

**Testimony of Commissioner Vilda Vera Mayuga
New York City Department of Consumer and Worker Protection**

**Before the Committee on
Consumer and Worker Protection**

**Hearing on
Fiscal Year 2025 Preliminary Budget**

March 20, 2024

Introduction

Good afternoon, Chair Menin and members of the Committee on Consumer and Worker Protection. I am Vilda Vera Mayuga, Commissioner of the Department of Consumer and Worker Protection (DCWP), and I am joined by members of my senior leadership team Kenny Minaya, Michael Tiger, and Carlos Ortiz. It is our pleasure to be here today before this committee, to testify on the work of our agency and its budget for Fiscal Year 2025.

Chair Menin, as you well know through your work leading this agency, DCWP provides fundamental consumer and worker protections, and financial empowerment programming to New Yorkers. We strive to ensure that consumers who have been deceived or exploited have recourse, that workers have a passionate defender of their rights, and that all New Yorkers have the support they need to improve their financial health. I am immensely proud of the work this agency accomplishes, day in and day out, for our city.

Under Mayor Eric Adams leadership, DCWP has helped deliver \$319 million into the pockets of New Yorkers through restitution, debt relief, and financial empowerment programming. In my opinion, this is some of the most critical work happening in our city because it so directly impacts the lives of New Yorkers. Today, I'm excited to share some of our mission-focused successes from the past year with all of you. But, first, let me provide the committee with some important background information on the agency.

DCWP's Budget

DCWP's preliminary budget for Fiscal Year 2025 is approximately \$62 million. Our authorized headcount stands at 447, with an all-time high of 421 active personnel. Our agency licenses more than 46,000 businesses and individuals in more than 40 industries. Last year, we carried out almost 42,000 inspections and nearly 1,300 consumer and worker protection investigations on behalf of New Yorkers, securing more than \$14.5 million in restitution for New Yorkers. Our Financial Empowerment Centers and other services were utilized by nearly 10,000 New Yorkers and NYC Free Tax Prep also completed almost 85,000 tax returns.

Protecting New York's Essential Workers

One of the Administration's highlights of the past year has been our announcement of the nation's first minimum pay rate for app-based restaurant delivery workers, one of the most

significant advancements of workers' rights in New York City's history. Delivery workers brave snowstorms, rain, wildfire smoke and even the pandemic to make sure New York is fed. Yet, until the minimum pay rate, they received poverty-level compensation for their work. DCWP and this administration faced several challenges in delivering this monumental pay rate. We are incredibly grateful for this Council's support, the efforts of the City's Law Department, and most importantly, the outstanding advocacy of the delivery workers who fought hard to ensure that this dignified pay rate took effect. Delivery workers are now seeing their weekly pay double, and the impact this has had on the tens of thousands of delivery workers and their families is immeasurable. With the rate increasing to \$19.56 an hour on April 1st, we will continue to stand shoulder to shoulder with delivery workers, collaborate on compliance and ensure that apps pay them every cent they are entitled to under our laws.

Moving on to other workplace laws we enforce. Last year, we announced several victories on behalf of workers and secured \$12.5 million in worker restitution. In 2023, we resolved nearly 800 worker protection cases under our key workplace rights and laws, including our Fair Workweek Law, which provides fast food and retail workers the right to a predictable schedule. This law fosters stability and a healthy work-life balance for thousands in these industries. Under our Paid Safe and Sick Leave law, covered workers are entitled to use safe and sick leave for the care and treatment of themselves or a family member. We thank the Council for their work to enact Local Law 22 of 2024, which allows workers to file a private right of action for violations of the Paid Safe and Sick Leave law.

All of our worker protection cases demonstrate to the residents of our city that we are a dedicated resource for them in the workplace, and that we will fight to ensure that their rights are safeguarded. We proactively educate workers on their protections, the actions to take if their rights are violated, and provide relief for those whose rights are violated.

Protecting the Marketplace

Since the landmark Consumer Protection Law was enacted in 1969, we have been the nation's leading municipal consumer protection agency. We have consistently leveraged our authority to protect New Yorkers from deceptive business practices, securing restitution for consumers whose rights have been violated by debt collectors, furniture stores, and used car dealers, to name a few. Last year, we secured more than \$2 million for aggrieved consumers across the city. A major highlight of our work to make consumers whole was our case against a group of six used-car dealerships, 26 Motors. In April of last year, we charged more than 9,500 violations at the Office of Administrative Trials and Hearings related to the dealerships' deceptive business practices. We have zero tolerance for businesses that repeatedly display patterns of preying on hard-working New Yorkers.

Some of our most significant marketplace enforcement includes our work to stop the proliferation of unlicensed tobacco and electronic cigarette retail dealers. We work diligently on this issue, and have a team dedicated specifically to tobacco enforcement that conducted nearly 16,000 inspections of tobacco retail dealers and electronic cigarette retail dealers last year. In 2023, we issued over 7,600 summonses for illegal activity, collected \$9.5 million in fines and in the last year have shut down more than 100 illegal tobacco dealers. We look forward to working

with you, Chair Menin, on granting the agency authority to close unlicensed e-cigarette retailers as well.

Last year, we started our collaboration with our partners at the Fire Department to address the issue of e-bike and lithium-ion battery fires. Our implementation of Local Law 39 led the City's efforts to target unsafe mobility devices and get them out of our retail shops. Since Local Law 39 took effect, we have conducted approximately 500 inspections of businesses and issued summonses to 114 brick-and-mortar and 19 online retailers. We look forward to the strengthened enforcement tools in this law thanks to Councilmember Brewer's legislation.

I'd also like thank you, Chair Menin, for your legislation, Local Law 151 of 2023, which allows businesses to cure violations instead of being penalized, and also rightsized fines for other violations they might incur. From our agency's reforms alone, we project business savings to be almost \$1 million each year, providing substantive relief to New York City's small businesses. We're excited to work with you and your office on moving forward important legislation to reform and modernize many of our license categories to reduce the burdens on small businesses.

We are dedicated to providing protections to New Yorkers, while working to facilitate compliance amongst businesses with the laws that we enforce. Our Visiting Inspector Program, or VIP, provides new licensees the opportunity to receive an educational visit from one of our inspectors. At this visit, the inspector will share information about the regulations the business needs to follow, and will identify any potential violations, offering businesses a chance to go into compliance and avoid future penalties. Just yesterday, we announced an expansion of this program to all brick-and-mortar retail businesses that are required to be in compliance with our laws, regardless of whether we license their business category. We're excited to be expanding our education-first approach to enforcement.

Helping New Yorkers Reach Their Financial Goals

Lastly, as many of you know, we offer free financial empowerment programs to support individuals and help households improve their financial health. The NYC Financial Empowerment Centers provide opportunities for New Yorkers to meet with trained counselors for one-on-one, confidential financial counseling at no cost. These counselors coach individuals in reaching financial goals by establishing budgets, creating spending plans, opening affordable bank accounts, and navigating loan repayment, including student loan debt. Our Financial Empowerment Centers hit a major milestone last year, helping New Yorkers to reduce their overall debt by more than \$100 million since the program's inception.

My family and I have benefitted from our agency's free financial counseling. I was so 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 NYC 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 refunds by optimizing the use of various tax credits, including the NYC Earned Income Tax Credit that Mayor Adams expanded last tax season. Last year we expanded our NYC Free Tax Prep services, offering specialized support for freelancers, gig workers, small business owners, and other self-employed New Yorkers filing their taxes. NYC Free Tax prep has saved clients a total of nearly \$24 million in fees and helped secure \$220 million in refunds for New Yorkers since the start of this administration.¹

And finally, something that we are especially excited about is our Financial Empowerment Center expansion that Mayor Adams announced at the State of the City. Under this expansion, we plan to add seven new Financial Empowerment Centers for New Yorkers at NYC Health + Hospitals locations. Individuals, families, and parents will be able to learn about these services while going for regular check-ups or even in times of need. We believe these centers will have a major impact on our communities and will help this city's residents take on negative contributors to financial health like concerns over medical debt that may keep New Yorkers from completing vaccines or attending follow-up appointments. This is just one of the many ways that our agency, and this Administration, continues to deliver for the working people of this great city.

Coming from a household where my mother worked incredibly hard to raise myself and my sister, I realize how much my family and even myself would have benefitted from financial education and counseling. I am incredibly proud of the profound impact that our financial empowerment programs have had on New Yorkers and recognize the benefits that this has on their families and children. We look forward to continuing our impact and programming work, supporting New Yorkers in their efforts to improve their financial health.

Conclusion

I hope this testimony has helped provide you with a snapshot of our past year, and the great successes for DCWP, and the people of this city, as we continued to uplift New Yorkers. As we look forward to the upcoming fiscal year, I want to reaffirm my commitment on behalf of this agency to continue delivering on our essential work, providing core protections and rights to the residents of this city. Under Mayor Adams, our mission to protect and enhance the daily economic lives of New Yorkers, remains steadfast.

Before concluding, I would like to take the time to express my gratitude to all of you for your support in this work. Our agency and the New Yorkers in each of your districts are fortunate to have such ardent advocates representing them. And finally, I want to personally thank my DCWP family. I am so grateful to lead a team that works every day for the people of our city. Their committed and passionate efforts as public servants really do make it all come together for New Yorkers. Thank you for the opportunity to testify today. I look forward to answering your questions.

¹ Based on estimates of available Internal Revenue Service data

Chairperson Menin and Members of the City Council,

Thank you for the opportunity to testify before you today. My name is Rafael Espinal and as some of you may know, a proud Brooklyn native and a former City Council Member, but today I feel incredibly fortunate and excited to speak before you as the President and Executive Director of the Freelancers Union.

The Freelancers Union is the country's largest and fastest-growing independent workers organization, representing over 750,000 members. In New York City alone, we represent over 90,000 freelancers. Our members work in a diverse number of essential fields. Making their living as service providers, accountants, healthcare workers, media workers and artists.

In 2022, we continued a longstanding partnership with the Mayor's Office of Media and Entertainment to unveil our NYC Freelancers Hub in Industry City, Brooklyn and are thrilled to continue providing free co-working desks and programming to freelancers.

The independent workforce offers valuable skills, efficiency, and on-demand labor to large and small businesses—they truly are the backbone of the city's economy. However, without the necessary support or representation, independent workers face a myriad of challenges when creating and maintaining successful careers.

Freelancers Union has fought for and won protections for freelance workers, including the nation's first Freelance Isn't Free Act to protect folks from non-payment, right here in NYC.

We are immensely proud of the Freelance Isn't Free Law, which in over five years, has resulted in at least 773 freelancers reported receiving a payment that was owed to them after filing their complaint with DCWP, totaling approximately \$3 million in restitution to those workers. DCWP conducted more than 230 events that raised awareness about the Freelance Isn't Free Act's protections during this period, reaching approximately 20,000 attendees. This is why, I encourage the Council to adequately support DCWP, who enforces Freelance Isn't Free by ensuring they have proper staffing and funding for their casework, outreach, and education.

Additionally, alongside the Mayor's Office and the Department of Consumer and Worker Protections we are now able to provide freelancers across the city with free support when they file their taxes and assist with other financial planning needs through the Self-Employed Tax Prep Program (SETP) which has been incredibly impactful for freelancers across the five boroughs.

Without adequate funding to DCWP, Freelance Isn't Free enforcement would suffer and become less effective for these critical workers. Additionally, the Self-Employed Tax Prep program would be limited in its ability to help many in need. Now is the time to strengthen these programs with funding, resources and staffing when it's most needed.

If the COVID-19 pandemic taught us anything, it's that now more than ever, independent workers need access to the support and resources that can foster successful solo careers. To meet the growing needs of our community, we turn to the City Council to provide additional support to the Department of Consumer and Worker Protections who has been a champion of freelance

protections. We are extremely grateful for the leadership from the Council and the Speaker, and I respectfully urge you Chair Menin to continue your work to support these programs in fiscal year 2024.

Thank you very much for the opportunity to submit testimony on behalf of the Freelancers Union and in support of the tens of thousands of independent workers we serve every year.



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Testimony on the Preliminary Budget Hearing for the Committee on Consumer and Worker Protection

March 20, 2024

To Whom it Concerns:

My name is Molly Senack, and I am testifying today on behalf of the Center for Independence of the Disabled, New York (CIDNY) as their Education and Employment Community Organizer. This testimony is supported by Sharon McLennon Wier, Ph.D., MEd., CRC, LMHC, Executive Director of CIDNY.

In the last year, significant efforts have been made at both the city and state levels to increase the hiring and workplace retention rates of people with disabilities. In July 2023, Governor Hochul issued Executive Order 31, which requires all New York State agencies to develop a plan to improve hiring practices and working accommodations for people with disabilities within those agencies and to submit progress reports to the Office of the Chief Disability Officer beginning six months after the Order's issuance. This order has a similar citywide equivalent enacted in January 2023-- Local Law 12-- which requires all city agencies to develop (and eventually implement) a five-year plan to ensure that each agency's workplace, programs, and services are accessible to people with disabilities. Additionally, in the summer of 2023 Mayor Adams announced an initiative to support career advancement for people with disabilities. It includes the creation of a Center for Workplace Accessibility and Inclusion and the expansion of the existing NYC: ATWORK, both of which aim to remove barriers to people with disabilities seeking employment. This initiative is happening in conjunction with an expansion of New York's 55-a and b/c programs, which allow qualified people with disabilities to be hired for civil service positions (55-a are for city positions, 55-b/c are for state positions) without having to take a qualifying exam.

These measures to improve employment rates for people with disabilities are critically important. In 2022, only 34.8% of disabled people between the ages of 16-64 were employed in the United States. In New York State, only 26.1% of that demographic were employed. Unfortunately, those numbers make it unsurprising that, according to the American Community Survey, people with disabilities in NYS are almost twice as likely as people without disabilities to live below the poverty line (30% vs 17%).

People with disabilities experience disproportionate difficulty obtaining and retaining jobs for numerous and nuanced reasons. But often it ultimately comes down to bias. Many of the practices involved in applying, hiring, and training for jobs are implicitly discriminatory. Employees who request accommodations they are legally entitled to can be met with discouragement and even hostility in the workplace, often leaving those employees with a

difficult decision: either struggle to work without necessary resources and supports or endure further marginalization. Both choices can lead to that employee leaving their job.

Meanwhile, there is another threat beyond bias and inaccessibility that is due increased scrutiny when considering worker protection. Extreme weather impacts industries across the board, and heat-related injuries alone account for tens of thousands of workplace injuries every year (according to a national study published in 2023 by Lai et al). The industries disproportionately affected by extreme weather are also some of the industries where people with disabilities are most likely to be employed. Nationally, 19.1% of workers with a disability work in a service occupation, and 15.3% of workers with a disability work in production, transportation, or material moving. In New York City, over 30% of disabled employees work in these sectors. As NYC continues to experience "record" weather (record heat, record cold, record flooding, etc.), protecting employees from the effects of working in extreme weather is critical. This must be done not only for the sake of health and safety, but also to protect the livelihoods of workers, especially those with disabilities, who might come to face additional discrimination when seeking employment associated with an increasingly high physical or cognitive risk.

Under Local Law 12, each city agency just released its five-year accessibility plan. As each agency begins to address its gaps in accessibility and implements a plan to significantly improve access, communication, and inclusion (as per the requirements of the Law), it is imperative that funding for these endeavors is protected, if not increased. As city agencies across NYC are forced to cut corners amid sweeping budget cuts, this funding will help ensure that making workplaces accessible, inclusive, and safe for people with disabilities remains a priority.

Thank you for your time and consideration.

Sincerely,

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Testimony by the New York Legal Assistance Group (NYLAG)

Before the New York City Council Consumer and Worker Protection Committee regarding:

Preliminary Budget Hearing

March 20, 2024

Chair Menin, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Committee on Consumer and Worker Protection about the FY25 budget. My name is Daphne Schlick. I am the Director of the Consumer Protection Unit at New York Legal Assistance Group (NYLAG), and I submit this testimony in support of funding for civil legal services to assist New Yorkers in need, including those who are struggling with issues related to consumer debt.

Founded in 1990, New York Legal Assistance Group (NYLAG) is a leading civil legal services organization that combats economic, racial, and social injustice by advocating for New Yorkers experiencing poverty or in crisis. Our work includes comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. NYLAG exists because wealth should not determine who has access to justice. We aim to disrupt systemic racism by serving individuals and families whose legal and financial crises are often rooted in racial inequality. NYLAG goes to where the need is, providing services in more than 150 community sites in New York and in our Mobile Legal Help Center.

NYLAG's Consumer Protection Unit (CPU)'s attorneys work on and litigate issues related to consumer debt. We fight for the rights of individuals and families who have become victims of abusive, deceptive, and unfair debt collection and lending practices and

help get them out of debt. CPU attorneys defend clients in credit card, auto lending, medical, nursing home, breach of lease, and student loan debt proceedings; assist student loan borrowers with their federal student loans; fight against unjust foreclosure and lending practices; and advise and assist clients in filing for a Chapter 7 consumer bankruptcy discharge. We also file impact cases to stop predatory debt collection and consumer fraud. **Consumer Debtors Need Civil Legal Services**

NYLAG would like to thank the City Council for the generous funding provided in FY23 to support legal services. That funding supports our work on behalf of veterans, immigrants, survivors of domestic violence, and countless others. Without that funding, many of our neighbors in need would have gone unserved and experienced dire negative consequences. Although the City provides unparalleled support for legal services, one area where the need remains great and largely unmet is legal services for consumer debtors. The economic and social consequences of insufficient civil legal services for consumer debt related cases are significant yet are often overlooked by civil legal service funders. Consumer debt litigation threatens low-income New Yorker's limited wages and assets that in turn threaten the "essentials of life," such as housing, basic income, and personal safety. In New York, civil court judgments give creditors incredible power: a judgment creditor wins the power for 20 years to garnish wages, levy bank accounts, and restrict low-income New Yorkers access to money that the individual needs to pay rent, buy food, or remain financially independent from an abuser. Creditors rarely win judgments after trial; many judgments are obtained because consumers are not served and then fail to file an answer on time. In 2019, 101,643 consumer credit cases were filed in the NYC Civil Court in 2019.

In 2020, cases took a relatively small dip due to the pandemic, but still close to 70,000 cases were filed in 2020. Since then, based on our experiences, consumer cases have gone up and the need for our services has only grown at a fast pace. Despite these devastating consequences, we know that, every year, the number of litigants who are represented by an attorney in their cases will consistently be in the very low single digits while approximately 100% of creditor plaintiffs will have been represented by counsel. High consumer filings coupled with the lack of adequate judicial resources results in a court culture in the courts to push settlement, even when they are unaffordable or unsustainable, and dissuade *pro se* litigants from raising meritorious legal defenses or asserting the right to go to trial.

What is more, consumer defendants are often not properly served with process: sewer service remains a prevalent problem in New York City. As the Court of Appeals recognized in 1987, deceptive practices in service of process deprive defendants of their day in court and lead to fraudulent default judgments that are often associated with consumer debt actions. Unfortunately, although there have been improvements, faulty service is still a major issue that afflicts debt collection cases. There is much discussion about the default rate in consumer credit cases: See Human Rights Watch, Rubber Stamp Justice, US Courts, Debt Buying Corporations, and the Poor (Jan 20, 2016) available at https://www.hrw.org/sites/default/files/report_pdf/us0116_web.pdf. The Summary of the report provides a succinct overview of the problem. See *Burks et. al. v. Gotham Process et. al.*, 20 Civ. 1001 (E.D.N.Y. 2020) (class action case filed by NYLAG complaining of Defendants unfair practices in failing to lawfully serve process). Also see *Barr v. Department of Consumer Affairs of the City of New York*, 70 N.Y.2d 821, 822 (1987).

Moreover, aged judgments, entered at a time of widespread sewer service, remain, and continue to haunt New Yorkers to this day. NYLAG has assisted countless clients who learn about 10 plus year old judgments after a sudden wage garnishment or bank restraint.

Challenging these judgments can be complicated given the passage of time and difficulty in accessing archived court files. For the unrepresented, this is even more challenging as they are not familiar with the specific legal standards that need to be raised to successfully challenge the default judgment. These issues are compounded by the fact that low-income New Yorkers pay the most for credit and are often forced into unfair, subprime lending products. The conversation about consumer debt cases is often focused on the issue of debt buyers' purchase of credit card debt; however, consumer debt involves all aspects of consumer spending. Consumer debt involves lending related to the purchase of a car to get to work, debt related to unpaid rent and investments in education. These issues and needs have been raised before, but they remain unaddressed and therefore we continue to see a desperate and growing need, and compounding consequences for consumers left without access to legal services for these matters.

Today, I would like to focus on these three areas of consumer debt that, based on our experience, are in dire need of additional legal services. [See *Dupres v. Houslanger, Civ. 6691 (E.D.N.Y. 2019)* (class action complaint filed by NYLAG complaining of Defendants unfair practices in litigating and opposing consumers' challenges to motions challenging service of process). See also *McCrobie v. Palisades, et al., 1:15-CV-00018* (class action challenging the unfair practices of enforcing aged judgments that were obtained through alleged failure to serve process). See Aaron Klein, *NBC America's Poor Subsidize Wealthier*

Consumers in a Vicious Income Inequality Cycle (NBC Feb. 6, 2018) (discussing how the less money people have, the more they spend to just be able to use money)]. The mention of credit card debt and the business of debt buying is not to be minimized; credit card companies' and debt buyers' prolific use of the court system to secure much of their income continues to be a systematic problem that plagues the New York City Civil Courts.

Fighting Unfair and Deceptive Practices in Automobile Lending

Automobile loans are often one of the largest purchases households will make, after the purchase of a home. Auto loans are the third largest consumer credit market in the United States at over \$1.46 trillion outstanding, which is double the amount from ten years ago. Due to the size of the purchase, the sale must often be financed. For prospective buyers with poor, little, or no credit, the options for financing are often limited, and prospective buyers must rely on the auto dealer to provide financing for the purchase of a vehicle. The lack of availability of credit is particularly problematic in light of the fact that cars are often essential to ensuring that someone can get to a job they need to support themselves, which is true for many low-income individuals who live in the outer boroughs with limited access to reliable public transportation. When the only credit available to secure this necessary purchase is through the dealer, consumers are forced into deceptive and predatory loans with extraordinarily high interest rates, hidden fees, and unnecessary "add-ons." The level of fraud in auto lending is a well-documented problem in New York. The finance charge on these loans is often above the civil usury rate of 16% and typically at a rate of 24.9%, [*Auto Loans: The State of Lending in America & its Impact on U.S. Households, Center for Responsible Lending, December 2012, available at*

<http://www.responsiblelending.org/state-of-lending/reports/4-Auto-Loans.pdf> - See CFPB Moves to Thwart Illegal Auto Repossessions, High Car Prices Increase Risk of Improper Repossession by Lenders, Servicers, and Investors (Press Release Feb. 28, 2022) available at <https://www.consumerfinance.gov/about-us/newsroom/cfpb-moves-to-thwart-illegal-auto-repossessions/> Auto Loans: The State of Lending. See, e.g., Department of Consumer Affairs Announces New Rules to Combat Predatory Sales and Financing Practices in the Used Car Industry Are Now in Effect (Press Release June 26, 2018) ("Unscrupulous actors are too common in the used car industry, and when unchecked they take advantage of people dealing with the uncertainty of a purchase . . ."); Department of Consumer Affairs Files Charges to Put the Brakes on Major World's Deceptive Financing and Sales Practices That Result in Predatory Lending Targeting Low Income and Immigrant New Yorkers (Press Release March 16, 2017); Department of Consumer Affairs Files Charges Against Brooklyn Used Car Dealerships for Deceptive Financing and Illegal Sales Practices (Press Release May 24, 2017); Department of Consumer Affairs Secures More Than \$300,000 from Financing Companies for 50 Victims of Predatory Lending at Brooklyn Used Car Dealerships (Press Release Nov. 29, 2017) available at 6 which is just below the criminal usury rate of 25%. Due to the nature of the purchase, the deficiency lawsuits filed in the civil courts are relatively high dollar compared to most consumer debt cases. Furthermore, the cases involve technical legal defenses (that are often unfamiliar to the judges and the court) and due to the fraud tend to be fact intensive. As a result, the cases demand a lot of time and resources for an attorney, but without an attorney the cases are very difficult to defend.

Consumer advocates who are familiar with this industry only expect this issue to get a lot worse due to skyrocketing costs of used cars and the perverse incentive this creates for parties looking to profit at the expense of consumers. For example, on February 28, 2022, the Consumer Financial Protection Bureau (CFPB), announced that it was closely watching the auto lending market. The Director, Rohit Chopra, of the CFPB announced that “[w]ith today’s high car prices, auto lenders and investors might be tempted to seize vehicles for resale in the hot used car <https://www1.nyc.gov/site/dca/media/pr062618-DCA-Announces-New-Rules-To-Combat-Predatory-Used-CarSales.page> (links in web site to all of the press releases). N.Y. Gen. Oblig. Law § 5-501(1) (“The rate of interest, as computed pursuant to this title, upon the loan or forbearance of any money, goods, or things in action, except as provided in subdivisions five and six of this section or as otherwise provided by law, shall be six per centum per annum unless a different rate is prescribed in section fourteen-a of the banking law.”). N.Y. Penal Law § 190.40 (“A person is guilty of criminal usury in the second degree when, not being authorized or permitted by law to do so, he knowingly charges, takes or receives any money or other property as interest on the loan or forbearance of any money or other property, at a rate exceeding twenty five per centum per annum or the equivalent rate for a longer or shorter period.”).

A deficiency lawsuit is filed after a creditor repossesses a car, sells the car at auction or private sale, and then sues the consumer for the alleged remaining balance owed on the contract. Jessica Silver-Greenberg and Michael Corkery, New York Times, *The Car Was Repossessed, but the Debt Remains* (June 18, 2017) (this article discusses two of NYLAG’s clients who faced unfair auto loan debt collection cases). See also Gary Rivlin,

Mother Jones, Car Trouble: A subprime boom, insane interest rates, predatory lending, a privateequity frenzy. Sound Familiar? (April 22, 2016) (“Gary J. Pieples sees plenty of those folks [consumer debt defendants] at the free consumer clinic he runs at the Syracuse University College of Law. Half of his active cases fall into the category of improper auto-lending practices, Pieples told us, and most involve Credit Acceptance. It’s easy to blame the “fly-by-night dealers selling crappy cars for too much money to people who don’t have any other option,” he said, “but the dealers couldn’t be doing what they’re doing without money from outfits like Credit Acceptance.”) available at <https://www.motherjones.com/politics/2016/04/car-subprime-bubble-auto-loanscredit-acceptance-don-foss/market>,” adding that “[n]o American ever wants to wake up to see their car stolen.

Auto loan servicers need to ensure that every repossession is lawful.” A recent bulletin issued by the CFPB, stated that since the start of Covid-19 the price of used cars continues to climb. The Agency listed issues that many consumers face when trying to obtain affordable car loans, which include issues relating to wrongful repossessions; misrepresentation as to the amounts allegedly owed; wrongful fees; the misapplication of payments; and unfair and deceptive practices that occur during the financing and repossession process – all of which can push a consumer into default. From experience, CPU attorneys know well that in order to purchase a car, our clients are forced to take on financing that is unaffordable and designed to fail; they face discriminatory lending practices and repossessions; and they are often sold cars that do not work or are in need of expensive repairs. See *CFPB Moves to Thwart Illegal Auto Repossessions, High Car Prices*

Increase Risk of Improper Repossession by Lenders, Servicers, and Investors (Press Release Feb. 28, 2022), supra, note 7 and 87 Fed. Reg. 11951-01 (March 3, 2022) CFPB Bulletin 2022-04, Mitigating Harm from Repossession of Automobiles, 12 C.F.R. Chapter X available at https://files.consumerfinance.gov/f/documents/cfpb_bulletin-2022-04_mitigating-harm-from-repossession-of-automobiles.pdf & several other cars and in the dark. As the CFPB warned, these issues are only expected to get worse. New York consumers deserve to have an attorney on their side to fight against fraud and predatory lending.

The Increasing Need for Representation for Consumers in Civil Lawsuits for

Alleged Unpaid Rent

There is serious unmet need for representation in consumer cases involving rental arrears. A “rental arrears” case is a case that is filed by a current or former landlord against a current or former tenant for money damages related to tenancy between the parties. Even before the pandemic, landlords were increasingly suing former or current tenants in Civil Court for monetary damages. In a rental arrears case, there is no right to counsel available so it can be a choice venue for many unscrupulous landlord attorneys to file their dubious cases. These cases surprise many unrepresented defendants who thought that the matter was resolved in housing court; that the landlord had abandoned its interest in the unit by not making repairs; or that the landlord had given them permission to break their lease. In our experience, these cases can also be used to pressure tenants to move out of their apartments even when the case for unpaid rent is of questionable merit.

In NYLAG's experience, landlord attorneys are starting to file cases in the civil courts while their housing court case is pending to pressure tenants to move out of their apartments. Similar to other consumer goods, inflation is causing rents to all-time highs and wages are not keeping pace. No New Yorker should have to suffer the consequences of a money judgment based on highly questionable proof that threatens their already limited wages and causes further financial instability.

Moreover, rental arrears cases are often more complicated than other types of consumer cases since it is harder to provide advice or pro se assistance for these cases in court or to callers from our intake line. An attorney handling this case often needs to review the related housing court file, engage in discovery, and needs to have knowledge of both the detailed underlying facts of the original case and the defenses that were or could be available to the client in housing court. Knowledge of consumer law is also key. Motion practice is often necessary to force landlords to engage in discovery, to file dispositive motions like a motion to dismiss or one for summary judgment. Many of the cases that end up in civil court have questionable merit and for that reason, there are often many defenses available to the client to litigate the case. Legal representation in these cases would be tremendously impactful and prevent further misuse of the courts to target unrepresented consumers.

Student Loan Borrowers Need Legal Assistance to Help Combat Trillions of Dollars in Student Loan Debt

The statistics related to student loan debt are staggering and should give pause to anyone who is paying attention. Americans owe over \$1.7 trillion in student loan debt. It is reported that more than 45 million Americans have student debt. Black student loan borrowers are three times more likely to default than white borrowers, and one in three borrowers who are 65 or older are in default. Two thirds of student debt is owed by women and Black women carry around 20%, as reported by the Student Loan Protection Center available at protectborrowers.org. In New York, there is \$90.6 billion in outstanding debt and borrowers in New York City who struggle the most with student loan debt live in the city's poorest neighborhoods.

Many student loan borrowers who are NYLAG clients attended for-profit schools. These clients often face both federal and private student loan debt and are left with little education or training to show for it. For-profit schools notoriously pay huge sums of money on misleading advertising and little on actual instruction that leads to the jobs promised by the schools upon graduation; nationally, more than half of for-profit college student borrowers' default on their loans. From our experience, the student debtors who attended for-profit schools struggle with staggering levels of student loan debt when they have received little or no value from their education. Instead of a degree that would help them get a job, they have crushing debt that they cannot afford to repay. Moreover, the private student loans made available to many students who attended for-profit institutions are predatory and designed to fail. *Advocacy Groups Request Meeting with Biden Administration Regarding the Impact of Student Loan Debt on Black Women (Jan. 31, 2022)* available at <https://www.nclc.org/media-center/advocacy-groups-request-meeting-with->

biden-administration-regarding-the-impact-of-student-loan-debt-on-black-women.html.

See Student Borrower Protection Center, *Student Debt by Numbers, Fact Sheet* available at

[https://protectborrowers.org/wp-content/uploads/2019/01/NY-Student-Debt-by-the-](https://protectborrowers.org/wp-content/uploads/2019/01/NY-Student-Debt-by-the-Numbers-2018.pdf)

[Numbers-2018.pdf](https://protectborrowers.org/wp-content/uploads/2019/01/NY-Student-Debt-by-the-Numbers-2018.pdf). 20 Jonathan Spicer, *Student borrowers under most stress in New York City's poorest areas*, (Reuters Dec. 15, 2017) available at

[https://www.reuters.com/article/us-usa-debt-new-york-students/student-borrowers-](https://www.reuters.com/article/us-usa-debt-new-york-students/student-borrowers-under-moststress-in-new-york-citys-poorest-areas-idUSKBN1E92WV)

[under-moststress-in-new-york-citys-poorest-areas-idUSKBN1E92WV](https://www.reuters.com/article/us-usa-debt-new-york-students/student-borrowers-under-moststress-in-new-york-citys-poorest-areas-idUSKBN1E92WV). Department of Education, *Education Department Approves \$415 Million in Borrower Defense Claims*

Including for Former DeVry University Students (Feb. 16, 2022) available at

<https://www.ed.gov/news/pressreleases/education-department-approves-415-million-borrower-defense-claims-including-former-devry-universitystudents>. See Brookings

Institute, *The looming student loan default crisis is worse than we thought*,

[https://www.brookings.edu/research/the-looming-student-loan-default-crisis-is-worse-](https://www.brookings.edu/research/the-looming-student-loan-default-crisis-is-worse-than-we-thought/)

[than-we-thought/](https://www.brookings.edu/research/the-looming-student-loan-default-crisis-is-worse-than-we-thought/). 23 See Luis Armona, Rajashri Chakrabarti, and Michael F. Lovenheim,

Student Debt and Default: The Role of ForProfit Colleges, (N.Y. Fed. Reserve, Staff Reports April 2017 Number 811, Revised October 2021) available at

https://www.newyorkfed.org/research/staff_reports/sr811.html. 24 See Stacy Cowley, *New*

York Times, *Navient agrees to cancel 66,000 student borrowers' loans to settle claims of predatory lending* (Jan. 13, 2022) (“The private loans were — in Navient’s own words,

according to legal filings — a “baited hook” to reel in more federally backed loans.

Many defaulted private student loans end up as debt collection cases in the New York courts. Putative creditors often lack proof of ownership, akin to a traditional debt

buyer case, and do not possess the documentation necessary to prove the thousands of dollars they claim as damages in their cases. Despite the attention to this problem and known lack of documentation, default judgments still stand against borrowers. These borrowers end up in default for the same reason as any other consumer debt case, which include issues related to lack of legal service of process and lack of access to legal counsel. Unfortunately, the overwhelming majority of New Yorkers facing a debt collection case for a private student loan end up in default or settling for money based on questionable proof. For federal student loans (loans held by the U.S. government), borrowers face collection without any statute of limitations. The government can administratively garnish wages, offset tax returns, and even a borrowers' social security if they are in default.

For many borrowers, default could have been avoided given that abuses in student loan servicing is rampant and widespread. The lack of clear and concise information related to repayment options. Because most debt collection lawsuits are filed in local and county courts, where records are difficult to search, the actual tally is likely to be far larger. According to an eCourt search, of the 209 cases filed in 2017 by National Collegiate in New York's civil or district courts, around 77 of those cases had a court appearance suggesting that default judgments or out-of-court settlements were procured in those cases. Many of the court appearances were post-disposition suggesting that many consumers discovered the case after a judgment was entered. *Press Release, Attorney General James Secures \$1.85 Billion From Deceptive Student Loan Servicer Navient (Jan. 13, 2022) (New York Attorney General Letitia James announced a \$1.85 billion agreement with one of the*

nation's largest student loan servicers, Navient, after it deceived thousands of student loan borrowers into costly, longterm, forbearance plans, causing students to pay more than they should have.) available at <https://ag.ny.gov/press-release/2022/attorney-general-james-secures-185-billion-deceptive-student-loanservicer#:~:text=NEW%20YORK%20%E2%80%93%20New%20York%20Attorney,mor e%20than%20they%20should%20have>.

Borrowers often end up in default or in endless cycles of forbearance periods simply because they do not know about the income-sensitive payment options that are available to them. There continues to be a flood of immediate need for civil legal services in this area. This is especially true for borrowers who are eligible for statutory discharges. Many student loan borrowers, mostly those who went to for-profit schools, are eligible for a statutory discharge of their loans. If a statutory discharge is granted, the borrower might have all or part of their student loans debt obligation discharged. For instance, a borrower might be eligible for a discharge if the school falsely certified their ability to benefit from the education; it closed while or around the time that the student attended the school; or the school violated state or federal law and the student borrower has a defense to the repayment of their loan.

Preparing a successful application for a statutory discharge often involves investigative work, the drafting of affidavits, and legal analysis of state and federal claims. New Yorkers deserve high quality legal services to assist them with their federal and private student loan debt. We stand ready and qualified to help those who are victims of fraud, deception, or predatory lending, whether it be from auto lending, rental arrear claims, or

student loan debts. While we are grateful to have received some support in the form of funding to handle student loan debt cases, the need is much greater than this new funding can support. More funding and support is needed to begin to make a dent in the huge world of student loan borrower debt in order to help struggling New Yorkers become financially stable and actually benefit from the higher education obtained.

The common denominator that each of these areas have is the lack of civil legal service providers to take on meritorious cases in order to impact a meaningful number of consumers falling victim to predatory lending and crushing debt. Debilitating debt is a cycle that affects New Yorker consumers specifically and everyone indirectly. It is the nexus of the other legal and financial struggles that individuals experience. New Yorkers deserve access to legal representation that allows them to maintain or achieve financial stability—especially during this time. NYLAG’s experts and team are perfectly poised to make the most of increased support to address these injustices. Thank you for the opportunity to submit this testimony today. I look forward to a strong continued partnership with the Council and the Mayor’s Office to work towards the recovery of our City through access to justice for those in need.

Respectfully submitted, New York Legal Assistance Group



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Retail, Wholesale and Department Store Union

Testimony

Committee on Consumer and Worker Protection

New York City Council Budget and Oversight Hearing on the Preliminary Budget for Fiscal Year 2025

March 20, 2024

Hello and thank you for the opportunity to testify today. My name is Josh Kellermann and I am the Director of Public Policy at the Retail, Wholesale and Department Store Union, RWDSU. We represent over 40,000 workers in New York. We organize workers in apparel retail, grocery stores, pharmacies, food processing, warehousing, cannabis, farmworkers, non-profits and other low wage sectors.

I would first like to take a moment to appreciate the leadership of the Committee on Consumer and Worker Protection for supporting workers' rights and working people throughout the city. At several moments of crisis for our members, the members of this committee have stood side by side with us to demand dignity, equality and fairness on the job. It is important for workers who are being attacked by their employers to see that the elected leaders of this City have their back. Thank you.

Second, I would like to appreciate the dedicated leadership and staff at the Department of Consumer and Worker Protection. DCWP is the enforcement arm for several bills that we have championed in NYC, including Paid Safe and Sick Leave, the Fair Workweek Law, the Grocery Worker Retention Act, the prohibition on cashless businesses, and more. DCWP is essential to protecting workers and consumers in NYC, and deserves not just praise, but the resources necessary to do the job well.

The RWDSU is concerned about the Preliminary Budget Proposal and its potential impact on DCWP's ability to enforce NYC's labor laws. The enforcement of Paid Sick Leave and Fair Workweek should not be cut to save money, as ultimately the failure to enforce these laws will lead to more lost wages for workers, more sickness in our population, and more economic disruption for those who can afford it the least. These will cost the city more in the long run than this budget cut will save.

The essential role of the DCWP to NYC's workers and consumers means that the department should not be subject to this planned attrition and hiring freeze. Please ensure that DCWP is fully funded to do its essential work.

On behalf of RWDSU's membership and leadership, I'd like to thank you again for your leadership and support.



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Hello – my name is Michael Cassaday. I am an organizer at SEIU 32BJ. I am here to testify in support of the critical role the Department of Consumer and Worker Protection plays in supporting labor standards in the fast food industry and other industries in New York City. Unfortunately, in the January 2024 PEGⁱ, DCWP was given a hiring freeze that will mean they can't backfill vacant positions to get their important work accomplished. We urge the City to reverse the PEG and allow DCWP to restore their staffing levels.

Employment in the fast food sector has grown rapidly over the past two decades. This has been especially true in New York City, whose growth in fast food employment outpaced the national rate between 2000 and 2014.ⁱⁱ While employment in the sector fell during the pandemic, it has again been climbing as the City's economy and employment recover. Recent data from the Center for an Urban Future's State of the Chains report shows that fast food employment in New York City returned to pre-pandemic levels in 2022.ⁱⁱⁱ

Despite the industry's growth, fast food remains notorious for its poor labor standards and high violation rates. In 2023, fast food workers saw the lowest median weekly earnings of the over 350 industries surveyed by the Bureau of Labor Statistics—a mere \$610 a week.^{iv} Fast food corporations, meanwhile, continue to pull in ever-soaring profits. In 2021, the top seven publicly traded fast food companies earned \$16 billion in profits and paid out over \$12 billion to their shareholders in the form of stock buybacks and dividends.^v

The inequities inherent to the fast food industry were only intensified by the COVID-19 pandemic, when fast food workers risked their lives and those of their families to continue to maintain the food services the City relies on. As a result, during the pandemic food service workers saw disproportionately high mortality rates.^{vi} Communities of color, who are the most at risk of death from COVID-19,^{vii} are overrepresented in the fast food industry, especially in urban centers like New York City.^{viii}

The City has taken seriously the need for greater protections for fast food workers by passing legislation like the fair workweek law, paid sick and safe leave, Freelance protections, and a \$15 minimum wage. More recently, the Council passed groundbreaking Just Cause legislation, making New York the first City in the country to protect fast food workers against unfair firings and reductions in hours, as well as protections for delivery workers.^{ix} DCWP has been an unflinching champion of these new standards, and 32BJ has been proud to work with this agency to enforce the rights of thousands of New Yorkers subjected to unjust work conditions.

At our union we see the impact of DCWP's advocacy every day. In 2022, DCWP supported Chipotle workers in winning a \$20 million settlement after filing complaints alleging thousands of violations to their predictable scheduling

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rights.^x We've seen similar victories in the other industries in which we organize: in two recent settlements with major airline contractors concerning the City's paid sick and safe leave law, DCWP was able to recover \$30,000 for the City, and an additional \$138,000 for hundreds of workers.

While DCWP has been a phenomenal advocate in all the complaints it oversees, the reality is that it can only take on so many with its current budget. When a worker files a complaint with DCWP, the wait time just to be assigned for investigation can be 10-12 weeks due to constrained resources. Workers living paycheck to paycheck—as many in underpaid industries like fast food service do—cannot afford to wait this long if they have been unjustly terminated or denied hours or pay they were owed.

The Department's level of funding impacts larger investigations as well. The \$20 million settlement with Chipotle is an incredible victory. However, it took DCWP years to reach this settlement, after workers first filed complaints in 2018.^{xi} Over the last year, 83 Starbucks workers from 63 stores filed complaints with DCWP alleging systematic violations of the Fair Workweek and Just Cause Laws. Starbucks operates three times as many restaurants in New York as Chipotle.^{xii} The victories DCWP has achieved are a testament to the caliber of the Department and its staff. Imagine what they could do for working New Yorkers if given funding that matches the scope of their responsibility.

Currently, DCWP is responsible for enforcing the Fair Work Week and Just Cause laws at more than 2,600 fast food establishments and continuing implementation of the Just Cause law. The agency is also responsible for protecting the rights of the more than 3.4 million private sector workers covered under the Paid Sick and Safe Leave law; for administering the City's new laws protecting more than 65,000 delivery workers across the city, which will require intensive resources given the scale of this industry; for enforcing the Freelance Isn't Free Act; and for providing outreach and education to paid care workers.^{xiii}

All of these workplace protections are a tremendous step forward for working New Yorkers, but our laws are only as strong as our ability to enforce them. We need more investigators, attorneys, and intake personnel to enforce these standards and ensure that every worker has timely access to the critical services that DCWP provides. If we want these laws to be effective and responsive to the people who need them most, it is essential that we reverse any freeze on hiring and allow DCWP to enforce these laws for workers across the City.

In passing Just Cause amidst the pandemic, New York City sent a bold message that we will rebuild our economy by protecting essential workers, not by sacrificing them. We ask that the Council stand by its commitment by funding DCWP so it can make these laws a reality for all fast food workers.

Thank you for your time.

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ⁱ Program to Eliminate the Gap, January 2024, page 55,

<https://www.nyc.gov/assets/omb/downloads/pdf/peg1-24.pdf>

ⁱⁱ "Fast-Food Employment in New York City and State." National Employment Law Project. June 2015. Retrieved at <https://s27147.pcdn.co/wp-content/uploads/NELP-Fact-Sheet-Fast-Food-Employment-New-York.pdf> on March 16, 2023.

ⁱⁱⁱ Center for an Urban Future. *State of the Chains, 2021*. Dec 2021.

https://nycfuture.org/pdf/CUF_StateoftheChains_2021_final.pdf See the table entitled "New York City's Largest National Retailers, 2021," beginning on page 11.

Analysis of this data available on Sheet2 of the "Sourcing for CM TP Paper" excel spreadsheet.

^{iv} "Labor Force Statistics from the Current Population Survey." US Bureau of Labor Statistics. January 25, 2023. Retrieved at <https://www.bls.gov/cps/cpsaat39.htm> on March 16, 2023.

^v For McDonald's, Starbucks, YUM! Brands, Wendy's, Restaurant Brands International, Domino's and Chipotle. Total profits equal \$15.935 billion and total buybacks and dividends equal \$12.414 billion.

See table entitled "*National profit, buybacks, and dividends at the seven largest publicly traded fast food companies*" for a company by company breakdown.

^{vi} Chen, Yea-Hung, Maria Glymour, Alicia Riley, John Balmes, Kate Duchowny, Robert Harrison, Ellicott Matthay, and Kirsten Bibbins-Domingo. "Excess Mortality Associated with the COVID-19 Pandemic among Californians 18–65 Years of Age, by Occupational Sector and Occupation: March through October 2020," 2021. <https://doi.org/10.1101/2021.01.21.21250266>.

^{vii} "Risk for COVID-19 Infection, Hospitalization, and Death by Race/Ethnicity." Centers for Disease Control and Prevention. Dec. 28, 2022. Retrieved at <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html> on March 16, 2023.

^{viii} Jayaraman, Saru. "Restaurants and Race: Discrimination and Disparity in the Food Service Sector." *Race, Poverty & the Environment* | Vol. 18 No. 1 — 2011. Retrieved at <http://www.friendsofrpe.org/files/18-1.jayaraman.pdf> on March 16, 2023.

^{ix} "The State of Workers' Rights in New York City: Fifth Annual Report." NYC Consumer and Worker Protection. September 2022. Retrieved from <https://www.nyc.gov/assets/dca/downloads/pdf/workers/StateofWorkersRights-Report-2022.pdf> on March 16, 2023.

^x "Mayor Adams, Department of Consumer and Worker Protection Announce Settlement with Chipotle Mexican Grill, Securing \$20 Million for Approximately 13,000 Workers." NYC.gov. August 9, 2022. Retrieved at <https://www.nyc.gov/office-of-the-mayor/news/581-22/mayor-adams-department-consumer-worker-protection-settlement-chipotle-mexican#/0> on March 6, 2023

^{xi} R:\R2\Fast Food\Chipotle\DCWP Laws and Documentation\Fair Work Week\First round "DCA v. Chipotle Mexican Grill Inc. - Petition -2021.04.28" see paragraph 46

^{xii} *State of the Chains, 2022.* Center for an Urban Future. 2022. Retrieved at https://nycfuture.org/pdf/CUF_StateoftheChains_final_2022.pdf page 10 on March 3, 2023.

^{xiii} "Mayor Adams, Department of Consumer and Worker Protection Announce New Protections for Food Delivery Workers." NYC Consumer and Worker Protection. April 21, 2022. Retrieved at <https://www.nyc.gov/site/dca/media/pr042122-Adams-DCWP-New-Protections-for-Food-Delivery-Workers.page> on March 20, 2023.



**VNS Health Testimony to New York City Council Committee on Health
FY 2025 Preliminary Budget Hearing
March 21, 2024**

Dear Speaker Adams, Chair Schulman, Chair Lee and members of the New York City Council:

VNS Health (formerly the Visiting Nurse Service of New York), a nonprofit that has operated continuously for over 130 years, is the largest home and community-based healthcare organization in New York. We provide care to nearly 50,000 New York State (NYS) residents each day, including offering high-quality Medicaid and Medicare health plans for seniors, people with disabilities, and people living with HIV/AIDS, in addition to operating the largest certified home health agency (CHHA) and hospice in NYS. We have offered a suite of behavioral health programs for over 35 years, serving over 20,000 at-risk and seriously mentally ill (SMI) New Yorkers last year alone. We serve thousands of seniors by providing skilled nursing services at most Naturally Occurring Retirement Communities (NORCs) to assist older adults to age in their communities. We also provide specialty services for veterans, members of the LGBTQ community, and at-risk pregnant women and their children to combat maternal mortality. VNS Health has deep roots in the history of New York ensuring these populations have access to cost-effective healthcare services in their communities and in the comfort of their own homes.

Our ability to care for our members is directly impacted by City Council funding and support. As a safety net provider, VNS Health is grateful for the ongoing partnership with the City Council and the Mayor to receive critical funding for our programs. Specifically, we would like to also thank the Speaker for touring the Rochdale Village NORC in “The Great 28” to experience the positive health and wellness outcomes of the NORC Nursing Initiative. Please see below our budget testimony that highlights our funding applications and the need for these services to be fully funded to continue caring for our most vulnerable New Yorkers.

1. **Nursing Services at Naturally Occurring Retirement Communities (NORCs):** Through the NORC Nursing Initiative VNS Health provides nursing services to 38 NORCs across the City providing health care management and assistance to more than 20,000 New Yorkers to successfully age in their communities. Our nursing services include health assessments, health education, health care resources and information, health care advocacy and navigation, and linkages to needed health care services. Our goal is to maintain and sustain our nurses at their current sites and increase nursing hours to sites that have less than 14 hours of services to enable them to better serve their senior communities. In addition, we wish to provide nursing services at three additional NORC sites (bringing the total to 41 sites) that can benefit from this important initiative. **Request: \$2,500,000**
2. **Chinatown Neighborhood NORC (NNORC):** Chinatown NNORC currently provides service to 565 mostly immigrant Chinese-speaking only residents (1,300 residents since the program's inception). Core services include case management, case assistance, healthcare management, and healthcare assistance/monitoring to prevent hospitalization, treat chronic conditions, ensure independence, and provide culturally competent care. **Request: \$350,000.**

3. **Geriatric Mental Health Initiative (GMHI):** In the Bronx, well before COVID-19, rates of depression and substance use among older adults were higher than citywide averages. This is compounded by the fact that the elderly population continues to grow, placing a significant strain on a fragmented system not well equipped to serve this population in their homes. Our GMHI program screens homebound older adults (55+) for depression, anxiety, and substance misuse and provides in-home counseling, telephonic counseling, and case management. Over 3,000 at-risk Bronx seniors were served last year. **Request: \$200,000**
4. **Bronx Nurse-Family Partnership (NFP):** Nurse-Family Partnership is an evidence-based, community health program with over 40 years of evidence showing significant improvements in the health and lives of first-time parents and their children living in poverty. The VNS Health Nurse-Family Partnership (NFP) utilizes a national evidence-based model of parent support provided at no cost to more than 800 low-income pregnant or parenting people and their children per year in the Bronx annually. Nurse Family Partnership pairs nurses with first-time, at-risk pregnant people early in their pregnancy, and stays with the family until the child's second birthday. NFP improves pregnancy outcomes, child health/development, and self-sufficiency while tackling the growing issue of maternal mortality. **Request: \$375,000**
5. **Gender Affirmation Program (GAP):** The first program of its kind, the Gender Affirmation Program has helped over 400 gender affirmation surgery patients with extended counseling, social supports, and links to culturally competent community resources. Most of our patients live below the poverty line, these funds will aid in their recovery and assimilate back into society as their expressed gender. **Request: \$500,000**
6. **Veterans Community Development:** VNS Health continues to be the largest provider of hospice and home health services to Veterans in New York City. In 2023, VNS Health served over 1,800 Veterans and has expanded our support to include, CHHA, Hospice, Personal Care, Behavioral Health, and Health Plan management. In 2025, the Veterans Program will be partnering with the New York City Department of Veteran Services, VetConnect NYC program to provide veterans with additional access and referrals to benefits and healthcare services. **Request: \$300,000**

We appreciate the funding that the Council has provided to VNS Health, which helps us provide essential care to tens of thousands of seniors, low-income, and vulnerable New Yorkers. We look forward to continuing and furthering this vital partnership on behalf of all New Yorkers. If you have any questions, please do not hesitate to reach out.

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Testimony Before the Committee on Worker and Consumer Protection
New York City Council Budget and Oversight Hearings on The Fiscal Year 2025
Preliminary Budget

March 20, 2024

Submitted by:

Sherry Leiwant, Co-Founder and Co-President
A Better Balance: The Work and Family Legal Center

Good afternoon. Our organization, A Better Balance, is a non-profit legal advocacy organization dedicated to helping workers across the economic spectrum care for themselves and their families without risking their economic security. We have been proud to work with the New York City Council in advancing workers' rights laws that protect the most vulnerable workers in our city. We were one of the leaders of the movement to enact the earned paid sick time legislation (ESSTA) in 2013, helping to draft and negotiate that law that resulted in millions of New York City workers having access to paid sick time who had previously had not a single day they could use to care for themselves or their loved ones with pay. We were also leaders in the coalition that enacted the Fair Workweek legislation that was pathbreaking in enabling workers to have predictability and fairness in their work schedules and included the right to request and receive temporary schedule changes without retaliation. We have also advocated for the rights of domestic workers, included in ESSTA and other laws enforced by DCWP.

Our organization places a particular emphasis on enforcement. When we drafted ESSTA, there was no agency in the city that was responsible for enforcing labor



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standards. Strategizing with our City Council sponsors, we drafted ESSTA to place enforcement responsibilities in what was then named the Department of Consumer Affairs (DCA) which dealt with consumer complaints and at that time had their own ALJ system. When ESSTA went into effect in 2014 we worked with the city Administration and other advocates to ensure that labor enforcement would be a priority, helping to change the agency from an agency dealing solely with consumer complaints to a robust protector of workers' rights. In recognition of that shift, the name of the agency was changed to Department of Worker and Consumer Protection (DCWP) and over the course of the following years became a national example of an excellent agency devoted to ensuring that rights for workers that were passed by the New York City Council were understood, used and enforced.

Passing laws is only the first step. The success of our New York City labor laws – examples for the rest of the country—depends on vigorous enforcement. As the City Council continues to pass valuable and much-needed labor legislation, DCWP's enforcement mandate grows, and needs the resources to expeditiously investigate and resolve complaints as well as resources to do effective outreach and education on the laws under its jurisdiction.

For our city's workers, especially low-wage workers, DCWP is often their only recourse when they believe their rights have been violated. DCWP is an invaluable resource to the thousands of New York City workers we have spoken to through our free,



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confidential legal helpline over the years. The majority of our callers are low-income women of color who bear the economic brunt of inflexible and discriminatory workplace practices and lack any rights or benefits not guaranteed by law.

Under the leadership of Commissioner Vilda Vera Mayuga and the Commissioners that preceded her (Commissioners Salas and Menin), DCWP has grown to be a strong, proactive, robust agency with an excellent staff committed to doing the best for New York City workers. While DCWP has proven incredibly effective in all aspects of their work, without adequate funding, workers' complaints will languish as agency attorneys struggle to manage high case-loads and the work of outreach and education which is so important to the workers of this city will be difficult, if not impossible. It is critical for workers in New York City that the DCWP be funded fully as it has been in the past. We strongly object to any budget cuts to this essential agency which we want to emphasize a flat line budget would be. All positions currently funded for DCWP must be maintained and a flat line budget in these times of inflation would ensure cuts in staffing and therefore in the ability of the agency to vindicate the rights the City Council has created for the workers of our city.

Among the critical functions DCWP performs that are most essential to us and our helpline callers are: (1) Processing of complaints from workers whose employers are not following the law with respect to providing sick time, complying with fair scheduling requirements or following the law with respect to

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freelancers; in particular workers who have been denied paid sick time or who have been retaliated against because they asked for, or took, paid sick time. It is essential that DCWP be able to process their complaints in a timely manner and provide relief; (2) Doing proactive enforcement to ensure that employers who have chronically failed to comply with the city’s labor laws are investigated and held accountable for violations; the ESSTA law specifically provides authority for such proactive enforcement; and (3) Providing education and outreach so that New Yorkers will know what their rights are and businesses can easily comply with the city’s laws. A recent report that ABB published with the Community Service Society (CSS), “[Women in the Workforce: Advancing a Just Recovery in New York City](#),” found that 55 percent of low-income women in the NYC paid workforce have not heard about their right to paid sick time. Among mothers in the paid workforce, 51 percent of low-income working mothers said that they had not heard about the paid sick time law, seriously undermining the law’s effectiveness. Clearly, there is a need for more direct outreach and education about New York City’s earned sick time law. Outreach and education take time, money, and effective administration.

Effective administration of the laws under the jurisdiction of DCWP makes workers who have suffered from illegal treatment whole and sends a clear message to employers that failure to comply with city labor laws comes with a



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penalty. For example, we represented a worker who took three days off due to his own illness and that of his mother and not only was denied pay for that time even though he had accrued sick time but was also retaliated against for taking the time. He filed a complaint with DCWP who investigated promptly and found that other workers had also been denied pay for their sick time and some had even been fired. As a result of DCWP's efforts, our client and 159 other workers received \$60,000 in compensation and, even more importantly, the company changed their sick leave policy so that employees will no longer be denied pay for sick time or be disciplined for using that time.

The City Council has worked tirelessly over the years to ensure that New York City's labor laws are among the most comprehensive and progressive in the country and that their enforcement is a priority for each administration. New Yorkers deserve these rights not just in name, but also in practice, and that means ensuring we have a robust, well-funded labor enforcement agency. We urge you to maintain significant budget support for DCWP for FY 2024 and look forward to continuing to work with you to make New York City a safe and healthy place for all workers.

Thank you, Chair Menin and Council Members on the Committee on Consumer and Worker Protection for offering me time to speak today. My name is Ben Fuller-Googins and I am the Deputy Director of the Carroll Gardens Association.. We are a member of the New York City Coalition for Domestic Workers which also includes the National Domestic Workers Alliance NY, Adhikaar, La Colmena, Hand in Hand: The Domestic Employers Network, and Damayan.

Domestic workers are nannies, housecleaners, and home care workers who do the essential work of caring for our loved ones and our homes across New York City. Despite this essential work, they face challenges like low wages, lack of breaks, and being at high risk of various forms of harassment and harm – including trafficking – because they don't have the same protections as other workers. Given the disaggregated nature of the domestic work industry, and the time and resources required to reach individual workers and their employers, Coalitions like ours and agencies like DCWP are uniquely positioned to ensure that domestic workers and their employers understand their rights and responsibilities. Enforcement of labor laws for domestic workers requires a nuanced approach tailored to the isolation of these workers, the multiplicity of languages spoken by domestic workers in New York, and the unique sensitivities of employment in a private home. The prevalence of violations in the

domestic worker industry is partially attributed to the lack of awareness of domestic workers and employers of their rights and responsibilities. We do joint outreach with DCWP to parks and libraries across the City, meeting with workers to ensure they know their rights and where to go if they have a claim or need guidance. Without us, domestic workers would continue being left in the dark and ripe for even more exploitation and abuse. The time is now for New York City to support the over 200,000 domestic workers across the City. We are calling on the City Council to invest in domestic workers by removing DCWP's hiring freeze and funding the Domestic Worker and Employer Empowerment Initiative, of which we are asking \$700,000 in FY25. Supporting this initiative means building a city where domestic work is valued and dignified. It means empowering women of color and immigrants, honoring the most marginalized in our communities, and committing to a New York where each one of us can live with the opportunity and safety we deserve. Domestic workers are the fabric of our city. They are leading incredible movements for justice and equity, and building power for those who need it most in a world that disregards this most critical and intimate labor. We invite you to be part of this movement with us and build a future where all workers are honored. Thank you.

Ben Fuller-Googins
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Center for Family Life in Sunset Park
Testimony on the Worker Cooperative Business Development Initiative
Committee on Consumer and Worker Protection
March 20, 2024

Thank you members of the committee, for giving us the opportunity to present this testimony on our Cooperative Development Program and the Worker Cooperative Business Development Initiative (WCBDI) which funds this important work. My name is Amalia de la Iglesia and I'm Assistant Director of Center for Family Life's Cooperative Development Program.

Center for Family Life in Sunset Park (CFL) is a neighborhood-based social services organization that has been rooted in Sunset Park, Brooklyn for over 45 years, providing a comprehensive range of wraparound family and social services to the community. CFL's Cooperative Development Program emerged in response to the need for dignified, safe, and fair wage work opportunities for the immigrant and low-income communities we work with.

Since 2006, CFL's Cooperative Development Program has been incubating worker-owned cooperatives in a variety of industries. Since 2014, we have been part of WCBDI - supported by the Council - through which organizations like ours incubate and grow worker-owned businesses. Thanks to this annual support, CFL has incubated 25 cooperative businesses in the domestic work industry, organizing more than 500 immigrant women of color to take control of their workplaces and lives.

Thanks to continued support from the council, CFL has been able to innovate in scaling initiatives to make the cooperative business model more accessible to other low-income communities across New York City. In the last 8 years, we have developed the cooperative web platform Up & Go, supporting small cooperative businesses to compete in the digital market. Up & Go puts workers in the center of the business model, giving them voice and vote in all decision-making processes. Right now, the Up & Go collective is made up of 6 individual cooperatives offering their cleaning services across all 5 boroughs, generating an annual total income of \$700,000.

All of this important support for NYC's workers would not be possible without the support of the City Council and continued funding for WCBDI. **We are asking that the New York City Council fund the Worker Cooperative Business Development Initiative at \$4.9 million for fiscal year 2025.** Continued investment in worker-owned cooperative businesses is essential in the fight for worker protection and a more equitable New York City.

Thank you so much for your support.



TESTIMONY

Preliminary Budget Hearing:

“New York City’s Worker Cooperative Business Development Initiative:
Worker Cooperatives As A High Road Business Model for Workers and Communities”

Presented to:

New York City Council, Committee on Consumer and Worker Protection
Hon. Julie Menin, Chair
Wednesday, March 20, 2024

Prepared By:

Anh-Thu Nguyen
Director of Strategic Partnerships

New York City Worker Cooperative Business Development Initiative

Democracy at Work Institute

254 36th Street Suite C-308

Brooklyn, NY 11232

Good afternoon, Chair Menin and distinguished members of the New York City Council Committee on Consumer and Worker Protection. It is an honor to address you all as I submit testimony in support of the hardworking worker-owners in our communities. My name is Anh-Thu Nguyen and I am the Director of Strategic Partnerships at Democracy at Work Institute.

Thanks to City Council's investment of more than \$21 million over the last nine fiscal cycles, the 14 members of the Worker Cooperative Business Development Initiative (WCBDI) have created high road work and pushed for improved protections and industry standards especially in traditionally low wage, traditionally exploitative industries like homecare, cleaning/janitorial services, and childcare. Worker cooperative businesses supported and incubated by WCBDI partners are providing higher hourly wages, better working conditions (safer during COVID) and building wealth and equity for workers, who are primarily immigrant women of color.

Since its inception in Fiscal Year 2015, WCBDI has:

- created more than 1000 jobs and pathways to business ownership.
- reached more than 10000 entrepreneurs with education and technical assistance services.
- created more than 200 new worker cooperative businesses that offer higher hourly wages, better working conditions and importantly, build wealth and equity for workers.

DAWI and other WCBDI members like Center for Family Life, NYC Network of Worker Cooperatives and Workers Justice Project are developing worker-owner leadership and civic engagement as advocates, having partnered with the DCWP Paid Care Advocate, National Domestic Workers Alliance, 1199 SEIU and policymakers at the local and state levels to improve worker conditions in the care industry.

Worker cooperatives are a haven for workers in low wage industries who have been traditionally marginalized and excluded from the broader economy. In NYC, the majority of worker-owners are women from communities of color in industries like janitorial services, home health care, and child care. Through worker ownership, these individuals are bringing home living wages, building assets that contribute to financial stability, building worker power and leadership, and transforming industry standards for the better over time.

Two of NYC's largest worker cooperative businesses, Cooperative Home Care Associates and Si Se Puede, are in low-wage industries dominated by immigrant women of color—home care and cleaning/janitorial services respectively. These worker cooperative businesses are leading the way in transforming low-wage industries by improving work conditions, increasing average pay, and creating opportunities for growth through training and access to equity.

For example, Cooperative Home Care Associates, the largest worker-cooperative in the United States, has a workforce of over 1600 people, the vast majority of whom are immigrant women. CHCA's worker cooperative model has positively transformed home health care in NYC--a traditionally, low-wage, high-turnover industry, where the vast majority of workers are BIPOC immigrant women--by raising job quality and industry standards through worker ownership and

continuous investment in an embedded on-the-job training and skills development program. Of 630 jobseekers enrolled annually with CHCA's training program, 94% graduate with a portable credential and 85% are employed as home health aides. Of those, 68% remain employed after one year. All program graduates are guaranteed a job with CHCA, if they wish. In comparison, according to the national Benchmarking Project, similar low-income training programs on average secure employment for only 29% of enrollees, and of those just 38% remain employed after one year.

Si Se Puede, a worker cooperative cleaning business in NYC, is 100% immigrant women-owned and led. They are on average earning at least double the cleaning industry mean wage of \$11 an hour. In addition, their use and advocacy of green cleaning, alongside other cleaning cooperatives in NYC—is setting the tone for the cleaning industry in being accountable to the health of both workers and consumers. Thanks to continued WCBDI funding, member Center for Family Life, which incubated Si Se Puede, has established the first legally-recognized franchise cooperative, Brightly. This cooperative franchise is creating multiple worker-owned, high road cleaning enterprises in areas including Washington Heights, East Harlem, Tribeca, and Carroll Gardens.

Worker cooperative businesses are unique in their ability to establish, grow, and retain community wealth, to make entrepreneurship accessible, and to create stable, dignified work. It is critical to continue the work that we are doing to improve worker protections, offer a means to build and root wealth in local communities, and sustain and grow the diversity of the small businesses in NYC for the next generation.

We urge City Council to continue investing in worker cooperatives in NYC, through enhancing WCBDI funding to \$4.92 million for FY25. This will provide for the start-up of 31 new worker cooperative small businesses, with positions for 103 new jobs in cooperatives, assist existing cooperatives through 2,830 service requests, and outreach to 1,769 cooperative entrepreneurs.

Thank you for the opportunity to testify today. We look forward to continuing the work to develop worker leadership, develop high road business models that positively transform industries, and create more resilient, strong communities through worker cooperative businesses.

**TESTIMONY ON BEHALF OF THE CITYWIDE IMMIGRANT LEGAL
EMPOWERMENT COLLABORATIVE (“CILEC”) IN SUPPORT OF RENEWING
LOW-WAGE WORKER SUPPORT FUNDING (“LWWS”) FOR FY25**

Testimony from Alice Davis,
Managing Attorney, Catholic Migration Services’ Employment Law Unit
Before New York City Council Committee on Consumer and Worker Protection
March 20, 2024

My name is Alice Davis. I am the Managing Attorney of the Employment Law Unit at Catholic Migration Services. With offices in downtown Brooklyn and Sunnyside, Queens, CMS provides free legal services in the area of immigration, housing, and employment to low-income New Yorkers throughout the city. Catholic Migration Services is a member of the Citywide Immigrant Legal Empowerment Collaborative (CILEC), a collaborative of several legal services providers and community-based organizations that provide quality legal services, community outreach, and case management to low income and immigrant workers. On behalf of CMS and the CILEC consortium, thank you for considering our testimony in support of the Low-Wage Worker Support initiative (LWWS).

LWWS is the only city funding stream dedicated to fighting wage theft, workplace discrimination and harassment, and other workers’ rights violations. For the past five years, the City Council has provided funding to support these critical services for the city’s immigrant workers, who work long hours in low wage industries, such as construction, food service, commercial cleaning services. We now urge the City Council to expand these critical and effective services, and to address the need for Cost of Living Adjustments that has long been neglected.

Civil legal services for low-wage immigrant workers are necessary. As you are likely aware, billions of dollars in wages are stolen from New York City workers every year.¹ Additionally, immigrant workers, for a variety of reasons, including language barriers, lack of familiarity with the legal system, and fears related to work authorization and immigration status, are more vulnerable to wage theft and other forms of worker exploitation. These workers rely on the workers’ centers and legal services programs funded by the Low Wage Worker Support initiative to learn about their rights and access legal support from culturally competent legal services providers, as many cannot access or afford private legal representation. Funding for these services supports the economic stability of some of the most vulnerable residents of this city, by literally putting money back into the pockets of these workers and by preventing them from falling prey to exploitative employers through Know Your Rights presentations and other community education programming.

¹ Center for Popular Democracy, *By A Thousand Cuts: The Complex Face of Wage Theft in New York* (November 2015).

These services are effective. In Fiscal Year 2024, the City Council invested \$2.1 million in the Low Wage Worker Support initiative. As a result, member organizations of the CILEC consortium have connected 1,683 workers to workplace organizing initiatives, conducted over 100 Know Your Rights trainings and other community education presentations, provided free legal services to 897 low-wage immigrant workers, and recovered \$3.5 million in settlements and judgments for stolen wages and other employment law violations. Our services encourage resilience and self-empowerment within the communities that we serve, and advance the reputation and efficacy of government agencies, such as the state Department of Labor and Department of Consumer and Worker Protection, where we frequently file claims and assist clients in navigating the investigation process.

An example of the very tangible benefits of work funded by the Low Wage Worker Support initiative was a group of five clients of Catholic Migration Services, who were organized by Chinese Staff and Workers Association (CSWA), long time partners of Catholic Migration Services. CSWA organized a group of five former employees of the same restaurant chain located in midtown Manhattan. These workers, all of whom are Chinese immigrants and residents of Manhattan, Brooklyn, and Queens, had worked 60 to 72 hours per week as kitchen and delivery workers, at times making less than \$6.00 per hour. Catholic Migration Services represented these workers in a Federal Court case that quickly settled for over \$200,000.00. Catholic Migration Services attorneys reduced the burden on government agencies to investigate these claims, and still managed to put hundreds of thousands of dollars into the pockets of low-wage immigrant workers. Of course, none of this would have been possible without our partners at CSWA, who provided organizing support and Fujianese interpretation, and without funding from City Council via the Low Wage Worker Support initiative.

These services are also inadequately supported by the current levels of funding. The Low Wage Worker Support initiative cannot provide these critical and effective services without achieving pay parity between civil legal services providers and their counterparts at government agencies. In the face of tremendous need for civil employment legal services to combat wage theft, discrimination, and paid sick violations, legal services organizations struggle to fill vacancies and to retain qualified attorneys. This is in large part because civil legal services attorneys currently earn anywhere from 20 to 75% less than their counterparts working directly for the government. For example, the starting salary for an attorney at the office of the Attorney General in New York City is \$90,000.00, compared to an average starting salary of \$69,000.00 for a civil legal services attorney at a New York City based nonprofit. Thus, in order to meet the legal needs of immigrant workers, Catholic Migration Services and our partners within the

Citywide Immigrant Legal Empowerment Collaborative also request that the City Council to close the pay parity gap between civil legal services attorneys and government attorneys.

We respectfully urge the City Council to renew its commitment to NYC's low-wage and immigrant workers by funding the Low-Wage Worker Support citywide initiative at \$3 million in FY25.

We look forward to continuing our work with the City Council to ensure that New York's low-income and immigrant communities are not deprived of vital services that support their livelihoods and their ability to advocate for their rights under the law.

Alice Davis, Esq.
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For FY25, NYC needs the Council to renew and expand this initiative to \$3 million to ensure low-wage workers have access to the life-sustaining services it provides.



The **Citywide Immigrant Legal Empowerment Collaborative (CILEC)** is comprised of legal service providers and multi-lingual base-building organizations that work throughout New York City. Through organizing and legal representation we help strengthen low-income immigrant communities. The citywide **Low-Wage Worker Support (LWWS)** initiative makes this work possible.*



LWWS enables nonprofit legal service organizations to provide thousands of low-wage workers across the City with a range of free employment-related legal services, including individualized legal advice and full legal representation in pre-litigation settlement negotiations, unemployment insurance hearings, and individual and group cases before state and federal courts and administrative agencies.



LWWS also funds community-based organizations to conduct outreach, provide education for low-wage workers about their workplace rights, engage in non-legal advocacy to help workers recover stolen wages, and refer workers who need legal assistance to legal service providers.



LWWS is unique: it is the only city funding stream dedicated to fighting wage theft, unsafe working conditions, and workplace rights' violations. It is also unique because it funds community-based, holistic legal services and advocacy that provide low-wage workers access to economic justice.



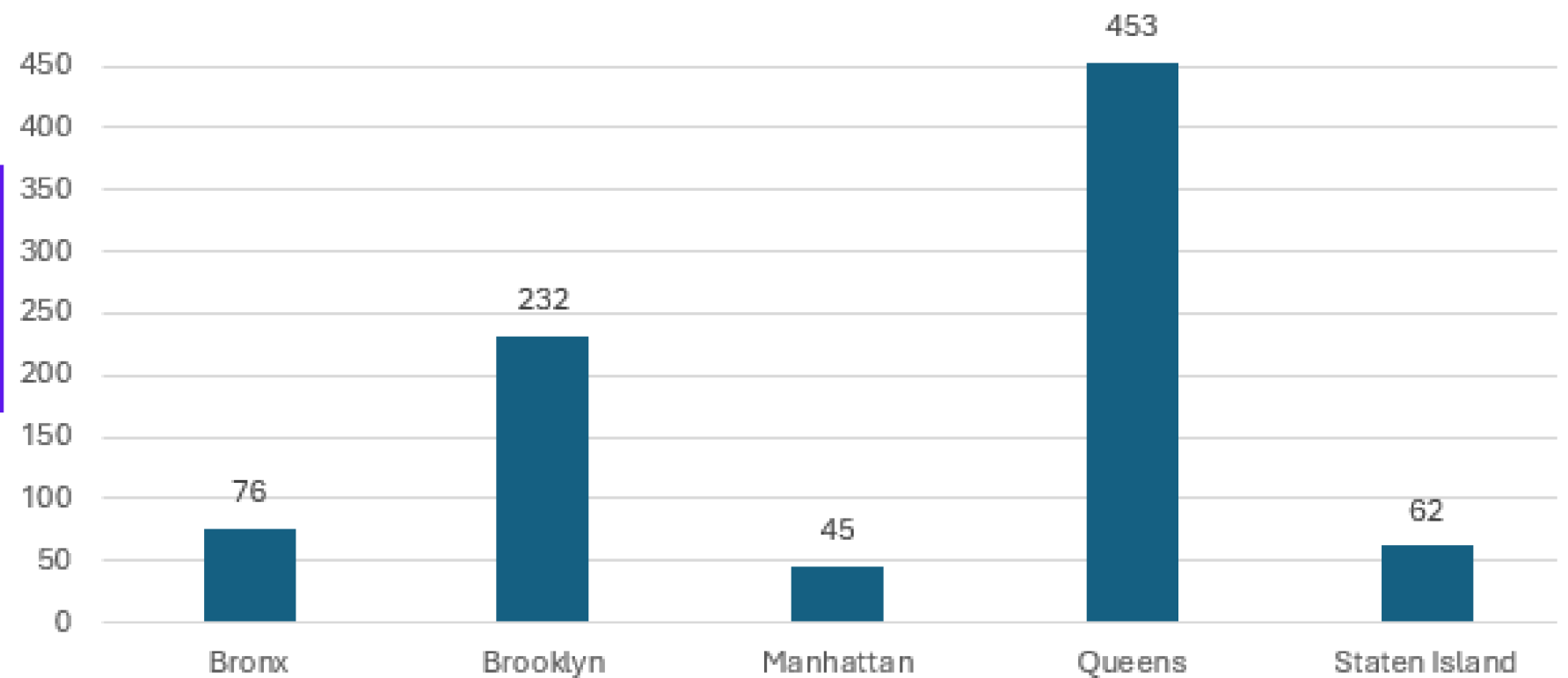
LWWS is effective. In FY23, CILEC organizations that received LWWS funding:



- **connected 1683 low-wage immigrant workers in NYC to organizing;**
- **conducted 107 community trainings on workplace rights;**
- **advised & represented NYC workers in 897 cases** to recoup unpaid wages and enforce laws relating to paid sick leave, unemployment benefits, discrimination, and retaliation;
- **provided case management to 715 workers;** and
- **obtained more than \$3.5 million** in settlements and judgments for workers.



Workers Served by CILEC in FY23 by Borough



LWWS is necessary. Nearly \$1 billion in wages are stolen from low-wage workers in New York City every year, with devastating consequences for low-income communities, and the City's economy as a whole.



*In FY24, LWWS was awarded to CILEC members TakeRoot Justice, Catholic Migration Services, Make the Road New York, New Immigrant Community Empowerment and Workers' Justice Project. Other FY24 LWWS recipients are NYC for Occupational Safety and Health, Legal Aid Society of NYC, Legal Services of NYC and NYLAG.

Contact: Antonia House, CILEC Coordinator, at 646.602.5616 or ahouse@takerootjustice.org.



GREEN WORKER COOPERATIVES

TESTIMONY

Preliminary Budget Hearing:

“New York City’s Worker Cooperative Business Development Initiative:
Worker Cooperatives As an Innovative Workforce Development Strategy”

Presented to:

New York City Council

Committee on Consumer and Worker Protection

Monday, March 20, 2024

Prepared By:

Karen Washington

Board President

Green Worker. INC.

2929 Third Avenue, 4th Floor
Bronx, NY 10455

GREEN WORKER COOPERATIVES

Good afternoon, Chair Menin and distinguished members of the New York City Council Committee on Consumer and Worker Protection. My name is Karen Washington I am the Board President of Green Worker Inc., usually called Green Worker Cooperatives. I am testifying as both a member of GWC and of the NYC Worker Cooperative Business Development Initiative (WCBDI).

Going into its 10-year anniversary, WCBDI continues to create more than 1000 jobs, has reached more than 9000 entrepreneurs with education and technical assistance services. The coalition has created more than 175 new worker cooperative businesses that offer higher hourly wages and better working conditions, all with the purpose of building wealth and equity for workers.

WCBDI continues best practices and inspiring transformation through integrating worker ownership with workforce development, creating better jobs, improved industry standards, and economic stability and mobility for working families. Worker cooperative businesses are unique in their ability to establish meaningful work with decent wages and benefits, increase productivity, be more flexible during crises, develop social capital in the member-owners, and help them to retain community wealth, thus making entrepreneurship achievable for all New Yorkers.

GWC is a proud member of the WCBDI ecosystem. Green Worker was founded 20 years ago. We are based in the South Bronx, and are the only Black led, people of color and women led worker cooperative developer that serves immigrants and communities of color in the Bronx, New York City and beyond; with a focus on creating green jobs and green businesses. Through our Co-op Learning Institute, individuals with dreams of entrepreneurship learn the tools they need to pool their talents and resources together to launch their own cooperative businesses. The program includes: weekly 2-hour classroom training, one-on-one coaching, pro bono legal assistance with business formation, and ongoing business support after program graduation. Topics covered include: Business Model Development, Customer Relationships & Marketing. We also provide community engagement to promote cooperative businesses within the Bronx and wider NYC communities.

GWC Coops are dedicated to providing services needed in their communities. Solar Uptown Now Services (S.U.N.S.), for example, is a solar installation cooperative dedicated to climate justice and job training, with an ownership stake in renewable energy for local communities of color. The 10 worker-owners who formed SUNS received Solar Installation Training in a workforce program, but did not find jobs afterwards. They attended the GWC training, and legally formed their cooperative a few months after graduating. They recently received a NYRSERDA grant for a solar installation project in Upper Manhattan.

GREEN WORKER COOPERATIVES

Throughout GWC's history, we have been the top incubator of worker co-ops in the WCBDI ecosystem, with an annual average of 5-7 co-ops created (4 required annually as per our NYC contract), and 12 hires (8 required by our NYC contract). Since FY 20 we have reached over 675 entrepreneurs and aspiring entrepreneurs through educational workshops and events. We provided co-ops with an annual average of 230 technical assistance service units, aiding both start ups and existing worker co-ops.

Why support the Worker Cooperative Business Development Initiative? In the worlds of Joselina Tejada, worker-owner, We Are Earth in Brooklyn: "GWC helped me and my team gain the knowledge needed to start up our Co-op. GWC walked us through the steps of how to create a business model canvas, research potential customers, and make connections with other co-ops and potential partners. I greatly recommend GWC to anyone who is interested in starting a Co-op but has limited or no experience. Plus, the GWC network is a great resource that you can always come back to long after you've left the program." - <https://www.thewae.earth>. We cannot do this work without a well-funded WCBDI.

We urge the NY City Council to continue investing in worker cooperatives and the workforce development ecosystem in NYC, through enhancing WCBDI funding to \$5.021 million. This will provide money for co-op education, as well as for start-up capital for new worker cooperative small businesses, to create new cooperatives and assist existing cooperatives through service requests; and continue our ability to outreach to new cooperative entrepreneurs.

Thank you for the opportunity to speak about worker cooperatives and the work that Green Worker and the WCBDI have done. We look forward to continuing the work of developing worker co-ops to create good jobs and strengthen communities. With your support this can be done.



NYC City Council Committee on Consumer and Worker Protection Preliminary Budget Hearing - Public Testimony

Testimony of the Workplace Justice Project Make the Road New York

March 20, 2024

MRNY is pleased to submit this testimony to the New York City Council Committee on Consumer and Worker Protection on the urgent need for the City to sufficiently fund the Department of Consumer and Worker Protection (“DCWP”) so that it may enforce the law protecting workers’ right to paid sick and safe leave and the other critical protections they enforce. We respectfully recommend against the proposed hiring freeze in the Program to Eliminate the Gap (PEG). Our clients and members and workers throughout New York City rely on an adequately resourced agency and the proposed cuts would result in a hiring freeze that would have a deleterious effect on their enforcement ability.

MRNY is a non-profit community-based membership organization with over 25,000 low-income members dedicated to building the power of immigrant and working-class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services, including legal services for workplace justice, immigration, and housing issues. MRNY’s five community centers, including centers in the New York City neighborhoods of Jackson Heights, Bushwick, and Port Richmond, provide a broad array of support to thousands of New Yorkers every year. Our workplace justice legal team represents hundreds of workers each year in cases to enforce their workplace rights and provides community rights education that reaches thousands more.

MRNY files many complaints with DCWP on behalf of workers who have been denied sick and safe leave, not paid for that leave, and fired for asserting their rights. We have also filed

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STATEN ISLAND
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complaints on behalf of true independent contractors who were not paid for the work they performed, under the Freelance Isn't Free Act. DCWP enforces a number of other essential workplace protection laws that protect those working in delivery, fast food, and grocery stores, among others.

The NYC Paid Safe and Sick Leave Law is among the strongest in the country and reflects our city's commitment to ensuring working peoples' right to a secure and dignified job, with access to paid leave for doctor's appointments, staying home with a sick child, and receiving essential services related to domestic violence. These strong protections mean that workers don't have to choose between receiving medical care and losing their jobs and that they can stay home when they're feeling sick without worrying about losing their paycheck.

DCWP's enforcement efforts are essential to ensuring that low-wage and immigrant workers, like our clients, have real access to these legal protections. Many of our clients are undocumented and work in industries with high rates of labor violations. Their employers fail to allow for the accrual of paid sick leave, and when workers need to take a day off for illness, they are often fired. These employers exploit the precarious position of undocumented workers and often use threats of immigration-based retaliation to prevent them from asserting their rights.

One of our clients, A, worked as a construction worker for two years for an employer that has multiple sites throughout New York City. A seldom took time off from work. When A was sick and took time off from work, his employer did not pay him sick time. A did not know employers were obligated to pay sick time in New York. After coming to Make the Road for an intake, A filed a paid sick leave complaint with the DCWP. Shortly thereafter, DCWP interviewed A about his work experiences. Because of the information Alex provided and after the employer failed to provide complete business records, DCWP initiated a worksite wide investigation. DCWP also issued a Statement of Interest for the worksite which alleviated some workers' fears about retaliation for cooperating with or filing claims in the investigation. A is hopeful this investigation will result in a safer workplace for dozens of workers across the city. This case is not unique, and our clients rely on the efficient and effective enforcement that DCWP provides.

In order for low-wage and immigrant workers to feel secure in their legal rights at work, DCWP must be able to quickly and thoroughly investigate complaints and hold employers accountable under the law. This requires adequate funding and staffing so that DCWP can continue to protect New York's most vulnerable workers.

Mayor Adams' FY 2024 Program to Eliminate the Gap proposes planned attrition of \$2.257 million for DCWP, which essentially amounts to a hiring freeze. If these vital services do not keep pace as more workers join the workforce, the most vulnerable workers will have no recourse and employers will not be deterred from violating the law without consistent enforcement.

Our clients rely on the critical enforcement work of DCWP and this hiring freeze would hurt their ability to access paid safe and sick leave without fear of retaliation. We ask that the proposed cuts be removed from the Program to Eliminate the Gap for DCWP. Thank you.

Corinna Svarlien
Staff Attorney, Workplace Justice Project
Make The Road New York

March 20, 2024



Good Afternoon,

Mothers on the Move / Madres en Movimiento (MOM) in the South Bronx organizes people of color to build solutions to systemic injustice since 1992.

For five years we have supported WCBDI, (the Worker-owned Business Development Initiative), and want to thank the council for our direct contract this year.

Our neighbors are on the bottom of the economic ladder, working long hours for poor wages. By supporting WCBDI, you empower wrap-around support, education and technical assistance to build shared businesses that open pathways out of poverty and resolve problems like childcare shortages, energy inefficiency, and multi-family buildings in need of retrofits.

I'd like to speak specifically to a current dynamic facing our home daycares. Providers ensure children stay safe and develop healthy social skills while their parents, often frontline workers, serve our City. Hundreds of daycares have shut down due to confusing regulations and low pay. MOM stepped up to organize experienced providers to train and mentor new ones, and advocate for improved industry standards.

Right now, ACS vouchers (from the NYC Administration of Children's Services,) are \$250 per week, which totals \$150,000 per year for a daycare qualified to take 12 children. This is insufficient to pay two professional adults, much less cover business costs. Worse, our pandemic babies (NYC's youngest consumers) are all behind in language and social development, which requires additional skilled workers to provide specialized care. There is a waiting list of over a year in the Bronx to get the assessment necessary for special needs subsidies. As a result, our home daycare owners, all women of color, are left earning \$4.25 / hour. This could be the basis of a class-action lawsuit against the City.

We ask you to increase childcare subsidies, expedite special needs assessments, and increase WCBDI funding to grow the critical work organizations like ours are doing.

Thank you,

Taleigh Smith
Strategic Planner
Mothers on the Move / Madres en Movimiento
1158 Intervale Ave, Bronx, NY 10458

Testimony for Budget Hearing - Committee on Consumer and Worker Protection

March 20, 2024 @ 1PM

Re: Domestic Worker and Employer Empowerment Initiative

To the Committee on Consumer and Worker Protection

My name is Donna Schneiderman and I'm a founding member of Hand in Hand: The Domestic Employers Network. Hand in Hand was established after the passage of New York's historic Domestic Workers' Bill of Rights in 2010. We advocate for and alongside domestic workers, and provide vast resources and tools to educate domestic employers about fair employment practices.

I got involved in the domestic workers' rights movement when my children were small in 2008 and we employed a nanny to look care for them while my husband and I were working. While we always aimed to be good employers, we never really knew for sure, we were very much aware that we lacked proper employment guidelines. When I heard about the campaign for the Domestic Worker' Bill of Rights, it was a lightbulb moment for me. I recognized that my home was another person's workplace and standards like those in the Bill of Rights were key to ensuring fairness and transparency in domestic work.

Over the nearly 15 years since Hand in Hand was established, I have seen improvements as some new parents are aware of these standards and start out right away as fair employers. But despite the signs of progress, there remain many families not familiar with the Bill of Rights and best practices for being a domestic employer. The Domestic Worker and Employer Empowerment Initiative, developed and led by The NYC Coalition for Domestic Work, is a critical next step in our effort to gain better momentum toward improving employment practices and raising the standards for domestic work.

The NYC Coalition for Domestic Work is a domestic worker-led alliance of community-based organizations, domestic employers, worker centers, allies, and policy advocates working together to transform the domestic work sector to one that is fair and sustainable through legislative advocacy, organizing, and training.

The Domestic Worker and Employer Empowerment Initiative focuses on outreach to 20,000 domestic workers and 350 employers, providing education services to 4,000 domestic workers and 240 employers through curated resources, updated contracts, educational in-person and virtual workshops.

Our ambitious goals for 2024 would expand on the groundwork we already have in place. We're aiming to coordinate outreach to even more workers and employers, while deepening partnerships with city agencies to help with outreach, intakes, and services referrals.

To ensure we can effectively accomplish both extending our outreach and education as well as our work with the city agencies, we're asking to enhance the Domestic Worker and Employer Equity Empower Initiative by increasing our budget from \$300,000 to \$600,000.

I have no doubt that with the increased budget, the NYC Coalition for Domestic Work could make a significant impact in improving the standards for this vital workforce, the (mostly) women who provide the work that makes all other work possible.

On behalf of the other employers with Hand in Hand, I thank you for your consideration and ongoing support for domestic work.

Respectfully,

Donna Schneiderman

Brooklyn, NY



TESTIMONY

Preliminary Budget Hearing:

“New York City’s Worker Cooperative Business Development Initiative:
Worker Cooperatives- An Essential Model for Business Sustainability and Recovery”

Presented to

New York City Council hearing, Committee on Consumer Affairs and Worker Protection
Hon. Julie Menin, Chair
Friday March 20, 2024

Prepared By:

Catherine Murcek, Worker-Owner
Samamkaya Yoga Back Care & Scoliosis Collective

Samamkaya Yoga Back Care & Scoliosis Collective
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Thank you Chair Menin and Honorable Council Members of the Committee on Consumer and Worker Protection for the opportunity to testify. My name is Catherine Murcek and I am a worker-owner at Samamkaya Yoga Back Care & Scoliosis Collective and an elected member of the Advocacy Council coordinated by the NYC Network of Worker Cooperatives (NYCNoWC), a partner organization of the Worker Cooperative Business Development Initiative (WCBDI) and a member of the United for Small Business NYC (USBnyc) coalition. Our community of democratic worker-run businesses is predominantly led by women and people of color, representing communities across the five boroughs and a wide array of industries from cleaning to catering, manufacturing, media, childcare, and more. Thanks to the City Council's support over the last nine years, we have the largest network of cooperatives in the U.S! I am testifying today to ask you to please **continue to support the great work of WCBDI** as a crucial component of a just recovery, and as another part of those efforts I also urge you to **ramp up efforts to regulate commercial rents** as our small business community continues to struggle and face rent hikes and closures due to non-forgiveness of pandemic back rent.

My business, Samamkaya Yoga, is a very special, small studio focusing on the therapeutic applications of yoga for people with a wide range of body types and ability levels, including those with Scoliosis, herniated discs, fused spine, and we even have an adaptive yoga class for folks with more limiting disabilities. The business formed just over nine years ago when a group of instructors highly skilled in therapeutic yoga for back issues were feeling exploited and underappreciated at another studio and decided to start their own worker cooperative, which is, in other words, a business that is co-owned and democratically-run by its workers.

Because of the then newly funded citywide initiative, WCBDI, the founding members were able to get legal support from NYCNoWC to form the business as an LLC cooperative with an Operating Agreement and a system for sharing profit based on the number of hours worked at the studio. One of the founders was fortunately able to provide a zero interest personal loan to the business to build out the small studio space in Chelsea to the very specific requirements of alignment-focused therapeutic yoga. In addition, through NYCNoWC's Principle 6 program the studio has over the years been able to have business cards printed for all faculty members by Radix Media cooperative. We have also been grateful to have attended a number of workshops and business coaching sessions over the years from NYCNoWC, BOCnet, and CAMBA.

Joining Samamkaya as a worker-owner eight years ago has been a truly transformative experience for me. In an industry where most yoga instructors are accustomed to being 1099 Independent contractors, to be able to have a vote in decisions about the business that will affect its members was really empowering. In addition, because cooperatives are built on certain principles including concern for community, one worker one vote, and training and education for its members, it has felt incredibly rewarding to be part of a values-driven business. Cooperatives allow the freedom to get involved in different aspects of the business that one might not have thought of before; to learn and grow in new ways. And, every member has incentive for the business to do well because every member is financially and energetically invested in the business and will do what it takes to see the business succeed.

This became even more clear for me at this time four years ago when so many non-essential businesses like mine were forced to close their doors in order to prevent further spread of COVID-19. All our members snapped into action as much as they were able, divvying up the tremendous labor of researching different platforms we might use to switch to online offerings and different grants that might be available to help keep us afloat. We completely revamped our schedule, pay, and fee structures in an equitable way that would make it easier on the studio but also for the teachers who were ineligible for unemployment; we worked together to find the best possible solution for both the business and its workers.

We were hopeful when SBS announced the Employee Retention Grant and Small Business Continuity Loan, but we were not eligible for the grant because we all work part-time and we really could not consider taking on more debt at this time since we still have a large debt from our start-up costs. Through the **Commercial Lease Assistance program (CLA)** we were able to set up a legal consultation to advise us on our commercial lease and how we might approach negotiations with our landlord, which fortunately went well, and we hope you will continue to fund that program. Even though we were one of the fortunate few small businesses I know of to have been able to negotiate our rent, we did so on the condition that we renew our lease for another ten years, during which period our rent will gradually rise to “market rate”. Unfortunately, this makes our future remain uncertain because our numbers have not recovered to pre-pandemic levels and we have very limited opportunities for growing our classes due to the small capacity of our space. A fair and just system of **commercial rent stabilization** would allow small businesses like mine to feel secure enough to plan for the future.

Even though we experienced significant losses in revenue during the pandemic, I know that we fared better than many other yoga studio and wellness businesses--of which so many have sadly closed for good--in a large part because of our democratic structure. Other traditionally-run studios I know of reduced teachers' pay and number of classes, let go of teachers, or even closed their doors indefinitely. Because of the resiliency of the cooperative model, and because of the wonderful support offered by the WCBDI partner organizations and the cooperative ecosystem, I am more convinced than ever that cooperative businesses are a crucial component of a just economic recovery and for building a strong and resilient economy.

I urge the City council to continue **to support and build on the Worker Cooperative Business Development Initiative, enhancing its funding to \$4.9 million** so that all the incredible partner organizations involved can continue providing legal services, education, and technical assistance to our growing community of locally-driven community-focused businesses. The way that the initiative partners coordinate and collaborate with each other is groundbreaking and shows a real commitment to economic democracy within development in addition to empowering small businesses through workplace democracy. They continued uninterrupted services throughout the pandemic and in many cases added services that were outside their original plans, like workshops to help worker owners respond to the crisis, information about available resources, and support for loan and grant applications. They also make sure that worker-owners have “a seat at the table” when making important decisions through the

leadership skill building program of NYCNoWC's Advocacy Council, which gives worker-owners the training and support they need to bring their voices to policy spaces.

There is so much we are eager to explore with the City Council to help ensure that the workers in our small business communities aren't just surviving, but thriving. Most worker cooperatives in our community have not been able to **access affordable commercial spaces**, and we would deeply appreciate assistance with that. We have a goal of creating cooperative co-working hubs in every borough but for now, we lack the resources and capacity to make that a reality. Ideally these hubs would be developed using the **Community Land Trust** model in order to foster community control and economic democracy. Cooperatives are also eager to take on **procurement opportunities** with city agencies, but have had trouble accessing city contracts due to a variety of factors. In addition, **access to direct financing** has been a major barrier for many co-ops to access capital to start up their business or to help it grow. For now, the best option for most co-op startups is through the innovative model used by The Working World, a CDFI and a partner in the WCBDI which supports every one of its loan recipients with education and technical assistance to help them succeed, and only accepts repayment once the business is profitable, but their resources are limited and they need your support. Please refer to www.workercoop.nyc for more info about our municipal policy priorities.

Further, in coalition with and in support of other groups, I urge you to support long term community-driven efforts toward a just recovery by supporting the following. **1) Reintroduce** the former Intro 93 for **commercial rent stabilization, Draft a version A, and hold a hearing on it**. City council needs to take this very seriously in order to protect our broader small business community from future continued closures and displacement in the aftermath of the pandemic. Rents were already too high before the pandemic began, so we need long-term solutions to prevent further displacement of BIPOC- and immigrant-owned small businesses across the city. Landlords should not be allowed to quadruple a small business's rent in order to get the highest bidder into a commercial space, but there is currently no law preventing that. A fair and just system of commercial rent stabilization would help to level the playing field, making much needed spaces more attainable for a more diverse array of small businesses, which contribute to the cultural fabric of our great city. The idea that all commercial rents are lower or more manageable post-pandemic is completely inaccurate. **2) Preserve permanent funding** for the **Commercial Lease Assistance program** in the budget. **3) Please consider a new round of grant opportunities--as opposed to loans--with expanded eligibility and language access to allow for more types of small businesses** to get back on their feet on the long road to economic recovery. **4) Fund community-based organizations engaged in merchant organizing and outreach** to give small businesses across the city the voice they deserve. **5) Finally, increase accessibility to SBS services for Limited English Proficiency immigrant small business owners** by expanding language capacity within the agency.

In conclusion, democratic workplaces in our most vulnerable communities help protect against wealth extraction by building up community wealth, the capacity for community control, and by protecting jobs and wages. My cooperative community members and I urge you to continue to support WCBDI and build on all efforts that prioritize equity--and protect NYC's women,

immigrants, and BIPOC small business workers from displacement—to ensure a just economic recovery. Thank you for your work and for reading my testimony.



New York City Council
Committee on Consumer and Worker Protection
March 20, 2024

Testimony of Carina Kaufman-Gutierrez
Deputy Director, Street Vendor Project at the Urban Justice Center

Good afternoon Chair Menin and Committee members. My name is Carina Kaufman-Gutierrez. I am the Deputy Director of the Street Vendor Project, a membership-based organization of over 2,900 street vendors - thank you for the opportunity to testify. As the only organization that exclusively serves street vendors in New York City, SVP is the centralized hub for this underserved population, providing critical small business and legal services to vendors since 2001.

We respectfully request support from New York City Council to sustain and expand two programs: essential Small Business Empowerment Program (158996) and Community Outreach and Education for Street Vendors (158917) for street vendors. The demand for street vending education and services continues to grow, as the population transformed during the pandemic and continues to increase as many asylum seekers are beginning to vend. It is critical there be an investment in education and training in these emerging small business owners to help them know their rights and responsibilities, which SVP is primed to do.

We are the one stop shop for street vendors that provide them not only legal representation when they receive a ticket, but help them to navigate complex street vending laws in seven languages - Arabic, Bangla, Spanish, Mandarin, English, French and Wolof - and offer trainings to build their skills to grow your street vending businesses.

Despite being a small team of just 3 full-time organizers, 2 part time, and 1 lawyer on staff, in just the first 8 months of this fiscal year we have supported

- **414** individual vendors with individual consultations on topics ranging from sales tax filings to filing loan applications to negotiating catering contracts. Of these, in the past year, 57% of our small business consultations were conducted in Spanish, 20% in

Mandarin, 14% in English, 5% in Arabic, and 3% in Bangla. 59% of our consultations were with female vendors.

- **708** individual vendors who we engaged through street outreach and resource fairs in order to connect them to services, often with a fellow SVP member alongside us to build continue building trust when so many have faced scams in the street vending world
- We also hold **monthly** workshops at our membership meetings, with regular attendance of 50-75 individuals - tonight's for example is on registering for e-payment systems

Each of these engagements is with the purpose of helping a small business owner to grow and become a part of the formalized economy. A few success stories:

- We supported Chef Tami Treadwell of Harlem Seafood Soul unlock a \$20,000 interest free grant through the Hebrew Free Loan Society to open a stall in Dekalb Market Place
- We helped Ana Maldonado of La Michoacana Taqueria Food Truck negotiate a fair rental price at a commissary to prepare her food, and then scouted with her to find a legal vending location in Washington Heights - find her on Broadway & 175th!
- We assisted Jovita Estrada of Rosa's Tamales to successfully renew her Mobile Food Vending License, which involved legal representation to waive tickets received

SVP truly fulfills a critical role. There is no city agency that meaningfully serves street vendors. DCWP previously conducted street vendor outreach and education, but when the transition to DSNY took place, this responsibility was not transferred to another agency, leaving a significant gap in services to New Yorkers.

In September 2023, Small Business Services reported to NYC Comptroller Brad Lander that they do not have staff dedicated to vending, does not conduct in-person educational outreach, and did not have data on how many street vendors had accessed any of their services.

This is a stark difference when compared with the investment in enforcement - DSNY as of the FY24 adopted budget currently has \$2.9 million budgeted for the office of street vendor enforcement, set to increase to \$4.7 million by FY27.

SVP is eager to increase services to street vendors, but we need City Council's support to increase our capacity. By empowering vendors to improve their financial literacy, our services help them integrate into the formalized economy - allowing them to open bank accounts, access credit, regularly pay and file taxes, and grow their businesses. Thank you for your consideration of this proposal in supporting the small business owners that make New York City beautiful and diverse.



**Written Testimony of the
Student Borrower Protection Center
to the
New York City Council Committee on Consumer & Worker Protection
Budget and Oversight Hearing on the Preliminary Budget for Fiscal Year 2024-28**

March 18, 2024

Chair Menin and members of the Committee:

The Student Borrower Protection Center (SBPC) writes to vigorously support the mission and work of the Office of Financial Empowerment (OFE) within the Department of Consumer and Worker Protection (DCWP). The OFE’s work protecting New York City consumers, including student loan borrowers, and studying the effects of debts throughout the five boroughs sets a national standard for excellence and offers a model to which we regularly refer as we work in cities and states across the country. It is critical to the financial wellbeing of all New Yorkers, but particularly low-income residents, that the Council continue to fully support the OFE’s important work.

The SBPC is a national nonprofit advocacy and research organization focused on ending the student debt crisis in New York City and across the country. Our work focuses on all consumer and financial practices facing students, including loan origination, servicing, and debt collection. In recent years, the SBPC has partnered with the OFE on training, policy, and reporting related to student debt.

Background on the student debt crisis.

We are living through a student debt crisis. Nationally, student loan debt exceeds \$1.7 trillion,¹ and in New York 2.4 million borrowers owe approximately \$100 billion in student loan debt.² After housing debt, student loan debt is the largest type of household consumer credit,³ and is growing at an increasing rate.⁴

Long considered “good debt,” student loan debt is a burden to borrowers across the country. Prior to the CARES Act pausing loan payments, one in ten borrowers were delinquent on their loans.⁵ Defaulting on these loans can be disastrous. The federal government has the

¹ *Student Loans Owned and Securitized*, Fed. Res. Econ. Data, Fed. Res. Bank of St. Louis, <https://fred.stlouisfed.org/series/SLOAS> (as of Feb. 7, 2022).

² *New York: Student Debt by the Numbers*, Student Borrower Prot. Ctr., <https://protectborrowers.org/wp-content/uploads/2020/05/NY-2020.pdf> (last accessed Mar. 14, 2022).

³ Fed. Res. Bank of N.Y., *Quarterly Report on Household Debt and Credit–2021:Q4* 7 (Feb. 2022), https://www.newyorkfed.org/medialibrary/interactives/householdcredit/data/pdf/HHDC_2021Q4.

⁴ *Id.*

⁵ *Id.* at 12.



extraordinary power to garnish borrowers' wages and seize their tax refunds without going to court, while private lenders bulldoze over unrepresented borrowers to obtain money judgments that allow them to garnish wages and freeze and levy bank accounts.

The student debt crisis is also a civil rights crisis. Women and Black and brown borrowers hold disproportionate amounts of student loan debt,⁶ and have worse repayment outcomes than their white peers, including owing greater amounts years into repayment than they initially borrowed.⁷

This gross injustice is in part due to industry misconduct. The private companies that service student loans, who are often borrowers' first and only point of contact and who should have consumers' best interests at heart, have a track record of abuses. The New York Office of the Attorney General and Department of Financial Services have each brought actions against these companies for violating consumer protections and harming New Yorkers.⁸

The OFE provides critical services to borrowers and resources to policymakers.

Two critical components to fixing the broken student loan system are direct assistance to borrowers and data analysis and reporting to inform policymakers. The DCWP, through the OFE's work and programing, is leading the nation in both of these respects.

OFE provides direct assistance to borrowers in need.

The OFE operates and administers several programs to support and empower New York City consumers, including those with student loans. One of these programs is the Financial Empowerment Centers, through which low-income New Yorkers can receive high-quality, free, one-on-one financial counseling. These services are offered through a network of community-based organizations with on-staff counselors and attorneys. Given the extraordinary complexity of the student loan system, this individualized assistance is often the difference between a New Yorker being able to afford their loan and defaulting on it.

⁶ See Kevin Miller, *Women's Student Debt Crisis in the United States*, Am. Ass'n. U. Women (May 2017), <https://www.aauw.org/research/deeper-in-debt>; Aissa Canchola et al., *The significant impact of student debt on communities of color*, Consumer Fin. Prot. Bureau (Sept. 15, 2016), <https://www.consumerfinance.gov/about-us/blog/significant-impact-student-debt-communities-color/>.

⁷ See Judith Scott-Clayton & Jing Li, *Black-white disparity in student loan debt more than triples after graduation*, Brookings (Oct. 20, 2016), <https://www.brookings.edu/research/black-white-disparity-in-student-loan-debt-more-than-triples-after-graduation/>; see also Sara Goldrick-Rab et al., *The Color of Student Debt: Implications of Federal Loan Program Reforms for Black Students and Historically Black Colleges and Universities*, Wis. Hope Lab (Sept. 2, 2014), <https://news.education.wisc.edu/docs/WebDispenser/news-connections-pdf/thecolorofstudentdebt.pdf?sfvrsn=4> (finding that the amount borrowed for college represents a much larger fraction of black students' family income and their future earnings than it does for their white peers).

⁸ Press Release, *DFS Superintendent Vullo and A.G. James Announce \$9 Million Settlement with Conduent Education Services, LLC for Engaging in Illegal Practices While Servicing Student Loans*, N.Y. Dep't of Fin. Servs. (Jan. 4, 2019), https://www.dfs.ny.gov/reports_and_publications/press_releases/pr1901041.



The OFE also does an excellent job advertising its services and meeting New Yorkers where they are. Through subway messaging and trusted partners, the OFE conveys that merely by calling 3-1-1, New Yorkers can connect with free financial counselors or legal services attorneys for assistance. The OFE also places centers and coordinates clinics embedded within neighborhoods across the City, which lowers barriers of access and entry for residents in need.

A particularly important aspect of this program is the ongoing training that the OFE coordinates for its service provider network participants. As evidenced by the repeated extension of the current federal student loan payment pause, the student loan market is in flux, and ensuring that borrower-facing counselors have the latest information is critical. The SBPC regularly works with the OFE to provide technical assistance and training to its Financial Empowerment Center professionals so that New Yorkers will have the best and latest information available to them.

There is currently a national conversation about the value of direct, one-on-one assistance for student loan borrowers, and the OFE's Financial Empowerment Centers model is regularly referenced as a case study. This year, New York and California have each proposed budget appropriations to create similar programs at the state level, with members of the New York service provider community testifying in both jurisdictions to the effectiveness of the New York City framework.

These services are particularly important given upcoming deadlines and opportunities for student loan borrowers, which the OFE and DCWP have already begun to advertise to New Yorkers. First, borrowers with older federal student loans have until April 30, 2024, to take action to benefit from the Income Driven Repayment Account Adjustment, a time-limited program offered by the U.S. Department of Education that will qualify many borrowers for complete debt cancellation and will give all borrowers access to President Biden's more affordable "Saving on a Valuable Education" (SAVE) repayment plan.⁹ Second, borrowers who have been languishing in default for years can return their loans to good standing through the Fresh Start program, which will end collections, repair their credit reporting, and qualifying them for new financial aid if they seek to return to school.¹⁰ However, they must opt-in to this opportunity before October 1, 2024. OFE must continue to advertise these opportunities and assist borrowers seeking to benefit from them. Now is not the time to lower City support for this important work.

⁹ See *Payment Count Adjustments Toward Income-Driven Repayment and Public Service Loan Forgiveness Programs*, U.S. Dep't of Educ., <https://studentaid.gov/announcements-events/idr-account-adjustment> (last visited Mar. 18, 2024); *The Saving on a Valuable Education (SAVE) Plan Offers Lower Monthly Loan Payments*, U.S. Dep't of Educ., <https://studentaid.gov/announcements-events/save-plan> (last visited Mar. 18, 2024).

¹⁰ *Get Out of Default With Fresh Start*, U.S. Dep't of Educ., <https://studentaid.gov/announcements-events/default-fresh-start> (last visited Mar. 18, 2024).



The OFE produces best-in-class reporting on the effects of student loan debt on households across New York City.

The OFE has issued a series of groundbreaking reports on how student debt affects specific populations living in New York City.¹¹ Unlike the mortgage industry, with Home Mortgage Disclosure Act data, there is no singular data source that combines credit, demographic, and geographic information about the student loan market. By pooling various datasets and representative figures, the OFE—as well as other DCWP divisions—created snapshots of the lived experience of low-income, Black, and veteran New Yorkers, respectively, with student loan debt, along with compelling analysis. These reports were written both using in-house expertise, and with best-in-class partners, such as the Robin Hood and the Columbia Population Research Center.

The importance of these reports cannot be understated. In order to fix the student debt crisis, policymakers at every level of government must have accurate and in-depth research on how the crisis is playing out in their jurisdictions. These reports have provided information about local predatory for-profit schools and about which NYC neighborhoods carry the greatest debt burdens, which allow the City to allocate its limited resources in a strategic manner. For example, just this month, the DCWP settled a lawsuit against one such predatory school, Berkeley College.¹² The OFE strategically locates its community-based clinics in neighborhoods that are hardest hit by the student debt crisis.

As we worked in cities, counties, and states across the country, we regularly urge them to conduct place-based research on the student debt crisis, pointing to OFE’s reports as a gold standard.

Conclusion

The DCWP, through the OFE, is a national leader in how cities can stand up for their residents’ economic rights and wellbeing, especially with respect to student debt. Given the great uncertainty with the current student loan market, the documented difficulty that borrowers have in affording their payments, and skyrocketing inflation and costs of consumer goods, the OFE’s work is more important now than ever. The DCWP’s ability to leverage the OFE’s work through enforcement actions, such as its great track record against for-profit schools, also serves as a

¹¹ *Student Loan Research Reports*, NYC Dep’t of Consumer and Worker Prot., <https://www1.nyc.gov/site/dca/consumers/Student-Loans-Research.page> (last visited Mar. 14, 2022).

¹² *DCWP Settles Claims with Berkeley College*, NYC Dep’t of Consumer and Worker Prot., <https://www1.nyc.gov/site/dca/consumers/DCWP-Settles-Claims-with-Berkeley-College.page> (last visited Mar. 14, 2022).



STUDENT BORROWER
PROTECTION CENTER

national model. We strongly urge the Committee to continue to fund this agency's critical advocacy, and would be happy to follow up with members to answer any questions.

Please contact Winston Berkman-Breen, Legal Director with the Student Borrower Protection Center, at winston@protectborrowers.org, if you have any questions or would like to discuss this comment further.



TESTIMONY IN SUPPORT OF RENEWING FUNDING TO
SUPPORT LOW-WAGE IMMIGRANT WORKERS

Testimony from Tito Sinha

TakeRoot Justice Director of Workers' Rights Practice

Citywide Immigrant Legal Empowerment Collaborative (CILEC)

New York City Council Committee on Consumer and Worker Protection

March 20, 2024

TakeRoot Justice ("TakeRoot") thanks the New York City Council Committee on Consumer and Worker Protection for the opportunity to submit this testimony on behalf of the Citywide Immigrant Legal Empowerment Collaborative ("CILEC"), a consortium of several NYC legal services providers and community-based organizations, in support of increased, robust, sustainable, and multi-year/baseline funding for the Low-Wage Worker Support initiative.

Low-Wage Worker Support is the only dedicated City funding that ensures that the City's low-wage and immigrant workers have redress from wage theft, sick leave violations, discrimination, retaliation and other workplace injustices. In the last few years, the funding has supported our work in representing low-wage workers with claims of sick leave violations, sick leave retaliation, and wage theft before the City's Department of Consumer and Worker Protection ("DCWP"). Because of DCWP's robust enforcement of the Earned Safe and Sick Time Act, workers have been able to receive redress for employers' denial of sick leave, retaliatory termination for taking or requesting sick leave, and failure to provide notice of rights under the law. Thus, workers have been able to recover backpay for unlawful retaliation, sick leave pay, and statutory penalties. TakeRoot has also participated in the first mediation held through DCWP's Paid Care Mediation program for domestic workers to provide workers an opportunity to achieve a fair settlement and avoid protracted litigation at OATH which would take considerable time.

Since January 2020 to date, TakeRoot has obtained approximately \$2.5 million in settlements from employers, providing much needed recovery for low-wage and immigrant workers who were owed such wages and entitled to be free of retaliatory and discriminatory practices from the outset. We commend DCWP's investigators and counsel for working

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collaboratively with us in advancing the rights of New Yorkers and believe that our work to bring claims supports the agency to better enforce the City's law and the agency's mission to protect workers' rights. However, this crucial funding has lagged behind other priorities requiring last-minute saves from workers' rights advocates and the City Council to work to renew the funding.

Rather than engaging in this yearly effort to renew this crucial funding, we respectfully request City Council to demonstrate its ongoing commitment to the City's low-wage and immigrant workers by renewing and expanding the baseline Low-Wage Worker Support for employment-related legal services funding from \$2 million to \$3 million. This expansion will stabilize the funding so low-wage and immigrant workers can continue to receive this essential advocacy through vital civil legal services and community outreach.

As part of our mission, we work with grassroots and community-based groups by providing them with legal, research and policy support. The Low-Wage Worker funding also supports us to provide employment-related community Know-Your-Rights trainings for both organizers and workers on workplace protections and avenues for remedies and relief when workplace violations occur. Failure to renew and expand this funding will have a devastating impact on low-wage and immigrant workers, leaving them without high-quality and culturally sensitive representation in their efforts to obtain economic and worker justice.

Now, more than ever in this critical time, low-wage and immigrant workers need champions from advocates such as TakeRoot Justice and our allied CILEC partners, and they need a robust enforcement agency such as DCWP. But our ability to retain and hire staff and maintain and expand crucial administrative infrastructure to continue this life-sustaining work under Low-Wage Worker Support require expanded and sustainable funding.

We thank the City Council for your continued support for low-wage and immigrant workers through this essential funding.

Thank you.

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3/20/24 @ 1:00PM

Hearing of the Committee on Consumer and Worker Protection

The Working World Testimony on the Worker Cooperative Business Development Initiative (WCBDI)

Thank you committee for the opportunity to testify. I am Michelle Saenz and I'm a Project Officer at The Working World. We are a CDFI that finances the start-up, conversion, and operations of worker-cooperatives. Since 2015, TWW has been one of many organizations that receive funding through the Worker Cooperative Business Development Initiative (WCBDI). I want to encourage the City Council to enhance funding of the Initiative to \$4.92 million so that we can continue to support and grow NYC's worker-coop economy and build new wealth in the neighborhoods that need it most.

Funding from the Initiative has allowed us to start new cooperatives, convert existing companies to worker ownership, and help existing businesses grow to their full potential. Over the past 4+ years, I have had the opportunity to work with Brooklyn Stone & Tile, a worker cooperative/business that fabricates stone and installs tile. The Working World's financing and technical support allowed Brooklyn Stone & Tile to bounce back from COVID and retain 10 jobs for highly-skilled, highly experienced manufacturing workers. This was important because the middle class sustains this city through their work and spending, and our aim is to bring more low income workers into the middle class through business ownership. There are countless cooperatives/businesses out there just like Brooklyn Stone & Tile, and we want to make sure we can provide the support and financial assistance they need to be successful. With your support, we can build our local cooperative economy and change the lives of thousands of NYC workers, giving them a new voice in their workplace and a share of their companies' profits.

In conclusion, I want to strongly urge you to support the enhancement of WCBDI to \$4.92million. This will allow our organization to continue supporting businesses like Brooklyn Stone & Tile and help countless other worker cooperatives reach their full potential and create new wealth for working-class, BIPOC New Yorkers. Thank you for your time.



March 20, 2024

Good afternoon Chair Menin and members of the City Council,

My name is Bishop Mitchell Taylor and I am the Co-Founder and CEO of Urban Upbound.

Founded in 2004, Urban Upbound is dedicated to breaking cycles of poverty in New York City public housing and other low-income neighborhoods. We provide underserved youth and adults with the tools and resources needed to achieve economic prosperity and self-sufficiency through seven comprehensive, integrated programs: workforce development, college access & youth development, financial fitness & affordable housing access, tax prep & income support services, worker cooperative & small business support, mental health counseling, and financial inclusion through the Urban Upbound Federal Credit Union.

I'm testifying today to highlight the importance of retaining City-funded programs that protect lower and middle-income New Yorkers, both as workers and consumers. For instance, Urban Upbound operates two programs in partnership with DCWP that achieve this goal.

The first, our Financial Counseling program, is built on the maxim that, while wealthy New Yorkers are often the only amongst us who can afford financial counselors, it is lower-income New Yorkers who actually need financial counselors. Through one-on-one Counseling, this program provides these most in-need New Yorkers with critical guidance on budgeting, utilizing banking options, debt reduction, credit improvement, and much more. With DCWP-funded financial counselors stationed in Long Island City, Jamaica, Far Rockaway, Brighton Beach, and via phone, this service allows New Yorkers to avoid financial exploitation and best leverage their hard-earned money.

The second program, which is made possible by funding from DCWP, the IRS, the New York State Department of Taxation and Finance, and our partners in the City Council, is the largest VITA tax preparation program in New York State. With expert tax preparers stationed in 36 locations across the City, Urban Upbound files taxes for individuals, families, gig-workers, and small businesses of any form. Last year alone, our preparers filed just under 14,000 tax returns, securing a total of 12 million in refunds for our clients. Due to the prevalence of expensive, inexperienced, and oftentimes, predatory private tax preparers, it is more critical than ever that New Yorkers continue to have access to high-quality and completely free tax preparation services through the VITA program.

Finally, I will take a moment to call attention to worker cooperatives, an innovative model where a business is owned and operated collectively by its workers. Due to the immense protections that this model offers to working New Yorkers, I respectfully ask the City to increase funding to programs, such as the Worker Cooperative Business Development Initiative, which assists workers in developing cooperatives.

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URBAN UPBOUND

tackling poverty, changing lives.

Thank you for your time,

Bishop Mitchell Taylor

CEO/Co-Founder

Urban Upbound

Legal Name East River Development Alliance, Inc.)



WORKER'S JUSTICE PROJECT
In Unity There Is Strength

New York City Council
Committee on Consumer and Worker Protection
Julie Menin, Chair

Wednesday, March 20, 2024

Testimony by Ligia Guallpa
Executive Director, Worker's Justice Project - *Proyecto Justicia Laboral*
Los Deliveristas Unidos

Thank you to the chairwoman of the Committee on Consumer and Worker, Julie Menin and all the members of this committee had the opportunity to testify on behalf of the Worker's Justice Project and Los Deliveristas Unidos.

My name is Ligia Guallpa, Executive Director of **Worker's Justice Project**, a workers' rights organization that represents NYC's delivery workers, house cleaners and construction workers- who are playing an irreplaceable role in our city's economy.

Over the past three years, WJP has partnered with app delivery workers to build **Los Deliveristas Unidos** (The Delivery Workers United), a new form of worker representation that represents 65,000 app delivery workers in our city. We are proud to have partnered with the NYC Council to set a new set of labor protections for app delivery workers, including a minimum pay standard that creates a significant economic impact in the lives of working families.

First I want to acknowledge the ongoing education and enforcement efforts of Commissioner Vilda Vera Mayuga and the Department of Consumer and Worker Protection on the implementation of the historic minimum pay law. We are proud to partner with the agency to recover unpaid wages for Doordash delivery workers, and together reaching hundreds of delivery workers through ongoing education outreach to meet delivery workers where they are at.

We look forward to expanding outreach and partnership in holding app delivery accountable during the pay transition and fighting back the ongoing retaliation workers are experiencing while working with the apps. We're deeply concerned that agencies that are so essential to protecting vulnerable workers in the gig economy are facing a hiring freeze, especially in such a critical moment for our workforce.

WORKER'S JUSTICE PROJECT

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 [@workersjusticep](https://twitter.com/workersjusticep)



WORKER'S JUSTICE PROJECT
In Unity There Is Strength

We need to strengthen the capacity of DCWP, lift the pay freeze, and enable this important City agency to expand their outreach and education efforts to reach thousands of new immigrants who are entering unregulated and unprotected industries with no knowledge of their rights and experiencing wage theft and unsafe working conditions.

In our continued partnership with DCWP, we have witnessed how minimum pay has changes delivery workers' lives overnight, now allowing them to support themselves and their families out of poverty. But our fight is not over. The apps continued to retaliate and sow division. Since the implementation of minimum pay Doordash and Uber removed the option to tip until after the order is delivered to discourage tipping. This tactic is intended to hurt the worker's wallet and mislead the public – while they continue to reap the profits unscathed.

Also, we have witnessed how Doordash and Uber are not being transparent about which minimum pay method they are using to calculate paychecks.

And as a retaliatory action, food delivery apps like Uber Eats have been reducing the flexibility by forcing workers to schedule shifts in advance – another tactic to create confusion, anxiety and division. What's more, Uber Eats often doesn't honor the full length of those shifts if there is not enough demand. Instead, they can choose to end the shift at will and lock the worker out of the app. This puts a huge dent in our income and adds to the unpredictability of the job.

While we have made huge significant progress, there is much more to do to ensure Deliveristas are fairly compensated and ensure no worker takes unnecessary risk to make enough deliveries to make ends meet.

We just released a report with policy recommendations on how our city can deliver street safety with more worker protection and new micro-mobility infrastructure to meet the needs of delivery workers in our city.

We look forward to counting with NYC Council support in advancing legislation that focuses on comprehensive street safety, moped business accountability and oversight, and worker protections – **not on harmful licensing and registration that threatens workers' livelihoods and increases policing of immigrants who simply want a chance to work.**

Also, in FY25, we urge the Council to support the expansion and sustainability of the Day Labor Workforce Initiative with funding of \$1,250,000; \$60,000 for Immigrant Women and Workers Initiative, and \$100,000 in Speaker's funding for **Workers Rights Outreach & for Manhattan Deliveristas.**

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It is through these initiatives that we will continue to expand worker protections for day laborers, cleaning and app delivery workers, while building a new model of workforce development models and creative employment opportunities for immigrants and low-wage New Yorkers. Let's show this nation that there's a new way of protecting all workers.

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[REDACTED]

From: Islaury Rosario <rislaury@gmail.com>
Sent: Wednesday, March 13, 2024 10:37 PM
To: Testimony
Subject: [EXTERNAL] Written testimony to save Learning To Work

[REDACTED]

My name is Islaury, I am submitting this written testimony to assure the Learning To Work program is available for other young teens who may need this guidance I am lucky enough to have. I'm a transfer student at Bushwick Community High School, who in the past struggled with feeling comfortable or welcomed in previous school environments. Before I was introduced to BCHS and LTW, I had no idea who I wanted to be or how to prepare for my future. I became lazy and absent in school, slowly giving up on my full potential. After years of isolation after COVID-19, I transferred to BCHS hoping for a new start from scratch. In BCHS I immediately felt welcomed and with being consistent I saw differences in my grades then genuinely enjoyed going to school. I was patient with myself to figure out what next big steps I wanted to take...then while in school I got introduced to Learning To Work. It started with learning the key points to apply, prepare and to get a job, which many students including myself didn't know much of. During all LTW meetings I collected knowledge for without it would have set me back gaining the confidence from entering work life. LTW was truly extremely helpful for even non-English language students, giving them the guidance to also be prepared without failure in working environments, and even for our own future after graduating. It gave me and other students the guidance needed to take an extra step while still keeping school a priority. I'm grateful that I was able to have this opportunity to lead me in the right direction, now I know the steps I need and want to take after graduating that supports my future goals. With the Learning To Work program unavailable for other young teens, many of them won't have the tools, support, or guidance needed. I believe with courage and LTW there's hope.

I am Lori Ciralo, a homeowner who has been adversely affected when our contractor deviated from the approved plans by the NYC DOB during our renovation, leading to damages to our home and a renovation that would not meet inspection standards. Despite our attempts to address the issues, the contractor refused to rectify the situation. As a result, I filed a complaint with the Department of Consumer Affairs and Worker Protection, only to discover that it was ineffective and a waste of time, with the mediator looking for any excuse to close out the complaint. Without facing charges and proper oversight from the department, contractors may not feel compelled to address consumer complaints. Therefore, it is essential that your committee ensures the Department of Consumer and Worker Protection (DCWP) resumes conducting consumer restitution hearings and receives adequate funding to do so. This will help prevent others from becoming victims of unscrupulous contractors.

I pleaded and begged for our case to be heard at the Office of Administrative Trials and Hearings, but unfortunately, my request was consistently denied because according to Commission Mayuga in a letter addressed to me "the Department's Tribunal-which allowed individual consumers to represent themselves against HICs-ceased operations over six years ago. Our cases are now heard by the Office of Administrative Trials and Hearings (OATH). As a result of that transition, OATH does not permit individual consumers to represent themselves, and the Department does not represent individual consumers in new cases before OATH."

Despite my explanations to the mediators and DCWP staff that going to court was not a viable option for us, I was consistently redirected there. Despite minimal efforts to mediate the complaint on their part, it was eventually closed without a resolution. Our house was left in disarray due to the poor construction, and a prompt adjudication at OATH with a decision could have immediately resolved the matter.

Fortunately, we were able to obtain partial compensation from another source a few months later. However, many other victims of Home Improvement Contractors are not as fortunate, as they have experienced significant losses due to the Department's failure to enforce their rules, laws, and regulations. After being deceived by the contractors, many of these individuals lack the financial resources to take legal action against them or to afford the necessary repairs. I have personally spoken to victims who were displaced from their homes for several years, and one individual who was compelled to sell his home at a loss because, after being deceived by the contractor.

We cannot let this continue! The victims require assistance, which is why I am here today to urge the Department to allocate the necessary resources to resume these restitution cases at OATH. A significant number of these victims are immigrants, minorities, women, and/or seniors - the most vulnerable members of society. And, mediation for complaints exceeding \$10,000, fail a staggering 99% of the time, according to my research.

We are New York City - we must strive for better, and the people here deserve better! Let's take action! Let's put an end to redirecting individuals to the courts - a costly and challenging process, especially for those representing themselves.

As an educated professional, I am currently representing myself in the small claims court system for a case and have encountered numerous challenges with the process. It is essential that we do not add to the burden on these vulnerable individuals by directing them to the already overwhelmed courts.

In closing, I kindly request that you prioritize the well-being of these victims and allocate the necessary funding for DCWP to promptly resume restitution hearings at OATH.

Thank you!

[REDACTED]

From: LBrowneyes71 <lbrowneyes71@yahoo.com>
Sent: Wednesday, March 13, 2024 9:11 AM
To: Testimony
Subject: [EXTERNAL] MORE MONEY, FAIR WAGES!

[REDACTED]

Dear Council Member,

I am writing you this letter to address a few **Issues and Concerns** as an Assistant Teacher working In a Daycare for 22yrs. First I will start with the **Salary**. I am only making 20 cents more than the Minimum wage, which is extremely unfair and not livable at all, especially living in New York. I am a home owner and it extremely hard to keep up with all my bills, food, traveling expenses for work, paying taxes as well as house Ins. I would like/need a RAISE. It seems that the Daycare workers are never **Noticed** and it is unfair, especially that we do as much if not more than the DOE that got raises. We are not babysitters we are TEACHERS as well.

I would like Annual raises, I have been here like I stated above 22yrs and it is going on 4yrs and we have not gotten a RAISE, prior to that we had to wait 12yrs for a RAISE. I would like to think you would agree that is totally unfair as well as the wages we are getting. People working In chain food restaurants are making more than us, Really? Daycare workers want a Raise not in 12yrs, not in 4yrs, but now. We can not live on this salary we are getting, I had to get a second job and I babysit sometimes. I am human and I am tired I should not be working 3 jobs, what should be happening is we get a Raise and Annual Raises as well. Would you be able to live on \$16.20 and hour? No you would not just like it is very difficult for us to live on that salary. We are not even getting a cost of living Increase, so that would be very **Beneficial** as well.

Another Issue/Concern is if we are contracted under DOE we should have the same benefits as them. Such as, when we have off the same days like the DOE we have to use our own days or we do not get paid, we should not have to use our days just like they don't, have Summers off as well, Increase pay like they get for working in the Summer, we have no part of UFT like they do and they have better Medical Ins. Our Union does not support us as well. In anyway, shape or form, but giving Lifeguards a \$22.00 dollar raise and a \$5,000 dollar sign-on bonus, very unfair. We take care of children as if they were our own and they learn as well. These children are with us more then they are with their own parents, we definitely deserve a RAISE and it is not fair Daycare workers are never **RECOGNIZED**.

My other Issue/Concern is LONGEVITY. I am working 22yrs at Small World Daycare and never have gotten Longevity pay, How is that? I would like my Longevity as well for my hard work I put in this place. It is just shameful and terrible the money **HARD WORKING DAYCARE WORKERS MAKE, LIVING IN NEW YORK.** Please just hear us out and give us more money, we can not live like this anymore.

Thank You Council Member For Taking Your Time to Read My Letter

Maria Livornese

My name is Megan Cash. I live in Williamsburg. My partner and I are artists. We are adjunct teachers at local art schools. Our income is limited.

In 2012, an adjacent developer damaged our home. We were **screwed**.

Fast forward 8 years and we had to hire a Home Improvement Contractor to repair the damage. But this Contractor turned out to be **worse** than the developer who did the initial damage. His masonry didn't follow architectural plans. He removed the old roof and our house leaked continuously for more than a year. (*There was so much damage!*) He refused to install a new finished roof, until we paid him more money--that he was **not** contractually owed. And when we didn't agree to this extortion, he walked off the job.

We thought the Contractor was licensed, but he had let it expire during COVID. We filed a complaint with DCWP. We were told they couldn't help us, because the Contractor wasn't licensed at the time.

Yet because of our DCWP complaint, the City wrote this Contractor a violation. The Contractor had to pay fines to the City, and he is now a *licensed NYC Home Improvement Contractor*. **He's licensed. And we're still screwed.**

We hope the City will make a choice to resume expedited consumer restitution OATH hearings. This Committee should make sure there is proper funding for DCWP to be able to resume drafting these cases for hearings. We understand that these hearings can be converted into Court judgments, under 6 RCNY 6-06.

Which would be **amazing** for us. We are now in our 60s and DCWP is telling us "good luck", go spend another 8 years in the Court system. (I'm a cancer survivor. And the years we spent in Court after our house was damaged, were honestly worse than having cancer.)

The City used to make Contractors pay into the Trust Fund for the year a complaint was made against them. It's a **kick in the gut** for us that this practice has now ended.

While writing this statement, my partner received an email from DCWP. Attached was another blanket denial from "our" now-licensed NYC Contractor. Apparently, forwarding the Contractor's denial letter and closing the complaint is now considered "mediation" by DCWP. This is not helpful and is completely ABSURD.

My partner and I still want a **hearing**. In order to be re-licensed, the Contractor signed an agreement with the City that he would attempt to fully resolve *"all consumer complaints related to Respondent's business conduct within 10 days of receipt of those complaints from the Department or from the consumer."* **Well**--that has not happened. DCWP is not even holding this Contractor to *their own agreement!*

Today this contractor is **officially licensed by the City of New York. AND he's employed doing contracting work for the City of New York! And we're royally screwed.**

[REDACTED]

From: Mita Das <mdas@stnicksalliance.org>
Sent: Monday, March 18, 2024 10:07 AM
To: Testimony
Subject: [EXTERNAL] Raise

[REDACTED]

Dear Councilman,

I am writing you this letter to address a few **Issues and Concerns** as an Assistant Teacher working In a Daycare for 15 yrs. First I will start with the **Salary**. I am only making \$18.00 an hour. I am a home owner and it extremely hard to keep up with all my bills, food, traveling expenses for work, paying taxes as well as house Ins. I would like/need a RAISE. It seems that the Daycare workers are never **Noticed** and it is unfair, especially that we do as much if not more than the DOE that got raises.

We have not gotten a Raise in 4yrs that I am working at Small World Daycare, our Union does nothing for us, they always say they are negotiating and it is now going on 4ys and nothing. I can not live off this money I have a family to support. Why can't we get Annual Raises as well? **It is just not Fair**. If we are so called contracted under the DOE then we should have all the Benefits as they do. Like the days off they get we get as well, but we have to use our days, **THEY DO NOT, THEY GOT A RAISE AND WE DID NOT THEY ARE UNDER UFT AS WE SHOULD BE AS WELL, THEY HAVE PAID SUMMERS OFF 2 MONTHS AND THEY GET INCREASED PAY FOR WORKING IN THE SUMMER**. We need all these benefits as well.

In the 15yrs working as an Assistant Teacher I have not seen any **LONGEVITY** pay at all, which I think I deserve to get. Please Raise our salaries. Living in New York this is just not livable at all. Try to understand how us Daycare workers struggle and most of us have second jobs just to survive. Our Union does not support us as well. In anyway, shape or form, but giving Lifeguards a \$22.00 dollar raise and a \$5,000 dollar sign-on bonus, very unfair. We take care of children as if they were our own and they learn as well. These children are with us more then they are with their own parents, we definitely deserve a RAISE and it is not fear Daycare workers are **NOT RECOGNIZED**. Also our Medical Ins. Is horrible. I really appreciate you taking the time to read and understand my letter to you.

Thank You Council Member

Mita Das



Comments by Susan Kassapian for Preliminary Budget Hearing Re DCWP on March 20, 2024

I worked at what was then the Department of Consumer Affairs (now DCWP) for 28½ years including as General Counsel, Asst. Commissioner, Special Counsel, and Principal Administrative Law Judge. I then worked for six years as Deputy Commissioner at the Office of Administrative Trials and Hearings (OATH). I plead with this committee to fix a terrible problem at DCWP caused by OATH.

DCWP's budget must take into account the need to resume consumer restitution hearings against DCWP licensees. DCWP is mandated to enforce the City's License Enforcement and Consumer Protection laws against its licensees and to seek redress for consumers. This is not being done -- to the detriment of all New Yorkers, particular those from elderly and minority communities who are often the victims of unscrupulous business practices. These cases are supposed to be heard at OATH in an expedited fashion, but DCWP no longer brings them because since August of 2016 when the jurisdiction to hear these cases went to OATH, OATH has improperly insisted that DCWP assign individual attorneys to each case. This is inconsistent with long-standing practice and OATH's own Hearing Division rules (48 RCNY 6-09). At OATH a vigilant citizen can present an engine idling or noise complaint to get a cut of the fines, but a homeowner cannot present a case for their own damages from a DCWP licensee. This makes no sense, particularly after DCWP promulgated a rule in 2021 that allows a restitution decision to be docketed as a court judgment (6 RCNY 6-06), which obviated the need for a consumer to ever have to go to court.

This travesty has resulted in an on-going failure by DCWP to enforce the laws in the top complaint license categories like Home Improvement Contractors. All home and apartment owners who need home repairs are left without any protection since contractors have been operating virtually unchecked for years. Outrageously, DCWP's abandonment of its duty to enforce its laws has caused its Home Improvement Trust Fund to balloon to nearly \$15 million dollars having barely been drawn upon to pay restitution to consumers or fines to the City in years. While DCWP now allows consumers to seek up to \$10K from this Trust Fund *without a hearing*, this only addresses Small Claims Court-level claims. It does nothing to sanction bad contractors from continuing to rip off other consumers since no charges are levied against them and they are not ordered to pay the restitution monies invaded from the Trust Fund or the fines they would normally be subject to after a hearing. Moreover, consumers with claims over \$10K, must pursue their claims in court, which is too costly, complex and time-consuming for most to do.

The craziest part of this story is that it should not cost the City any money because fines ordered to be paid after a hearing, if not collected from the licensee, may be collected from the Trust Fund. While significant monies will come into the City's coffers at the back end after resuming these cases, DCWP will need budgetary funding to resume the drafting of these hearings at the front end.

In my informed opinion only one or two DCWP attorneys would be needed to be devoted to this work. They could supervise law interns to do most of the drafting. Millions of dollars in restitution would be paid to consumers and millions of dollars would be paid in fines and go to the City's coffers. It would be a win for consumers, a win for legitimate contractors who play by the rules, and a win for all New Yorkers who could hire a contractor knowing there is regulation over them again.

To better understand the money that is being left on the table you should know that in a two-year period when I was doing work solely focused on these consumer restitution hearings, I was able to calendar 437 cases, of which 235 were settled for a total restitution amount of \$1.6M. \$2.3M in restitution and \$2.3M in fines were ordered after hearings. There were 146 cases where the contractors defaulted. There were only 31 contested cases. (See report from Sept. 2012 to Sept. 2014 previously sent to the committee.)

This is a no brainer and should be done in all DCWP license categories. You should know that Tow Truck companies is another license category with a Trust Fund that is not being used. I brought this problem to the Mayor's attention in June of 2022 and to the City Council's attention in June of 2023. I recently testified at the Preliminary Budget hearing regarding OATH before the Government Operations

Committee. To date consumers are still being deprived of these restitution hearings that were a mainstay of DCWP's work when it had its own tribunal.

Hopefully, your committee, now that it is headed by a former DCWP Commissioner, along with the Government Operations Committee, will get this done or hold a joint oversight hearing as to why it is not getting done. Thank you for your attention to this matter.

Susan Kassapian Email: kassapians@gmail.com

3/20/2424

To DC37 Union Representative or City Council

I am an NYC resident working in Brooklyn since 2018 with St.Nicks Alliance. I have been a DC37 member since 2021. I am writing this testimony to advocate for NYC center-based early childhood education workers. I have worked as a NYC Family Coordinator since 2020. It is of utmost importance to prioritize the following in the long expired NYC contract renewal negotiations:

1. \$25 wage floor for all workers
2. Certified teacher/credential based wage parity with DOE counterparts
3. Longevity differential comparative to DOE employees
4. Differential pay based on 10 months vs 12 work options
5. Competitive benefits plan

I believe a fair minimum wage of \$25 for employees who support families and the communities, deserve a respectable amount to continue as we progress in our careers, personal family goals and outlook on life. It is quite difficult and underwhelming and frankly disheartening to learn that we are following a contract that is outdated and does not support us. I love working as a family coordinator in Brooklyn and enjoy seeing the faces of many families in which we help to advance their goals in their children's and families lives.

Thank you for your consideration in prioritizing these concerns.

Sincerely,

Wendy Concepcion

Family Coordinator

Brooklyn

[REDACTED]

From: m <jsjsirish@aol.com>
Sent: Friday, March 22, 2024 2:51 PM
To: Testimony
Subject: [EXTERNAL] Committee on Consumer and Worker Protection/Wednesday, March 20, 2024 Testimony

[REDACTED]

Committee on Consumer and Worker Protection/Wednesday, March 20, 2024 Testimony:

I am a NYC retiree, with over 35 years of service, I am a senior, a minority woman and I am a fire victim. I wholeheartedly agree and support the in-person testimony of Susan Kassapian, Lori Circaolo and Anne McNeil before the NY City Council Committee on March 20, 2024.

I have a very similar story to Anne McNeil; my house had a fire in 2016. My contractor, which is the same contractor as Anne McNeil, took thousands of dollars for restoration and repairs of my home. The contractor never did the work that he was paid for. He left my home in shambles, any work that was done by the contractor was shoddy and had to be redone. I spent the last 8 years out of my home, fighting and complaining and have not received any restitution. This contractor knew exactly what he was doing. I believe, this contractor targeted minorities, mostly senior women.

As a consumer that has been ripped off by a contractor and gone through the process, I could have benefited from a restitution hearing. I should have been allowed to represent myself in a restitution hearing and I should **not** have been referred to the courts, and expected to take on the cost of litigation when I was financially ripped off by a contractor and could not afford the proper legal representation. I hired an attorney; my case is still lingering in the court system waiting to be heard.

My contractor's predatory practices did not stop, he continued to financially rape New York City consumers, without fear or compliance to basic business law. He defrauded many NY consumers, including those who reside in NYC, Yonkers, Nassau County and Suffolk County.

New York City consumers could benefit from amendments to the rules pertaining to the Home Improvement Business Trust Fund. The maximum restitution amount should be evaluated for an increased amount, contractors, home restoration and repairs are expensive, and consumers can lose hundreds of thousands of dollars. The limit for the DCWP Trust Fund should be raised to at least \$25,000.

I believe what happened to me and many other consumers by the same contractor is criminal. In my cases, the contractor targeted those receiving insurance proceeds.

There should also be some consideration on DCWP working with the DA's offices, to assist the consumer with bringing criminal charges against those contractors that prey on seniors and have defrauded many consumers of large sums of moneys.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Carlos Ortiz

Address: Assistant Commissioner for External Affairs

I represent: (DCWP)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Tiger

Address: General Counsel

I represent: (DCWP)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Vera Date: _____

(PLEASE PRINT)

Name: Vilda ~~Vega~~ Mayuga

Address: Commissioner

I represent: (DCWP)

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kenny Minaya

Address: 1st Deputy Commissioner

I represent: (DCWP)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/20

(PLEASE PRINT)

Name: Rafael Espinal

Address: 241 37th St. Brooklyn NY 11232

I represent: Freelancers Union

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/20/21

(PLEASE PRINT)

Name: Liga Gualpa - Executive Director

Address: 365 ~~nd~~ Broadway Brooklyn NY 11211

I represent: Workers Justice Project

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/20/24

(PLEASE PRINT)

Name: Michael Cassaday

Address: [Redacted] Brooklyn NY

I represent: 32BJ SEIU

Address: 25 W 18th St NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anh-Thui Nguyen

Address: [Redacted]

I represent: DAWI, partner in WCBPE

Address: (Wages Coop Business Initiative)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: March 20, 2024

(PLEASE PRINT)

Name: JACINTA FREDERICK

Address: [Redacted] Brooklyn NY

I represent: Carroll GARSON Union of Teachers & NJ State

Address: [Redacted] NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/20/24

(PLEASE PRINT)

Name: _____

Address: David Rivers

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 03/20/2024

(PLEASE PRINT)

Name: Prospero Martinez

Address: _____ Brooklyn NY 11209

I represent: Comité Central de Repatidores NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/20/24

(PLEASE PRINT)

Name: _____

Address: Manoak

I represent: Leonards

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kayt Fisher

Address: [Redacted] [Redacted]

I represent: Collective Public Affairs on behalf of Domestic Worker

Address: [Redacted] [Redacted] 1038 Initiative

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 03/20/2024

(PLEASE PRINT)

Name: Simone Daley

Address: [Redacted] BROOKLYN, NY

I represent: Carroll Garden Nanny Association

Address: Park Slope

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/20/24

(PLEASE PRINT)

Name: Ben Fuller-Googins

Address: _____

I represent: NYC Coalition for Domestic Work

Address: 201 Columbia Street Brooklyn, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3-20-24

(PLEASE PRINT)

Name: Abigail Dorcia

Address: [Redacted] Park Richmond Ave, Staten Island

I represent: La Colmena

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Josh Kellermann

Address: _____

I represent: RWDSU

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Juan

Address: [Redacted] East 115th

I represent: Comite Central de Regardadores

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 20/03/24

(PLEASE PRINT)

Name: Palemon Castillo

Address: [REDACTED] E 122 ND ST

I represent: Comite de Representadores

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/20/2024

(PLEASE PRINT)

Name: Ligia Cuallpa

Address: _____

I represent: Worker's Justice Project

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/20/2024

(PLEASE PRINT)

Name: Bishop Mitchell Taylor

Address: _____

I represent: Urban upbound

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: OCTAVIO LOPEZ

Address: _____

I represent: delivery man

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: MARCH, 20, 2024

(PLEASE PRINT)

Name: DAVID PORTIELA

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CARINA KAUFMAN-GONZALEZ

Address: _____

I represent: Street Vendor Project

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Louie Casale

Address: [redacted] 257 4th Street - 36414 11223

I represent: self

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Susan Kassapian

Address: [redacted] Bldg

I represent: self

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anne McWeir

Address: [redacted] Mc Donough St

I represent: Self

Address: _____

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Abel Hernandez 3/20/24

Address: _____

I represent: _____

Address: _____

▶ Please complete this card and return to the Sergeant-at-Arms ◀