managed long-term care plans will reject

21 patients' continuous requests for 12- and 12-split-

22 shift care. They justify the 12-hour (sic) shift by

23 claiming that workers have eight hours of sleep and

24 three one-hour meal breaks. Yet a patient's

25 restlessness and agitation, which prevents workers

2 from sleeping or leaving a patient's bedside, is not  
3 a reason that they will approve split-shift care. And  
4 when you're a home health aide, you can't just leave  
5 your patient unattended to go meet your friend for  
6 lunch. Safety and falls prevention is also not a  
7 reason that they will approve split-shift care, even  
8 though we all know that safety and falls prevention  
9 is crucial to patient health outcomes. It's been  
10 suggested to me that a glass of water and a snack  
11 should just be left at a patient's bedside overnight  
12 when the patients were too weak to even lift their  
13 arms and reach for anything because she was in the  
14 final days of her life. I could give you hundreds of  
15 more examples, but our time is limited. The point is,  
16 as long as this law is in effect making workers work  
17 full 24-hour shifts, Medicaid and insurance companies  
18 will take full advantage of it. Do not give them this  
19 option. City Council, if we allow this to continue,  
20 we are supporting and enabling abuse, discrimination,  
21 and stolen wages. Thank you.

22 CHAIRPERSON ALDEBOL: Thank you.

23 If you are currently on Zoom and wish to  
24 speak but have not had the opportunity to do so,  
25

2 please use the raise hand function, and our Staff  
3 will unmute you.

4           Okay. Seeing no hands, I would like to  
5 note that everyone can submit written testimony to  
6 testimony@council.nyc.gov within 72 hours of this  
7 hearing.

8           We thank the Administration and the  
9 public for attending this hearing to share their  
10 thoughts on the legislation, and we look forward to  
11 following up on these issues.

12           With that, this hearing is now adjourned.  
13 Thank you. [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 25, 2026