

COMMITTEE ON CONSUMER AND WORKER PROTECTION  
CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND WORKER  
PROTECTION

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March 20, 2024

Start: 1:02 p.m.

Recess: 4:05 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Julie Menin, Chairperson

COUNCIL MEMBERS:

Shaun Abreu

Gale A. Brewer

Amanda Farías

Shekar Krishnan

Chi A. Ossé

A P P E A R A N C E S

Vilda Vera Mayuga, Commissioner at New York City  
Department of Consumer and Worker Protection

Kenny Minaya, First Deputy Commissioner at New  
York City Department of Consumer and Worker  
Protection

Carlos Ortiz, Assistant Commissioner for External  
Affairs at New York City Department of Consumer  
and Worker Protection

Michael Tiger, General Counsel at New York City  
Department of Consumer and Worker Protection

Ligia Guallpa, Executive Director of the Workers  
Justice Project

Michael Cassaday, organizer at 32 BJSEIU

Josh Kellerman, Director of Public Policy at the  
Retail Wholesale and Department Store Union

Rafael Espinal, Executive Director of the  
Freelancers Union

Bishop Mitchell Taylor, co-founder and Chief  
Executive Officer of Urban Upbound

Carina Kaufman-Gutiérrez, Deputy Director of the  
Street Vendor Project

Ben Fuller-Googins, Deputy Director with the  
Carroll Gardens Association

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

Susan Kassapian, self

Anne McWeill, self

Lori Ciruolo, self

Kayt Tiskus, Collective Public Affairs

Jacinta Frederick, domestic worker

Simone Daley, domestic worker

Anh-Thu Nguyen, Director of Strategic  
Partnerships at Democracy at Work Institute

Abigail Dorcin, Organizing Manager at La Colmena

David Portela, delivery driver

Abel Hernandez, delivery driver

Octavio Lopez, delivery driver

Prospero Martinez, delivery driver

Leonardo Gonzalez, delivery driver

Raul Rivera, TLC driver and I'm a TLC driver  
advocate

Natasha Severin, self

Taleigh Smith, self

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

Megan Cash, Self

Alice Davis, Managing Attorney at the Employment  
Law Unit at Catholic Migration Services

Tito Sinha, Director of Workers Rights at  
TakeRoot Justice

Catherine Murcek, worker-owner at Samamkaya Back  
Care and Scoliosis Collective

Melat Seyoum, Director of Political Affairs and  
Strategic Partnerships at the New York City  
Network of Worker-Owned Cooperatives

Amalia de la Iglesia, Assistant Director of  
Center for Family Life's Cooperative Development  
Program

Magali Alba (phonetic), self

Norberta Flores (phonetic), self

2 SERGEANT-AT-ARMS: Mic check. This is a  
3 mic check on today's Committee on Consumer and Worker  
4 Protection. Today's date is March 20, 2024, in the  
5 Committee Room recorded by Walter Lewis.

6 SERGEANT-AT-ARMS: Good afternoon and  
7 welcome to the New York City Council's hearing on  
8 Consumer and Worker Protection.

9 At this time, we ask that you silence all  
10 electronic devices.

11 At no time is anyone to approach the  
12 dais.

13 If you have any questions, please see one  
14 of the Sergeant-at-Arms back here.

15 Chair, we're ready to begin.

16 CHAIRPERSON MENIN: [GAVEL] Good afternoon  
17 and welcome to the Fiscal 2025 Preliminary Budget  
18 hearing. My name is Julie Menin, and I'm the new  
19 Chair of the Committee of Consumer and Worker  
20 Protection. This afternoon, we will be reviewing the  
21 proposed budget for the Department of Consumer and  
22 Worker Protection, also, of course, known as DCWP.  
23 Specifically, we will be assessing various DCWP  
24 programs and activities to ensure that the agency is  
25 serving the public in a fiscally responsible way as

2 well as meeting the needs of New Yorkers. For some  
3 context, the Fiscal 2025 Preliminary Budget for the  
4 Department of Consumer and Worker Protection totals  
5 62 million dollars, which includes 31.2 million in  
6 personal services to support 447 budgeted full-time  
7 positions. The budget also includes 30.8 million  
8 dollars in other-than-personal services to cover all  
9 other general operating expenses of the agency. The  
10 funds in this fiscal plan are primarily allocated to  
11 resolve consumer and worker complaints, issue  
12 numerous licenses, educate and protect consumers, and  
13 ensure that businesses comply with the law. At  
14 today's hearing, we will examine the components of  
15 DCWP's budget. We would like the Commissioner to tell  
16 us about the agency's performance in terms of  
17 conducting inspections and issuing summons as well as  
18 how the agency is dealing with headcount and  
19 attrition issues. We would like the agency to explain  
20 how it collects revenues and how it projects revenue-  
21 generating activity in the next Fiscal Year. I also  
22 have concerns about the Office of Financial  
23 Empowerment, also known as OFE, and savings in the  
24 November Plan that negatively impacted expansions for  
25 programs that were baseline in the adopted budget.

2 The Office of Financial Empowerment helps New Yorkers  
3 keep money in their pockets and food on their  
4 family's table. Proposed cuts that may impact the  
5 office's work, particularly during tax season, are  
6 concerning. I want to know how these cuts will impact  
7 New Yorkers' wallets during tax season.

8 While I understand the DCWP does not have  
9 the legal authority over illicit cannabis shops, I'm  
10 interested in collaborating to see what ideas and  
11 possible solutions can be created to help protect New  
12 Yorkers from unlicensed cannabis sales and what the  
13 Preliminary Budget does to support the agency amidst  
14 the proliferation of illegal cannabis shops and the  
15 burgeoning of the legal cannabis industry.

16 DCWP is an agency for everyday New  
17 Yorkers. I always like to say that there is not any  
18 New Yorker that does not have a consumer protection  
19 issue because we are all consumers of various  
20 products, and so it helps protect them from harmful  
21 business practices, and it supports workers and  
22 consumers in myriad ways. Having a personal history  
23 previously serving as Commissioner of this agency,  
24 these and other issues are of deep concern to me. I  
25 look forward to this hearing on the Preliminary

2 Budget and the priorities that the agency has. I want  
3 us to be in partnership in this search to provide a  
4 safer place for New Yorkers to work, shop, and live.

5 I now at this point want to welcome  
6 DCWP's Commissioner Vilda Vera Mayuga, First Deputy  
7 Commissioner Kenny Minaya, Assistant Commissioner for  
8 External Affairs Carlos Ortiz, and General Counsel  
9 Michael Tiger. We look forward to an active  
10 engagement with the Administration over the next few  
11 months to ensure that the Fiscal 2025 Preliminary  
12 Budget meets the goals that the Council has set out.

13 At this point, I am now going to ask the  
14 Committee Counsel to swear in the members of the  
15 Administration. Thank you.

16 COMMITTEE COUNSEL SWAINE: Thank you,  
17 Chair Menin. Good morning and welcome. My name is  
18 Sarah Swaine, Counsel to the Committee on Consumer  
19 and Worker Protection. I will be moderating this  
20 hearing.

21 Before we begin, I would like to remind  
22 everyone who is joining us via Zoom, you will be on  
23 mute until you are called on to testify, at which  
24 point you'll be asked to accept to be unmuted by the  
25 host.



2 I will be calling on public witnesses to  
3 testify after the conclusion of the Administration's  
4 testimony and Council Member questions, so please  
5 listen carefully for your name to be called.

6 Please note that Council Members will  
7 have five minutes for questions, and we will allow  
8 for a second round if needed.

9 We will now call on representatives from  
10 the administration to testify. Administration  
11 panelists, please raise your right hands.

12 Do you affirm to tell the truth, the  
13 whole truth, and nothing but the truth before this  
14 Committee and to respond honestly to Council Member  
15 questions?

16 FIRST DEPUTY COMMISSIONER MINAYA: I do.

17 GENERAL COUNSEL TIGER: I do.

18 COMMISSIONER MAYUGA: I do.

19 ASSISTANT COMMISSIONER ORTIZ: I do.

20 COMMITTEE COUNSEL SWAINE: Thank you. At  
21 this time, you may present your testimony.

22 COMMISSIONER MAYUGA: Good afternoon,  
23 Chair Menin and Members of the Committee on Consumer  
24 and Worker Protection. I am Vilda Vera Mayuga,  
25 Commissioner of the Department of Consumer and Worker

2 Protection, DCWP, and I am joined by members of my  
3 senior leadership team, Kenny Minaya, Michael Tiger,  
4 and Carlos Ortiz. It is our pleasure to be here today  
5 before this Committee to testify on the work of our  
6 agency and its budget for Fiscal Year 2025.

7 Chair Menin, as you well know through  
8 your work leading this agency, DCWP provides consumer  
9 and worker protections and financial empowerment  
10 programming to New Yorkers. We strive to ensure that  
11 consumers who have been deceived or exploited have  
12 recourse, that workers have a passionate defender of  
13 their rights, and that all New Yorkers have the  
14 support they need to improve their financial health.  
15 I am immensely proud of the work this agency  
16 accomplishes day in and day out for our city. Under  
17 Mayor Eric Adams leadership, DCWP has helped deliver  
18 319 million dollars into the pockets of New Yorkers  
19 through restitution, debt relief, and financial  
20 empowerment programming. In my opinion, this is some  
21 of the most critical work happening in our city  
22 because it so directly impact the lives of New  
23 Yorkers.

24 Today, I am excited to share some of our  
25 mission-focused successes from the past year with all

2 of you but, first, let me provide the Committee with  
3 some important background on the agency. DCWP's  
4 Preliminary Budget for Fiscal Year 2025 is  
5 approximately 62 million dollars as Chair Menin  
6 shared earlier. Our authorized headcount stands at  
7 447 with an all-time high of 421 active personnel.  
8 Our agency licenses more than 46,000 businesses and  
9 individuals in more than 40 industries. Last year, we  
10 carried out almost 42,000 inspections and nearly  
11 1,300 consumer and worker protection investigations  
12 on behalf of New Yorkers, securing more than 40,000  
13 14.5 million in restitution for New Yorkers. Our  
14 Financial Empowerment Centers and other services were  
15 utilized by nearly 10,000 New Yorkers, and New York  
16 City Free Tax Prep also completed almost 85,000 tax  
17 returns. One of the Administration's highlights of  
18 the past year has been our announcement of the  
19 nation's first minimum pay rate for app-based  
20 restaurant delivery workers, one of the most  
21 significant advancement of workers' rights in New  
22 York City's history. Delivery workers brave  
23 snowstorms, rain, wildfire smoke, and even the  
24 pandemic to make sure New York is fed. Yet, until the  
25 minimum pay rate, they received poverty level

2 compensation for their work. DCWP and this  
3 Administration faced several challenges in delivering  
4 this monumental pay rate. We are incredibly grateful  
5 for this Council support, the efforts of the City's  
6 Law Department and, most importantly, the outstanding  
7 advocacy of the delivery workers who fought hard to  
8 ensure that this dignified pay rate took effect.  
9 Delivery workers are now seeing their weekly pay  
10 double, and the impact this has had on the tens of  
11 thousands of delivery workers and their families is  
12 immeasurable. With the rate increasing to \$19.56 an  
13 hour on April 1st, we will continue to stand shoulder  
14 to shoulder with delivery workers, collaborate on  
15 compliance, and ensure that apps pay them every cent  
16 they are entitled to under our laws.

17 Moving on to our other workplace laws we  
18 enforce. Last year, we announced several victories on  
19 behalf of workers and secured 12.5 million in worker  
20 restitution. In 2023, we resolved nearly 800 worker  
21 protection cases under our key workplace rights and  
22 laws, including our Fair Workweek Law, which provides  
23 fast food and retail workers the right to a  
24 predictable schedule. This Law fosters stability and  
25 a healthy work/life balance for thousands in these

2 industries. Under our Paid Save and Sick Leave Law,  
3 covered workers are entitled to use safe and sick  
4 leave for the care and treatment of themselves or a  
5 family member. We thank the Council for their work to  
6 enact Local Law 22 of 2024, which allows workers to  
7 file a private right of action for violations of the  
8 Paid Save and Sick Leave Law.

9 All of our worker protection cases  
10 demonstrate to the residents of our city that we are  
11 a dedicated resource for them in the workplace and  
12 that we will fight to ensure that the rights are  
13 safeguarded. We proactively educate workers on their  
14 protections, the actions to take if their rights are  
15 violated, and provide relief for those whose rights  
16 are violated. Since the landmark Consumer Protection  
17 Law was enacted in 1969, we have been the nation's  
18 leading municipal consumer protection agency. We have  
19 consistently leveraged our authority to protect New  
20 Yorkers from deceptive business practices, securing  
21 restitution for consumers whose rights have been  
22 violated by debt collectors, furniture stores, and  
23 used car dealers, to name a few. Last year, we  
24 secured more than 10 million for aggrieved consumers  
25 across the city. A major highlight of our work to

2 make consumers whole was our case against a group of  
3 six used car dealerships, 26 Motors. In April of last  
4 year, we charged more than 9,500 violations at the  
5 Office of Administrative Trials and Hearings related  
6 to the dealership's deceptive business practices. We  
7 have zero tolerance for businesses that repeatedly  
8 display patterns of preying on hard-working New  
9 Yorkers.

10           Some of our most significant marketplace  
11 enforcement includes our work to stop the  
12 proliferation of unlicensed tobacco and electronic  
13 cigarette retail dealers. We work diligently on this  
14 issue and have a team dedicated specifically to  
15 tobacco enforcement that conducted nearly 16,000  
16 inspections of tobacco retail dealers and electronic  
17 cigarette retail dealers last year. In 2023, we  
18 issued over 7,600 summonses for illegal activity,  
19 collected 9.5 million in fines and, in the last year,  
20 have shut down more than 100 illegal tobacco dealers.  
21 We look forward to working with you, Chair Menin, on  
22 granting the agency authority to close unlicensed e-  
23 cigarette retailers as well.

24           Last year, we started our collaboration  
25 with our partners at the Fire Department to address

2 issues of e-bike and lithium-ion battery fires. Our  
3 implementation of Local Law 39 led the City's efforts  
4 to target unsafe mobility devices and get them out of  
5 our retail shops. Since Local Law 39 took effect, we  
6 have conducted approximately 500 inspections of  
7 businesses and issued summonses to 114 bricks-and-  
8 mortar and 19 online retailers. We look forward to  
9 the strengthened enforcement tools in this law,  
10 thanks to Council Member Brewer's legislation. I'd  
11 also like to thank you, Chair Menin, for your  
12 legislation, Local Law 151 of 2023, which allows  
13 businesses to cure violations instead of being  
14 penalized and also right-size fines for other  
15 violations they might incur. From our agency's  
16 reforms alone, we project business savings to be  
17 almost 1 million each year, providing substantive  
18 relief to New York City's small businesses. We're  
19 excited to work with you and your office and moving  
20 forward important legislation to reform and modernize  
21 many of our license categories to reduce the burdens  
22 on small businesses.

23 We are dedicated to providing protections  
24 to New Yorkers while working to facilitate compliance  
25 amongst businesses with the laws that we enforce. Our

2 Visiting Inspector Program or VIP provides new  
3 licensees the opportunity to receive an educational  
4 visit from one of our inspectors. At this visit, the  
5 inspector will share information about the  
6 regulations the business needs to follow and will  
7 identify any potential violations offering businesses  
8 a chance to go into compliance and avoid future  
9 penalties. Just yesterday, we announced an expansion  
10 of this program to all bricks-and-mortar businesses  
11 that are required to be in compliance with our laws,  
12 regardless of whether we license their business  
13 category. We're excited to be expanding our education  
14 first approach to enforcement.

15           Lastly, as many of we offer free  
16 financial empowerment programs to support individuals  
17 and help households improve their financial health.  
18 The New York City Financial Empowerment Centers  
19 provide opportunities for New Yorkers to meet with  
20 trained counselors for one-on-one confidential  
21 financial counseling at no cost. These counselors  
22 coach individuals in reaching financial goals by  
23 establishing budgets, creating spending plans,  
24 opening affordable bank accounts, and navigating loan  
25 repayment, including student loan debt. Our Financial



Empowerment Centers hit a major milestone last year, helping New Yorkers reduce their overall debt by more than 100 million dollars since the program's inception. My family and I benefited from our agency's free financial counseling. I was very excited last year to discuss how our dedicated financial counselors coached me through navigating my finances and the Federal Public Service Loan Forgiveness Program. Since then, I have sought ways to help encourage participation in the Public Service Loan Forgiveness Program amongst our colleagues in City government. Our team has begun rigorous and targeted outreach to the 300,000 City employees who are eligible for Public Service Loan Forgiveness. We strive to be a leader in supporting the City government workforce to enroll in the program to aid in relieving a projected 3.4 billion in student loan debt.

Another incredible program that we offer to New Yorkers is our New York City Free Tax Prep Program, which offers city residents access to free professional tax preparation, support, and filing. Our tax preparers are trained to help New Yorkers with low-to-moderate incomes maximize their tax

2 refunds by optimizing the use of various tax credits,  
3 including the New York City Earned Income Tax Credit  
4 that Mayor Adams expanded last tax season. Last year,  
5 we expanded our New York City Free Tax Prep services,  
6 offering specialized support for freelancers, gig  
7 workers, small business owners, and other self-  
8 employed New Yorkers filing their taxes. NYC Free Tax  
9 Prep has saved clients a total of nearly 24 million  
10 dollars in fees and helped secure 220 million dollars  
11 in refunds for New Yorkers since the start of this  
12 Administration.

13 Finally, something that we are especially  
14 excited about is our Financial Empowerment Centers  
15 expansion that Mayor Adams announced at the State of  
16 the City. Under this expansion, we plan to add seven  
17 new Financial Empowerment Centers for New Yorkers at  
18 New York City Health and Hospitals locations.

19 Individuals, families, and parents will be able to  
20 learn about these services while going for regular  
21 checkups or even in times of need. We believe these  
22 centers will have a major impact on our communities  
23 and will help the city's residents take on negative  
24 contributors to financial health like concerns over  
25 medical debt that may keep New Yorkers from

2 completing vaccines or attending followup  
3 appointments. This is just one of the many ways that  
4 our agencies and this Administration continues to  
5 deliver for the working people of this great city.  
6 Coming from a household where my mother worked  
7 incredibly hard to raise myself and my sister, I  
8 realize how much my family and even myself would have  
9 benefit from financial education and counseling. I'm  
10 incredibly proud of the profound impact that our  
11 financial empowerment programs have had on New  
12 Yorkers and recognize the benefits that this has on  
13 their families and children. We look forward to  
14 continuing our impact and programming work,  
15 supporting New Yorkers in their efforts to improve  
16 their financial health.

17 I hope this testimony has helped provide  
18 you with a snapshot of our past year and the great  
19 successes for DCWP and the people of the city as we  
20 continue to uplift New Yorkers. As we look forward to  
21 the upcoming Fiscal Year, I want to reaffirm my  
22 commitment on behalf of this agency to continue  
23 delivering on our essential work, providing core  
24 protections and rights to the residents of the city.  
25 Under Mayor Adams, our mission to protect and enhance

2 the daily economic lives of New Yorkers remains  
3 steadfast.

4 Before concluding, I would like to take  
5 the time to express my gratitude to all of you for  
6 your support in this work. Our agency and the New  
7 Yorkers in each of your Districts are fortunate to  
8 have such ardent advocates representing them.

9 Finally, I want to personally thank my DCWP family. I  
10 am so grateful to lead a team that works every day  
11 for the people of our city. Their committed and  
12 passionate efforts as public servants really do make  
13 it all come together for New Yorkers. Thank you for  
14 the opportunity to testify today, and I look forward  
15 to answering your questions.

16 CHAIRPERSON MENIN: Great. Thank you very  
17 much.

18 Before I begin the questions, I want to  
19 say that we have been joined by my Colleagues,  
20 Council Member Abreu and Council Member Brewer.

21 I'm going to start off with a number of  
22 questions. I have a lot of questions, and then I'm  
23 going to pause to see if my Colleagues have any  
24 questions.

2 Okay, so I want to start with headcount  
3 and attrition. The Preliminary Plan includes a  
4 budgeted headcount of 447 in Fiscal Year 2025.  
5 However, from July 2023 to January 2024, DCWP lost 40  
6 positions. It seems then the DCWP was then able to  
7 recuperate and hire 50 positions so while on the face  
8 value that appears as a net positive for an agency  
9 with a budgeted head count of 447 and an actual head  
10 count of 416, that's attrition of close to 40 staff  
11 in a six-month period so that seems very high so I  
12 want to better understand what is the reason for the  
13 attrition.

14 FIRST DEPUTY COMMISSIONER MINAYA: Thank  
15 you for the question, Council Member. Actually, when  
16 you track the attrition as you just described, the  
17 number of lines that attrited from the agency tracks  
18 exactly the number of new needs we received when we  
19 took on the street vending enforcement work, which  
20 has since transferred over to the Department of  
21 Sanitation.

22 CHAIRPERSON MENIN: So that is the reason  
23 for the attrition? So you're saying that you've not  
24 had 40 staff members that have left for other reasons  
25 from the agency?

2 FIRST DEPUTY COMMISSIONER MINAYA: Council  
3 Member, I understand the question to be asking for  
4 authorized headcount. You're asking for just general  
5 departures?

6 CHAIRPERSON MENIN: The point I'm trying  
7 to make is it seems that you've had a significant  
8 amount of staff in the last six months that have left  
9 the agency. We're trying to better understand how  
10 many staff members have left.

11 COMMISSIONER MAYUGA: Thank you, Council  
12 Member. We understand that the numbers the way we  
13 understand them is that we actually have the highest  
14 headcount we've had ever in the agency, not losing  
15 that many that you were mentioning. There were lines  
16 that because of the vending transition were moved to  
17 Sanitation, but our overall head count is actually at  
18 an all-time high of 421 active, the authorized being  
19 447.

20 CHAIRPERSON MENIN: Repeat that again.  
21 You're at 447.

22 COMMISSIONER MAYUGA: 447 is the  
23 authorized. Our active headcount is 421, which is  
24 actually the highest the agency has ever had.

2 CHAIRPERSON MENIN: So have any members,  
3 I'm sorry, I just can't hear. Thanks so much. Have  
4 any staff members left the agency in the past year?

5 COMMISSIONER MAYUGA: Yes. Members do  
6 leave. I mean we do have vacancies throughout the  
7 year.

8 CHAIRPERSON MENIN: I just want to  
9 understand what that number is.

10 COMMISSIONER MAYUGA: Last year, we hired  
11 77 and lost 25 but those are, I guess I just want to  
12 remind you that there's a lot of fluidity in the  
13 number and the vacancies that we have and the  
14 backfilling of certain numbers and then just specific  
15 to the ones you were mentioning, it seems like it's  
16 related to the transfer of vending to Sanitation.

17 CHAIRPERSON MENIN: Okay, got it. Thank  
18 you. That is helpful to clarify that.

19 Consumer restitution. I want to get to  
20 this number because we went back and we looked at, so  
21 in Fiscal Year 2023, the consumer restitution, and  
22 I'm pulling this data from the MMR, just to be clear,  
23 okay, Fiscal Year 2023, 1.25 million for consumer  
24 restitution. Fiscal Year 2022, 1.69 million, so it's  
25 not like 2023 was an outlier and we've got the data

2 for every year but, if you go back, you look at  
3 Fiscal year 2015 when I served as Commissioner, it  
4 was 6.18 million; Fiscal Year 2016, 3.47 million;  
5 Fiscal Year 2017, 2.29 million; Fiscal Year 2018,  
6 3.48 million. My point is it seems that the consumer  
7 restitution is significantly lower than in prior  
8 years. What do you attribute that to?

9 COMMISSIONER MAYUGA: Thank you, Council  
10 Menin. You know this agency better than anyone else.  
11 Like you say, you used to run it back in 2015. We are  
12 actually very proud of the successes we had in even  
13 2023 and where we actually collected 14.5 million for  
14 New Yorkers in terms of workers and consumer  
15 protection, the work that we've been doing, so we're  
16 going to continue doing that work. In terms of  
17 consumer protection, you're right. We collected the 2  
18 million last year. Just this year, we've already  
19 started at 2 million also, and we've had some major  
20 wins as it relates to some of the categories where we  
21 get a lot of complaints including secondhand  
22 automobile dealerships. We were able to resolve a  
23 case against a large dealership, 26 Motors, where we  
24 actually not only recovered the money for New Yorkers  
25 but also were able to shut down that business for



2 five years, including their principal, so that we are  
3 looking at not only the restitution that we have seen  
4 for New Yorkers, but stopping the deceptive business  
5 practices that we see so it just doesn't happen  
6 again.

7 CHAIRPERSON MENIN: Okay. I guess my  
8 concern is that (INAUDIBLE) it's 1.25 million, so  
9 it's significantly lower than it's been in prior  
10 years, and one of the core missions of the agency, of  
11 course, is to return money to consumers that have  
12 been defrauded. I take your point that you're trying  
13 to crack down on the business fraud to begin with,  
14 but I'm going to get to this later, the numbers  
15 actually show that there have been fewer inspections  
16 than in prior years so I guess I'm, my overall theme  
17 just to get it out on the table of my questioning is  
18 that I feel that the agency is being asked to do  
19 many, many, many things with less resources, and so I  
20 am concerned when I see numbers like 1.25 million in  
21 consumer restitution or inspections going down. Those  
22 are concerning metrics, and so I want to understand,  
23 for example, how many staff members do you have right  
24 now who are focusing on mediating consumer

2 complaints, who are focused on the core work of  
3 consumer restitution? What is that staff number now?

4 COMMISSIONER MAYUGA: Yeah, thank you so  
5 much and, yes, our mandate has increased and really  
6 appreciate how much you care about our work. I'm  
7 actually going to ask General Counsel Mike Tiger,  
8 since he oversees also the Mediation and Consumer  
9 Services Unit, tell you a little bit more about those  
10 specifics.

11 GENERAL COUNSEL TIGER: Thanks. Just  
12 first, thank you, Chair Menin. As the Commissioner  
13 alluded to, and just to clarify some of the numbers  
14 just in this calendar year, so not reflected in the  
15 numbers you're seeing, just in 2024, we've already  
16 brought in 2 million dollars in restitution so this  
17 has already been a banner year, and we hope to  
18 continue that success buoyed by this very significant  
19 26 Motors settlement that brought in 1.5 million  
20 restitution for New Yorkers that we're distributing  
21 as we speak. We still have, as you might remember, a  
22 core consumer services unit that is dedicated to the  
23 intake and mediation of consumer complaint. I don't  
24 have the precise headcount in our consumer services

2 unit right in front of me, but we can definitely get  
3 you that number...

4 CHAIRPERSON MENIN: Yeah, if you could  
5 just...

6 GENERAL COUNSEL TIGER: We still have  
7 teams of mediators, we have teams of intake staff  
8 dedicated to taking in and attempting to mediate  
9 consumer complaints, and we get hundreds of thousands  
10 of dollars in consumer mediation every year. I think  
11 just as a systemic issue that you were, I think,  
12 getting to a couple of minutes ago, Chair Menin, it  
13 is true that when you were the Commissioner and prior  
14 to 2016, DCA, as you know, had its own tribunal. Our  
15 adjudicatory function is now at OATH, the Office of  
16 Administrative Trials and Hearings, and that has  
17 caused organizational changes. As I think you know,  
18 OATH does not allow individual consumers to bring  
19 cases that was possible at the DCA tribunal so where  
20 an individual brought a case at the DCA tribunal and  
21 got restitution, that would get credited to serve the  
22 DCA numbers, and that's no longer the case, but I  
23 want to make it clear that we are very dedicated and  
24 are very thoughtful about, with the resources we  
25 have, allocating our resources to get money back in

2 the hands of New York City consumers, and that's why  
3 I think it's important to underscore the successes  
4 we've already had this Calendar Year.

5 CHAIRPERSON MENIN: Okay. Let's move on to  
6 the collection of fines because the total amount of  
7 fines collected from settlements, pleadings, and  
8 consent agreements decreased by 59 percent between  
9 the first four months of Fiscal 2023 and the first  
10 four months of Fiscal 2024. The agency states this is  
11 due to operational challenges that arose from the  
12 agency's transition to its new business automation  
13 system. How much in fines are still outstanding that  
14 have yet to be collected?

15 COMMISSIONER MAYUGA: I just want to make  
16 sure I get the right number. This is it, right?

17 Yeah, thank you, Chair Menin. We  
18 actually, in 2023, collected over 15.5 million  
19 dollars in fines and penalties combined for consumer  
20 and the worker protection, and that would make it a  
21 25 percent increase from the previous year, mostly  
22 related to some of the work that I mentioned in my  
23 testimony related to the tobacco and e-cigarette  
24 violations and the fines related to worker protection  
25 laws.

2 CHAIRPERSON MENIN: Yeah, but we're  
3 talking about the first four months of Fiscal 2024  
4 and we're not just talking about the worker  
5 protections so I just want to make sure we're  
6 comparing apples to apples. I'm trying to understand  
7 how much in fines are still outstanding that have not  
8 yet been collected.

9 ASSISTANT COMMISSIONER ORTIZ: I think to  
10 reiterate what the Commissioner is mentioning in  
11 Calendar Year '23, we had 15.5 million in fines  
12 collected. In Calendar Year 2022, we had over 12  
13 million. I think some of the issues that you  
14 reference arising from our transition to the new  
15 system are simply updates to, for example, New York  
16 City Open Data that have perhaps been impacting that  
17 period that you're referring to in the summertime. If  
18 you notice, for example, in Open Data that from July  
19 we haven't made updates to that data set yet because  
20 of the transition but, in terms of our Calendar Year  
21 numbers, there has been a 15.5 million collected so  
22 far.

23 CHAIRPERSON MENIN: So what are causing  
24 these operational challenges?

2 FIRST DEPUTY COMMISSIONER MINAYA: As you  
3 know, Chair, I believe you were the Commissioner when  
4 we transferred over to the Accela system so you  
5 understand.

6 CHAIRPERSON MENIN: Right,<sup>7</sup> I know that  
7 well, unfortunately too well, yes.

8 FIRST DEPUTY COMMISSIONER MINAYA: A whole  
9 host of issues. Essentially at the agency, the Accela  
10 system was the brain, right, and then, as the agency  
11 grew, we've built systems around that. We have since  
12 replaced that brain and are now going through the  
13 challenges of connecting each other individual system  
14 to that one system to create one unified system, and  
15 it's been quite a transition process.

16 CHAIRPERSON MENIN: And when will that  
17 work be done?

18 FIRST DEPUTY COMMISSIONER MINAYA: I would  
19 say we will always look to improve the system and  
20 that work is never really finished, that we're always  
21 looking to add to the system, to make sure that we're  
22 serving New Yorkers best.

23 CHAIRPERSON MENIN: And what is the agency  
24 doing in the meantime between issuing these fines and  
25

2 collecting them? What is the plan given these  
3 operational challenges?

4 FIRST DEPUTY COMMISSIONER MINAYA: So as  
5 far as what my colleagues referring to earlier is  
6 more of a data reporting issue, right? The collection  
7 process remains the same. We begin our collection  
8 efforts 85 days after an OATH decision or 10 days  
9 after a consent order has been signed with the  
10 respondent, and our collection efforts consist of  
11 sending emails, sending collection, letters, phone  
12 calls and generally, typically those efforts wrap up  
13 within 45 days after they begin.

14 CHAIRPERSON MENIN: Okay. Another area  
15 that I'm very concerned about are both licenses and  
16 inspections being down so let's just get into that  
17 area. For example, a drop in inspection, the PMMR  
18 outlines that in the first four months of Fiscal  
19 2024, there was a 14 percent decrease in the total  
20 number of inspections with tobacco retail dealer,  
21 electronic cigarette inspections decreasing by 19  
22 percent and, at the same time, we're seeing a 20  
23 percent decrease in the number of tobacco summonses  
24 when compared to the same period in 2023. We all  
25 know, for example, nicotine is an enormous public

1 health issue so I want to understand, particularly  
2 with a notable rise in smoke shops in the city, which  
3 I know all of our Districts are getting tremendous  
4 complaints about, why are these numbers down?

6 COMMISSIONER MAYUGA: Thank you for the  
7 question, Chair. We have some of the numbers that go  
8 back to your original question with staff. With the  
9 transition of vending to Sanitation, that impacts the  
10 number of inspections where we're doing a lot of  
11 those as it related to street vending. As it relates  
12 to tobacco, we actually did 42,000 total last year,  
13 including 15,700 for the tobacco and e-cigarette  
14 retail dealers. It is absolutely 100 percent one of  
15 our priorities, right? We know that it is an issue  
16 that is important to all New Yorkers. We have gotten  
17 creative and really strategized how to best use our  
18 resources to make sure that we're targeting those  
19 businesses, whether they're licensed or not, right?  
20 There's going to be a number of summonses that we're  
21 going to issue, that have been issued for the ones  
22 that are licensed, and then we actually issued about  
23 7,600 violations for unlicensed activity related to  
24 these businesses so we are prioritizing that work  
25 getting out as much as possible, making sure that



2 even using our powers to seal businesses that have a  
3 number of violations adjudicated by OATH within a  
4 certain period of time, so that we can stay as much  
5 on top of it as the authorities that the law gives us  
6 allows.

7 CHAIRPERSON MENIN: I guess if you could  
8 be more specific on why are these numbers down? Is it  
9 that you are down inspectors? Is it that you, I'm  
10 just trying to understand fundamentally why these  
11 numbers are down.

12 COMMISSIONER MAYUGA: Yeah, we'll give you  
13 a little bit more information and my team will be  
14 sure to chime in if I'm missing anything, but I know  
15 that some of the reporting on the PMMR, especially as  
16 it relates to tobacco, I don't know how much of this  
17 was when you were Commissioner of our agency, it's  
18 based on a grant that we get from the State to  
19 enforce the tobacco laws, and those numbers are being  
20 focused on the individuals that are 100 percent  
21 assigned to do that work but, because of the issue  
22 being such a problem in our city right now, we have  
23 actually taken other inspectors that are doing other  
24 work and added that line of work as well so that we  
25 can have a higher impact, and the work that those

2 individuals are doing is not reflected in the PMMR  
3 because the number there is directly tied to the  
4 inspectors that are covered and paid for with the  
5 State grant, and do you want to add anything?

6 FIRST DEPUTY COMMISSIONER MINAYA: Just to  
7 clarify one point the Commissioner made, the work of  
8 the inspectors we added to overall tobacco is  
9 reflected in the proactive number, which is why that  
10 has increased significantly. It's just that the  
11 tobacco program number captures the work of  
12 inspectors that are funded by the tobacco grant.

13 CHAIRPERSON MENIN: The amount of the  
14 State funding, has that remained constant or has that  
15 decreased?

16 FIRST DEPUTY COMMISSIONER MINAYA: That  
17 has remained constant, Chair.

18 CHAIRPERSON MENIN: Got it. Okay, that  
19 makes sense. Okay. I'm going to pause because I have  
20 so many questions and I want to be respectful to my  
21 Colleagues who are here if they want it. Council  
22 Member Abreu, any questions?

23 COUNCIL MEMBER ABREU: Thank you, Chair  
24 Menin, and thank you, Commissioner, and thank you to  
25 the DCWP Team. My question has to do with

1 deliveristas. First of all, I commend the work that  
2 the agency has done with establishing the minimum pay  
3 wage laws. I think that was very important. However,  
4 with the implementation of it, would love to know how  
5 that's going. I can tell you anecdotally, and what  
6 I'm hearing from deliveristas directly, there are  
7 issues with tipping transparency, right? Deliveristas  
8 traditionally before the rulemaking went through,  
9 deliveristas would get tipped at the cart versus  
10 after checkout. Now everyone, deliveristas are losing  
11 a lot of resources as a result. The other stuff that  
12 we're hearing on the ground is deliveristas can't see  
13 their active time worked, for instance. The apps  
14 aren't disclosing in advance the pay method that's  
15 being used, whether it's the 50 cents a minute or the  
16 17 and change per hour. Can you speak to these wide  
17 range of issues that have come as a result and, if  
18 you can be on the record, speaking to those issues as  
19 well, that'd be great.

21 COMMISSIONER MAYUGA: Thank you, Council  
22 Member. I will start by going on the record to give  
23 you a shout-out because you're my Council Member, my  
24 District, so thank you for all the work that you do.  
25 It's very visible when I'm walking around my own

2 neighborhood so I really appreciate that, and thank  
3 you so much for the question as it relates to the  
4 deliveristas and the minimum pay rate. It is 100  
5 percent one of the biggest things we've accomplished.  
6 It is obviously groundbreaking. We're taking  
7 initiative, right? We're leading the nation in this  
8 area, and we're very proud of the work. It took a lot  
9 of work, but we stayed the course. It didn't matter  
10 what was coming our way. I can share with you that,  
11 from what we've been seeing and we're obviously  
12 always continually monitoring these numbers, we know  
13 that apps are paying more than 15 million dollars  
14 more to workers per week ever since the minimum pay  
15 rate went into effect, so 15 million more per week,  
16 yes, in addition. The impact that this has to be  
17 having in the lives of these essential workers, over  
18 60,000 of them, it's obviously very positive.

19 In terms of what you've mentioned, yes,  
20 it is disappointing that the apps are not being  
21 transparent about the method that they're selecting  
22 any particular pay period to comply with the minimum  
23 pay rate. It is also disappointing that they have  
24 moved the feature of the tipping to go after.  
25 Oftentimes, the consumer which is not even remember,

2 just not seeing it, so those are areas that we do  
3 think that is work to be done. We would love to  
4 consider and have the conversation about legislation  
5 to possibly correct those wrongs through that method  
6 and we really look forward to having those  
7 conversations and seeing that's the best way to move  
8 forward. Obviously listening from our deliveristas as  
9 well, make sure that we approach it with them in  
10 mind.

11 COUNCIL MEMBER ABREU: Thank you, Chair.  
12 Thank you, Commissioner. Just want to make sure we  
13 give you the opportunity to go on the record there  
14 because it's an issue that we care about very deeply  
15 in my neck of the woods and we want to make sure that  
16 we all get our food delivered to our houses, right,  
17 and we know deliveristas do this and under all types  
18 of circumstances and weather and it's become a normal  
19 part of our gig economy, and we know that there's a  
20 lot more the City can do there. I appreciate your  
21 contribution today.

22 CHAIRPERSON MENIN: Thank you. I also want  
23 to mention we've been joined by Council Member  
24 Krishnan.

2 Council Member Brewer, do you have  
3 questions?

4 COUNCIL MEMBER BREWER: First, I want to  
5 say Carlos Diaz (sic) is a rock star. I'll make that,  
6 and I'll put him up on the stage and lights and  
7 everything. Just for the record to know without all  
8 the specifics, we're trying to close one particular  
9 smoke shop, if it wasn't for him, it would still be  
10 open, and guess what? It's closed right now, again,  
11 because this particular smoke shop doesn't listen to  
12 anybody. They just do what they want to do and they  
13 keep selling tobacco. Mr. Diaz, you are a rock star.  
14 We'll keep working on it. Thank you very much.

15 A couple questions. Obviously, I'm  
16 appreciate what you've been doing on paid sick days  
17 with the bill that I passed many years ago, despite  
18 de Blasio taking credit for it, and my question is,  
19 it says here that the PMMR, that there has been an  
20 increase in workforce complaints compared to the same  
21 period in '23 but the amount of investigations has  
22 gone down. I guess my question is, I know we have a  
23 bill pending to do more outreach and advertising  
24 because I think people still don't know about,  
25 probably not just paid sick days, but other worker

2 protection so my question is, are you doing any  
3 outreach, are there other ways that we can make sure  
4 people know about this and, again, following on the  
5 Chair's questions, investigations are increased only  
6 a certain amount, but there's just an awful lot of  
7 complaints.

8 COMMISSIONER MAYUGA: Thank you for that  
9 question, Council Member. Yes, I agree, he's a rock  
10 star. I did promote him to his current role. We're  
11 very happy with him and glad to hear that we are  
12 answering questions and serving New Yorkers the way  
13 we're supposed to.

14 Paid Safe and Sick Leave, the 10-year  
15 anniversary is actually coming up next month so I  
16 think that's going to give us a great opportunity  
17 with Chair Menin leading our Committee and also with  
18 you having sponsored this legislation that many years  
19 ago to really increase the visibility and individuals  
20 to know more about it. We are continually doing work  
21 related to that, and I can tell you that in 2023 we  
22 did receive just under 300 complaints related to Paid  
23 Safe and Sick Leave law, which is a little bit more  
24 than the year before. I can tell you that generally,  
25 also related to all worker complaints, the numbers

2 have increased. Hard to tell specifically the reason  
3 behind it. Hopefully some of it will because we're  
4 getting out there more, informing New Yorkers about  
5 their rights. It's disappointing that the same effect  
6 has not been having, we're not having in businesses,  
7 but we'll continue to explore ways to do that and  
8 improve on that, and also we've made some changes to  
9 our system in which now any New Yorker can file the  
10 complaints online a lot easier than perhaps people  
11 who are usually calling 3-1-1 or where perhaps  
12 mailing something so it's become a lot easier to file  
13 this complaint so we think that there's a little bit  
14 of a relationship there.

15 In terms of investigations, they all  
16 vary. It's hard to quantify and say which one is  
17 better (INAUDIBLE) the investigation. Some of the  
18 complaints that come all relate to one business, and  
19 so we're going to group those together into one  
20 investigation particularly when it relates to worker  
21 protection. We're going to be looking at is it a  
22 workplace-wide issue that we need to be looking into  
23 or is it an individual issue that we need to be  
24 looking into? As it relates also specifically to Fair  
25 Work Week, for example, we get many complaints about



2 one particular business and those will be together  
3 but, even within those, we may have individual  
4 complaints as it relates to also the Just Cause  
5 provision, right, where somebody is terminated  
6 unlawfully and we're going to treat that individually  
7 as well to make sure that especially, if the  
8 individual wants to be reinstated, they can get that  
9 their job back faster. I would love to have rock star  
10 Ortiz also share a little bit more about our outreach  
11 on how we're helping.

12 COUNCIL MEMBER BREWER: And is there a  
13 backlog? That's the other question I have.

14 COMMISSIONER MAYUGA: Sure.

15 ASSISTANT COMMISSIONER ORTIZ: Just to  
16 speak directly to the outreach piece, Council Member,  
17 we have begun implementing outreach with respect to  
18 the local laws you helped us pass for greater  
19 awareness of Paid Safe and Sick Leave and the  
20 temporary schedule change. This includes a revamp and  
21 updating of our worker bill of rights. That is a  
22 comprehensive guide for New York city workers about  
23 their city, state, and federal protections. We've  
24 already been putting that up on LinkNYCs across the  
25 city. We are also engaging now with our partners in

2 community-based organizations and labor  
3 organizations. I expect intense in-person outreach to  
4 begin in late April, early May so I think along those  
5 lines we're very excited to have the opportunity to  
6 speak more about worker rights in the city and get  
7 people to our doorstep to file those complaints.

8 COUNCIL MEMBER BREWER: The other quick  
9 question is education, not on the worker rights, but  
10 just on consumer, and then I'll stop, Madam Chair.  
11 The issue is, the drug store, the grocery store, etc.  
12 I do write letters when it's a complaint, but is  
13 there any proactive education given the fact that you  
14 have less staff, etc.? I do find that the CVSs and so  
15 on are locking up the deodorant. I got all that, but  
16 I do worry that because you have less staff at some  
17 of these stores in the general sense, the watch  
18 store, the drug store, the grocery store, etc., are  
19 they putting the prices out in the right manner,  
20 etc., etc.? Are you finding any increase in that? Are  
21 you able to do education? Just give me an update on  
22 the consumer aspect of your agency as opposed to  
23 worker protection.

24 COMMISSIONER MAYUGA: Thank you. Yes, so I  
25 think it's two pieces. There's a piece of educating

2 the New Yorkers but then also getting out there to  
3 the businesses and make sure they know they have to  
4 comply and they know we're watching.

5 COUNCIL MEMBER BREWER: Proactive as  
6 opposed to complaint-based, yes.

7 COMMISSIONER MAYUGA: Correct, and so one  
8 of the things that I think we're getting better at is  
9 on those proactive inspections of regularly visiting  
10 these businesses, right, to make sure that they're  
11 complying with the law. We've gotten better at it  
12 because we also have a better system to route our  
13 inspectors, right, and maximize the time that they're  
14 out there and how many more businesses they can  
15 visit. I think that combined with our business  
16 education days, right, that we've done hopefully in  
17 all of your Districts, and we should do them every  
18 year, at least, if more than that, but let us know.  
19 We also had the VIP that we just shared that we  
20 expanded yesterday, right, the VIP, the Visiting  
21 Inspector Program. We used to only go to businesses  
22 that we licensed. We would proactively reach out to  
23 them and make sure that as soon as they got a license  
24 from us, we went out there and we're like, hey, this  
25 is the inspection checklist, when our inspector comes

2 in, this is what we're going to be looking at, let's  
3 walk through it, let's make sure you're good to go so  
4 that next time we come, we're not issuing any  
5 summonses. So now what we announced yesterday is that  
6 we're now moving to do that for any business in New  
7 York City, even if we don't license them. That's our  
8 way of, again, looking at like where we're at, what  
9 are we seeing? We want to make sure that we fill in  
10 any gaps to make sure that businesses, it's hard to  
11 have a business in New York City, right, that they  
12 have also the support of an agency like ours which  
13 sometimes people think that we're just going out  
14 there to enforce, but those are some of the ways that  
15 we are tackling and obviously always, always open to  
16 any ideas, maybe something we haven't thought, would  
17 love to explore it and get out there more.

18 COUNCIL MEMBER BREWER: Thank you, Madam  
19 Chair.

20 CHAIRPERSON MENIN: Okay. We've also been  
21 joined by Majority Leader Fariás.

22 I'm now going to turn it over to Council  
23 Member Krishnan for a question and then I'm going to  
24 go back to some questions I have.

2 COUNCIL MEMBER KRISHNAN: Thank you so  
3 much, Chair Menin. Good to see you, Commissioner.  
4 Thank you for your testimony, and I concur with  
5 Council Member Brewer about Carlos' phenomenal work.  
6 As a constituent too, I have to lift him up and also,  
7 of course, long-time friend Kenny Minaya as well.  
8 Good to see you here. We come from legal services  
9 together so very nice to see you.

10 Commissioner, this is more just an  
11 exploratory question on two points. One that Council  
12 Member Brewer raised, which was just about the  
13 proliferation of illegal weed shops across our city  
14 and there's another one opening in my neighborhood on  
15 82nd Street and 37th Avenue, and I'm just not  
16 understanding how we can get better enforcement  
17 around it because they seem to be popping up, then  
18 they'll close, then they'll open up again,  
19 undermining the state legal system so I was just  
20 curious to know more about DCWP's role in that and  
21 how you all have thought about this issue.

22 COUNCIL MEMBER BREWER: I can help with  
23 the answer too if you want.

24 COMMISSIONER MAYUGA: Thank you for that  
25 question, and I have to give my shout-out to my

2 General Counsel, Mike Tigers. Nobody's giving him a  
3 shout out. He is pretty good. He's a superstar also  
4 in our agency, and I tell people that I think I have  
5 a great General Counsel because I go to him and he is  
6 a great thinking partner and figuring out, he's like  
7 okay, maybe not that way, but this way.

8           Okay, to answer your question, Council  
9 Member, 100 percent, it is a huge issue. We recognize  
10 it and what we've done is look at our toolbox and be  
11 like, what are our powers, what can we do within the  
12 powers that we have to tackle that issue? So, as you  
13 know, we license tobacco retail dealers and e-  
14 cigarette retail dealers, right? Because of that, we  
15 inspect them. We're constantly inspecting them. We  
16 are very aware of just also the health dangers and  
17 with children and all that. I have two kids. One of  
18 them is 14, right? I'm always like paying attention  
19 to these things and it's important to me so you just  
20 bring this to the agency. Starting last year, we  
21 started to focus a lot of our resources from our  
22 enforcement and our General Counsel's office team  
23 there, and together with the Law Department. The way  
24 it works for us is that our inspectors are going to  
25 be going to any of the places that we know are

2 licensed to make sure that they're complying with  
3 those laws but also any complaints that we get from  
4 unlicensed businesses. If you don't know, it doesn't  
5 matter, send them over, we'll go take a look. We'll  
6 route them over, we're going to go visit them, we'll  
7 issue those violations, we'll get them adjudicated at  
8 OATH. Once we get the right number of those  
9 adjudications with, my General Counsel will soon  
10 share with you how many of those are within a certain  
11 period of time, we're going to go and we're going to  
12 tell that business, we're coming to seal you, we're  
13 coming to close you down, and we'll come back about  
14 10 days after and we will lock up that place. It's  
15 what we did with Council Member Brewer. We just did  
16 that this morning also in Chair Menin's District.  
17 That's it. We'll close them down. We will then go  
18 again and make sure that you're still closed. Sure.  
19 If that business comes and says, you know what, I'm  
20 ready to pay my fines, I'm sorry, shouldn't have done  
21 that, and they agree to also not engage further in  
22 the illegal activity, we will reopen them, assuming  
23 they have a license, right? If they're unlicensed,  
24 that's it, they're going to stay closed but, assuming  
25 they have a license, but even if you tell me that, I

1 am going to go again and make sure that you are  
2 actually holding up your part of the bargain, right?  
3 We've been strengthening our relationship also with  
4 PD because they do come with us to make sure that  
5 there's no issues related to that. As of since last  
6 year, we've closed over 100 of these places so what  
7 we're doing is that. We're just getting aggressive  
8 about it. We're like being very proactive about it.  
9 We'll continue to stay on it. It's a combination of  
10 our enforcement unit with our attorneys in Counsel's  
11 office and the Law Department if we get challenged in  
12 any of our procedures. I'd love for my General  
13 Counsel to add anything else I might have misspoke.

14           GENERAL COUNSEL TIGER: No, that really  
15 covered the waterfront so I'm not going to kill the  
16 lily too much, but I think it does indicate like we  
17 recognize we hear, we our ear to the ground as far as  
18 what's going on in New York. We hear it from you  
19 folks. We hear it from our consumer services unit,  
20 from individual New Yorkers coming in, and so we,  
21 when we consider how we allocate our resources, we  
22 try to dedicate resources to what are the issues  
23 happening right now, and we have all seen it, you've  
24 seen it, we've seen it, the proliferation of smoke  
25



2 shops, as you mentioned, Council Member, and so we  
3 very thoughtfully and intentionally felt like how can  
4 we take our existing resources and target to what is  
5 going to have the greatest impact and, as the  
6 Commissioner said, over 100 since we've really  
7 increased our work in this space so I think we are  
8 proud of how we're dedicating it, and we have one  
9 satisfied customer. We're willing to work, obviously,  
10 with any of you and any of our staff to intake  
11 complaints and work to deal with this issue.

12 COUNCIL MEMBER KRISHNAN: Thank you. We'll  
13 follow up more. Thank you. Thank you, Chair.

14 CHAIRPERSON MENIN: Okay. Thank you so  
15 much. Now, before we go back to the smoke shops and  
16 tobacco, I just want to pick up on one issue  
17 regarding worker complaints. We talked a little bit  
18 about paid sick leave, and I'm going to get back to  
19 that later but, under the MMR for Fiscal Year '23, it  
20 says that it's taking the agency 194 days to close  
21 these worker complaints. That, to me, is extremely  
22 high, and I want to compare it to, you're on the one-  
23 year anniversary of Fair Work Week. When we were on  
24 the one-year anniversary of Paid Sick Leave when I  
25 was Commissioner, it took us 33 days to close the

2 Paid Sick Leave cases so 194 days is extremely  
3 alarming. Why is that number so high?

4 COMMISSIONER MAYUGA: Thank you for that  
5 question, Council Member. The way we look at it is,  
6 obviously, we're always going to try to get the money  
7 back to the workers. Especially when it comes to  
8 worker protection, you'll see that we're always going  
9 to be prioritizing that restitution to the workers  
10 versus like penalties from the businesses. It really  
11 varies. The cases are vastly different depending on  
12 how many workers, how many violations of the law. As  
13 I think we've shared at least other times, somebody  
14 comes in with a complaint as it relates to Fair Work  
15 Week and we ask them about Paid Safe and Sick Leave,  
16 right, is that also a violation, and make sure that  
17 we don't have to go back to that business. We want to  
18 be very comprehensive. Stop the illegal activities.  
19 Stop the unlawful practices and make sure that we can  
20 make whole as many workers as possible. I can tell  
21 you, though, that we do immediately, as soon as we  
22 receive a complaint, we do assign it to an  
23 investigator and we really want to make sure that  
24 we've been thorough in those investigations. They  
25 vary in complexity so there's going to be a range in

2 terms of how long the cases take. I don't think I  
3 have it in front of me, but, you know, Fair Work Week  
4 is going to be one type of case. We have Paid Safe  
5 and Sick Leave law. We have the work that we do with  
6 the Freelance Isn't Free act work. All of those vary  
7 in complexity and in amount of time that it takes  
8 but, again, just last year we did secure 12.5 million  
9 dollars for workers, and we intend to continue to  
10 work hard and make sure that workers, their rights  
11 are upheld.

12 CHAIRPERSON MENIN: What strategies can  
13 you employ moving forward to bring down that time  
14 frame of 194 days?

15 COMMISSIONER MAYUGA: We're constantly  
16 looking at the ways in which we can improve our  
17 processes especially in the worker protection area.  
18 We have data scientists on our team that look at data  
19 in a way that makes it be faster so that's one area  
20 in which we continue to evaluate and see if there are  
21 efficiencies we can pursue there, and I will just add  
22 also that in terms of the cases, when it relates to  
23 retaliation, for example, we do prioritize those and  
24 make sure that those are resolved quicker because we

2 want to make sure that individuals get their jobs  
3 back if that's what they prefer.

4 ASSISTANT COMMISSIONER ORTIZ: I think one  
5 thing I'd like to add to in terms of the strategies  
6 that we're currently implementing is to make sure  
7 that if we're seeing systemic violations of workers'  
8 rights, that we're taking a look at the whole  
9 workforce that's in that location and so, instead of  
10 doing necessarily one complaint, one investigation,  
11 one worker impacted, the way we're able to secure  
12 this these great successes in worker restitution is  
13 by looking at the entire workplace. That does take  
14 more time. We do contact all the workers. We do speak  
15 with them. We develop that case and then, if we have  
16 to, we'll bring that case to OATH if necessary, but I  
17 think it's a new strategy that brings us more  
18 successes.

19 CHAIRPERSON MENIN: To that point, and you  
20 know we've talked at length about this, Starbucks.  
21 Starbucks has a situation where there are 56  
22 different stores, 76 different workers, some of whom  
23 have filed a complaint back in February 14th of last  
24 year, and none of those complaints have been closed.  
25 If ever there was a case that calls for a citywide

2 investigation, in my opinion, it's Starbucks. Can you  
3 provide, why are we at this point where none of these  
4 cases have been closed?

5 COMMISSIONER MAYUGA: Specifically to  
6 Starbucks, Chair Menin, I can say it is a complex  
7 case. It is a very large case. As you mentioned, we  
8 do have dozens of complaints from workers that span  
9 over 50 stores. We want to get this right. I will  
10 also highlight that we did resolve four individual  
11 just cause cases that are part of the group of  
12 Starbucks workers because, like I mentioned before,  
13 we're going to prioritize those. There were two of  
14 them who did want their jobs back so we worked hard  
15 to make sure that those were prioritized. They still  
16 remain part of the larger case. The cases take time,  
17 especially depending on their size, when you start  
18 going through the process of looking at the  
19 complaints, engaging with the complainants, getting  
20 all the information from them, reaching out to the  
21 business, getting their records, evaluating their  
22 records, issuing findings, and then engaging in a  
23 conversation to resolve the matter, but we are  
24 confident that we are dedicating workers, employees

1 in our units in the worker protection unit to look at  
2 this case and make sure that we get it right.

3  
4 CHAIRPERSON MENIN: Okay, I want to move  
5 back to tobacco as well as unlicensed smoke shops  
6 where I mentioned earlier that the numbers are down  
7 in terms of tobacco retailer, dealers, and e-  
8 cigarette inspections are down by 19 percent but, in  
9 terms of overall inspections, those, as I mentioned  
10 earlier, overall inspections by the agency are down  
11 14 percent, so you mentioned earlier in your  
12 testimony that the agency is an all-time high in  
13 terms of headcount at 447 so if the agency is an all-  
14 time high, why are inspections down 14 percent?

15 COMMISSIONER MAYUGA: Thank you, Chair.  
16 We've had incredible successes during the last two  
17 years since the Adams' Administration started and,  
18 specifically last year again, 14.5 million dollars  
19 back to New Yorkers. We are constantly looking at the  
20 way we're operating, where we allocate resources,  
21 where we're looking at things, the impact that we're  
22 having. I don't think it is purely reflected in the  
23 number of inspections but, specifically as it relates  
24 to tobacco and e-cigarette retailers, we have done  
25 15,700 related to our tobacco program, resulting in

2 about 9,600 summonses and 7,600 of those in  
3 unlicensed activities for tobacco and e-cigarettes.  
4 Also collecting over 9.5 million dollars in fines for  
5 businesses that are violating our tobacco and e-  
6 cigarette retail laws so the amount of people that  
7 we're reaching, not just in terms as reflected in  
8 what we've recovered for workers, for consumers and  
9 in fines, but the reach that we're having through our  
10 financial empowerment program with 10,000 individuals  
11 being served by our Financial Empowerment Centers,  
12 through our partners completing over 84,000 tax  
13 returns the last tax season, and that really is  
14 because of outreach that we've done and getting out  
15 there and educating New Yorkers and partnering with  
16 community-based organizations and other advocacy  
17 groups to make sure that they help us get the word  
18 out.

19 ASSISTANT COMMISSIONER ORTIZ: Just a  
20 clarification, I would say overall inspection numbers  
21 have gone down in the past Calendar Year is because  
22 of the vending transition but, again, in terms of our  
23 tobacco work, that number of inspections has gone up  
24 in the past Calendar Year, especially If we look to  
25 the MMR and PMMR numbers. I guess the discrepancy

2 there is that while the tobacco program numbers might  
3 be different, we have done much more proactive  
4 inspections of tobacco so, if it's helpful, we can  
5 parse that out for you in a chart to like really  
6 clarify that, but I would say overall inspections are  
7 down because of vending and overall tobacco-related  
8 inspections are up.

9 CHAIRPERSON MENIN: We're not seeing that.  
10 We're seeing a 20 percent decrease in the number of  
11 tobacco summonses when compared to the same period in  
12 2023 so we definitely need to...

13 ASSISTANT COMMISSIONER ORTIZ: We can  
14 bring that to...

15 CHAIRPERSON MENIN: Dig into that because  
16 we're seeing something different than that, and it's  
17 of great concern. I don't understand why the  
18 summonses are down 20 percent and I would be  
19 concerned that businesses then, you're going to have  
20 a huge black market for tobacco products sold in  
21 unlicensed shops so I want to better understand that.

22 FIRST DEPUTY COMMISSIONER MINAYA: Chair,  
23 we will definitely follow up with the data as my  
24 colleague suggested. I just wanted to explain a quirk  
25 of how the date is captured. The PMMR refers to



2 inspections conducted by inspectors in the tobacco  
3 program. The full number is captured, you have to add  
4 the number of the inspections in the tobacco program  
5 and a subset of the inspections in the proactive  
6 inspections because those inspections include  
7 inspections where an inspector went in to look for  
8 tobacco and other items that the agency enforces so  
9 we'll parse that out for you, but that's how we keep  
10 referring back to the proactive number because that's  
11 where that's going to capture some tobacco work as  
12 well.

13 CHAIRPERSON MENIN: Okay.

14 GENERAL COUNSEL TIGER: And you'll see a  
15 spike in the same PMMR chart in the proactive, but we  
16 will get you this.

17 CHAIRPERSON MENIN: On smoke shop  
18 enforcement, what is the agency doing to lobby the  
19 State to push this bill that is at the state level  
20 forward that would give the City the legal authority  
21 we need to shut these unlicensed smoke shops down?

22 ASSISTANT COMMISSIONER ORTIZ: Thank you,  
23 Chair. I think we, ourselves, PD, the Sheriff have  
24 been in close collaboration over the past few years  
25 in terms of enforcement but also in terms of

2 advocacy. I know it's one of the Mayor's priorities  
3 with respect to local cannabis enforcement authority.  
4 We're certainly supportive of that and are active  
5 partners.

6 CHAIRPERSON MENIN: Okay, that is top  
7 priority because, we feel, all of us I think, and I  
8 don't know a single Council Member doesn't feel  
9 strongly on this subject so thank you.

10 I want to switch back to the Office of  
11 Financial Empowerment because it is, as you said, an  
12 incredible resource to ensure that low-income New  
13 Yorkers are getting both EITC as well as financial  
14 empowerment services so I want to understand that  
15 because it appears that there have been some cuts in  
16 that regard. On Financial Tax Prep, since it is tax  
17 season right now, one of the great programs that the  
18 agency offers is the annual tax season initiative so  
19 an expansion for the program was added in an  
20 adoption. However, in the November Plan, this  
21 expansion seems to be cut completely. Can you speak  
22 about that?

23 COMMISSIONER MAYUGA: Thank you, Chair. We  
24 didn't cut any programs. I wonder if you're referring  
25 to, yeah, last year, we were going to be doing some

2 work specific to a campaign. Once the PEG came that  
3 was part of how the agency met its PEG, but the  
4 program itself did not get cut. There was no  
5 reduction in the amount of money allocated to the  
6 program, itself, and you saw the numbers increase in  
7 terms also of the tax returns that were completed  
8 last year.

9 CHAIRPERSON MENIN: So to be clear, I just  
10 want to get this on the record, so there's absolutely  
11 no cuts on Financial Tax Prep, and what about in  
12 terms of work done to make sure that New Yorkers are  
13 availing themselves of the earned income tax credit?

14 COMMISSIONER MAYUGA: 100 percent, no cuts  
15 there either. As you know, right, you've obviously  
16 been a huge advocate of this and the Mayor also  
17 believed in it and, since he came in, that's how we  
18 saw the result last year of his advocacy in the first  
19 year in terms of expanding the City's contribution  
20 ability, like being allowed by the State to  
21 contribute more than the 5 percent that the City used  
22 to contribute so we are like at 10 to 30 percent and  
23 we are seeing a huge impact on New Yorkers getting  
24 out there. I've done so many presentations. I really  
25 enjoy it because I get upset when people tell me that

2 they've paid for tax prep when we know that the  
3 program, it's so good, it's free, it's professional,  
4 it's in the language that people understand, over 140  
5 locations across the city. I mean I've been doing a  
6 lot of presentations myself on Facebook Live, even in  
7 Spanish, so it's definitely a priority for us and no  
8 slowing down in promoting the program and its impact  
9 as it helps individuals that qualify for their earned  
10 income tax credit.

11 ASSISTANT COMMISSIONER ORTIZ: In terms  
12 of...

13 CHAIRPERSON MENIN: We've also... oh, go  
14 ahead.

15 ASSISTANT COMMISSIONER ORTIZ: I just  
16 wanted to add in terms of outreach, since the  
17 beginning of the Adams' Administration, we've done  
18 over 400 free tax prep events to spread the word. You  
19 might have seen some of our high visibility street  
20 furniture and marketing campaign placements going up  
21 just recently and, on the advocacy level, we continue  
22 to work closely with the Mayor's Office and at the  
23 State with respect to certain earned income tax  
24 credit expansions.

2 CHAIRPERSON MENIN: Okay, we've also been  
3 joined by Council Member Ossé.

4 Speaking about the earned income tax  
5 credit, so in 2015 we launched the City's largest  
6 phone-a-thon. We did a phone-a-thon in every single  
7 borough in multiple languages. We worked with other  
8 City agencies to get data on who is eligible for EITC  
9 and then we did phone banking to them in dozens and  
10 dozens of languages and, as a result of that, we were  
11 able to return 250 million dollars to low-income New  
12 Yorkers so I want to know if the agency is going to  
13 consider something like that again because we were  
14 able to get the 250 million dollars back. You  
15 mentioned a number of 220 million, which covers two  
16 years so it's significantly less than we got in 2015  
17 so I'm not trying to always go back and compare, but  
18 this was something that really worked. We reached,  
19 because people were leaving the EITC on the table and  
20 not taking it. Is the agency contemplating doing  
21 something outside of the box like that that really,  
22 we proved that it worked, and it's all there to be  
23 done again, the whole thing is there to be able to  
24 utilize.

2 COMMISSIONER MAYUGA: Love thinking  
3 outside the box. Let's definitely talk and figure out  
4 how we can get to reach more New Yorkers. 100 percent  
5 on board with exploring any way to reach more New  
6 Yorkers.

7 CHAIRPERSON MENIN: Okay. I'm going to  
8 ask, do any of my Colleagues at this point know?

9 Council Member Ossé, do you have any  
10 questions? Okay, I'm going to keep on going. All  
11 right.

12 I want to talk now about miscellaneous  
13 revenue changes so in the Fiscal 2025 Prelim Budget,  
14 DCWP saw projected changes, particularly in consumer  
15 protection licenses, consumer protection fines in the  
16 state tobacco program so the Fiscal 2025 Prelim Plan  
17 projects that the Department will collect 5.6 million  
18 in revenue from consumer protection licenses in  
19 Fiscal 2024, which is less than the actual amount  
20 collected in Fiscal 2023 and 1.2 million less than in  
21 revenue from licenses in Fiscal 2025. Is a projected  
22 decrease in revenue in Fiscal '24 a result of an  
23 increase in issuing licenses?

24 FIRST DEPUTY COMMISSIONER MINAYA: Thank  
25 you for the question, Chair. No, and I think that's

2 reflected in the PMMR as far as licensing wait times.  
3 This fluctuation is more operational. As you know,  
4 our licenses expire every two years so on some years,  
5 I think it's the odd years, we have the higher volume  
6 categories, home improvement contractors, and then on  
7 the even years, the number decreases slightly.

8 CHAIRPERSON MENIN: In terms of the number  
9 of business licenses, can you talk about the overall  
10 number of business licenses that were issued?

11 FIRST DEPUTY COMMISSIONER MINAYA: I  
12 believe we have about 40,000 businesses that have  
13 DCWP licenses, Chair.

14 CHAIRPERSON MENIN: I'm sorry. Can you say  
15 that again?

16 FIRST DEPUTY COMMISSIONER MINAYA: 40,000  
17 is the number of licensees with DCWP licenses.

18 CHAIRPERSON MENIN: And how is that  
19 comparing to the last couple of years?

20 ASSISTANT COMMISSIONER ORTIZ: I would say  
21 I remember when I joined in 2016 that we had about  
22 more than 70,000 licensees and now we're about  
23 40,000, 45,000, but I think we've overall in the past  
24 few years, engaged in a very intentional process of  
25 small business relief and reform, both on fines, both

2 on fees, but also in terms of maybe anachronistic or  
3 outdated license categories that were unnecessary.  
4 For example, a big chunk of what was changed between  
5 2016 and now was the repeal of the home improvement  
6 salesperson category and folding those requirements  
7 into the home improvement contractor category. I  
8 think that was able to achieve one license for that  
9 activity as well as remembering that we always have  
10 the consumer protection laws as another authority we  
11 can leverage.

12 CHAIRPERSON MENIN: I do have a question  
13 related actually to the home improvement trust fund  
14 because we are receiving a number of complaints about  
15 that. know obviously the agency made changes to that  
16 about the way that that works. So how many consumers  
17 have received the up to 10,000-dollar limited home  
18 improvement trust fund invasion since your new rule  
19 went into effect?

20 GENERAL COUNSEL TIGER: Sorry, we'll have  
21 to get you that exact number. It's been close to a  
22 million dollars we've distributed through trust fund  
23 invasions. Yeah, it's a little over 100 consumers  
24 that we've been able to provide that up to 10,000  
25



2 number since we streamlined the home improvement  
3 contractor...

4 CHAIRPERSON MENIN: And how does that  
5 compare to prior years before you implemented the new  
6 rule change?

7 GENERAL COUNSEL TIGER: I don't have the,  
8 those exact numbers. We can get those to you. It is a  
9 significant change. It was a priority for us to  
10 figure out how best to make sure that the trust fund  
11 could be invaded more expeditiously and get money in  
12 into consumers' hands so we were reacting something  
13 that we were seeing on the ground and so we decided  
14 we had to make an operational change. We engaged the  
15 Law Department. We actually had to go through a  
16 rulemaking process to achieve this goal, but it has  
17 had a very beneficial effect on New Yorkers just in  
18 the last six months.

19 CHAIRPERSON MENIN: Okay. Going back...

20 ASSISTANT COMMISSIONER ORTIZ: Chair, I'm  
21 sorry. Just to jump in. Since 2016, we've had 167  
22 invasions of the trust fund for about 2 million  
23 dollars so I would say that the reforms that we made  
24 most recently have made up a significant chunk of  
25

1 that so I think they've really gone to benefit New  
2 Yorkers in many ways.

3  
4 CHAIRPERSON MENIN: Okay. In terms of, so  
5 we're seeing that, as you mentioned, a real drop in  
6 the number of licenses and you explained why some of  
7 the categories are no longer licensing and there's  
8 been a streamlining of the licenses. We're seeing a  
9 drop off in consumer protection fines when compared  
10 to last year's Preliminary Plan. Can you explain the  
11 reason for the reduction in fine collections.

12 FIRST DEPUTY COMMISSIONER MINAYA: Thank  
13 you for the question, Chair. What's in the  
14 preliminary report as far as that drop you're  
15 referring to, Fiscal Year '24 Preliminary, the  
16 revenue target there was 12 million. Fiscal '25  
17 preliminary, the revenue target there is 9.7 million.  
18 That 12-million-dollar figure and that number  
19 reflects a one-time pegging of revenue that there's a  
20 PEG instituted by OMB. We met the PEG because we had  
21 higher than higher than expected revenues, and that's  
22 why that number increased one time. The baseline is  
23 the 9.7-million-dollar figure, which we're back to  
24 this first this Fiscal Year.

2 CHAIRPERSON MENIN: Okay. I want to move  
3 to the Office of Labor Policy Standards. Obviously,  
4 that Office is promoting equity in the workplace by  
5 enforcing New York City's worker protection laws so  
6 everything from, as we discussed, Paid Sick Leave and  
7 Fair Work Week and other important laws related to  
8 that. You recently implemented an online portal to  
9 increase visibility and accessibility for workers to  
10 file formal complaints so in the first four months of  
11 Fiscal 2024, the agency saw a 180 percent increase in  
12 workforce complaints when compared to the same period  
13 of Fiscal 2023. However, the agency only increased  
14 the amount of investigations by 95 percent so what is  
15 driving this large increase in workforce complaints,  
16 and can you furthermore explain the disparity between  
17 the two PMMR indicators?

18 COMMISSIONER MAYUGA: Thank you, Chair  
19 Menin. The number of complaints coming in, it's  
20 difficult to pinpoint exactly what's causing them,  
21 some of what we shared before I think still applies  
22 in terms of accessibility and easiness to file the  
23 complaints because of our online portal, getting out  
24 there more in terms of sharing and giving  
25 presentations, strengthening our relationships with

2 worker advocacy groups also that help us make sure  
3 that more working New Yorkers know of their rights.  
4 In terms of the investigations open, I think it's a  
5 little bit hard to relate the two because not every  
6 complaint is going to end up in an investigation,  
7 right, and also not every complaint is going to  
8 result in an individual investigation as many of them  
9 could be grouped together because it relates to the  
10 same business.

11 CHAIRPERSON MENIN: So what will that mean  
12 moving forward? How do you expect that this disparity  
13 will be resolved?

14 COMMISSIONER MAYUGA: It's just that I  
15 don't think they're ever going to be necessarily  
16 related because I would have to see if this specific  
17 number, the complaints that are coming in, there's  
18 just not necessarily going to end up all being  
19 investigations or all being individual  
20 investigations. In terms of improving the work that  
21 we do that, it's just an exercise that we engage in  
22 constantly throughout the year, not for budget  
23 reasons, but just generally making sure that what  
24 we're doing is what makes the most sense to have the  
25 biggest impact, positive impact on New Yorkers and in

2 the fastest way so those exercises will continue.  
3 Again, for example, in terms of reaching more New  
4 Yorkers, putting out that portal has really helped  
5 and give us visibility. As we get more complaints, we  
6 can say is there any particular area that we might  
7 want to focus on and that we might be seeing that  
8 needs special attention. We'll focus on that as well.

9 CHAIRPERSON MENIN: And how do you plan on  
10 handling the increase in complaints? For example, the  
11 increase in caseload has led to an increase in time  
12 to open an investigation by 12 percent. Do you have  
13 plans to increase your workforce in these areas to  
14 address this?

15 COMMISSIONER MAYUGA: We'll have to take a  
16 look. Again, depending in the type of investigation  
17 that it is, is there any particular area that we want  
18 to focus on, moving around like resources to  
19 prioritize, be strategic about it. There'll be a  
20 number of things that we'll be looking at to make  
21 sure that we get back to New Yorkers as soon as  
22 possible.

23 CHAIRPERSON MENIN: In terms of, we talked  
24 a little bit about Starbucks, are there other  
25 companies in that, not the exact same fact pattern,

2 of course, but other large companies that have  
3 systemic complaints across the board. I know you can  
4 never talk about an open, active investigation. I'm  
5 not asking for that. I'm just asking for are there  
6 other comparable corporate actors who have tremendous  
7 number of complaints that you are looking at?

8 COMMISSIONER MAYUGA: I think one thing  
9 that we got to talk about when I first started also  
10 was Chipotle, right? That was one company that we had  
11 that groundbreaking settlement of 20 million for  
12 workers and that was one example that I think brought  
13 a lot of visibility to the Fair Work Week law. We  
14 have completed investigations against other  
15 Businesses, Paris Baguette was one of them that we  
16 also settled recently last year, and there were a few  
17 others that we put out some press releases to promote  
18 the work and let individuals know that we are here  
19 for them and also show businesses that we are paying  
20 attention to them. Just last year, specific to Fair  
21 Work Week, we had 8 million dollars in restitution  
22 and 800,000 in civil penalties for about 7,000  
23 workers. The same way we try to get out there and  
24 inform businesses also, we've hosted roundtables with  
25 these large companies to make sure that we're all on

2 the same page and we can really go over any questions  
3 that they may have to try to move them into  
4 compliance. That's always also going to be our goal.

5 CHAIRPERSON MENIN: Okay. Question on  
6 street vending, because you talked earlier about the  
7 transfer of the street vending enforcement to the  
8 Department of Sanitation. Are you still currently  
9 working with Sanitation and assisting them in this  
10 transition and, if so, how?

11 COMMISSIONER MAYUGA: Yes, we are helping  
12 them with the knowledge that we acquired during the  
13 time that we were enforcing it so we remain a  
14 resource for them. We're not actively doing any  
15 enforcement, but we do remain as a resource for them.

16 CHAIRPERSON MENIN: Is there anything  
17 still budgeted within your agency budget for street  
18 vending enforcement?

19 COMMISSIONER MAYUGA: No.

20 CHAIRPERSON MENIN: Okay. Going back to  
21 the Home Improvement Contractor Trust Fund, which I  
22 talked about before, can you talk a little bit about  
23 what the review process you mentioned that 100  
24 consumers have been helped? That seems on the low end  
25 because I know from my prior days at Consumer Affairs

2 that home improvement complaints are one of the top  
3 consumer complaints so 100 seems low. What is the  
4 review process and how can we get that number  
5 increase in terms of the number of consumers that are  
6 reached?

7                   COMMISSIONER MAYUGA: It's a relatively  
8 new process, right, since we tried to improve the  
9 system to make sure that we were more positively  
10 impacting more New Yorkers so I think we're still  
11 seeing that and hoping that number keeps going up,  
12 but I'll have General Counsel Mike Tiger tell you a  
13 little bit more about those steps that we follow.

14                   GENERAL COUNSEL TIGER: Yeah. First, I  
15 want to say first, this is a relatively new process,  
16 as the Commissioner said, so we're actually quite  
17 happy with the way that it started.

18                   Second, of course, we always want to work  
19 with all of you and anything that we can do and work  
20 with you to get the word out. There is a page on our  
21 website that walks consumers through the revamped HIC  
22 trust fund invasion process. We hope it is pretty  
23 self-explanatory, but we were actually pleased with  
24 the number of applicants for a trust fund invasion  
25 that we've got. We actually have an attorney



2 dedicated, not all this time, but we have an attorney  
3 who was like working with staff to go through the  
4 claims process and make sure that the paperwork all  
5 makes sense and that the timing works out and that  
6 the actual licensee in place contributed to the trust  
7 fund so we're actually relatively optimistic of how  
8 things are going so far, and we are optimistic that,  
9 with continued engagement, those numbers will  
10 continue to allow us to put money back in the pockets  
11 of New Yorkers.

12 CHAIRPERSON MENIN: Okay, I want to talk a  
13 little bit about some of the larger scale consumer  
14 protection investigations because for-profit  
15 colleges, for example, so during my tenure, we issued  
16 the subpoenas to four different schools. I know you  
17 recently announced on Berkeley, right? What happened  
18 to the other three schools that we had sent subpoenas  
19 to?

20 COMMISSIONER MAYUGA: Thank you. Thank  
21 you. Absolutely, for-profit colleges is an issue. You  
22 mentioned Berkeley. We also actually pursue a case  
23 against ASA College, and they're no longer accredited  
24 so they're like out of business, but it is something  
25 that we're paying attention. I don't know if we have...

2 GENERAL COUNSEL TIGER: Yeah. I think this  
3 is going back a while. I think we can maybe talk to  
4 you more offline about those individual  
5 investigations. I know when I started in 2017, I know  
6 that we have a couple of years (INAUDIBLE) we had  
7 issued sentences. I know the cases you're talking  
8 about, but I don't want to...

9 CHAIRPERSON MENIN: Fine. Terrific. We  
10 will definitely handle that offline, not a problem.

11 Going back to OFE, skipping around a  
12 little bit, unbanked and underbanked New Yorkers. You  
13 recently released a brief detailing the number of  
14 unbanked households in New York City, which estimated  
15 that nearly 10 percent of New York City's households  
16 are unbanked, which is more than double the national  
17 average, that's terrible, and most striking was a  
18 study found that 17 percent of Bronx households were  
19 unbanked so does the Preliminary Plan include any  
20 additional resources to address the high levels of  
21 unbanked households across the city?

22 COMMISSIONER MAYUGA: Thank you for that  
23 question, Chair, and thank you for being so aware of  
24 our work because there's so much that goes into it,  
25 and we're glad to see it noted.

2           We work through our Financial Empowerment  
3 Centers, right? One of the things that we try to make  
4 sure that New Yorkers and then the other thing that  
5 we also know to do is to have safe banking. There are  
6 individuals who have banking, but then there's those,  
7 like you mentioned that we highlighted in the report,  
8 who do not have a bank account, and that's one of the  
9 goals that we try to have New Yorkers reach when they  
10 meet with our financial empowerment counselors,  
11 because some of them we know anecdotally that they  
12 believe that they just cannot access a bank account,  
13 that they cannot meet a certain minimum for them to  
14 maintain a bank account. We know that sometimes also  
15 the issue may be that they don't know that there are  
16 certain banks that will accept the NYCID, for  
17 example, to do that so part of what we do is to make  
18 sure that they have that information, empower them  
19 with that information so they can move forward.  
20 Certainly, some of the reasons that, as you might  
21 have read in the report, is because there might be a  
22 lack of bricks-and-mortar branches in some of this  
23 neighborhood. Welcome a meeting to really figure out  
24 ways in which we can tackle the issue. I don't think  
25 it's necessarily just us, but other partners in

2 government and outside of government to try to make  
3 sure that there's more accessible banking in New York  
4 City Especially the neighborhoods that we mentioned  
5 in the report.

6 ASSISTANT COMMISSIONER ORTIZ: I would  
7 also add, Chair Menin, that Mayor Adams also  
8 announced an expansion of the Financial Empowerment  
9 Centers in the State of the City. We're looking at  
10 seven new Financial Empowerment Centers at H and H  
11 locations, which, to the Commissioner's point  
12 earlier, we think will be able to connect serve as  
13 hubs and connect New Yorkers with a lot of different  
14 resources. We're still working with OMB in terms of  
15 the implementation of that, but it's something we're  
16 definitely excited for.

17 CHAIRPERSON MENIN: Okay. Terrific. On  
18 that note, I'm going to stop questioning because  
19 we've got many members from the public who are here  
20 so I want to thank the Administration for being here  
21 today and answering our questions. We'll continue the  
22 dialogue as I know we've got some followup, but thank  
23 you very much for your testimony today.

24 COMMISSIONER MAYUGA: Thank you so much.  
25

2 CHAIRPERSON MENIN: Okay. I'll turn it  
3 over to Committee Counsel. Thank you.

4 COMMITTEE COUNSEL SWAINE: We'll give the  
5 Administration an opportunity to collect their things  
6 and turn to public testimony.

7 I now open the hearing for public  
8 testimony. I remind members of the public that this  
9 is a formal government proceeding and that decorum  
10 shall be observed at all times.

11 As such, members of the public shall  
12 remain silent at all times. The witness table is  
13 reserved for people who wish to testify. No video  
14 recording or photography is allowed from the witness  
15 table. Further, members of the public may not present  
16 audio or video recordings as testimony but may submit  
17 transcripts of such recordings to the Sergeant-at-  
18 Arms for inclusion in the hearing records.

19 If you wish to speak at today's hearing,  
20 please fill out an appearance card with the Sergeant-  
21 at-Arms and wait to be recognized. When recognized,  
22 you will have two minutes to speak at today's  
23 hearing, which topics Preliminary Budget Hearing  
24 Consumer and Worker Protection.

1  
2           If you have a written statement or  
3 additional written testimony you wish to submit for  
4 the record, please provide a copy of that testimony  
5 to the Sergeant-at-Arms. You may also email written  
6 testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72  
7 hours of this hearing. Audio and video recordings  
8 will not be accepted.

9           The first panel will be in person. Rafael  
10 Espinal, Josh Kellerman, Michael Cassaday, and Ligia  
11 Guallpa. You may come to the table.

12           You may begin.

13           LIGIA GUALLPA: Thank you so much for the  
14 opportunity to speak. My name is Ligia Guallpa. I'm  
15 the Executive Director of the Workers Justice  
16 Project, which is a workers' center that has been  
17 organizing low-wage workers for almost a decade,  
18 particularly essential workers like construction  
19 workers, cleaners, and app delivery workers. In the  
20 past three years, we've been advocating to pass labor  
21 protections for app delivery workers, and we passed a  
22 few of them, from access to bathroom, ability for  
23 workers to decide how far they want to travel, and  
24 the most recent one is the minimum pay standard.  
25 First, I want to acknowledge the ongoing efforts of

1 the Commissioner and DCWP actually on the historic  
2 implementation of minimum pay, and I just want to  
3 highlight some important facts. One is app delivery  
4 industry happens to be one of the growing industries  
5 in New York City, and some of the huge, significant  
6 impacts that we have seen, and I think the  
7 Commissioner Mayuga had explained, is that in the  
8 first two months of minimum pay implementation, there  
9 have been 16 million of pay increase just on minimum  
10 pay every week. That's how much of money, extra  
11 money, that is going in the pockets of delivery  
12 workers. However, what some of the biggest challenges  
13 we have seen is the ongoing retaliation of workers  
14 from the companies to the workers, and some of these  
15 happens to be removing the tipping option and making  
16 it harder and reducing the tipping amount that  
17 deliveristas are receiving. The other one is reducing  
18 flexibility, making it harder for workers to join the  
19 apps. The other one is creating confusion, division,  
20 and anxiety by making sure that paid transparency  
21 becomes almost impossible for workers to understand  
22 how they're paid and, today, you will hear from some  
23 that frustration and that division that has been  
24 created by the apps, and we're here to continue to  
25

2 advocate to make sure that we hold the app companies  
3 accountable for better pay and better standards and  
4 also close the gaps when it comes to the paid  
5 transparency and make sure that workers continue to  
6 receive the tips, which is a right that workers  
7 deserve and companies should be limiting and we  
8 should continue to hold accountable the corporations,  
9 and we look forward to working with City Council on  
10 passing more legislation that holds not only app  
11 deliveries accountable but also makes the streets  
12 safer.

13 CHAIRPERSON MENIN: Okay, I'm just going  
14 to ask you to wrap up, if you want to submit, you're  
15 going to submit the written testimony?

16 LIGIA GUALLPA: Yeah, and I'm actually  
17 wrapping it up, yeah.

18 CHAIRPERSON MENIN: Terrific. Thank you.

19 LIGIA GUALLPA: Thank you so much.

20 CHAIRPERSON MENIN: Thank you.

21 MICHAEL CASSADAY: Hello, good afternoon.

22 My name is Michael Cassaday. I'm an organizer at 32-  
23 BJ SEIU. I'm here to testify in support of the  
24 critical role the Department of Consumer and Worker  
25 Protection plays in supporting labor standards in the



2 fast food industry and other industries in New York  
3 City. Unfortunately, in the January 2024 PEG, DCWP  
4 was given a hiring freeze that will mean they can't  
5 backfill vacant positions to get their important work  
6 accomplished. We urge the City to reverse the PEG and  
7 allow DCWP to restore their staffing levels.

8 Employment in the fast food sector has grown rapidly  
9 over the past two decades. This has been especially  
10 true in New York City, whose growth in fast food  
11 employment outpaced the national rate between 2000  
12 and 2014. While employment in the sector fell during  
13 the pandemic, it has again been climbing as the  
14 city's economy and employment recover. Recent data  
15 from the Center for an Urban Futures State of the  
16 Change report shows that fast food employment in New  
17 York City returned to pre-pandemic levels in 2022.  
18 The City has taken seriously the need for greater  
19 protections for fast food workers by passing  
20 legislation like the Fair Work Week Law, Paid Sick  
21 and Safe Leave, freelance protections, and 15-dollar  
22 minimum wage. More recently, the Council passed  
23 groundbreaking Just Cause legislation, making New  
24 York the first city in the country to protect fast  
25 food workers against unfair firings and reductions in

2 hours as well as protections for delivery workers.

3 DCWP has been an unflinching champion of these  
4 standards, and 32 BJ has been proud to work with this  
5 agency to enforce the rights of thousands of New  
6 Yorkers subjected to unjust work conditions. At the  
7 union, we see the impact of DCWP's advocacy every  
8 day. In 2022, DCWP supported Chipotle workers in  
9 winning a 20-million settlement after filing  
10 complaints alleging thousands of violations to their  
11 predictable scheduling rights. We've seen similar  
12 victories in other industries in which we organize.  
13 In two recent settlements with major airline  
14 contractors concerning the City's Paid Sick and Safe  
15 Leave Law, DCWP was able to recover 30,000 for the  
16 City and an additional 138,000 for hundreds of  
17 workers. Over the last year, 83 Starbucks workers  
18 from 63 stores filed complaints with DCWP alleging  
19 systematic violations of the Fair Work Week and Just  
20 Cause law. Starbucks operates three times as many  
21 restaurants in New York.

22 CHAIRPERSON MENIN: I'm just going to ask  
23 if you can start to wrap it up.

24 MICHAEL CASSADAY: Okay, sorry about that.

2 CHAIRPERSON MENIN: I know you're going to  
3 submit the written testimony.

4 MICHAEL CASSADAY: Okay, thank you so  
5 much. Just to conclude, in passing Just Cause amidst  
6 the pandemic, New York City sent a bold message that  
7 we will rebuild our economy by protecting essential  
8 workers, not by sacrificing them. We ask that the  
9 City Council stand by its commitment by funding DCWP  
10 so it can make these laws a reality for all fast food  
11 workers. Thank you so much for your time.

12 CHAIRPERSON MENIN: Thank you very much.

13 JOSH KELLERMAN: Hello, and thank you for  
14 the opportunity to testify today. My name is Josh  
15 Kellerman. I'm the Director of Public Policy at the  
16 Retail Wholesale and Department Store Union, RWDSU.  
17 We represent around 40,000 workers in New York from  
18 apparel retail, grocery stores, pharmacies, food  
19 processors, warehousing, cannabis, farm workers, non-  
20 profits, and other low-wage sectors. I would first  
21 like to take a moment to appreciate the leadership of  
22 the Committee on Consumer and Worker Protection for  
23 supporting workers' rights and working people  
24 throughout the city. At several moments of crisis for  
25 our members, the Members of this Committee have stood

2 side by side with us to demand dignity, equality, and  
3 fairness on the job. It is important for workers who  
4 are being attacked by their employers to see that the  
5 elected leaders of the City have their back. Thank  
6 you.

7           Second, I would like to appreciate the  
8 dedicated leadership and staff at the Department of  
9 Consumer and Worker Protection. DCWP is the  
10 enforcement arm of several bills that we have  
11 championed in New York City, including Paid Safe and  
12 Sick Leave, the Fair Work Week law, the Grocery  
13 Worker Retention Act, the Prohibition on Cashless  
14 Businesses, and more. DCWP is essential to protecting  
15 workers and consumers in New York City and deserves  
16 not just praise, but the resources necessary to do  
17 their job well. The RWDSU is concerned about the  
18 Preliminary Budget proposal and its potential impact  
19 on DCWP's ability to enforce New York City's labor  
20 laws. The enforcement of Paid Sick Leave and Fair  
21 Work Week should not be cut to save money. As  
22 ultimately, the failure to enforce these laws will  
23 lead to more lost wages for workers, more sickness in  
24 our population, and more economic disruption for  
25 those who can afford it the least. These will cost

2 the City more in the long run than any budget cuts  
3 will save. The essential role of DCWP to New York  
4 City's workers and consumers means that the  
5 Department should not be subject to this planned  
6 attrition and hiring freeze. Please ensure that DCWP  
7 is fully funded to do its essential work. On behalf  
8 of RWDSU's membership and leadership, I'd like to  
9 thank you again for your leadership and support.

10 CHAIRPERSON MENIN: Thank you.

11 RAFAEL ESPINAL: Good afternoon,  
12 Chairperson Menin and fellow Council Members. My name  
13 is Rafael Espinal, former New York City Council  
14 Member, now proudly the Executive Director of the  
15 Freelancers Union. The Freelancers Union is the  
16 country's largest and fastest growing independent  
17 workers organization, representing over 90,000  
18 freelancers just here in New York City alone. Our  
19 members work in a diverse number of essential fields,  
20 making their living as service providers,  
21 accountants, healthcare workers, media workers, and  
22 artists. In 2022, we continued a longstanding  
23 partnership with the Mayor's Office of Media and  
24 Entertainment to unveil our New York City's  
25 Freelancers Hub in Industry City, Brooklyn, where we

1 are thrilled to provide a free co-working space and  
2 programming for freelancers across all five boroughs.  
3 The independent workforce offers valuable skills,  
4 efficiency, and on demand labor to large and small  
5 businesses. They truly are the backbone of this  
6 city's economy. Freelancers Union has fought for and  
7 won protections for freelance workers, including the  
8 nation's first Freelance Isn't Free Act to protect  
9 folks from nonpayment right here in New York City  
10 and, of course, with your help, Chairperson Menin,  
11 when you were the Commissioner there at the agency.  
12 We are immensely proud of the Freelance Isn't Free  
13 Law, which in over five years has resulted in at  
14 least 773 freelancers reporting to receive payment  
15 that was owed to them after filing a complaint with  
16 DCWP, totaling approximately 3 million dollars in  
17 restitution to those workers. DCWP conducted more  
18 than 230 events that raised awareness about the  
19 Freelance Isn't Free Act's protections during this  
20 period, reaching approximately 20,000 folks. This is  
21 why I encourage the Council to adequately support  
22 DCWP who enforces Freelance Isn't Free by ensuring  
23 they have the proper staffing and funding for their  
24 casework, outreach, and education. Additionally,  
25

2 alongside the Mayor's Office and Department of  
3 Consumer and Worker Protections, we are now able to  
4 provide freelancers across the city with free support  
5 when they file their taxes and assist with other  
6 financial planning needs through the self-employed  
7 tax prep program, which has been incredibly impactful  
8 for freelancers across the five boroughs. With that  
9 said, we ask the Council to continue supporting the  
10 Commissioner, the agency. They're doing very  
11 important work in ensuring that the independent  
12 workforce, which doesn't have the basic protections  
13 as traditional employees, are protected and have the  
14 resources they need to succeed in all five boroughs.  
15 Thank you.

16 CHAIRPERSON MENIN: I really want to thank  
17 the four of you for being here today because this  
18 testimony is incredibly important. I don't know if  
19 you were in the room for my questioning, but one area  
20 of my questioning centered around the fact that it's  
21 taking the agency on average, according to the MMR,  
22 194 days to close out worker complaints, which in my  
23 opinion is far, far, far too long so having this  
24 testimony is very important.

1  
2 I wanted to ask, and it's open to any of  
3 you that want to answer this, is this 194-day average  
4 time to close a complaint, how, in your opinion, is  
5 that affecting your members?

6 RAFAEL ESPINAL: I'll speak directly just  
7 to our members' experiences when they reach out to  
8 the agency and, of course, this is not at all the  
9 fault of the agency, but the lack of funding the  
10 agency has to staff people and to take on these  
11 complaints. The first email they receive when they  
12 file a complaint for nonpayment from a client I think  
13 outlines that they're going to have to wait over  
14 three weeks to receive an initial response, right,  
15 and that is because they are severely understaffed so  
16 we encourage the Mayor's Office and the City Council  
17 to ensure that the Commissioner has the resources she  
18 needs to be able to complete and act on those cases  
19 as soon as possible.

20 LIGIA GUALLPA: I just wanted to add  
21 actually passing the minimum wage laws for delivery  
22 workers, that adds a huge number of new complaints  
23 that was unpredicted, especially in enforcing a large  
24 workforce, so the fact that they're going through  
25 hiring freeze means unable to add more investigators,



2 being able to take on the large amount of load cases,  
3 and we're expecting more as app delivery companies  
4 continue to retaliate and create a huge load of  
5 casework that I think we need to make sure that a  
6 fully funded staff agency can respond to a rapid  
7 growth of violations that are experiencing not only  
8 delivery workers, but many of these new industries  
9 that are being regulated.

10 MICHAEL CASSADAY: I think I would add in  
11 the numbers that we've seen, it takes 10 to 12 weeks  
12 just to get assigned for an investigation and,  
13 working in the fast food industry as we have some of  
14 the city's lowest paid workers, these workers can't  
15 afford if they've been unjustly terminated, if their  
16 hours have been cut significantly, they just can't  
17 afford to wait that long.

18 JOSH KELLERMAN: They've had a significant  
19 increase in responsibilities over time, and we just  
20 keep adding new bills that we want them to enforce,  
21 right, and without the appropriate level of  
22 resourcing, I think it's only expected that the  
23 timelines are going to increase. We'd love to see  
24 shorter timelines, but they'd have to go hand-in-hand  
25 with additional resources.

2 RAFAEL ESPINAL: Yeah, and just to finish  
3 adding on that thought about how it affects our  
4 members. I think there our members become discouraged  
5 and they most likely decide not to go through the  
6 process because of the long wait times which leaves  
7 them in this position where they're most likely going  
8 to get exploited.

9 CHAIRPERSON MENIN: Right, so it has a  
10 deterrent effect on people even wanting to file the  
11 complaint if they feel that they're not being heard.  
12 Couldn't agree more. Thank you so much for your  
13 testimony today. We really appreciate it.

14 COMMITTEE COUNSEL SWAINE: Next panel will  
15 be Bishop Mitchell Taylor, Carina Kaufman-Gutiérrez,  
16 and Ben Fuller-Googins. You may come up to the table.

17 You may begin.

18 BISHOP MITCHELL TAYLOR: Good afternoon,  
19 Chair Menin, to Council Member Fariás, to Council  
20 Member Brewer, and to all the Committee Members and  
21 Staff on today. I am Bishop Mitchell Taylor, the co-  
22 founder and CEO of Urban Upbound, a non-profit  
23 organization that was developed 20 years ago to break  
24 cycles of poverty in public housing neighborhoods in  
25 New York City. I'm testifying to highlight the

2 importance of retaining City-funded programs that  
3 protect lower- and middle-income New Yorkers, both as  
4 workers and consumers in New York City. For instance,  
5 Urban Upbound operates two programs in partnership  
6 with DCWP that achieves this goal. First of all, let  
7 me describe the composition of Urban Upbound, which  
8 is made of seven silos in communities, made up of  
9 business development, career development, one-on-one  
10 financial counseling that we innovated in New York  
11 City for poor people in public housing, youth  
12 development, academic, and vocational, the Urban  
13 Upbound Federal Credit Union, the Urban Upbound Tax  
14 Preparation Services, which is the largest tax  
15 preparation service in New York State and fourth in  
16 the country, and then the Urban Upbound Mental Health  
17 Department, and none of these would be novel if they  
18 stood individually but, when you comprehensively  
19 integrate them on campuses, it becomes magical. We  
20 have seven bricks-and-mortar facilities that operate  
21 in New York City with 36 satellites preparing taxes  
22 for New Yorkers in all five boroughs. Last year, we  
23 did 14,000 returns, returning 12 million dollars to  
24 New Yorkers in this city. The second program, which  
25 is made possible through funding from DCWP is our

1 financial counseling program. Financial counseling  
2 was something that was not funded in New York City 20  
3 years ago and, when I started talking about low-  
4 income New Yorkers needing one-on-one financial  
5 counseling, nobody wanted to fund it, but I found a  
6 quote from Bill Clinton that said rich people have  
7 financial planners, but poor people actually need  
8 them and, finally, I struck an arrangement with  
9 Jonathan Mintz, who was the former Commissioner with  
10 the Department of Consumer Affairs at that time, and  
11 we inaugurated one-on-one financial counseling at  
12 Urban Upbound and then expanded it and created the  
13 Office of Financial Empowerment under DCA so I have a  
14 testimony written and I'll submit, but I think that  
15 is very important to highlight how important these  
16 partnerships are with urban community-based  
17 organizations like Urban Upbound that provide these  
18 invaluable services to not only small businesses but  
19 gig workers and residents of New York State that need  
20 tax preparation so thank you so much for giving me  
21 the opportunity to speak on today. Thank you.

23 CARINA KAUFMAN-GUTIÉRREZ: Good afternoon,  
24 Chair Menin and Committee Members. My name is Carina  
25 Kaufman-Gutiérrez, and I'm the Deputy Director of the

1 Street Vendor Project. Thank you so much for the  
2 opportunity to testify today. As the only  
3 organization that exclusively serves street vendors  
4 in New York City, we are the centralized hub for this  
5 under-served population with a membership of over  
6 3,000 street vendors. We respectfully request support  
7 from New York City Council to sustain and expand two  
8 of our programs, Central Small Business Empowerment  
9 Program and the Community Outreach for Street  
10 Vendors. The demand for street vendor education and  
11 services continues to grow as the population has  
12 transformed during the pandemic and continues to  
13 increase as many asylum seekers are now beginning to  
14 vend. It's critical, truly, that there is an  
15 investment in education and training for these  
16 emerging small business owners to help them know  
17 their rights and responsibilities, which SVP is  
18 primed to do. We're the one-stop-shop for street  
19 vendors that provides them not only with legal  
20 representation when they receive a ticket but help  
21 them to navigate complex street vending laws in seven  
22 different languages, Arabic, Bangla, Spanish,  
23 Mandarin, English, French, and Wolof. We also offer  
24 trainings to build their skills to grow their  
25

1 businesses. Despite being a small team of three full-  
2 time organizers, two part-time, and one lawyer on  
3 staff, in just the first eight months of this Fiscal  
4 Year, we've supported 414 individual vendors with  
5 consultations on topics from sales tax filings to  
6 loan applications to negotiating catering contracts.  
7 We've also reached over 700 individual vendors  
8 through street outreach and resource fairs to connect  
9 them to services and hold monthly workshops at our  
10 membership meetings with an attendance of between 50  
11 to 75 individuals. Each of these engagements is with  
12 the purpose of helping a small business owner to grow  
13 and to become part of the formalized economy. We  
14 truly do fulfill a critical role because there is no  
15 city agency that meaningfully serves street vendors.  
16 DCWP previously conducted street vendor outreach and  
17 education. However, when the transition to the  
18 Department of Sanitation took place, the  
19 responsibility was not transferred to another agency,  
20 leaving a significant gap in services that is a  
21 disservice to New Yorkers. Thank you so much for the  
22 time, and I appreciate your support for the Street  
23 Vendor Project.  
24

2 BEN FULLER-GOOGINS: Good afternoon. Thank  
3 you, Chair Menin and Council Members of the Committee  
4 for Consumer and Worker Protection. My name is Ben  
5 Fuller-Googins. I'm the Deputy Director with the  
6 Carroll Gardens Association. We are a member of the  
7 New York City Coalition for Domestic Work which  
8 includes other organizations like the National  
9 Domestic Workers Alliance, New York Chapter, La  
10 Colmena, Hand in Hand, Adhikaar, and Damayan. You'll  
11 be hearing shortly from some of our domestic worker  
12 members, but I really want to emphasize, domestic  
13 workers, there are 200,000 in the New York city.  
14 Nannies, house cleaners, home care attendants are the  
15 ones that take care of our children, our homes, our  
16 loved ones and, despite this essential work that they  
17 do, they often are excluded from many protections  
18 that other workers face. They are often susceptible  
19 to wage theft, not getting contracts, paid sick time,  
20 and a host of other areas. This is largely due  
21 because of the unique nature of domestic work, right?  
22 They are working in private households, not regulated  
23 by the government often in the shadows, and  
24 coalitions like us and the Department of Consumer  
25 Worker Protection are really uniquely situated to do

2 outreach and education and distribute resources to  
3 this community. We have domestic worker members who  
4 do outreach. We do joint outreach with the Department  
5 of Consumer and Worker Protection. Our coalition  
6 represents over six languages so it really is able to  
7 access and communicate with this diverse workforce.  
8 I'm here today as part of the New York City Coalition  
9 to, one, really urge you all to remove the hiring  
10 freeze from DCWP. They do such incredible and  
11 critical work to provide resources and support to  
12 domestic workers and really, without them, on the  
13 city level there wouldn't be other places for  
14 domestic workers to turn. In addition, we just want  
15 to urge you to also support the Domestic Worker  
16 Employer Empowerment Initiative. This is a 700,000  
17 Fiscal Year '25...

18 CHAIRPERSON MENIN: I'm just going to ask  
19 you to wrap up, please.

20 BEN FULLER-GOOGINS: Thank you.

21 CHAIRPERSON MENIN: Yep. Okay. Thank you.

22 CHAIRPERSON MENIN: Thank you very much to  
23 the panel. I did have a question for Bishop Taylor.  
24 In terms of the tax preparation work around free tax  
25



1 prep, EITC, what are you seeing in the field? What  
2 type of work is Urban Upbound doing with DCWP?

3  
4 BISHOP MITCHELL TAYLOR: Yeah, so we run  
5 the largest tax preparation program in the state and  
6 in the city of New York. We've seen an exponential  
7 increase in services centered around I-10s because of  
8 the new arrivals that have come, especially those  
9 that have met that 90-day threshold along with those  
10 that are working with I-10s, that have already  
11 received them, that are getting their taxes, so the  
12 amount of taxes that we're doing now, for local New  
13 Yorkers and new arrivals have increased  
14 exponentially. Every site that we have is busy.  
15 There's not one site that you can walk into, and I've  
16 never seen a dismissive before, and so the work that  
17 we're doing in partnership with DCWP, with the IRS,  
18 with the City of New York, helping low-income New  
19 Yorkers, especially those that have businesses  
20 earning 250,000 dollars a year and less, they can get  
21 their taxes done in any Urban Upbound site, and we're  
22 the only one in the United States of America that can  
23 do these complicated business taxes for small  
24 businesses and we do it for free.

2 CHAIRPERSON MENIN: Okay. I'm sorry. Hold  
3 on.

4 One question that we have is, according  
5 to some of the data, it's showing a cut in terms of  
6 what DCWP is allocating for tax prep services. If  
7 you're seeing that it is so busy in all of the  
8 locations that you're offering this service in, how  
9 are these cuts impacting the work that you're doing?

10 BISHOP MICHELL TAYLOR: Council Member,  
11 I'm glad you asked that because we can't afford to  
12 cut vital services to New Yorkers, and so it's a  
13 function of robbing Peter to sustain Paul until we  
14 can raise other disciples to keep the mission moving,  
15 but it's too vital of a service. And how does it  
16 impact us? We'll have to reduce, if cuts continue,  
17 something has to go lacking so if it's in income  
18 supports or another area that is just as important,  
19 but if we need to keep tax preparation whole, so yeah  
20 it's a constant dance to make sure that our residents  
21 in the communities don't feel, we don't say to them,  
22 oh, listen, we got to do 1,000 less returns this year  
23 because we got cut. They don't understand that.

24 CHAIRPERSON MENIN: Thank you very much to  
25 this panel for your testimony. We appreciate it.

2 COMMITTEE COUNSEL SWAINE: Next panel will  
3 be Susan Kassapian, Anne McWeill, and Lori Ciruolo.

4 SUSAN KASSAPIAN: Good afternoon, Chair  
5 Menin. It's good to see you. As I was at the  
6 Department of Consumer Affairs, now DCWP, for nearly  
7 30 years as Assistant Commissioner, Special Counsel,  
8 Principal Administrative Law Judge, and then worked  
9 at OATH as Deputy Commissioner of the Hearings  
10 Division. I'm here to plead with your Committee to  
11 fix a terrible problem caused by OATH, which robs the  
12 consumers of millions of dollars in restitution and  
13 the City of millions of dollars in fines. What  
14 happened was when there was a transition of the  
15 adjudication of DCWP cases to OATH, OATH insisted  
16 that DCWP assign an attorney, an individual attorney,  
17 to each and every consumer case. This had not been  
18 done in 40 years when DCA had its own tribunal, and  
19 this in spite of the fact that the OATH Hearing  
20 Division rules actually allow an agency to delegate  
21 the presentation of its cases to someone else and  
22 it's also in spite of the fact that in 2021 DCWP  
23 promulgated a rule that allows restitution decisions  
24 to be docketed as a court judgment, obviating the  
25 need for any consumer to ever have to go to court.

2 And yet they do not bring these cases because of  
3 OATH's edict and consumers are left in the lurch.  
4 Finally, after I brought to the attention of the  
5 Mayor that this trust fund, the Home Improvement  
6 Trust Fund, had ballooned to 15 million dollars, they  
7 did this 10,000 invasion rule. That 10,000 dollars  
8 does nothing to enforce the laws. It does nothing to  
9 sanction the bad contractor who keeps on ripping off  
10 other people, and it does nothing to put fines in the  
11 City coffers that they're allowed to get.  
12 Furthermore, the trust fund will pay fines and  
13 restitutions if the licensees failed to pay so this  
14 makes no sense.

15 CHAIRPERSON MENIN: Okay, I'm just going  
16 to ask you to wrap up. I know you're going to submit  
17 the written testimony.

18 SUSAN KASSAPIAN: Yes, I do just want to  
19 point out in my remarks, I give a breakdown of the  
20 kind of money that was brought in restitution and  
21 fines when I was doing this work.

22 FIRST DEPUTY COMMISSIONER MINAYA: Yes,  
23 you've sent it. Yes, you've sent it to me. Thank you.  
24 Thank you for your testimony.

25 SUSAN KASSAPIAN: Okay.

2 ANNE MCWEILL: Good afternoon. My name is  
3 Anne McWeill, and I'm here to testify that more money  
4 has to be allocated to DCWP. I'm going to tell you  
5 about my specific case. I own a brownstone in  
6 Brooklyn, New York, Bedford-Stuyvesant. It's been in  
7 my family since 1935. The house next door burnt me  
8 out on February 13, 2018. The contractor took over  
9 241,000 dollars. The public adjusting company took  
10 over 35,000 dollars. I have pictures here of how my  
11 house is, and I'm still not in my house today. I have  
12 a mortgage on that house that I pay 2,526 dollars  
13 every month, and I've been paying that for 72 months  
14 and I have not lived in the home. Why? Because the  
15 contractor took the money and the insurance company  
16 now, Liberty Insurance Company, will not give me any  
17 more money to fix the house, so I have to start over  
18 again, and I'm in a landmarks area. I have dwindled  
19 over 30,000 dollars of my money in order to get  
20 permits and everything, and this is still going on. I  
21 just got the paperwork after six years to submit for  
22 the 10,000 dollars. This is not enough to even assist  
23 me. It should be more money. So totally, in the six  
24 years, I have spent over 223,162 dollars on storage  
25 for my furniture for the six years, rent, and all the

2 other things that I had to incur during this time,  
3 and I'm asking DCWP to allot more money for victims  
4 of contractors. Thank you.

5 CHAIRPERSON MENIN: Thank you.

6 LORI CIRAULO: Good afternoon. My name is  
7 Lori Ciruolo. I'm also a homeowner who has been  
8 adversely affected when our contractor, who is  
9 licensed from the Department of Consumer Affairs and  
10 Worker Protection, deviated from the approved plans  
11 by the New York City Building Department during our  
12 renovation, leading to damages to our home and a  
13 renovation that would not meet the inspection  
14 standards. Despite our attempts to address the  
15 issues, the contractor refused to rectify the  
16 situation. As a result, I filed a complaint with the  
17 Department of Consumer Affairs and Worker Protection,  
18 only to discover that it was ineffective and a waste  
19 of time with the mediator looking for any excuse to  
20 close out the complaint. Without facing charges and  
21 proper oversight from the Department, contractors may  
22 not feel compelled to address consumer complaints.  
23 Therefore, it is essential that your Committee  
24 ensures that the Department of Consumer Affairs and  
25 Worker Protection resumes conducting consumer

1 restitution hearings and receives adequate funding to  
2 do so. This will prevent others from becoming victims  
3 of unscrupulous contractors. I pleaded and begged for  
4 our case to be heard at the Office of the  
5 Administrative Trials and Hearings but,  
6 unfortunately, my request was consistently denied  
7 because according to Commissioner Maynuga, in a  
8 letter addressed to me, the Department's tribunal,  
9 which allowed individual consumers to represent  
10 themselves against home and (INAUDIBLE) contractors  
11 seized operations over six years ago. Our cases are  
12 now heard by the Office of Administrative Trials and  
13 Hearings. As a result of that transition, OATH does  
14 not permit individual consumers to represent  
15 themselves, and the Department does not represent  
16 individual consumers in new cases at OATH. That  
17 basically says, go fend for yourself. Despite my  
18 explanations to the mediator and DCWP staff,  
19 including the General Counsel's office, that going to  
20 court was not a viable option for us, I was  
21 consistently redirected there. Despite minimal  
22 efforts to mediate the complaints on their part, it  
23 was eventually closed out without a resolution. Our  
24 house was left in a disarray due to poor  
25

2 construction. We cannot let this continue. The  
3 victims require assistance, which is why I'm here  
4 today.

5 CHAIRPERSON MENIN: I'll ask you to wrap  
6 up, please.

7 LORI CIRAOLO: Aggrieved homeowners need  
8 these cases adjudicated. We need a swift hearing at  
9 OATH that would provide homeowners with a quick  
10 resolution to their case so they're not left there.  
11 Look at Ms. Anne McWeill who's been out of her house  
12 since 2018.

13 CHAIRPERSON MENIN: Thank you. Thank you  
14 very much to this panel and, if you haven't already  
15 submitted your written testimony, that would be very  
16 helpful. Thank you all so much. Thank you.

17 COMMITTEE COUNSEL SWAINE: Next panel will  
18 be Kate Tisbiss, Jacinta Frederick, Simone Daley, and  
19 Anh-Thu Nguyen.

20 You may begin.

21 KAYT TISKUS: Hello, Chair Menin, and  
22 thank you so much for hearing from all of us today.  
23 My name is Kayt Tiskus. I work with an organization  
24 called Collective Public Affairs, and what I'm here  
25 to do today is to emphasize both our support for more



1 funding for DWCP because they're a necessary partner  
2 in all of the work that community organizations that  
3 I work with do but also to remind the Council that  
4 community-based organizations work in partnership  
5 with DCWP, and the Council's initiative programs  
6 really amplify and fill the gaps that the Department  
7 itself can't do so I wanted to highlight three  
8 initiatives in particular. The first is the workers  
9 Cooperative Business Development Initiative. They've  
10 been stuck at the same funding since pre-pandemic  
11 times, but they're one of the best options that we  
12 have, especially as more New Yorkers arrive every day  
13 to organize people into worker-owner businesses,  
14 which can work even if your documents are not  
15 necessarily in order. Their modest funding increased  
16 requests are going to allow them to really up their  
17 capacity and to expand services which are already  
18 provided in all five bureaus. I also want to  
19 highlight the Domestic Workers and Employers  
20 Empowerment Initiative. We're going to hear from a  
21 lot of those folks including in a minute or two, but  
22 they're able to reach folks that the Department can't  
23 reach directly to help provide avenues for protection  
24 and enforcement of rights that don't require going  
25

2 through OATH and that don't require the resources of  
3 the, sorry, lost the end of that sentence and then  
4 finally I wanted to bring up the Pride at Work  
5 Initiative, which also helps funnel LGBTQ New Yorkers  
6 into programs that allow them to have good union  
7 jobs. Initiative programs like these really help  
8 amplify and increase the workers' power. That's it.

9 CHAIRPERSON MENIN: Just need to wrap up,  
10 please.

11 KAYT TISKUS: Thanks.

12 CHAIRPERSON MENIN: Thank you very much.

13 KAYT TISKUS: Thank you.

14 JACINTA FREDERICK: Thank you, Chair Menin  
15 and Council Members of the Committee. My name is  
16 Jacinta Frederick and I'm a domestic worker. I'm part  
17 of the New York City Coalition of Domestic Workers.  
18 As a nanny of 30-plus years, I look forward each day  
19 to making a difference in the lives of children I  
20 care for without dealing with discrimination or  
21 thought of being something less than human, like that  
22 time when I worked with a family who gave me a crawl  
23 space in an attic to sleep. Not only was it  
24 uncomfortable to even sit up halfway, but the smell  
25 of the space and the linens was unbearable and, on

2 top of that, she did not want me to go home to my  
3 family. Another instance of another employer who had  
4 me work eight hours cleaning her home and gave me 18  
5 dollars at the end of the day. Do you know that  
6 domestic workers are three times more likely to live  
7 in poverty than other type of workers? The median  
8 annual income among New York City domestic workers is  
9 only 21,000 dollars. Can you imagine raising a family  
10 and living in New York City comfortably on that  
11 salary while also likely sending money to loved ones  
12 far away? Along with low pay, we often face long work  
13 hours, sudden job loss, sexual harassment, and  
14 physical or verbal abuse. No one should have to live  
15 like that. No one should have to live that way or  
16 exist in a state of fear at work. We deserve  
17 protection, support, resources, and justice. We  
18 deserve to raise our families with dignity and  
19 opportunities to live with respect in this city that  
20 we contribute to so significantly. To do that, we  
21 need our city to have our back. That means removing  
22 the hiring freeze on DWCP and supporting the Domestic  
23 Worker and Employer Empower Initiative, which will  
24 give much needed funds for more outreach. Thank you.

25 CHAIRPERSON MENIN: Thank you.

2                   SIMONE DALEY: Good day. Thank you,  
3 Chairman Menin and Council Members on the Committee  
4 on Consumer and Worker Protection of offering me the  
5 time to speak. My name is Simone Daley, and I am a  
6 domestic worker, part of the New York Coalition for  
7 Domestic Workers. We are a collective of domestic  
8 workers, employees, parents, and family caregivers,  
9 adult givers, and people with disability working  
10 together to transform New York City care economy into  
11 the equitable and sustainable for all workers to  
12 thrive. DCWP is the only City agency tasked with  
13 supporting our city's over 200,000 domestic workers.  
14 As New York domestic workers, we are a nanny  
15 (INAUDIBLE) to raise your children, house cleaners  
16 who bring order to your homes and the direct care  
17 workers who ensure your loved ones who are aging or  
18 living with disabilities receive the assistance they  
19 need to live with dignity and independence. Domestic  
20 workers do the legitimate labor work, most precious  
21 and critical to our communities and your futures. Our  
22 work is essential, and we do the work that makes all  
23 your work, possible in this city. I will just now  
24 give you my experience in my testimony. I was working  
25 with a family in Manhattan, been there six months.

2 Everything was smooth and good. I was looking after  
3 an elderly. She had dementia. The family was great  
4 and all. We clicked. However, out of the blue, I got  
5 a text from my phone the very day when I was supposed  
6 to return to work, that I'm sorry, your service is no  
7 longer required as I'm making new decisions to take  
8 my mom into a nursing home. Now, that broke me. It's  
9 your only source of income and you were just  
10 traumatized. That's what I have to say. Thank you.

11 CHAIRPERSON MENIN: Thank you for sharing  
12 your personal story. We appreciate that.

13 ANH-THU NGUYEN: Good afternoon, Chairman  
14 and members of New York City Council Committee on  
15 Consumer and Worker Protection. I'm Anh-Thu Nguyen. I  
16 am the Director of Strategic Partnerships at  
17 Democracy at Work Institute, which is one of the 14  
18 members of the Worker Cooperative Business  
19 Development Initiative, or WCBDI for short. Worker-  
20 cooperative businesses have created through the WCBDI  
21 improved protections and industry standards,  
22 especially in traditionally low-wage, traditionally  
23 exploitative businesses and industries, including  
24 home care, childcare and cleaning and janitorial  
25 services so I'm going to give a little bit of

2 examples of what we've been able to achieve thanks to  
3 Council's investment since Fiscal Year '15 in the  
4 work that we're doing to just raise the floor for  
5 workers in these industries. Two of New York City's  
6 largest worker-cooperative businesses, and also two  
7 of the largest in the United States period, are  
8 Cooperative Home Care Associates and Si Se Puede.  
9 They are in low-wage industries that are dominated by  
10 immigrant women of color, specifically home care and  
11 cleaning and janitorial services. CHCA, Cooperative  
12 Home Care Associates, has a workforce of over 1,600  
13 people, half of whom are worker-owners, 98 percent of  
14 them are women and BIPOC women, immigrant women at  
15 that. Home care is traditionally, and still, a very  
16 low wage, extremely high turnover industry where the  
17 conditions are not great, to say the very least, but  
18 with CHCA through its model and its innovative  
19 workforce development training model specifically,  
20 has really improved job quality standards across the  
21 board that have become a national model. For example,  
22 the 630 job seekers that are enrolled with CHCA's  
23 training program, 94 percent of them graduate with a  
24 portable credential, 85 percent are employed as home  
25 health aides, and 68 percent remain employed compared

2 to 29 percent nationally and 38 percent remaining  
3 enrolled after the first year. I will submit more  
4 testimony, but we urge City Council to continue  
5 investing in worker cooperatives in Fiscal Year '25  
6 through WCBDI funding of 4.92 million dollars that  
7 will allow for continuing these high road businesses  
8 and support for the industry. Thank you.

9 COMMITTEE COUNSEL SWAINE: Thank you all.

10 Our next panel will be Abigail Dorcin,  
11 Abel Hernandez, and David Portela.

12 You may begin.

13 ABIGAIL DORCIN: Thank you, Chair Menin,  
14 for allowing us to speak on this panel. My name is  
15 Abigail Dorcin, and I am the Organizing Manager at La  
16 Colmena. We are an immigrant and workers' rights  
17 center based on Staten Island. Our mission is to  
18 empower the immigrant worker through education,  
19 culture, organizing. We are also a member of the New  
20 York City Coalition for Domestic Workers. The  
21 coalition is made up of the National Domestic Workers  
22 Alliance, Adhikaar, Carroll Gardens Association, La  
23 Colmena, Hand in Hand, and Damayan. Every day, our  
24 organization hears from workers who have experienced  
25 wage theft, abuse, discrimination, unjustified

2 firing, and much more. This is why we are grateful to  
3 continue partnering up with the Department of  
4 Consumer and Workers Protection as together we work  
5 on preventing this from happening. Through our work,  
6 we continue being in the forefront to support our new  
7 neighbors so they know about their rights at the  
8 workplace. Our movement has celebrated significant  
9 legislative wins since 2010, including the New York  
10 Domestic Worker Bill of Rights, the NYC Paid Safe and  
11 Sick Leave, and recently Local Law 81, which  
12 incorporates domestic workers in the New York City  
13 Human Rights Law. There is still much work ahead to  
14 get this message across, especially as new arrivals  
15 are entering the workplace and are amongst the most..

16 SERGEANT-AT-ARMS: Folks, please silence  
17 all cell phones, silence all cell phones.

18 ABIGAIL DORCIN: And are amongst the most  
19 vulnerable in this sector. This year, we request your  
20 support for Domestic Worker and Employer Empowerment  
21 Initiative for FY25, which will provide 700,000  
22 dollars in much more needed funding for outreach,  
23 education, enforcement support to over 8,000 domestic  
24 workers and employers this year, which is why we ask  
25 you to push for the removal of the 2025 hiring freeze



2 for DCWP so together we can work more effectively.

3 Thank you.

4 DAVID PORTELA: Sorry, if I'm a little bit  
5 nervous. Good afternoon, Council. I'm here on behalf  
6 of the repeal of the, what is it, 2294. Sorry. This  
7 is my first time. Basically, I'm asking for a repeal  
8 because this is really, really bad. I've been doing  
9 app delivery since 2018, and it's been going fine up  
10 until they passed this, what is it, bill, I'm sorry.  
11 I'm nervous, but it's really affecting me because I  
12 used to be able to make enough money. Now I'm getting  
13 like 14, 20 hours a week, and it's really hurting me  
14 because since the app delivery people are trying to  
15 fight back, they're really reducing our hours, and  
16 there's a lot of people doing deliveries in New York  
17 City and it really, really hurts. Like I went from  
18 getting at least 40 hours a week to getting 20 hours  
19 a week, and how am I supposed to live on 20 hours a  
20 week, and what hurts me the most is I actually love  
21 what I do. I love this job as well as these fine  
22 people behind me, and I think this bill is really not  
23 doing us any good because now we have to go around  
24 the city and find a place to be busy in order for us  
25 to even try to make some money or we have to compete

2 with other workers to get a time slot, and that's  
3 very bad. Imagine you working at your job and your  
4 hours are fine and then the next thing you know,  
5 you're working 20 hours, 14 hours a week. It's really  
6 not helping us is, and I'm asking for the repeal of  
7 this bill or law because it is terrible. It's  
8 terrible. I do at least 200, 250 deliveries a week,  
9 and now I'm reduced to doing like 20 deliveries a day  
10 and, to be honest with you right now, doing Uber, 10  
11 deliveries is like 50 bucks, and it's really not  
12 helping any of us. It's not benefiting me. It's not  
13 benefiting these fine people right here because we  
14 work hard to bring everybody their food and  
15 everything that we have to dodge in New York city.

16 CHAIRPERSON MENIN: Okay. Thank you very  
17 much.

18 DAVID PORTELA: Appreciate it.

19 RAUL RIVERA: I'll be translating.

20 ABEL HERNANDEZ: (SPEAKING SPANISH)

21 RAUL RIVERA: Good afternoon. My name is  
22 Abel Hernandez. I'm a worker with DoorDash.

23 ABEL HERNANDEZ: (SPEAKING SPANISH)

24

25

2 RAUL RIVERA: We are here because I'm an  
3 app worker with DoorDash, and we have a serious issue  
4 with the apps.

5 ABEL HERNANDEZ: (SPEAKING SPANISH)

6 RAUL RIVERA: Basically, what he's saying  
7 that he is having difficulties with logging in and  
8 hours. He's not getting the hours to work.

9 ABEL HERNANDEZ: (SPEAKING SPANISH)

10 RAUL RIVERA: Basically, he's saying that  
11 he has the highest status on the app. There's three  
12 different levels, Platinum, Gold, and Diamon, and  
13 he's having issues, even being a high-rate performer  
14 with the apps, he's still getting very little hours  
15 of work.

16 ABEL HERNANDEZ: (SPEAKING SPANISH)

17 RAUL RIVERA: He's basically making 16  
18 hours a week, and he's having much difficulty working  
19 and he asks for repeal of 2294. That's what he's  
20 asking for. Thank you.

21 ABEL HERNANDEZ: (SPEAKING SPANISH)

22 CHAIRPERSON MENIN: Thank you all very  
23 much.

24 COMMITTEE COUNSEL SWAINE: Next panel is  
25 Octavio Lopez, Prospero Martinez, and Juan.

2 COMMITTEE COUNSEL SWAINE: You may begin.

3 OCTAVIO LOPEZ: Hello guys. Name is

4 Octavio Lopez. I am a delivery driver of the city for  
5 over 10 years, and the reason why I'm here today is  
6 because I have a complaint over this new law that has  
7 been causing us a lot of trouble with our job. We  
8 used to be fine when we used to be independent  
9 contractors, but now we're having a lot of issues. We  
10 have no schedules in the city or the boroughs around.  
11 We are also not getting paid by the by the hour. We  
12 are getting paid by an active time, which mean that  
13 we can be in the streets for over 10 hours and we are  
14 getting paid only for the active hours that we have  
15 delivering the food, and this is really awful for us.  
16 This is really not helping us at all, and I wish you  
17 guys can take a look and see all the drivers today  
18 here. We are here for the same reason. Most of my  
19 coworkers, they don't speak English really well, and  
20 I don't either, but I hope you guys listen to me  
21 right now and take and count all the drivers that we  
22 are here. We have complaints over this law, and we  
23 want you guys to repeal this law, because it could be  
24 a law but, if it's wrong, it doesn't mean it's right  
25 if it's a law so we want you to guys work on that,

2 and please repeal this law. This law is hurting most  
3 of the drivers, Hispanic drivers. We have been  
4 getting a lot of lockouts, but we're still working,  
5 but we want you to guys help us, and I have a letter  
6 for you, I want to hand it to you. I have my  
7 signature on it, I'm a delivery driver, please. We  
8 are speaking, real drivers, the ones who are behind,  
9 when you get a hot food at your door, we are behind  
10 that job. We are doing that any weather, any time,  
11 and we want to make money. We want you to guys do  
12 something for us. This is the main reason we are  
13 here. None of these organizations are helping us.  
14 None of these organizations are taking care of us. As  
15 you see, there was a leader of an organization right  
16 now on this chair, but she stepped away because that  
17 means she's not really helping the drivers, please.  
18 And thank you so much for listening to me. I also  
19 want to hand this to you and I have your picture,  
20 would you help us?

21 CHAIRPERSON MENIN: Okay. Thank you.

22 OCTAVIO LOPEZ: Please. Would you help us?

23 CHAIRPERSON MENIN: Okay.

24 OCTAVIO LOPEZ: Thank you so much.

25 JUAN SOLANO: (SPEAKING SPANISH)

2 RAUL RIVERA: Good afternoon. My name is  
3 Juan Solano, and I'm a delivery worker here in the  
4 city.

5 JUAN SOLANO: (SPEAKING SPANISH)

6 RAUL RIVERA: I've been doing this work  
7 for many years, risking my life, doing food  
8 deliveries here in New York City.

9 JUAN SOLANO: (SPEAKING SPANISH)

10 RAUL RIVERA: I'm here to say I am  
11 displeased with this law, that it's not benefitting  
12 us.

13 JUAN SOLANO: (SPEAKING SPANISH)

14 RAUL RIVERA: With the commencement of  
15 this law, workers are getting locked out and they're  
16 not being given access to the application and they're  
17 not being able to work.

18 JUAN SOLANO: (SPEAKING SPANISH)

19 RAUL RIVERA: A lot of customers think  
20 that we're making good money because the tips...

21 (SPEAKING SPANISH)

22 JUAN SOLANO: (SPEAKING SPANISH)

23 RAUL RIVERA: Customers believe that the  
24 workers are now making better money because of the  
25 minimum wage and the option for tipping was in the

2 beginning of the process when you're ordering and now  
3 it's not and they're not being tipped.

4 JUAN SOLANO: (SPEAKING SPANISH)

5 RAUL RIVERA: (SPEAKING SPANISH)

6 JUAN SOLANO: (SPEAKING SPANISH)

7 RAUL RIVERA: They're not working enough  
8 and they're asking that the law be repealed. He's  
9 asking for repeal of the law. He was asking for  
10 repeal of the law because it's not helping, they have  
11 less hours. Thank you.

12 CHAIRPERSON MENIN: Thank you very much.

13 PROSPERO MARTINEZ: (SPEAKING SPANISH)

14 RAUL RIVERA: My name is Prospero  
15 Martinez, and we're asking that the bill 2294 be  
16 revised or looked at. We have a committee of delivery  
17 workers and we're asking that you take a look at this  
18 bill.

19 PROSPERO MARTINEZ: (SPEAKING SPANISH)

20 RAUL RIVERA: They're asking for a general  
21 review of this bill.

22 PROSPERO MARTINEZ: (SPEAKING SPANISH)

23 RAUL RIVERA: So the true workers can work  
24 and no other third parties.

25 PROSPERO MARTINEZ: (SPEAKING SPANISH)

2 RAUL RIVERA: It is not fair that other  
3 organizations are speaking for us when we are the  
4 ones working in the streets.

5 PROSPERO MARTINEZ: (SPEAKING SPANISH)

6 RAUL RIVERA: This bill was created with a  
7 few individuals, basically from a sofa, coming up  
8 with the idea of this bill.

9 PROSPERO MARTINEZ: (SPEAKING SPANISH)

10 RAUL RIVERA: He is basically asking for a  
11 review of the bill, and possibly repealing the bill.

12 PROSPERO MARTINEZ: (SPEAKING SPANISH)

13 RAUL RIVERA: Long live the worker.

14 CHAIRPERSON MENIN: Thank you, thank you.

15 COMMITTEE COUNSEL SWAINE: Thank you. Our  
16 next panel will be our last in-person panel before we  
17 turn to Zoom. Palemon Castillo, Leonardo, and Raul  
18 Rivera.

19 LEONARDO GONZALEZ: (SPEAKING SPANISH)

20 RAUL RIVERA: My name is Leonardo  
21 Gonzalez, and I've been working in the city for about  
22 four years.

23 LEONARDO GONZALEZ: (SPEAKING SPANISH)

24

25



2 RAUL RIVERA: The situation is getting  
3 difficult. It's hard to get ahead. We continue to not  
4 have access to the application.

5 LEONARDO GONZALEZ: (SPEAKING SPANISH)

6 RAUL RIVERA: We were better off before  
7 the law was enacted. We're asking for help from the  
8 Committee to repeal this law.

9 LEONARDO GONZALEZ: (SPEAKING SPANISH)

10 RAUL RIVERA: I've been having difficult  
11 working because I have to get on a schedule just to  
12 get access to the app so they can work and it's very,  
13 very difficult. Thank you.

14 CHAIRPERSON MENIN: Thank you.

15 RAUL RIVERA: My name is Raul Rivera. I'm  
16 a TLC driver and I'm a TLC driver advocate. TLC  
17 drivers are independent workers. What we have behind  
18 me is a bunch of independent workers, and we have a  
19 union, 32BJ, we have the Workers Justice Project, we  
20 have elected officials who are not respecting the  
21 independent worker. This Committee is about  
22 protecting workers, whether you're an employee or  
23 you're independent, and taking the status away of  
24 independent worker creates a lot of problems. The  
25 issues that we're having here today, the drivers, the

1 delivery guys, is because that status is not  
2 respected. 32BJ, Council Member Brad Lander at the  
3 time drafter that bill, 2294, and, because of them,  
4 it passed. Just because it passed doesn't mean it was  
5 the right thing. We want that bill to be repealed,  
6 and we're going to fight hard. We're asking you,  
7 we're asking your Committee to take this challenge  
8 on. These individuals are going to ask you sooner or  
9 later to do this and repeal this bill. We ask you to  
10 stand with your Committee. If they can't stand with  
11 you, then we ask that you stand alone. Repeal this  
12 2294 that doesn't respect the status of an  
13 independent worker. Also, 32BJ likes to tout about  
14 worker rights, and we have a complaint from many of  
15 the porters at 32BJ who put in a grievance more than  
16 a year and a half ago and, yet, they haven't gotten a  
17 response so I'm not sure how 32BJ is advocating for  
18 the worker. They also pushed this bill. They were in  
19 front of the courthouse talking about worker rights,  
20 Israel Melendez, he said worker rights but, when it  
21 comes to the rights of the members, they're not being  
22 heard. We just had a strike in front of 32BJ. He came  
23 out, he said a couple of words, and then he took off.  
24 He can't even sit down and meet with us, like human

2 beings. He said he defends the workers, but he can't  
3 sit down with us. He only sits down with the people  
4 that are willing to listen to him.

5 CHAIRPERSON MENIN: Okay, I'm going to ask  
6 you to wrap up.

7 RAUL RIVERA: We ask for repeal of this  
8 law. We're going to reach out to your office. We  
9 thank you for the time.

10 CHAIRPERSON MENIN: Okay, are there any  
11 more members of the public in person?

12 COMMITTEE COUNSEL SWAINE: Not in person.

13 CHAIRPERSON MENIN: Okay, we're now going  
14 to switch to virtual testimony. We have a number of  
15 members of the public online.

16 COMMITTEE COUNSEL SWAINE: Thank you,  
17 Chair. Our first panel will be Natasha Severin,  
18 followed by Taleigh Smith, followed by Megan Cash.

19 SERGEANT-AT-ARMS: You may begin.

20 COMMITTEE COUNSEL SWAINE: Natasha, you  
21 may begin.

22 NATASHA SEVERIN: I'm trying to start the  
23 video. Thank you for opportunity to testify the City  
24 Council. My name is Natasha Severin. I'm a retired  
25 senior citizen. I lived in New York 22 years, last

2 few years in NYCHA senior building. I want to support  
3 my movement, ACLU, in their demand to disband SRG.

4 Why? Let us speak about American moral values. Police  
5 nature changed for the last years for worse. NYPD is  
6 becoming more and more punitive organization, which  
7 methods reminds me former KGB and current Putin's  
8 squad (INAUDIBLE) and it is not for democratic

9 society. Here are a few examples from my life. Not  
10 long ago, I was attacked in my building. I called 9-  
11 1-1. The police came in two hours. When I reproached  
12 them in delay, officer told me if you will not stop  
13 criticizing us, we place you to the mental

14 institution for COVID-damaged patient. I didn't have  
15 COVID at that time, but I was smashed by the fact  
16 that police have right to use punitive psychiatry  
17 against citizens who are using the First Amendment.

18 It is happening only in totalitarian countries.

19 Another case, once in the morning police together  
20 with NYCHA broke down the door in my apartment when I  
21 was at home, and I resisted this illegal intrusion.

22 (INAUDIBLE) stated that they must check a leak in my  
23 bathroom, but they didn't look at any leak. Instead  
24 of this, they made a search for drugs without any  
25 warrant. They checked my drugs, sniffed detergents

2 and roach sprays in the bathroom and then, when they  
3 didn't find anything because I sold drugs only in the  
4 movies, they left without apology. Two NYCHA workers  
5 later confessed to me that they were persuaded to do  
6 this illegal search by police. Now, police have  
7 tremendous budget. This money is being misused for  
8 revenge, excessive surveillance and intrigues against  
9 innocent citizens. I wrote 12 complaints to CCRB, two  
10 complaints to the Mayor Office. I didn't get even one  
11 response. Police's misanthropic, unlawful, arbitrary  
12 actions are going unpunished. Precincts are spreading  
13 rumors...

14 SERGEANT-AT-ARMS: We thank you for your  
15 testimony. Your time has expired.

16 NATASHA SEVERIN: Okay. SRG is a very  
17 dangerous tool. It can be handled properly only by a  
18 high moral organization. NYPD in its current moral  
19 condition may use it only in a powerful way. It is  
20 unacceptable in the great democratic America.

21 SERGEANT-AT-ARMS: Please wrap up your  
22 testimony, your time has expired. Thank you.

23 NATASHA SEVERIN: Thank you.

24 COMMITTEE COUNSEL SWAINE: Thank you.

25 Taleigh Smith, you may begin your testimony.

2 TALEIGH SMITH: Good afternoon. Mothers on  
3 the Move, Madres en Movimiento, otherwise known as  
4 MOM, in the South Bronx, organizes people of color to  
5 build solutions to systemic injustice since 1992. For  
6 five years, we have supported WCBDI, the Worker Owned  
7 Business Development Initiative, and want to thank  
8 the Council for our direct contract this year. Our  
9 neighbors are on the bottom of the economic ladder  
10 working long hours for poor wages. By supporting  
11 WCBDI, you empower wraparound support, education, and  
12 technical assistance to build shared businesses that  
13 open pathways out of poverty and resolve problems  
14 like childcare shortages, energy inefficiency, and  
15 multifamily buildings in need of retrofit. I'd like  
16 to speak specifically to a current dynamic facing our  
17 home daycares. Providers ensure children stay safe  
18 and develop healthy social skills while their  
19 parents, often frontline workers, serve our city.  
20 Hundreds of daycares have shut down due to confusing  
21 regulations and low pay. Moms stepped up to organize  
22 experienced providers to train and mentor new ones,  
23 and advocate for improved industry standards. Right  
24 now, ACS vouchers are 250 dollars per week, which  
25 totals 150,000 per year for a daycare qualified for

2 12 children. This is insufficient to pay two  
3 professional adults, much less cover business costs.  
4 Worse, our pandemic babies, NYC's youngest consumers,  
5 are all behind in language and social development,  
6 which requires additional skilled workers to provide  
7 specialized care. There is a waiting list of over a  
8 year in the Bronx to get the assessment necessary for  
9 special needs subsidies. As a result, our home  
10 daycare owners, all women of color are left earning  
11 \$4.25 an hour. This could be the basis of a class  
12 action lawsuit against the City. We ask you to  
13 increase childcare subsidies, expedite special needs  
14 assessment, and increase WCBDI funding to grow the  
15 critical work of organizations like ours. Thank you.

16 COMMITTEE COUNSEL SWAINE: Thank you.  
17 Megan Cash, you may begin your testimony.

18 MEGAN CASH: My name is Megan Cash. I'm an  
19 everyday New Yorker. I live in Williamsburg. My  
20 partner and I are artists. We are adjunct teachers at  
21 local art schools. Our income is limited. In 2012, an  
22 adjacent developer damaged our home. We were screwed.  
23 Fast forward eight years and we were finally able to  
24 hire a home improvement contractor to repair the  
25 damage, but this contractor turned out to be worse

2 than the developer who did the initial damage. He  
3 didn't follow architectural plans. He removed the old  
4 roof and our house leaked continuously for more than  
5 a year. He refused to install a new finished roof  
6 until we paid him more money that he was not  
7 contractually owed and, when we didn't agree to this  
8 extortion, he walked off the job. We thought the  
9 contractor was licensed, but he had let it expire  
10 during COVID. We filed a complaint with DCWP. We were  
11 told they couldn't help us because the contractor  
12 wasn't licensed at the time. Yet, because of our DCWP  
13 complaint, the City wrote this contractor a  
14 violation. The contractor had to pay fines to the  
15 City, and he is now a licensed NYC home improvement  
16 contractor. He's licensed and we're still screwed. We  
17 hope the City will make a choice to resume expedited  
18 consumer restitution OATH hearings. This Committee  
19 should make sure there is proper funding for DCWP to  
20 be able to resume drafting cases like ours for  
21 hearings. We understand that these hearings can be  
22 converted into court judgments under 6RCNY6-06, which  
23 would be amazing for us. We are now in our 60s, and  
24 DCWP is telling us good luck, go spend another eight  
25 years in the court system. The City used to make



2 contractors pay into the trust fund for the year a  
3 complaint was made against them. It's a kick in the  
4 gut for us that this practice has now ended. My  
5 partner and I still want a hearing. In order to be  
6 re-licensed, the contractor signed an agreement with  
7 the City that he would attempt to fully resolve all  
8 consumer complaints related to..

9 SERGEANT-AT-ARMS: Thank you for your  
10 testimony. Your time has expired.

11 MEGAN CASH: Okay. DCWP is not even  
12 holding contractors.

13 CHAIRPERSON MENIN: I need to ask you to  
14 wrap up your testimony.

15 MEGAN CASH: Okay. They're not even  
16 holding contractors to their own agreement, and it's  
17 just totally absurd and terrible for us. Okay. Thank  
18 you for your time.

19 CHAIRPERSON MENIN: Thank you very much,  
20 and you're submitting your testimony in writing?

21 MEGAN CASH: Yes.

22 CHAIRPERSON MENIN: Your full testimony.  
23 Terrific, and we appreciate you taking the time to  
24 testify. Thank you very much.

25 MEGAN CASH: Thank you.

2 COMMITTEE COUNSEL SWAINE: Thank you. Our  
3 next panel will be Alice Davis, followed by Tito  
4 Sinha, followed by Catherine Murcek, followed by  
5 Melat Seyoum.

6 Alice Davis, you may begin your  
7 testimony.

8 ALICE DAVIS: Thank you to the Members of  
9 the Committee for providing me with the opportunity  
10 to testify today. My name is Alice Davis, and I'm the  
11 Managing Attorney at the Employment Law Unit at  
12 Catholic Migration Services. Catholic Migration  
13 Services is a non-profit legal services organization  
14 with offices in Brooklyn Heights and in Sunnyside,  
15 Queens. We serve low-income and immigrant New Yorkers  
16 on a variety of issues. We're also members of the  
17 Citywide Immigrant Legal Empowerment Collaborative,  
18 otherwise known as CILEC. This is a collaborative of  
19 several legal services providers and other community-  
20 based organizations that provides legal services and  
21 case management to low-income and immigrant workers.  
22 I am urging the City Council to renew and increase  
23 funding for the Low Wage Workers Support Initiative  
24 at 3 million dollars in Fiscal Year 2025. This is the  
25 only City funding that provides workers' rights legal

1 services to low-wage immigrant workers, allowing us  
2 to provide our clients with free legal advice and  
3 representation. These services are necessary. Our  
4 clients include both recent arrivals and long-time  
5 New Yorkers in all five boroughs, who work in low-  
6 wage industries such as construction, food service,  
7 and commercial cleaning services. As the Members of  
8 the Committee are probably aware, immigrant workers  
9 are for a variety of reasons much more vulnerable to  
10 exploitation in the workplace, including wage theft,  
11 sexual harassment, and paid sick and safe violations.  
12 This funding is well-invested. During the previous  
13 Fiscal Year, the CILEP Consortium, which is the group  
14 of legal services providers that I'm representing  
15 today, turned about 750,000-dollars' worth of low-  
16 wage worker support funding into over 3-million-  
17 dollars' worth of settlements and judgments that go  
18 directly into the pockets of our clients. It's  
19 something that's appreciated by our clients who rely  
20 on us for high-quality and culturally competent legal  
21 services, and it's something that's appreciated, I  
22 believe, by City and State agencies because we help  
23 reduce their caseloads and the burden of their work.  
24 Right now, in addition to requiring..

2 SERGEANT-AT-ARMS: We thank you for your  
3 testimony. Your time has expired.

4 ALICE DAVIS: Okay.

5 CHAIRPERSON MENIN: Thank you very much  
6 for your testimony.

7 ALICE DAVIS: Thank you very much.

8 CHAIRPERSON MENIN: Thank you.

9 COMMITTEE COUNSEL SWAINE: Tito Sinha, you  
10 may begin your testimony.

11 TITO SINHA: Thank you. My name is Tito  
12 Sinha. I am the Director of Workers Rights at  
13 TakeRoot Justice, an organization that along with  
14 Catholic Migration Services is part of this CILEC  
15 Consortium. We join Catholic Migration Services for  
16 the call to renew the Low Wage Worker Support  
17 Initiative. Because of the low-wage worker funding,  
18 we have been able to represent low-wage workers with  
19 claims of sick leave violations, sick leave  
20 retaliation, and wage theft before DCWP. Because of  
21 DCWP's robust enforcement of the Safe and Sick Leave  
22 Act, workers have been able to receive redress for  
23 employers' denial of sick leave, retaliatory  
24 termination, and failure to provide notice of rights.  
25 They've been able to recover back pay, sick leave

2 pay, and statutory penalties. TakeRoot has also  
3 participated in the first mediation held through  
4 DCWP's Paid Care Mediation Program for domestic  
5 workers. A vast number of our clients are domestic  
6 workers, so we appreciate to see so many domestic  
7 workers out here to speak regarding their  
8 experiences. We really need the Low Wage Worker  
9 Support Initiative funding to be renewed, and we also  
10 call for DCWP's funding to be increased. We are very  
11 appreciative of DCWP having an online portal and  
12 having a robust enforcement mechanism certainly  
13 relative to other administrative agencies, and we  
14 appreciate the work of their Counsel and their  
15 investigators. We just want the enforcement to be  
16 more robust and as robust as possible. Thank you.

17 COMMITTEE COUNSEL SWAINE: Thank you.

18 Catherine Murcek, you may begin your testimony.

19 CATHERINE MURCEK: Thank you for the  
20 opportunity to testify online today. My name is  
21 Catherine Murcek. I'm a worker-owner at Samamkaya  
22 Back Care and Scoliosis Collective. We're a member of  
23 the New York City Network of Worker Cooperatives,  
24 which is a partner in the Worker Cooperative Business  
25 Development Initiative, and your support of our

2 community and democratically run businesses helps to  
3 protect and create jobs for women, immigrant workers,  
4 and communities of color across the five boroughs and  
5 in a wide array of industries. I'm testifying today  
6 to urge you to help our city continue with a just  
7 recovery by continuing that support of WCBDI,  
8 enhancing their funding to 4.9 million, and to also  
9 support commercial rent stabilization to help protect  
10 New York City's workers and small businesses from  
11 displacement. My co-op, Samunkhya, is a lovely little  
12 studio in Chelsea. We specialize in therapeutic yoga  
13 for back care with classes online and in studio. I'm  
14 proud to say my 19 other worker-owners and I have  
15 been democratically running the studio in the same  
16 space for the last nine years and, to make yoga  
17 accessible to all ages and abilities, we use very  
18 specialized rope walls and equipment, which did incur  
19 a lot of startup costs that we are still paying back  
20 to this day. However, our cooperative business  
21 structure makes us unique in yoga studios in New York  
22 and is part of the reason we were able to survive  
23 through the pandemic when a lot of other yoga studios  
24 sadly did not make it. Even though the pandemic  
25 forced us to close our physical space, we banded

2 together to decide as a team how to pivot, divide the  
3 labor. We worked together to keep the studio afloat  
4 while also making sure teachers who most needed to  
5 work could keep teaching online and make ends meet.  
6 We were also grateful to have access to technical  
7 support from WCBDI partners and a couple of small  
8 grants specific to worker co-ops. One example is NYC  
9 NOWC's Cooperative Sustainability Fund, which helped  
10 us pay for consulting sessions with another co-op for  
11 communication and distribution of labor challenges  
12 and to help us strategize for the future. However,  
13 our future is still uncertain since our client  
14 numbers still haven't recovered to pre-pandemic  
15 levels and our rent will continue to make large jumps  
16 over the next eight years.

17 SERGEANT-AT-ARMS: Thank you for your  
18 testimony. Your time has expired.

19 CATHERINE MURCEK: Okay, I'll just  
20 quickly, quickly wrap up. Just to say that because of  
21 this inability to plan for the future, commercial  
22 rent stabilization would really help co-ops and other  
23 small businesses to be able to plan, to be able to  
24 access and level the playing field so that we're not  
25

2 faced with massive jumps in rent at the end of a  
3 lease, which...

4 CHAIRPERSON MENIN: Okay, I need you to  
5 wrap up because we have to have everyone have the  
6 same amount of time so if you could just please  
7 submit your testimony in writing to the Committee,  
8 that would be great.

9 CATHERINE MURCEK: Will do. Thank you.

10 CHAIRPERSON MENIN: Thank you very much.

11 COMMITTEE COUNSEL SWAINE: Thank you.

12 Melat Seyoum, you may begin your testimony.

13 MELAT SEYOUM: Thank you. Good afternoon,  
14 Honorable Chairperson Menin and distinguished Members  
15 of the New York City Committee on Consumer and Worker  
16 Protection. My name is Melat Seyoum, and I'm the  
17 Director of Political Affairs and Strategic  
18 Partnerships at the New York City Network of Worker-  
19 Owned Cooperatives, also known as NYC NOWC. We are  
20 the local trade association representing worker-  
21 cooperative businesses and democratic workplaces in  
22 New York City metropolitan area. I'm here, alongside  
23 my colleagues from the Center for Family Life, the  
24 Democracy at Work Institute, Mothers on the Move,  
25 Brightly Cleaning Cooperatives, and our Advocacy



2 Council members representing 11 other organizations  
3 that make up the Worker Cooperative Business  
4 Development Initiative, WCBDI. We are here asking the  
5 New York City Council to continue supporting the  
6 expansion of worker ownership in next year's budget  
7 and firmly into the future. Since the inception of  
8 the initiative, we have created over 197 new worker  
9 cooperative businesses and over 1,200 new jobs that  
10 are not only providing higher hourly wages but also  
11 building wealth and assets for individuals who are  
12 overwhelmingly BIPOC, BIPOC women, and immigrants. We  
13 have seen firsthand how the initiative has served to  
14 bolster our sector, strengthening existing  
15 cooperative businesses and creating new ones. The  
16 initiative partners have collectively worked to  
17 create a comprehensive ecosystem of support for  
18 cooperative businesses that not only ensures the  
19 creation of new cooperatives in low-income areas but  
20 also the technical assistance needed to sustain  
21 businesses and create jobs as well as the education  
22 outreach needed for our communities, interested  
23 entrepreneurs, and allied organizations. We did a ton  
24 of work during COVID to bring over 10 million in  
25 grants and loans to cooperatives and keep them

2 afloat. We did this with a 3.8-million budget. Our  
3 ask is where it was pre-COVID. We ask that City  
4 Council enhance our funding to 4.9 million in order  
5 for initiative to double down and really do the work  
6 that is necessary to build a long-term economic  
7 recovery for cooperatives that will need to claw  
8 ourselves out of this crisis. We thank the City  
9 Council for the opportunity to testify and hope that  
10 you consider our budget priorities..

11 SERGEANT-AT-ARMS: Thank you for your  
12 testimony. Your time is expired.

13 MELAT SEYOUM: And recommendations in this  
14 year's budget negotiation process. Thank you.

15 COMMITTEE COUNSEL SWAINE: Thank you. Our  
16 final Zoom panel will be Amalia de la Iglesia,  
17 followed by Magali Alba followed by Noraberta Flores.

18 You may begin your testimony.

19 AMALIA DE LA IGLESIA: Thank you, Members  
20 of the Committee, for giving us the opportunity to  
21 present this testimony on our co-op development  
22 program and WCBDI which funds this important work. My  
23 name is Amalia. I'm Assistant Director of Center for  
24 Family Life's Cooperative Development Program. Center  
25 for Family Life in Sunset Park is a neighborhood-

2 based social services organization that has been  
3 rooted in Sunset Park, Brooklyn for over 45 years,  
4 providing a comprehensive range of wraparound family  
5 and social services to the community. CFL's co-op  
6 development program emerged in response to the need  
7 for dignified, safe, and fair wage work opportunities  
8 for the immigrant and low-income communities that we  
9 work with. Since 2014, our co-op development program  
10 has been part of WCBDI, the Worker Cooperative  
11 Business Development Initiative, supported by the  
12 Council, through which organizations like ours  
13 incubate and grow worker-owned businesses. Thanks to  
14 this annual support, CFL has incubated 25 co-op  
15 businesses in the domestic work industry, organizing  
16 more than 500 immigrant women of color to take  
17 control of their workplaces and their lives. Co-op  
18 members earn on average double the industry standard  
19 hourly wage. All of this important support for New  
20 York City's workers wouldn't be possible without the  
21 support of the City Council and continued funding for  
22 WCBDI. We're asking that the New York City Council  
23 fund WCBDI at 4.9 million for Fiscal Year 2025.  
24 Continued investment in worker-owned co-op businesses  
25 is essential in the fight for worker protection and a

2 more equitable New York City. Thank you so much for  
3 the support.

4 I'll also be translating for the two  
5 members of some of the co-ops that we've incubated  
6 who are speaking after me.

7 COMMITTEE COUNSEL SWAINE: Thank you.  
8 Magali Alba, you'll have four minutes with the  
9 interpreter to testify. You may begin.

10 MAGALI ALBA: (SPEAKING SPANISH)

11 AMALIA DE LA IGLESIA: Good afternoon to  
12 everyone. Thanks to the Council for the opportunity  
13 to present our testimonial. My name is Magali Alba,  
14 and I'm member owner of the Cooperative Brightly. I'm  
15 here to talk about how important it's been for me to  
16 be part of this cooperative. Being in a cooperative  
17 has completely changed my perspective of what a fair  
18 job is. Now I feel that what I do is truly valued. I  
19 know what a fair job is. Everything I do is valued. I  
20 can control my own schedule and, most importantly,  
21 dedicate more time to my family. I think it's  
22 important and very necessary to support and develop  
23 more cooperatives in New York. Thank you.

24 COMMITTEE COUNSEL SWAINE: Thank you.  
25 Norberta Flores, you may begin your testimony.

2 NORBERTA FLORES: (SPEAKING SPANISH)

3 AMALIA DE LA IGLESIA: Good afternoon to  
4 the Council. Thanks for the opportunity to share my  
5 experience. My name Norberta Flores of the  
6 Cooperative Brightly Tribeca. The co-op has helped me  
7 a lot now that I can choose my own schedule and  
8 availability for work. It has helped with my income  
9 and to earn a fair salary as a worker in the co-op,  
10 since in other jobs there's a lot of exploitation.  
11 Before joining the co-op I earned 15 dollars an hour  
12 and, since joining the co-op, I earn double that. I'm  
13 very grateful for these opportunities. Thank you.

14 COMMITTEE COUNSEL SWAINE: Thank you. If  
15 we have inadvertently missed anyone who has  
16 registered to testify today and has yet to be called,  
17 use the Zoom hand function and you will be called on  
18 in the order that your hand is raised. That includes  
19 Jose Lopez.

20 Not seeing any hands, I will turn it over  
21 to Chair Menin and to close out.

22 CHAIRPERSON MENIN: Thank you very much.  
23 We want to thank the Administration, the members of  
24 the public who testified today on this important  
25 budget hearing. We're going to be digging in in terms

2 of this testimony and it will be a continuing  
3 process, but we thank everyone for their  
4 participation.

5 This will now close the hearing. [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 April 19, 2024