

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON AGING

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May 28, 2019
Start: 10:08 a.m.
Recess: 10:20 a.m.

HELD AT: 250 Broadway - City Hall

B E F O R E: MARGARET S. CHIN
Chairperson

COUNCIL MEMBERS: Diana Ayala
Chaim M. Deutsch
Ruben Diaz, Sr.
Mathieu Eugene
Deborah L. Rose
Mark Treyger
Paul A. Vallone

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

2 [sound check] [pause]

3 CHAIRPERSON MARGARET CHIN: Good morning.

4 Today the Aging Committee will vote on Proposed Intro
5 1180-A sponsored by Council Member Ayala, and
6 Resolution 714-A, which I'm proud to sponsor.

7 Proposal Intro 1180-A would require each caseworker at
8 a city-funded senior center to complete a mental
9 health training course older adults offered by the
10 Department of Health and Mental Hygiene or any other
11 successor agency. These training courses are offered
12 for free by the agency and with trained caseworkers
13 to identify mental health triggers and warning signs
14 in the older adult population they work with
15 everyday. Caseworkers would also need to complete a
16 refresher training course at least once every three
17 years so long as the course is offered by DOHMH.

18 This bill would take an important step on serving the
19 mental health needs of our senior population
20 especially those seniors coming out of our senior
21 centers. Resolution 714-A calls upon the United
22 States Congress to pass and the President to sign S.
23 485 and H.R. 1230, the Protecting Older Workers
24 Against Discrimination Act, also know as POWADA. The
25 Age Discrimination and Employment Act of 1968 ADA

2 protects individuals age 40 and older from age
3 discrimination in the workplace. Sadly, the
4 protection put forth by ADA will weaken during a 2009
5 U.S. Supreme Court decision in *Gross v. FBL Financial*
6 *Services, Inc.*, in which the court decided that
7 plaintiffs seeking prove age discrimination in the
8 workplace proved that age was the only motivating
9 factor for the employer's action. This determining
10 decision makes it more makes it more difficult to
11 prove age discrimination and puts all seniors at risk
12 including our city's seniors. In Fiscal Year 2017,
13 age discrimination accounted for 21.8% of complaints
14 made to the U.S. Equal Employment Opportunity
15 Commission with more than 18,000 complaints filed.
16 As reported by the New York City Commission on Human
17 Rights or CCHR of the 193 queries CCHR received about
18 age discrimination in 2017, 119 of them were related
19 to age discrimination in employment. With these
20 alarming statistics our federal colleagues should be
21 making age discrimination laws stronger not weaker.
22 POWADA would reverse the 2009 U.S. Supreme Court
23 decision and help protect our country's older adults
24 from age discrimination in the workplace. We will

2 now hear from Council Member Ayala for some remarks
3 on Propose 1180-A. Council Member Ayala.

4 COUNCIL MEMBER AYALA: Thank you. I just
5 want to say I'm really proud of this bill. It's a
6 been along-time coming. As many of you know, before
7 coming to the City Council I actually worked in
8 senior services, and I had the privilege of working
9 at a homebound program where I was interning with a
10 bunch of social workers who really knew how to deal
11 with mental illness, and so having had that
12 experience and then entering into the senior center
13 where because of limited resources staff is not
14 really equipped to identify those. It became pretty
15 evident that was a drop of real need for this type of
16 resource, and it isn't something that is unheard of.
17 We trained caseworkers every year on CPR and mental
18 health shouldn't be taken any lighter than, you know,
19 that a person having a heart attack at a senior
20 center. Mental health is important, and it's
21 important that the people that working with the most
22 vulnerable be equipped with the tools that they need
23 to ensure that proper treatment and referrals are
24 being made, and so I'm really proud of this. I'm
25 proud of the staff. Thank you all for taking the

2 time to draft this with me, to talk it through and
3 just being, you know, a good partner, and I hope that
4 my colleagues agree and vote in the affirmative
5 today, and I vote aye, with those.

6 CHAIRPERSON MARGARET CHIN: Thank you.
7 We've been joined by Council Member Diaz, Deutsch,
8 Rose, Treyger, Dromm, and Vallone and Ayala. You
9 know, I strongly support both of these important
10 pieces of legislation, and these bills will help
11 serve our city's aging population better, and I urge
12 committee members to vote aye in favor of this bill.
13 Anyone else who wanted to speak on the bill? No.
14 Okay so will the clerk please call the vote.

15 CLERK: William Martin, Committee Clerk
16 Roll call voter Committee on Aging, Introduction
17 1180-A and Resolution 714-A. The items are coupled.
18 Chair Chin.

19 CHAIRPERSON MARGARET CHIN: Aye on all.

20 CLERK: Deutsch.

21 COUNCIL MEMBER DEUTSCH: Chair, may I
22 take your recommendation, I vote aye on all.

23 CLERK: Rose.

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1 COMMITTEE AND AGING

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2 COUNCIL MEMBER ROSE: I would like to be
3 added to both of these very important bills, and I
4 vote aye on all.

5 CLERK: Treyger.

6 COUNCIL MEMBER TREYGER: [off mic] Aye.

7 CLERK: Valone.

8 COUNCIL MEMBER VALLONE: Aye on all.

9 CLERK: Ayala.

10 COUNCIL MEMBER AYALA: Aye on all.

11 CLERK: Diaz.

12 COUNCIL MEMBER DIAZ: I also would like to
13 be, yeah, to be included in the—in both the bills and
14 I vote yes.

15 CLERK: By a vote of 7 in the
16 affirmative, 0 in the negative and no abstentions
17 both items have been adopted by the committee.

18 CHAIRPERSON MARGARET CHIN: Well, thank
19 you to everyone, and the meeting is adjourned.
20 [gavel] [background comments/pause.]

21 CLERK: We will leave the vote open for
22 the next 10 minutes. Thank you. [background
23 comments/laughter] [pause] We've also been joined by
24 Council Member Eugene to vote.

25 CLERK: Council Member Eugene.

2 COUNCIL MEMBER EUGENE: Thank you very
3 much and I vote aye.

4 CLERK: The final vote in the Committee
5 on Aging, Introductions 1180-A and Resolution 714-A
6 are now adopted by 8 in the affirmative, 0 in the
7 negative and no abstentions.

8 CHAIRPERSON MARGARET CHIN: Thank you.
9 The hearing is now adjourned. [gave]

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C E R T I F I C A T E

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



Date June 13, 2019