

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL
OPERATIONS, STATE AND FEDERAL
LEGISLATION JOINTLY WITH THE
COMMITTEE ON CIVIL SERVICE AND
LABOR

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November 19, 2024
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HELD AT: 250 Broadway - Committee Room, 14th
Floor

B E F O R E: Lincoln Restler,
Chairperson for Committee on
Governmental Operations, State and
Federal Legislation

Carmen De La Rosa,
Chairperson for Committee on Civil
Service and Labor

COUNCIL MEMBERS:

- Erik Bottcher
- Gale A. Brewer
- Tiffany Cabàn
- David M. Carr
- Eric Dinowitz
- James F. Gennaro
- Jennifer Gutiérrez
- Shahana K. Hanif

COUNCIL MEMBERS: (CONTINUED)

Julie Menin
Francisco Moya
Vickie Paladino
Yusef Salaam
Lynn C. Schulman
Inna Vernikov

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

Henry Garrido
Executive Director of District Council 37, AFSCME

Katrina Porter
Deputy Commissioner for Citywide at DCAS

Kadian Outar
DCAS Assistant Commissioner for Workforce
Operations

Daniel Pollak
First Deputy Commissioner at the Office of Labor
Relations

Isaac Kirk Davidoff
Local 371 Member

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2 FEDERAL LEGISLATION JOINTLY WITH COMMITTEE
3 ON CIVIL SERVICE AND LABOR 4

5 SERGEANT AT ARMS: Good morning and welcome to
6 today's New York City Council Hearing for the
7 Committee on Governmental Operations joint with the
8 Committee on Civil Service and Labor. If you would
9 like to testify, please fill out one of the witness
10 slips with one of the Sergeant at Arms. If you would
11 like to submit testimony, you may at
12 testimony@council.nyc.gov. At this time, please
13 silence all electronic devices. No one may approach
14 the dais at any time during this hearing. Chairs, we
15 are ready to begin.

16 CHAIRPERSON RESTLER: [GAVEL] Good morning. My
17 name is Lincoln Restler and I'm the Chair of the
18 Committee on Governmental Operations, State and
19 Federal Legislation and I'd like to - well, it's just
20 me and Carmen this morning, so I'd like to welcome my
21 Co-Chair, Council Member Carmen De La Rosa and thank
22 her for Co-Chairing this hearing with me. I have to
23 just say for a moment, Council Member De La Rosa is
24 the best and she as smart and savvy as they come and
25 I really do feel lucky to have the chance to serve
with you and learn from you and just go through this
whole crazy experience in the City Council together.

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4 So, with that, why don't I offer, if you'd like
5 to give your opening remarks first and I can go after
6 you.

7 CHAIRPERSON DE LA ROSA: Lincoln has me blushing
8 this morning. To be on the Lincoln Restler good list
9 is thumbs up. Good morning, I'm Council Member
10 Carmen De La Rosa, Chair of the Committee on Civil
11 Service and Labor. I'd like to extend my thanks and
12 gratitude to Chair Restler and the Committee of
13 Government Operations, State and Federal Legislation
14 for convening this hearing on the state of the city's
15 workforce. The city's workforce continues to grapple
16 with substantial numbers of municipal vacancies.

17 Driven by elevated levels of employee attrition
18 and constraining hiring due to budget limitations.
19 As of February 2024, the Administration lifted the
20 citywide hiring freeze that had been placed since
21 October of 2023 and implemented a two for one hiring
22 policy under which agencies hire one employee for
23 every two employees who depart.

24 As of last month's data, the TLC, the Finance
25 Division and the Department of Probation have the
highest vacancy rates and hundreds of positions left
vacant. This persistent vacancy rate hinders the

2 city's ability to effectively deliver essential
3 services to New Yorkers. This hearing provides the
4 opportunity for us to explore meaningful strategies
5 to lower barriers for New Yorkers seeking to enter
6 the municipal workforce.

7 The current system excludes applicants who may
8 not have the time, freedom of mobility, access to
9 internet or adequate information about testing
10 opportunity or digital exams. Additionally, exam
11 fees pose a financial barrier to many potential
12 applicants who do not have the flexibility in their
13 budgets to cover their applicant costs. Applicants
14 who face financial hurdles are at a disadvantage
15 compared to other civil service candidates who can
16 afford the costly prep courses and study materials to
17 take the same exams. Moreover, applicants are
18 subject to extraordinarily long times to receive
19 their results followed by additional delays for
20 interviews and job offers. Language access is
21 another obstacle, deterring many perspective workers
22 for whom English is a second or third language who
23 are nonetheless qualified to serve in the city's
24 workforce.

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2 Today, the Committee hopes to learn what DCAS is
3 doing to address these challenges so that we can work
4 together towards eliminating the barriers to civil
5 service entry and restore a robust staffing level
6 across the municipal workforce. I must say, this
7 isn't our first hearing on city vacancies. We've
8 made progress and it is important to note that that
9 progress has made, but as always there's more work to
10 do.

11 I'd like to thank our Committee Staff Senior
12 Policy Analyst Elizabeth Arzt, our Legislative
13 Counsel Rie Ogasawara for their hard work in
14 preparing for this hearing and also my Chief of Staff
15 James Burke, Legislative Director Kiana Diaz, and
16 Coms Director Fray Familia. I'll now turn it to
17 Chair Restler for his remarks.

18 CHAIRPERSON RESTLER: Thank you so much Chair De
19 La Rosa and thank you for your leadership on this
20 issue. Every day I walk out of my office in downtown
21 Brooklyn and I see long lines at the HRA Benefit
22 Center on Schermerhorn stretching down the block and
23 around the corner. Children, elderly individuals,
24 people with disabilities waiting outside in
25 blistering cold and extreme heat. Just last week, I

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2 counted over 260 people waiting on the street for
3 help. The average wait time for New Yorkers visiting
4 in person benefit centers has jumped from 33 to 72
5 minutes and only 42 percent of cash assistance and 65
6 percent of food assistance applications were
7 processed on time. That's compared to 94 and 93
8 percent respectively prior to the pandemic.

9 And complaints about the conditions in our city
10 parks this summer have gone up by 35 percent. Why?
11 Because the Parks Department has been forced to
12 eliminate nearly 40 percent of the seasonal workers
13 who keep our parks safe and clean. Our city
14 workforce has shrunk dramatically. Prior to the
15 pandemic, the City of New York had 302,000 employees.
16 Today, there are 285,000. That's a loss of nearly
17 17,000 employees. Imagine you walked into a packed
18 Barclay Center for a great Nets or Liberty game, go
19 Nets, go Liberty. Imagine every seat in the building
20 is filled by a hard working city employee and then
21 poof, they all disappear.

22 This is the number of city workers that we have
23 lost since the pandemic, and if you're sitting high
24 up in the nosebleeds of the next game or the Liberty
25

2 game, you know how many people are packed in that
3 stadium.

4 When I talk to long time city government
5 officials, they tell me they have never, ever seen it
6 this bad. Last year, the HRA Administrator testified
7 that our social service agency has never had fewer
8 staff in her 40 years of service, and a long time
9 Parks official told me the same thing, that the
10 Brooklyn Parks Department hasn't been this short
11 staffed in 40 years, not since the era of New York
12 City emerging from a fiscal crisis, have our agencies
13 been so depleted.

14 But we are not in a fiscal crisis today. That
15 hasn't stopped Mayor Adams from implementing
16 austerity measures that have made our parks dirty or
17 our streets less safe and New Yorkers less cared for.
18 Instead of working to fill vacancies and revive city
19 government, Eric Adams has cut over 10,000 positions
20 from the budgeted headcount since he took office.
21 And beyond providing critical services, critical city
22 services, public jobs are good for New Yorkers.
23 Helping advance economic mobility and driving overall
24 job growth as the largest employer in the City of New
25 York. Southeast Queens has the highest concentration

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2 of city workers. People who have found stable,
3 middle class careers through secure well-paying city
4 jobs. With over 15,000 vacant positions, we should
5 be fostering more economic opportunity through city
6 jobs in low and moderate communities across our city.

7 The Charter charges DCAS with ensuring we have
8 personnel policies that promote and support the
9 efficient and effective delivery of services to the
10 public. But it's clear that something is broken
11 down. It shouldn't take more than 18 months from the
12 time you take a civil service exam to receiving a
13 start date or getting a promotion. But that's what
14 happens essentially every single time and candidates
15 are left completely in the dark with no information
16 on their status or timeline of if or when they'll get
17 called. This is not how hiring should work in the
18 21st Century. We need DCAS to rethink how we rehire
19 and retain city government employees and we should be
20 building more in house capacity, not relying on
21 overpaid consultants that too often under perform.

22 Today, I hope we can breakdown existing hiring
23 processes to understand what's driving some of the
24 shortcomings and begin to chart a new path forward to
25 ensure that our city workforce is efficiently and

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2 effectively delivering for New Yorkers. We'll be
3 hearing several bills today. Legislation that I
4 introduced with Council Member De La Rosa to require
5 DCAS to maintain a live public hiring tracker to help
6 us have a real time understanding of the vacancy
7 crisis in our city workforce.

8 Intro. 212 sponsored by Council Member Hanif
9 would require DCAS to offer civil service exams in
10 plain simple language. We're also hearing two
11 Resolutions introduced by Council Member Farias,
12 Resolution 78 on the New York State - calls on the
13 New York State Legislature to pass legislation
14 amending the public officers law to allow non-
15 citizens to hold civil offices. And Reso. 521 calls
16 on the US Department of Labor to expand the number of
17 Occupational Safety and Health Administration OSHA,
18 authorized outreach trainers in New York City's ten
19 designated languages.

20 I'd like to thank the Civil Service Committee
21 Staff who are terrific, Elizabeth Arzt and Rie
22 Ogasawara. Did I mess that up? Did I do okay?
23 Sorry, should I say that correctly? Ogasawara,
24 excuse me. I'm sorry Rie. And the Governmental
25 Operations team Jayasri Ganapathy and Erica Cohen for

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2 their work. I'd also like to thank my team, my great
3 Communications Director Nieve Mooney and Molly Haley
4 who is brilliant, my Chief of Staff.

5 With that, I'd like to recognize Council Member
6 Bottcher and did I see Vickie? And Council Member
7 Paladino. Welcome Council Member Paladino and
8 Council Members Moya and Cabàn are on Zoom. How are
9 you guys doing? And Council Member Hanif is
10 unfortunately sick today but she asked us to read a
11 statement on her behalf with regard to her
12 legislation.

13 Thank you Chairs De La Rosa and Restler for
14 including my bill Intro. 212A on today's agenda. I'd
15 also like to thank Chair De La Rosa for introducing
16 this bill alongside me as a co-prime sponsor. It's
17 no secret that our municipal workforce has a vacancy
18 problem. Positions at city agencies are not being
19 filled, which has decreased the performance of
20 essential services that our constituents depend on.
21 Let's be clear, there's no shortage of demand for
22 civil service jobs. Working class New Yorkers,
23 including those from immigrant community backgrounds
24 or with those with lower levels of educational
25 attainment are eager to use their skills to

2 strengthen our city. However, unnecessarily
3 complicated language in the civil service exams can
4 serve as a barrier for those who are well qualified
5 for the jobs that they are applying for but who speak
6 English as a second language or who have lower levels
7 of reading comprehension. Intro. 212 seeks to
8 address this issue by requiring DCAS to offer civil
9 service exams in plain, simple language at the lowest
10 reading comprehension level that is practicable for
11 the available position. I want to stress that this
12 bill would not lower the standard for applicants. It
13 would solely make the language of the test more
14 accessible for a diverse pool of potential civil
15 servants. I look forward to hearing testimony from
16 the Administration and the public on Intro. 212. I'm
17 hopeful this bill can open up new economic
18 opportunities for New Yorkers and strengthen our
19 city's workforce. Thank you so much Council Member
20 Hanif, we hope you feel better and with that, we'd
21 like to call up our first panel the Executive
22 Director of DC 37, the one and only Henry Garrido.
23 Thanks for being with us.

24 HENRY GARRIDO: Good morning. Thank you very
25 much for the opportunity to testify today. My name

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2 is Henry Garrido, I am the Executive Director of
3 District Council 37, AFSCME, which is the largest
4 municipal union in New York City representing 150,000
5 members and 89,000 retirees across city agencies.

6 Let me start by thanking Chairman De La Rosa and
7 Chairman Restler and the members of the Committees
8 that are here for holding this meeting and allowing
9 me to testify on the critical issue of the workforce
10 vacancies that we have in New York City and the far
11 reaching impact that it has in city services.

12 Let me start by saying the City of New York has
13 currently 22,000 job vacancies, at least 8,000 of
14 which are DC 37 represented positions. This is not
15 my number. This is a number provided by us by OMB,
16 which is required to do so under the collective
17 bargaining loan in New York.

18 The state of the city's workforce is a matter of
19 urgent concern. Across numerous agencies, persistent
20 vacancies are undermining the quality of public
21 services that New Yorkers relied on and threatening
22 the city's ability to function effectively. From
23 delays in social services, to our parks and
24 playgrounds not being cleaned regularly, working
25 families and children are suffering the most. We

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2 have the responsibility to make sure that the needs
3 of all New Yorkers are being met.

4 But let me start first talking about Parks
5 Department, which is one of the biggest concerns that
6 we have. Parks Department is central to the quality
7 of life for New Yorkers. Parks are where children
8 play, where families gather, and where we turn for
9 respite in this dense urban area. Yet, chronic
10 understaffing has left parks across the city in
11 disrepair, with fewer maintenance workers and ground
12 keepers available to care for green spaces. We have
13 lost at DC 37 nearly 1000 staffing lines including
14 community coordinators, gardeners, park rangers, and
15 park enforcement officers. Which are by the way,
16 revenue producing titles right. Vacancies in these
17 roles mean longer waits for basic up keep, from trash
18 removal to repairs of playground equipment impacting
19 the safety and usability of these essential services.
20 And Council Member De La Rosa, the other day, I was
21 in one of the restaurants in your district and as I
22 walked out, I smelled fire and saw the Fire
23 Department rushing towards the marina and later found
24 out that the debris that was there that had been
25 kept, it was not as a result of drought as people

2 have said, but actually the debris had accumulated to
3 the point that a fire started.

4 Should we have enough maintenance workers that
5 could have been able to remove that debris, we would
6 have been able to prevent that and not having to have
7 a fire dispatched to that. Your park or that park in
8 particular has lost 20 percent of the workers. So,
9 it is a prime example of how it effects New Yorkers
10 and constituencies in your district. And you alluded
11 to this Councilman Restler regarding HRA and human
12 services, where we have 72 vacancies for opportunity
13 specialists, 24 eligibility specialists and even more
14 vacancies in the agencies across the board. The
15 agency HRA is the backbone of New York City social
16 services safety net. The staff ensures that the most
17 vulnerable among us, families facing food insecurity,
18 individuals requiring housing assistance and workers
19 seeking job training, receive timely support. And
20 yet the agency's staffing crisis is creating a
21 bottleneck that delays those vital services they
22 deliver.

23 Caseworkers and eligibility specialists are
24 overwhelmed with caseloads far beyond what is
25 sustainable. These delays hurt not just individuals

2 but the broader community, as people unable to access
3 services are left in dire straits. Without immediate
4 action to recruit and retain HRA workers, we risk a
5 collapse of the very systems meant to provide
6 stability for those who are most in need.

7 Another prime example is Department of Buildings,
8 we've seen a lot of accidents and concerns about
9 Department of Buildings but the staffing there has
10 caused the conditions to worsen. Department of
11 Building vacancies are delaying construction projects
12 citywide, hindering economic development and housing
13 production at a time when the city desperately needs
14 it most. These delays slow down the creation of
15 affordable housing and housing in general and
16 critical infrastructure projects across the board.

17 The ripple effect of these vacancies impact
18 everyone, from New Yorkers on job sites to residents
19 waiting for much needed housing. Filling these
20 positions is not just about efficiency, it's about
21 meeting urgent needs of city's growth and housing
22 crisis.

23 Department of Transportation is another example
24 where parking enforcement services workers, DOT
25 parking are essential to maintaining the city's

2 parking meters, a critical source of revenue for the
3 City of New York. However, the workforce currently
4 facing troubling 12 percent vacancy rates. This
5 shortage increases the burden of remaining New
6 Yorkers, leading to high overtime demands that
7 heighten stress level.

8 The impact extends beyond the workers themselves
9 because unfilled positions mean delays in maintaining
10 and repairing parking meters, which directly affect
11 the city's ability to collect parking revenue
12 efficiently. Given that these positions are in the
13 labor class and require only a driver's license and
14 no civil service exam, this vacancy rate is both
15 avoidable and unacceptable.

16 In the Department of Finance, which is another
17 great source of revenue, I want to highlight the
18 critical impact of vacancies in revenue generating
19 and revenue capturing positions across the board in
20 city agencies. From tax assessors and auditors to
21 enforce officers, those roles bring in essential
22 funding that the city relied on for its operation.
23 There are currently 20 postings of City Tax
24 Assessors, a 6 percent vacancy rate, and additional
25 auditors in the millions of additional dollars that

2 could be achieved if we were staffing it correctly.

3 Every unfilled position represents lost revenue

4 exacerbating a budget shortfalls and further

5 straining city resources. Let me say this, this is a

6 tax cut by neglect to the over rich of the City of

7 New York. We have never had a lower headcount in

8 finance when we needed it most. We have never had a

9 lower headcount where we've been able to negotiate

10 increased salaries to recruit and retain folks in the

11 Department of Finance.

12 Investing in these roles it's not only a net

13 positive for the city's finances, yet these positions

14 remain unfilled, even if they offer some of the

15 clearest return on investment. This is short-sighted

16 and counterproductive.

17 In closing, New York City's strength lies in its

18 people and that includes the dedicated workers who

19 ensure the city runs properly. The vacancies across

20 city agencies are not just numbers on a spreadsheet,

21 they represent a growing inability to deliver

22 services for New Yorkers who depend on them daily.

23 District Council 37 stands ready with this

24 Council and the Administration to address this

25 workforce crisis. Together, we could build a city

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2 workforce that is robust, well supported and capable
3 of meeting the needs for all New Yorkers. And I will
4 say also I applaud the Council for fighting hard for
5 restorations in cultural and libraries as critical
6 services. I would add one more, which is to say, we
7 do not have a recruitment problem. We have 13 hire
8 halls between Administration and in partnership with
9 DCAS and we had anywhere between 1502-2000 people
10 come in and apply for jobs. Council Member La Rosa,
11 in your district, I remember we did this together,
12 and the vast majority of the people who apply who
13 qualify were interviewed and given an offer. But
14 unprecedentedly, what has happened is when agencies
15 made an offer to those to come to work, OMB stopped
16 them. By doing something that has never happened in
17 the City of New York since as long as I have been
18 here, in the 30 years I've been with DC 37. Which is
19 sending back an offer, a job offer and alluding to
20 the fact that they will be interviewing candidates,
21 OMB interviewing candidates that the agencies have
22 already deemed to be appropriately eligible for those
23 positions.

24 That is unheard of. That takes all the power of
25 DCAS here has and it needs to stop. It needs to stop

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2 and as you know, I serve on the Advisory Council at
3 the Independent Budget Office. The Independent
4 Budget Office estimated 22,000 vacancies is saving
5 the city \$1.5 billion and it's growing. And so, this
6 gamesmanship about well, we can't recruit because we
7 can't pay people enough is no longer the case. We
8 did remote work. We did an equity panel to enhance
9 payment in HRA and other titles that are there. We
10 paid out of collective bargaining. The city didn't
11 have to come up with that money, so we don't have a
12 recruitment problem. We have a retention problem and
13 we have an OMB problem. OMB is running the City of
14 New York and it needs to stop because a budget is
15 negotiated between the Mayor and the Council as part
16 of our Charter. That needs to be respected because
17 it doesn't make any sense to have a budget that
18 allocates funding for the agencies in the budget
19 process, not to exercise OMB stopping the very same
20 thing this Council worked very hard to restore.
21 Thank you.

22 CHAIRPERSON DE LA ROSA: Thank you so much for
23 your testimony. I think it's on point and it really
24 speaks to some of the concerns that we on the Council
25 have been talking about and how this already impacts

2 the delivery of service for our city and thank you
3 for bringing up the situation that we're living in
4 right now. Just yesterday the fire started up again
5 in the park in my district, and so, you know it is an
6 ongoing situation and it is one that is felt by my
7 constituents. When I get an email that you know the
8 quality of air is dangerously high in our district,
9 already an environmental justice community. So,
10 thank you so much for your testimony and for being
11 here and for participating and being a partner in
12 getting to the solutions.

13 CHAIRPERSON RESTLER: I just want to recognize
14 Council Members Menin, Salaam, and Council Member
15 Carr of Brooklyn. Thank you all for joining us. We
16 appreciate you being with us today. Did I miss
17 anyone? Good.

18 I just want to follow up on a few of the things
19 you mentioned today. Thank you again for being with
20 us Henry. I couldn't agree more with Carmen's
21 assessment or Chair De La Rosa's assessment. I
22 thought your testimony was exactly on point. You
23 know we looked at the Department of Finance and also
24 found overall city agencywide, their headcount is now
25 20 percent since prepandemic and I think you're

2 really right and smart to highlight the revenue
3 generating positions that are so critical to allowing
4 us to invest in all of the other services that we
5 need to support New York City. So, could you break
6 down for us even for these revenue generating
7 positions, you would think OMB would want them
8 filled. Why is it not happening? What is stopping
9 us from actually getting even - I mean the revenue
10 generating positions filled into the government.

11 HENRY GARRIDO: Yeah, thank you. So, it's always
12 been a long term practice that when you issue a PEG,
13 a Program to Eliminate the Gap, you exempt revenue
14 generating positions because it makes sense. You
15 know cutting you know despite your face.

16 CHAIRPERSON RESTLER: Right.

17 HENRY GARRIDO: For the first time finance was
18 not exempted from that. So, you are cutting position
19 across the board. I don't know where the thinking is
20 but we made in the past Administration prior to this
21 one. We had made an agreement to bring in a system
22 accessors to for instance review vacant lots that
23 have now been turned into actual buildings that are
24 still listing as vacant, right? We did that by
25 comparing the tax role with the Department of

2 Building permits and determined there was a number of
3 properties that are now being captured and therefore
4 their tax is zero. And we could be capturing that
5 because they're being - constructions are there all
6 over the city. We highlighted this to the Finance
7 Commissioner and said, "look if we hire people to go
8 after those properties, that's revenue that you will
9 be capturing because there are actually buildings in
10 there."

11 But on the law, you need a physical inspection of
12 that. You can't do it through vision or whatever the
13 model is that they have sitting somewhere Department
14 of Finance. You need to physically be there to issue
15 a tax bill and the Department of Finance Commission
16 at the time said, "it's out of my hands. You need to
17 talk to OMB about releasing these positions. Again,
18 follow up with the director of OMB and we were told
19 the city's on a crunch because of the migrant
20 situation. So, therefore we cannot exempt finance or
21 anybody for that matter over the [INAUDIBLE 00:25:21]
22 because if we do it starts a domino effect that
23 everybody wants to be exempted.

24 I don't believe that to be the case. I think
25 this is pennywise is pound foolish, that you're not

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2 invested in capturing the revenue. That you could -
3 that the city needs desperately right now and across
4 the board, I could give you examples on nurses that
5 capture Medicaid services for school children that
6 are not there to do so right now.

7 I could give you examples of billboards that we
8 have issued and cellphone antennas that are millions
9 in New York that we're not capturing because we don't
10 have the engineers of 375 to go and do the physical
11 inspection that is required to issue the RUC because
12 it's an honor system and people who are not onerous
13 or whatever the terms is are not reporting that
14 because they only report it when they get captured.
15 That makes no sense. The parking meters that we
16 talked about the attendance, that is a no brainer
17 right. You could fix them and it's also bad for the
18 public because you issue, the meters go down, the
19 Traffic Enforcement Agency issue a fine and then the
20 people appeal it. Then we got to go to an appeal
21 that makes no sense. It annoys the public and the
22 constituents say the city doesn't work and government
23 is not working for us right? We need to fix this and
24 to fix it, we need to have a sensible approach of
25 bringing back those robust positions in the revenue

2 generating, revenue capturing to be able to do the
3 job right.

4 CHAIRPERSON RESTLER: Yeah and if I recall
5 correctly because that local had come before our
6 committee earlier, this session, they also repair
7 traffic cameras and stop signs. So, these are not
8 only revenue generating positions on the camera side
9 but they're critical for safety in our community and
10 you know the wild, the wild reduction in headcount
11 that we had seen, we're down to 60 odd employees.
12 About one fifth of where we were prior to the
13 pandemic, it's just, it's not only revenue generating
14 it's critical to the health and safety of our
15 community.

16 HENRY GARRIDO: And what doesn't make any sense
17 is that a lot of these positions are partially
18 reimbursed by federal and state government right? I
19 talked about the nurses. Medicaid has a
20 proportionally reimbursement of that. The traffic
21 device maintainers, Department of Transportation gets
22 federal reimbursement for that. You know you got
23 across the board, this happens with state positions
24 at HRA with case management because of minimal
25 staffing. Again, reimbursement, it's not 100 percent

2 but it's partial and it's bringing back revenue and
3 it doesn't make any sense of the way that they are
4 doing it.

5 CHAIRPERSON RESTLER: I wanted to just circle
6 back to something in your testimony that I thought
7 was particularly selling and it's something that
8 Chair De La Rosa and I have been talking about for
9 over one year, you know we pass a budget with the
10 Mayor that sets headcount. Full time and part time
11 per city agency and yet every single time an agency
12 wants to bring somebody on board, they go to OMB and
13 they wait and they wait and they wait six months,
14 nine months. I'll tell you; I had a PHD who lives in
15 my district in Greenpoint, Latino guy, recent PHD
16 graduate, got a great job at the Health Department,
17 was so excited to be a part of public service and
18 after waiting six months had to accept a new job
19 because who can afford to not work for that kind of
20 extended period of time. And so, we were exploring,
21 we had been in conversation about could we explore
22 ways to mandate that OMB allow agencies to hire up to
23 a percentage of their allotted headcount, 90 percent
24 of their allotted headcount without having to secure
25 OMB approval.

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2 Do you think that a proposal like that you know
3 and if there was fiscal emergency or any kind of you
4 know change in the fiscal dynamics of course that
5 could be prevented but do you think that some sort of
6 policy along those lines is worth exploring to ensure
7 that agencies actually have the discretion to bring
8 people onboard and fulfill their mandates and
9 responsibilities with the headcount we allot them?

10 HENRY GARRIDO: Yeah, I think I would have to
11 look at it but I think since the time of the fiscal
12 crisis in New York, part of the process of OMB
13 approving this position was you did not see the
14 agencies to exceed budget because in the end, you had
15 to balance your budget right? And we've had cases in
16 the 70's where that happened, especially in social
17 services but I think the practice of having that
18 checks and balances has gone so far ahead that OMB
19 now is dictating staffing and interviewing people and
20 demanding qualifications. And I'll give you an
21 example, agencies have discretion. If you have a BA
22 or an associate's degree with experience, they'll
23 hire people or if you have relevant experience that
24 doesn't exactly match what's in the jobs specs. That
25 is allotted to given and DCAS encourages agencies to

2 do that. And then to submit a proposal to a
3 perspective applicant, say here's your position,
4 here's the salary. Only to be told by OMB's that
5 we're rejecting you because the person doesn't have a
6 BA. When the interview when the agency already
7 determined that to be, I think is utterly ridiculous.
8 But taking it further to say but we're going to
9 interview to see if in fact this person is owed - I
10 mean is entitled to be hired. It's way and overreach
11 of that balance. And so, I don't know how the
12 mechanics through legislation would work but I will
13 say this to you, the agencies and I talked to
14 Commissioners all the time are frustrated by this as
15 we are because they need to get the job done right?
16 And so, they get constantly pressure from everybody
17 to say, well you're not - you know, we're not dealing
18 with budgets, we're dealing with human beings here.

19 CHAIRPERSON RESTLER: That's right.

20 HENRY GARRIDO: People are in line, like I talked
21 to Molly Parks from DSS all the time and say what's
22 the hold up of hundreds of thousands of people who
23 have not been certified? And where's the two for one
24 hiring to alluding to you and she would say, well
25 I've been given allotted to up to a certain amount

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2 but I need OMB approval. So, even when you have
3 qualified candidates and we gave those workers \$5,000
4 retention bonuses just to stay on the job and we
5 successfully - so it's not an issue recruitment.
6 It's an issue of OMB then saying to DSS no, no, no,
7 no. We got migrant situations. That has become the
8 culprit for everything now and I think it has to stop
9 and whatever processes we establish, whether it's
10 legislation or holding OMB accountable in their
11 process of what they call the POPs which is this
12 process of hiring positions that every agency has,
13 needs to be changed and looked at from the government
14 operation point of view because it doesn't make any
15 sense to me.

16 CHAIRPERSON RESTLER: Yeah, well, I know a number
17 of my colleagues want to ask questions. I just want
18 to say, I think - completely agree with your
19 assessment of what has gone wrong over the previous
20 three years. I'm hopeful that the First Deputy Mayor
21 will take the reins and that Maria Torres-Springer
22 will actually direct OMB to change some of their
23 practices in productive ways. She's now been given
24 the responsibility and the authority to improve
25 operations across city government and I hope she

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2 takes this issue as seriously as she's been taking on
3 many others to improve things. And I think that in
4 addition to you know giving agencies greater
5 flexibility to hire within their budgeted headcount,
6 we also need agencies to have greater flexibility to
7 hire within posted salary ranges where OMB has made
8 it very challenging to bring people onboard for
9 anything other than the minimum salary within the
10 range. Council Member, Chair De La Rosa and then a
11 few of our colleagues.

12 CHAIRPERSON DE LA ROSA: Yes, I just have one
13 quick question. You testified that of the 22,000
14 vacancies, 8,000 are DC 37 positions. Can you give
15 us a vision as to which agencies dispositions belong
16 in?

17 HENRY GARRIDO: Well, it's across the board but
18 you know I think I mentioned parks, we have lost
19 1,000 positions. We're in discussions with the
20 Administration to try to restore 750 including 250
21 PEP officers who as I said bring in revenue and this
22 is where it doesn't make a lot of sense. So, if the
23 issue was money, why would the Administration pursue
24 a charter revision that would allow sanitation to
25 clean the parks when it costs them more to do so than

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2 the very park workers that are being there right and
3 I have to go to a civil service position where the
4 park workers, were a noncompetitive titles could do
5 so at a lower cost.

6 So, a lot of this rhetoric that it is a budget
7 exercise is not really to me, doesn't pan out. The
8 same thing happened with ulteriores and Department of
9 Transportation where people are cleaning where new
10 positions will hire at a higher cost with a higher
11 pension cost, no disrespect to Sanitation. Workers
12 have worked extremely well with Harry Nespoli and
13 these members but it doesn't make any financial
14 sense. What he does seem to do is that a lot of the
15 people in the very positions that we have hiring, I
16 mean residency requirement that live in the very
17 neighborhoods that they're supposed to serve are
18 being disenfranchised but Parks certainly is at the
19 top of that list. Certainly, we've done better with
20 healthcare after the pandemic but finance and
21 revenue, as I said, this is a tax cut by neglect.
22 You have over one million parcels in District two in
23 New York and you have two assessors. I think about
24 that. Manhattan downtown buildings that include
25 Hudson Yard and everybody else has two people doing

2 the entire borough. That is insane. If you compare
3 that to NASA county and look at NASA county. It has
4 250 people just in NASA county itself and it's mostly
5 residential. So we're leaving money on the table for
6 this. So, certainly Parks, Finance, revenue
7 producing at its worst.

8 CHAIRPERSON DE LA ROSA: Thank you so much for
9 answering your questions. Council Member Salaam
10 questions? Okay, Council Member Menin.

11 COUNCIL MEMBER MENIN: Well, thank you so much.
12 I first of all want to thank the Chairs for this
13 important hearing and Henry, I want to thank you for
14 your testimony. I really want to highlight something
15 you said about OMB because I couldn't agree more and
16 I just for the record, I mean I think what you're
17 saying is so important that New Yorkers understand.
18 I served as Commissioner of three different New York
19 City agencies, not a single time did OMB ever
20 interview a candidate that I as agency commissioner
21 was interviewing. The fact that OMB who does not
22 have subject matter expertise in these various agency
23 operations is inserting itself and slowing the
24 process down is honestly appalling and shocking. And
25 I think you said it best, you said is OMB running the

2 city? I mean it's who wants to serve as Commissioner
3 when their judgement is constantly being questioned
4 and they can't even hire the people that they want to
5 hire and then OMB inserts itself not having subject
6 matter jurisdiction on this. So, you mentioned you
7 haven't seen this before, could you really talk about
8 that, that in past administrations, this was not - I
9 mean that was certainly my experience. I've never
10 seen anything like this.

11 HENRY GARRIDO: Yeah, so I have the privilege of
12 having been here for almost 30 years, 29 and a half
13 to be precise at DC 37 in various capacity. I worked
14 before that as an auditor for the City of New York
15 two years in, even then I had not seen this. An
16 example of the work that we've done together Council
17 Member, we fought really hard to create an Office of
18 Health Care Accountability because we felt that I
19 could save on health care. Since the city workers
20 are paying twice as much as the average annual health
21 care, cuts across \$13 billion. So, even one percent
22 or two percent could save a lot more money that we
23 could use for health care for active retirees and OMB
24 refused to fund the positions until we fought really
25 hard to do it and even then it was a struggle for

2 something that was going to generate more revenue,
3 more savings. That is something I have never been
4 purvey to and I understand that there was some
5 concerns about OMB always being the gate keeper of
6 the budget right? We've always known that. There's
7 always a balance of power but if there is an
8 agreement with the Council for instance or early
9 childhood education right, we have negotiations early
10 childhood education where we're having a tough time
11 recruiting teachers who are on the early childhood
12 education because they're getting paid \$10,000-
13 \$12,000 as teachers in the UFT. So, anybody with a
14 certification is going to work for where they get
15 paid more right? And so, we had discussions and the
16 struggle of having negotiations that are done. We
17 worked really hard with the Office of Labor Relations
18 to come up with something that's sensible and then
19 have to say that we're not tying the policy
20 recruiting, early childhood education certified
21 teachers that we need to run the programs that are
22 negotiated to the budget because OMB has a different
23 opinion about what it's worth, you know what a
24 teacher should be worth.

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4 That to me is unconscionable and its outrageous.
5 Any challenges of how it has been established in the
6 power of this Council in its capacity through this
7 Committee, through budget negotiations and OMB which
8 has been part of it, but never been the catalyst.
9 They've gone from gate keeper to key maker.

10 COUNCIL MEMBER MENIN: Right, absolutely and I
11 guess two more things I just want to add. It's also
12 going to be a deterrent for people to enter public
13 service. If they have to wait six months to get the
14 job interview and then they're being second guessed
15 and being questioned by OMB as opposed to an agency
16 commissioner, that is a deterrent particularly when
17 in so many rules, people can make more money in the
18 private sector. We're serving as a major deterrent
19 for people serving as public service.

20 The last thing I want to make is just a request
21 to the Chairs, a thought. It would be great if the
22 Committees could ask the Independent Budget Office to
23 do a study of the revenue that is being lost by these
24 kinds of delays. If you take for example, the
25 Department of Buildings alone, you've got all these
vacant place- all these vacant positions that are
delaying economic development projects, construction

2 projects if we could get IBO to do an analysis of all
3 of these vacancies and the revenue that the City of
4 New York is losing because OMB is inserting itself
5 where it shouldn't be.

6 HENRY GARRIDO: Yeah, I think that's very small
7 but let me suggest something to you right? 911 calls
8 are going into voicemail right now. I said it. If
9 you know what's happening with 911 calls, is that
10 people are calling and then it's being referred to
11 the precinct and the call is bouncing back because we
12 don't have enough 911 operators. And this is after a
13 long fought battle in the budget to make sure there
14 was a headcount for 911 operators that then OMB
15 refused to backfill and that to me, it's putting
16 people's lives at risk. It's not just revenue. When
17 you call 911, you expect somebody to be there and to
18 provide you services and that is not happening, and
19 there's no fault to it because they're mandating over
20 time. They're doing three shifts. Our average 911
21 operator now is on a 16 hour shift to answer 911
22 calls and we don't have enough people to answer the
23 phone. There's not enough, you can't get blood from
24 a stone. You can't force people to do anymore
25 mandatory overtime. Especially when lives are at

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2 risk. So, revenue generating is absolutely the smart
3 thing to do but we got to look at emergency services
4 as well, because we're neglecting that. Thank you.

5 CHAIRPERSON RESTLER: That's a great point and I,
6 you know, I think the City Council believes in the
7 power of government to do good. We believe that our
8 city worker force is comprised of dedicated public
9 servants who are keeping our city safe and making our
10 city healthier and a better place to live, and we
11 deprive our communities when we don't have the staff
12 in place. We need to dig in on the 911 operators
13 because that is dangerous. It is just flat dangerous
14 for each and every person in our communities.

15 Council Member Carr has a couple questions as
16 well.

17 COUNCIL MEMBER CARR: Thank you Chair Restler.
18 Good to be here from Brooklyn and Staten Island
19 representing two boroughs, not just one. Henry,
20 thank you for coming here. I just want to say that I
21 agree with you in what my colleagues have been saying
22 which is that OMB's role in hiring is about the
23 ability of the city to afford to hire, not who to
24 hire right and I think that's really the key thing
25 here and that happens through the budget process. It

2 can happen outside of the budget process if financial
3 outlooks change but it's strictly speaking a
4 financial decision, not a substantive one with
5 respect to whether a particular applicant should fill
6 the role or not, so I share those sentiments very
7 strongly.

8 I want to ask you about rehiring folks that were
9 terminated as a result of COVID vaccination
10 requirements. A number of colleagues have been
11 advocating for this particular position for a long
12 time. Rehiring people back at the titles and ranks
13 that they had previously before termination or
14 separation, not talking about the back pay issue.
15 That's not what I'm trying to get at here. It's we
16 do have a need to staff up. It's been a need that's
17 across agencies. Some have been more effective at
18 getting recruitment through hiring halls than others,
19 and it's very clear that there hasn't really been a
20 consistent standard that the city has applied on this
21 question right? Some have sued to get back on and if
22 one and are not been reinstated, some signed legal
23 waivers and returned. Some are still waiting and
24 haven't been able to find meaningful employment since
25

2 separation. So, what's your opinion on this
3 particular topic?

4 HENRY GARRIDO: Well, this matter is subject to
5 litigation so I want to be careful. I believe that
6 that should absolutely happen, right? That we should
7 give an opportunity for people to come back. There
8 were about 3,000 positions that we lost that people
9 were qualified. I think one of the challenges is
10 many of those people apply for their pensions and I
11 know that because I sit as a trustee on the board and
12 so, once you apply for your pension and you've been
13 getting it, to stop your pension and start over,
14 there's some problems that would occur as a result of
15 that because you don't want to be treating them as a
16 new employee under Tier 6.

17 So, there has to be a settlement to be able to
18 bypass that portion. Otherwise, somebody who retired
19 because they were not allowed to continue to work
20 without the vaccine. It comes back could be losing
21 thousands and thousands in their pension by doing so.

22 Secondly they issue seniority and longevity pay
23 that is for staff, even if you don't do retro, it's
24 another challenge and that's side of what's on but we
25 generally at DC 37 support that measure. There were

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2 many good employees who didn't believe they had to do
3 it and either accepted a resignation or terminated
4 out right because they refused to do it and they
5 should be given an opportunity to come back.

6 COUNCIL MEMBER CARR: Thank you. I appreciate
7 that position very much and I think yes, the pension
8 piece is complicated for a segment of these
9 individuals and I think what's instructive is the
10 example of judges right who certificated judges were
11 forced to leave the bench. Some took their pensions
12 and the legislature passed legislation to basically
13 make that okay. So, I understand we would need to
14 have their cooperation in this on that front but I
15 think if there's a will, there's a way and if we
16 understand it, there's a matter of equity that these
17 are people who gave meaningful service to the city
18 for many years. But for this, would still be serving
19 the city and performing well and I think we should do
20 everything we can to eliminate you know legal
21 roadblocks to restoring them to city service.

22 HENRY GARRIDO: Yeah I agree and we will support
23 legislation to that.

24 COUNCIL MEMBER CARR: Thank you.
25

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2 CHAIRPERSON RESTLER: Henry, I know you have a
3 leadership meeting with DC 37 today, so I just really
4 want to thank you for taking time away from that to
5 be with us and to share in your insights. This was
6 an incredibly compelling - this was incredibly
7 compelling testimony and your expertise here is of
8 enormous value to the Council as we try to address
9 this hiring crisis and better staff our city agency,
10 so thank you so much for being with us.

11 HENRY GARRIDO: Thank you and remain open to any
12 discussions. You know we work really well with you
13 and any information that we have and we have
14 testified today, we can follow up facts. And so,
15 anything for need for documents to the extent
16 legally, we would be willing to share in a
17 transparent matter.

18 CHAIRPERSON RESTLER: Thank you

19 CHAIRPERSON DE LA ROSA: Thank you.

20 CHAIRPERSON RESTLER: And we would really like to
21 thank the team from DCAS and OLR for their patience
22 in listening to that panel and for giving the chance
23 for Mr. Garrido to testify first as he had other
24 commitments today.

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4 It's now my pleasure to introduce Katrina Porter,
5 The Deputy Commissioner for Citywide at DCAS, Kadian
6 Outar and I apologize if I'm mispronouncing your
7 name. Please correct me. Assistant Commissioner at
8 DCAS and Daniel Pollak, the First Deputy Commissioner
9 at the Office of Labor Relations. Thank you so much
10 for being with us today.

11 COMMITTEE COUNSEL: Can you please raise your
12 right hands? Do you affirm to tell the truth, the
13 whole truth and nothing but the truth before these
14 Committees and to respond honestly to Council Member
15 questions?

16 PANEL: Yes, I do.

17 COMMITTEE COUNSEL: Thank you. You can go ahead.

18 KATRINA PORTER: Good morning Chair De La Rosa,
19 Chair Restler and Members of the City Council
20 Committees. My name is Katrina Porter and I am the
21 Chief Human Capital Officer for the City of New York,
22 and Deputy Commissioner for the Human Capital
23 Division at the Department of Administrative
24 Services, more commonly known as DCAS. I am joined
25 here today by my colleagues c, Kadian Outar and
Daniel Pollak, First Deputy Commissioner with the
Office of Labor Relations.

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2 I am grateful for the opportunity to discuss the
3 vital programs and processes we implement at DCAS to
4 deliver resources, services, and support to city
5 agencies and most importantly to the people of New
6 York City. We understand the Council's interest in
7 ensuring consistent public services and also share in
8 the belief that the city's workforce is among its
9 greatest asset and is a critical component for
10 government service delivery.

11 To provide context, DCAS plays a critical role in
12 supporting agencies efforts to recruit and retain
13 city employees and foster an accessible civil service
14 with minimal barriers to entry. In addition, we have
15 developed innovative tools such as our interactive
16 data website, which draws information from our annual
17 New York City Government Workforce Profile Report.

18 Here at DCAS, we take a multi-pronged approach to
19 attracting and retaining talent, talented New Yorkers
20 to serve in city government. This is a constantly
21 evolving process that requires us to develop
22 strategies to broaden the scope of the civil service
23 exams we administer. We have been expanding the use
24 of our bridge exam model, which allows candidates to
25

2 take a single exam while qualifying for multiple
3 roles.

4 We recently expanded this model to include, for
5 the first, a single exam featuring multiple public
6 safety titles. This exam, currently open for
7 registration, offers candidates four potential
8 pathways into a career and public safety. Closing on
9 November 29th, we recently launched a digital
10 marketing campaign, entitled Choose Your Character,
11 Choose Your Badge, aimed at attracting a diverse pool
12 of candidates to register.

13 In addition to expanding offerings, we continue
14 to accelerate the timeline for administering civil
15 service exams, enabling quicker candidate list
16 availability for urgent agency hiring needs. In
17 Fiscal Year 2024, DCAS produced exam results in just
18 under 140 days, representing the lowest such
19 timeframe in well over a decade. Shorter turnaround
20 times to help to ensure candidates remain engaged and
21 are responsive to agencies looking to hire.

22 Annually, DCAS administers between 185 and 200
23 exams, offering pathways to civil service jobs for
24 tens of thousands of New Yorkers. To date, we have
25 administered 205 exams this year, which are the most

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2 we have ever undertaken in a single year. Exams are
3 the front door to municipal service; more than 80
4 percent of city government jobs require passage of a
5 civil service exam.

6 We are also very proud of our latest efforts to
7 speed up onboarding. Led by DCAS, the HR
8 Transformation initiatives have helped to reduce the
9 paperwork necessary for onboarding and streamlined
10 the hiring process to provide a smoother pipeline, as
11 well as prevent candidate drop off.

12 We have also looked to adjust many minimum
13 qualifications across various titles consider
14 practical experience and formal education
15 requirements while maintaining high standards across
16 our workforce. This is a groundbreaking initiative
17 and one that has already shown signs of promise.
18 This ongoing initiative expands the pool of eligible
19 candidates and reduces employment barriers. To date,
20 we have successfully revised requirements for 44
21 titles, affecting approximately 22,000 plus jobs.

22 We expect this effort to continue to broaden the
23 pathways into municipal work for New Yorkers. Our
24 efforts to recruit talent has even expanded to
25 include more pathways than ever for the next

2 generation of civil servants. We have numerous
3 initiatives aimed at engaging our city's youth. In
4 partnership with New York City Talent, DCAS has
5 worked to meet the Mayor's Moonshot 3530,
6 apprenticeship goal of delivering 30,000
7 apprenticeships by 2030, including helping to launch
8 the Career Readiness and Modern Youth Apprenticeships
9 CRMYA for high school students interested in civil
10 service career.

11 For more than ten years, DCAS has hosted a hands-
12 on automotive internship program in the city fleet's
13 repair garages with New York City Public Schools
14 during the summer where students can gain experience
15 with NYPD, Sanitation, FDNY and Parks vehicles. This
16 year, DCAS expanded the internship to be a year-round
17 program.

18 And we're not done, we are continuing to work to
19 expand these programs to benefit and engage even more
20 of the city's youth. In May 2024, we successfully
21 petitioned and received approval from the state to
22 double the number of seats for the Civil Service
23 Pathways Fellowship. Beginning with this year's 67
24 fellows, who comprise the largest Civil Service
25 Pathway Fellow cohort in the program's history. We

2 also successfully continue to administer the Urban
3 Fellows, Summer Internship Program, and Public
4 Service Corps programs.

5 Beyond exams, internships, and qualification
6 reviews, we are laser focused on training to both
7 increase staff morale and retention.

8 On the training front, we launched a new Citywide
9 Learning Management System, NY City Learn, which
10 allows employees to register for classes, download
11 transcripts, and access the city's digital training
12 and professional development catalog anytime and
13 anywhere. With this new system, NY City Learn
14 supports retention, as well as help foster a
15 resilient workforce.

16 We are also committed to hearing directly from
17 city workers. This past summer, DCAS launched the
18 2024 Climate survey to assess how the city's equity
19 and inclusion policies are impacting the workforce.
20 The Climate Survey is part of a long-term strategy to
21 help agencies with developing and modifying
22 strategies to prevent Equal Employment Opportunity
23 discrimination and sexual harassment.

24 Before concluding, I would like to address Intro.
25 75. As part of our work on the Government Workforce

2 Profile Report, DCAS developed an online interactive
3 tool that provides extensive information, including
4 nearly all of the data required by the proposed
5 legislation.

6 The tasks involved in producing the report, such
7 as data collection, merging various datasets,
8 cleaning data, data analysis, and checking for
9 errors; all require a significant amount of time.
10 Allowing interagency stakeholders the opportunity to
11 verify the data further lengthens the timeline.

12 DCAS is concerned, among other things, that this
13 bill's mandated two-week refresh rate as well as the
14 twice the annual reporting requirements are too
15 challenging to fulfill. However, we would welcome a
16 dialogue with the Council about these provisions.

17 With regard to Intro. 212-A, ensuring that exams
18 are readable and accessible are a core function of
19 DCAS's exam development process. When formulating
20 questions for an exam, DCAS works with agency Subject
21 Matter Experts, who are permanent incumbents serving
22 in the relevant title, to craft questions that will
23 accurately test a candidate's knowledge of a title's
24 work. DCAS' Exam bureau brings together two separate
25 panels of 3-5 SMEs, depending on availability of

2 staff. One, a question writing panel and the other,
3 a separate panel of experts, who review the first
4 panel's work. The question writing SMEs craft
5 questions specific to the knowledge, skills and
6 abilities of a title, while the second panel reviews
7 the first panel's content for appropriateness to the
8 work of the title.

9 So, to be clear, exam readability and
10 accessibility are two areas we already actively
11 undertake when developing examinations.

12 I hope this testimony has conveyed that while we
13 do not directly control the hiring processes of
14 individual city agencies, we work diligently to
15 support them in meeting their hiring needs.

16 We are committed and passionate about helping New
17 Yorkers join city government, and we are working
18 tirelessly to position the City of New York as an
19 employer of choice. Hiring and retaining the
20 brightest and most talented New Yorkers is one of our
21 top priorities. The Civil Service system undoubtedly
22 provides a pathway to the middle class for all New
23 Yorkers. Through the initiatives, programs,
24 apprenticeships, and partnerships we have outlined

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2 here, DCAS continues to recruit qualified candidates
3 to fill city vacancies.

4 I'd like to thank the City Council for their
5 partnership with DCAS in advancing this important
6 work and I am happy to now answer any questions you
7 may have.

8 CHAIRPERSON DE LA ROSA: Thank you so much again
9 for your patience and for being here once again on
10 this important topic. I have, my first question is
11 around the 2024 report by the State Comptroller,
12 which cited that the reduction in vacancy rate is
13 largely due to the city's decision to lower its
14 staffing targets rather than an increase in net
15 staffing levels. In December 2022, the city's
16 vacancy rate peaked at 8.4 percent. Since then, the
17 city has reduced its staffing target by 7,096
18 positions accounting for over two-thirds of the
19 vacancies reduced through January 2024, so there was
20 a reduction in the target of hiring.

21 How has the position to reduce staffing targets
22 impacted the city's ability to deliver services,
23 especially in areas facing high demand? That's one
24 question and two, what evaluation is conducted before
25

2 a vacant position is eliminated to determine that it
3 is no longer needed?

4 KATRINA PORTER: So, thank you for that question.
5 From a DCAS perspective, we stay committed to
6 delivering high quality services to support New
7 Yorkers and city agencies and we are continually
8 assessing how we can maximize the use of the
9 resources that we have available.

10 As it relates to staffing levels and you know
11 budgeted headcount at city agencies, DCAS is not
12 privy to that information. However, we can take that
13 question back to our colleagues at OMB for a
14 response.

15 CHAIRPERSON DE LA ROSA: And so, when the
16 decision is made to reduce the staffing target by
17 7,000 plus positions, that is a decision that is made
18 by OMB and is there a previous evaluation that DCAS
19 is involved in where you notify or inform OMB that
20 these are positions that are no longer needed or
21 positions that will not have an impact? Is there a
22 communication between DCAS and OMB when determining
23 to lower that target?

24 KATRINA PORTER: So yes, DCAS is not involved in
25 that process so we have no insight into the decision

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2 making when those type of decisions are being made by
3 OMB.

4 CHAIRPERSON DE LA ROSA: It seems to me that that
5 is backwards in the process because if you are the
6 Chief, you know human capital of the city where
7 you're tasked with filling these positions and a
8 decision is made to reduce the target, you would know
9 best where the impact will lay among our city
10 services right and where the challenges are in
11 filling these positions. And so, it seems to me, I'm
12 just putting it out there for the record, that that
13 is a miscommunication and a lack of opportunity
14 really to have a robust conversation where we can
15 actually determine what are the positions and that
16 number seems then arbitrary right. That 7,000 plus
17 positions seems arbitrary. If there isn't a
18 conversation or an evaluation that is done. How is
19 the Administration addressing high turnover in
20 Departments such as the probation department
21 buildings and the Fire Department where turnover has
22 already exceeded prepandemic averages and again, just
23 piggybacking on some of the conversation we had
24 before with DC 37, it seems to me that these specific
25 agencies Probation, Buildings and Fire are safety

2 agencies. Agencies that are needed in order to
3 comply with the safety of New Yorkers.

4 KATRINA PORTER: Thank you for that. So, we do
5 work very closely with city agencies. You know we
6 host a monthly agency personnel officer meeting and
7 we do meet with individual agencies to discuss their
8 recruitment needs. As you may know, 80 percent of
9 the positions in the city's title portfolio are
10 competitive. And so, administering examinations, you
11 know that is the foundation of how we support city
12 agencies and meeting their hiring needs. Now, we do
13 recognize that that is a preemptive measure because
14 it does take time for those exams to be established
15 but in the event, so let's take for instance, you
16 mentioned the Department of Probation. In the event
17 that we are in the middle of administering
18 examination, we are able to provide the agency with
19 applicant data so that they can use that as a
20 recruitment source until the exam is ready.

21 Our Office of Citywide Recruitment also works
22 very closely with agencies to spotlight their
23 positions and to get the word out about any vacancies
24 that they may have available. Kadian, would you like
25 to add anything?

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4 KADIAN OUTAR: Sorry, thank you DC Porter. We do
5 work with agencies to promote and recruit for their
6 positions, especially when it is recognized that
7 there is upcoming exams or if they have an immediate
8 need. So, there is an active engagement with
9 agencies. On the other side of the retention part of
10 it is agencies working. We provide guidance and
11 support for the agencies and tools in which they can
12 engage their employees and whether it's providing
13 additional training, having access to that
14 information but that also happens on the agency level
15 and how they utilize those tools that we're providing
16 them.

17 CHAIRPERSON DE LA ROSA: Thank you for answering
18 that question. I have a question on overtime
19 spending before I pass it over to Chair Restler. So,
20 overtime spending reached \$1.8 billion through March
21 2024. That's up from \$1.1 billion three years prior.
22 We heard the testimony of Henry Garrido in terms of
23 the 911 operators and how they've actually been
24 forced to work 16 hour days. Has the Administration
25 assessed how this increase in overtime effects
employees wellbeing, productivity, and retention

2 especially in roles that are critical to public
3 health and safety?

4 KATRINA PORTER: So, related to employees you
5 know health and wellbeing, we have you know the
6 Office of yes, Work Well NYC.

7 CHAIRPERSON DE LA ROSA: What is the name?

8 KATRINA PORTER: Work Well NYC, which is a part
9 of OLR that offers many different programs and
10 services for city employees. So, Dan if you could
11 you know share some of that with the Council.

12 CHAIRPERSON DE LA ROSA: Okay and then I have a
13 second part to that question. I'll listen to the
14 response but are there any plans to establish more
15 efficient staffing models to reduce this overtime
16 resilience? Is the second part of that question but
17 go ahead Dan.

18 DANIEL POLLAK: Thank you Council Member. So,
19 just going off what Deputy Commissioner Porter -

20 CHAIRPERSON DE LA ROSA: Could you get a little
21 closer? I'm sorry.

22 DANIEL POLLAK: Sorry, so just building off
23 Deputy Commissioner Porter's reference to Work Well,
24 OLR just in terms of supporting employees has
25 multiple programs including Work Well NYC, which

2 supports employee wellness, with various forms of
3 programming for employee health and mental wellbeing
4 and we also have the employee assistance program,
5 which assists employees who are going through mental
6 health issues by counseling and also connecting them
7 with providers. We don't have any specific
8 relationship to employees working excessive overtime
9 except for you know when it's raised by a union, we
10 will see if we can try to work with them to help
11 improve the situation but we don't specifically
12 monitor overtime spending or agency overtime budgets.

13 CHAIRPERSON DE LA ROSA: And so, can there be
14 like if there is a world where there could be like
15 that proactive conversation because we already know
16 like, just having this one session where we heard DC
17 37 for example, testify around what is happening to
18 911 operators. Understanding that the safety of the
19 public in New York City is in the hands of these
20 operators. Can there be a proactive approach in
21 providing some wellness and retention efforts for you
22 know quality of life really for these workers?

23 DANIEL POLLAK: I can certainly take that back.
24 You know we are always looking for places to kind of
25

2 target our programming. So, I'll take that back and
3 discuss it with our staff.

4 CHAIRPERSON DE LA ROSA: Thank you. I'll pass it
5 over to Chair Restler.

6 CHAIRPERSON RESTLER: Great, thank you so much.
7 I will ask questions on a few topics, then I know
8 many of my colleagues would like to jump in and then
9 I think Chair De La Rosa and I will come back with
10 some more questions. I just also wanted to thank
11 Executive Deputy Commissioner Thuo for being with us
12 today. We always appreciate when agency leadership
13 comes and attends the hearings and you know when
14 their teams are up as the content experts but that
15 you care and you're engaged it means a lot. So,
16 thank you for being here and Deputy Commissioner
17 Porter, thank you for your leadership and hard work.
18 Former Commissioner Pinnock was so excited about you
19 taking this role. She's somebody who I've worked
20 with over the years and have a lot of respect for.

21 Henry Garrido testified that there were 22,000
22 vacancies in city government today. Are you able to
23 confirm that number? Is that accurate?

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2 KATRINA PORTER: So, I'm not able to confirm the
3 number but I can confirm the vacancy rate, which
4 stands at about 5.3 percent.

5 CHAIRPERSON RESTLER: And that's full time
6 employees?

7 KATRINA PORTER: Yes and that's based on
8 information we received from OMB.

9 CHAIRPERSON RESTLER: Okay so the vacancy rate is
10 - I assume, not sure although my Chief of Staff Molly
11 will kick me if I say something inaccurate. She's
12 far away so she may not be able to kick me. That
13 that's for full time employees and that his figures
14 may also include part time employees which would lead
15 to an even higher vacancy rate but at five odd
16 percent - okay, so I think it's about five percent.
17 In the previous administration the prepandemic years
18 from FY18 to FY20, the city vacancy rate was under
19 two percent throughout that time period. You know we
20 have seen that and to Chair De La Rosa's point
21 earlier, the decline in the vacancy rate and the
22 State Comptrollers report is somewhat misleading
23 because the major reduction in the vacancy rate it
24 because we've eliminated 10,000 jobs in city
25 government under this Administration. So, the

2 vacancy rate would be dramatically higher if we
3 hadn't cut 10,000 budgeted headcount by this Mayor.
4 I'm just interested though let's say for argument
5 sake that Henry Garrido is right because he almost
6 always is. DCAS, we've got 22,000 vacant positions.
7 Over five percent of positions vacant. Do you
8 conduct regular analysis of those vacancies to
9 determine which civil service exams you need to
10 expedite to help fill the vacancies that are most
11 concerning?

12 KATRINA PORTER: So, the development of the
13 annual examination schedule, it's a collaborative
14 effort with city agencies where we first start out
15 with using data and uhm, so that's data around the
16 number of professionals that are serving in the city
17 and then taking a look at active lists that may be
18 scheduled to terminate you know within the next year.
19 And DCAS comes up with a tentative list of exams or
20 titles that we plan to offer in the upcoming fiscal
21 year. We then reach out to these city agencies and
22 we ask for their input in the schedule through what
23 we call a workforce planning questionnaire. And it
24 gives agencies an opportunity to assess their
25 workforce to determine any special programs that they

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4 foresee coming in the near future or titles where
5 they may see a high attrition rate. And then the
6 agencies will then provide that information to DCAS
7 for consideration and including the title and the
8 examination schedule.

9 CHAIRPERSON RESTLER: Okay. There are close to
10 half a million candidates on eligible lists across
11 510 titles. I believe the number we have is 474,724.
12 Are you able to confirm, is that accurate?

13 KATRINA PORTER: That sounds about right.

14 CHAIRPERSON RESTLER: Okay. Do you know a
15 breakdown, I'm curious between what percentage of
16 those nearly half a million people are current city
17 employees seeking a promotion and who are new hires?

18 KATRINA PORTER: That I do not have handy but we
19 can probably get back to you on that.

20 CHAIRPERSON RESTLER: Okay, that would be great.
21 If we have - lets you know a substantial percentage
22 of this half a million people who have - who are on
23 eligible lists across 500 titles. That's a lot. A
24 lot of them are new people trying to fill vacant
25 positions. Like, what is the biggest obstacle to
getting these candidates eligible? Half a million

2 candidates into vacant positions or promotions in
3 city government?

4 KATRINA PORTER: So, our process is governed you
5 know by the civil service, by civil service law and
6 there are you know rules that govern how we use the
7 service list. And so, pretty much, the way it works
8 is that when an agency has a vacancy, they reach out
9 to DCAS and then we send them a list of candidates to
10 be considered. What we've noticed most recently is
11 that a large number of these candidates they're not
12 showing up for consideration. So, although they're
13 on the list, they may not be available for
14 consideration. So, you know any time an agency has a
15 vacancy, it's the same list that they're using.
16 Folks you know may fall off the list, which allows
17 them to reach candidates that are further down.

18 But when we look at lists like Sanitation worker,
19 where there are you know 45,000 candidates on that
20 list and you know Sanitation would usually, they may
21 usually hire a couple of thousand people a year. The
22 likelihood that all 45,000 of those candidates will
23 be reached for consideration.

24 CHAIRPERSON RESTLER: No, of course not. I think
25 it's more that you know if 80 percent of jobs in city

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2 government require a civil service exam, we've got -
3 according to Henry, 22,000 vacancies. That means
4 17,000, 18,000 jobs that are civil service exam jobs
5 are vacant. We have half a million people who have
6 taken exams on eligible lists for 18,000 jobs getting
7 that number of half a million people into those
8 vacant jobs shouldn't be rocket science and yet, here
9 we are two years into the Adams Administration and we
10 haven't seen the hiring spree that the mayor promises
11 alleges claims is happening or that he's committed
12 to.

13 So, I just - I kind of wanted to dig in on an
14 agency and then just dig in on the process and then
15 I'll kick it over to colleagues. So, you know for
16 three years now, the City Council has been apoplectic
17 about the situation at HRA and just how hard it has
18 been for New Yorkers in search of cash assistance or
19 public benefits to actually get the help they need in
20 a timely manner. And you know I referenced it in my
21 opening statement, could you just talk with us like
22 how you've been working with HRA to fill vacancies
23 and how many of the 1,158 vacant positions at HRA or
24 civil service positions, if you know that, and like

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2 what are we doing to fill that 1,000 plus jobs as
3 quickly as possible?

4 KATRINA PORTER: Yeah, that's a great question.
5 We have been working very closely with HRA for the
6 past I would say year or so and helping them staff up
7 in some of their most critical titles. And we've
8 done that through of course the hiring halls, where
9 HRA had great success in identifying candidates to
10 fill some of their most critical position. We also
11 took a look at the examination to be offered for
12 those titles and adjusted the exam format to
13 education and experience to provide you know more
14 flexibility in helping HRA attract that talent. And
15 also to support their recruitment efforts to avoid
16 the civil service list you know running counteractive
17 to their recruitment efforts. So currently, we have
18 exams open for three of HRA's titles. Their most
19 critical titles to first help those candidates that
20 they hire to obtain a permanent civil service status
21 but then also helping them to attract new talent to
22 fill their - any additional vacancies they have.

23 I also want to mention that some of HRA's titles
24 were a part of our minimal qualification review
25 efforts where we expanded the qualification

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4 requirements to attract folks who may not meet the
5 qualifications as is. So, we have been working very
6 closely with HRA to help.

7 CHAIRPERSON RESTLER: I take you at your word.
8 Those are all you know meaningful efforts. I think
9 that we've heard from Commissioner Park and her
10 testimony over multiple hearings how committed she is
11 to try and improving hiring at HRA and yet still some
12 come into the office, the headcount of the agency is
13 declined right? And you know the level of service
14 that New Yorkers deserve is just not being met.

15 And so, you know we have a long way to go to get
16 - to staff up at HRA. I just want to dig into one
17 more topic and then I'll kick it over to colleagues.
18 Just talking through how long it takes someone to get
19 hired through a civil service, kind of through the
20 civil service process. How long and I'll just - if I
21 could just walk you through the step so I could try
22 and understand it. So, how long between when an exam
23 is noticed to when an exam is held on average? Can
24 you share?

25 KATRINA PORTER: Usually within three months of
the application period we would host the multiple
choice exam but for education and experience exams,

2 the exam is the application period. So, you know
3 once that 28 days passes, then the application period
4 closes and we would start the scoring process to have
5 the exam administered.

6 CHAIRPERSON RESTLER: Okay, I mean we looked at
7 recent kind of sampling of posted exams and it was
8 between 120 and 140 days on average from when the
9 exam is noticed, when the exam is held but why don't
10 we say 90 days for keeping it moving. And how long
11 does it take on average to score an exam?

12 KATRINA PORTER: So, we're working on an average
13 cycle time as per the MMR of 290 days but we're well
14 below that number. In FY24, the median time between
15 administration and exam establishment was 140 days.

16 CHAIRPERSON RESTLER: 140 okay, great. So, 140
17 days, and then on average, how long does it take to
18 post the eligible list after the exam has been
19 scored?

20 KATRINA PORTER: Usually within a few weeks.

21 CHAIRPERSON RESTLER: Okay, few weeks. So, why
22 don't we say 21 days, how's that to post the eligible
23 list after the exam has been scored. And then how
24 long does it take for an agency to send call letters,
25 assuming the agency has vacancies?

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2 KATRINA PORTER: So, the way the certification
3 process works it's on two fronts. If an agency has
4 provision to employees, upon establishment of the
5 list, DCAS is going to automatically certify that
6 list of the agency. They don't need to ask for it.
7 Our process requires that we send it to them. If an
8 agency does not have any provision or employees, then
9 they need to ask DCAS for the eligible list. So,
10 that would mean that they have a vacancy to fill and
11 then they would reach out to DCAS and we would then
12 send them the list.

13 CHAIRPERSON RESTLER: So, if they have a vacancy
14 to fill, they reach out to you to send them the list
15 and then they send the call letters or you send the
16 call letters?

17 KATRINA PORTER: The agency sends the call
18 letters and their process is guided by what we call
19 the Civil Service list core guidelines.

20 CHAIRPERSON RESTLER: Okay.

21 KATRINA PORTER: Which were established by DCAS.
22 They provide you know rules and regulations around
23 how agencies should use Civil Service lists and
24 according to the list core guidelines, the agencies
25 have to give candidates ten business days to you know

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2 an invitation ten days before you know the actual how
3 it continues. So, there's responsible for sending
4 out the call letters.

5 CHAIRPERSON RESTLER: So, in your experience
6 working with a bunch of different agencies, can you
7 give any rough estimate of how long that usually
8 takes for agency has vacancies, they reach out to
9 DCAS, they request the information, DCAS sends it to
10 the agency, the agency sends out the call letters.
11 How long?

12 KATRINA PORTER: It's a 30 day process.

13 CHAIRPERSON RESTLER: 30 days, okay.

14 KATRINA PORTER: Agencies have 30 days to use the
15 cert and we turn it to DCAS.

16 CHAIRPERSON RESTLER: And then this is probably
17 the most painful question. How long does it take the
18 agency to process and hire employees, including OMB
19 approval? I guess that must range just
20 extraordinarily but any insight that you can offer us
21 there?

22 KATRINA PORTER: So, in most cases we require
23 agencies to obtain OMB approval before they request a
24 list certification and that's to avoid or to reduce
25 any delays in onboarding candidates after they are

2 selected. And so, what I wanted to mention is that
3 we have you know heard that the onboarding process
4 does take some time. So, DCAS did embark on what
5 we're calling the HR transformation project, where we
6 looked at the forms that need to be filled out. The
7 document that kind of what we call the comprehensive,
8 the CPDB document. It was a document that had like
9 50 pages. Through HR transformation we were able to
10 reduce those forms to about - that document to about
11 30 forms and then we also took a look at all of the
12 other documents that employes have to fill out as a
13 part of their onboarding process to streamline and
14 eliminate as necessary.

15 CHAIRPERSON RESTLER: So, when you decided that
16 you were going to start working with agencies to help
17 streamline this process, did you do an assessment of
18 how long it's normally taking on average?

19 KATRINA PORTER: Yes, well, we used information
20 that we received from city agencies about their
21 process.

22 CHAIRPERSON RESTLER: Yeah, what did you find?

23 KATRINA PORTER: I don't have the data point handy
24 right now but I can definitely -

25 CHAIRPERSON RESTLER: Broad strokes?

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2 KATRINA PORTER: Maybe one of the team members
3 can check for me. We'll get back to you.

4 CHAIRPERSON RESTLER: Months? Six months?

5 KATRINA PORTER: It varied by you know depending
6 on the agencies you know hiring practices, so it
7 varied by agency.

8 CHAIRPERSON RESTLER: But six months seems like a
9 reasonable estimate?

10 KATRINA PORTER: In some cases.

11 CHAIRPERSON RESTLER: Okay. So, what we're
12 talking about just to kind of add that all together,
13 approximately 90 days between when an exam is
14 noticed, when an exam is held unless it's just based
15 on experience and education level.

16 KATRINA PORTER: Hmm, hmm.

17 CHAIRPERSON RESTLER: Then it's 28 days but 90
18 days, plus how long does it take to score the exam,
19 it's reported in the MMR, 140 days. How long does it
20 take to post the eligible list? You said about a few
21 weeks, so let's say 21 days. How long does it take
22 for an agency to send call letters? Go back and
23 forth? It took about 30 days. And then how long
24 does it take an agency to process and hire the
25 employee? You're going to get back to us on a firm

2 number but we're going to say about six months. When
3 we add that all up, if my math is okay and Molly
4 again will kick me. I got about 430 days. So, we're
5 talking about 14 months, 15 months to be able to put
6 that all together from the time somebody is taking an
7 exam to getting hired. That's you know good - if
8 everything is working well and the thing that I say
9 this - and that's if every single process is going
10 from point a to point b as quickly as possible.

11 You noted in the middle of that that the agencies
12 are seeking OMB approval before they're getting the
13 call letters sent out. I'm assuming there's a delay
14 there because we all know how OMB works, so that
15 that's not happening exactly as efficiently as
16 possible. So, the best case scenario of kind of a 15
17 month process, 14, 15 month process, in fact is
18 probably quite a bit longer for most people. Is that
19 right? Do you track kind of from exam taking to
20 hiring on average? Is that an outcome that you're
21 looking at and should it be an outcome that DCAS is
22 looking at?

23 KATRINA PORTER: We're looking at from an exam
24 administration to establishment but -

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2 CHAIRPERSON RESTLER: What is - sorry,
3 establishment means?

4 KATRINA PORTER: That's the publishing of the
5 actual eligible list. But something that I want to
6 mention Council Member Restler is that if there is no
7 active list available for an agencies use, they have
8 the ability to still hire. They do not have to wait
9 for the establishment of a civil service list to
10 start their hiring process. In fact, we have been
11 working with agencies to help them to do their
12 recruitment and onboarding ahead of a Civil Service
13 exam and then having those candidates who are you
14 know selected through their onboarding process take
15 the upcoming -

16 CHAIRPERSON RESTLER: Right, so are those
17 Provisionals that are then taking the exam?

18 KATRINA PORTER: That's right.

19 CHAIRPERSON RESTLER: That's right, so it's a way
20 to try and you know move more efficiently through the
21 process.

22 KATRINA PORTER: That's right, so they don't have
23 to go through the process as you indicated.

24 CHAIRPERSON RESTLER: Which I think is helpful
25 for us to be doing that but I don't know three or

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2 four percent of our city workforce is provisional.

3 This is a relatively small number of people. We've

4 got you know 22,000 vacancies and a hiring process

5 that for somebody who is currently unemployed it's

6 just totally untenable, right? Like you get the

7 average hiring for a private sector job in New York

8 City from the time it's posted to the time it's

9 filled is 36 days. 36 days verse 15 months best case

10 scenario it's impossible. You just can't and so

11 there's no to me, like it's no applicant who could

12 get a private sector job that's you know is going to

13 be able to wait for that public sector position

14 because of the way that our process works today. And

15 I just have to say and then I'll shut up for a bit

16 and then we'll go to Chair De La Rosa and then

17 members of the Committee. It's like, I really think

18 that we should be measuring this process from start

19 to hire. From the time the exam is posted to the

20 time when the exam is noticed to when the person gets

21 in the job, because that's the outcome that we're all

22 working toward, right and if we're tracking that

23 start to finish and holding ourselves accountable,

24 holding OMB accountable to actually fulfill these

25 goals, I think we could deliver better outcomes and I

2 think you all have done some smart things to speed up
3 this process. I'm not missing that in your testimony
4 and I hope that I'm not glossing over that but where
5 we are today really isn't acceptable and so, I just
6 wanted to say that plainly. Thanks Chair De La Rosa.

7 CHAIRPERSON DE LA ROSA: Yes, I have a quick
8 question before we turn it over to colleagues. So,
9 we're hearing and granted I know that you're not HRA,
10 you're DCAS but we're hearing about specific
11 instances in agencies like HRA where letters were
12 sent to social workers within the agencies that were
13 hired last year when HRA was trying to fill a backlog
14 of applications etc., saying that Civil Service exam
15 lists were coming out for licensed social workers and
16 that they would be required to hire from that list.
17 And so, the current social workers that are working
18 there that are not from the Civil Service list would
19 have to either one, take the exam or they would have
20 to - or they would be terminated.

21 So, you know there is like a very short window in
22 terms of the turnaround there and so, what I'm asking
23 is is there - what is a solution? Because that is a
24 workforce that we depended on when we're in crisis
25 and now that is a workforce that is basically being

2 told, well, we're out of the emergency. That there's
3 talent there right and those are people that could be
4 working for the city. So, is there any
5 accommodations that's being made for those workers
6 that are already in the agency that can continue
7 doing the work because I imagine, especially given
8 what we heard about this timeline and this process,
9 that if a worker is terminated in 2 months and it
10 take 14 to hire someone from the Civil Service list,
11 there's going to be a gap again.

12 So, what steps can we take for those workers that
13 are already at the agencies?

14 KATRINA PORTER: Yeah, so I do recognize how the
15 Civil Service process can be a bit confusing but it's
16 governed by Civil Service law. And so, the law
17 states that you know Provisionals have to be replaced
18 when a list is established within two months of list
19 of establishment. So, it would be in the employees
20 best interest to just go ahead and take that
21 examination so that they can, you know pick up the
22 Civil Service status that they need.

23 In the event one provision that they do have, so
24 let's say that an employee missed the application
25 process. We do have - employees would have an

2 opportunity to do what we call late filing if they
3 miss the application period but they would need to
4 take that examination because they're serving in a
5 competitive class title.

6 CHAIRPERSON DE LA ROSA: But my question is more
7 about what accommodations are being made for those
8 workers that are already in the agency to say, "hey,
9 this exam is coming up. In two months, we're
10 expecting for you to have taken this exam in order to
11 retain your job." And then, while this employee
12 waits for the scoring and the results and all of
13 that, do they stay on?

14 KATRINA PORTER: Oh yes, of course, of course.
15 So, as long as there is no active list, agencies are
16 fine to serve provisionally in that title. One
17 accommodation that we do provide city workers is the
18 selective certification that gives current city
19 employees to have at least one year of city service,
20 the opportunity to apply for that selective. So,
21 that if the agencies wanted to call a truncated part
22 of that eligible list to reach the folks that have
23 been working in city government, they have the
24 ability to do so.

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2 CHAIRPERSON DE LA ROSA: Okay. I think that we
3 need more clarity for the workers in that that is
4 what is expected of them because I think that there's
5 confusion in terms of like what is expected of them
6 versus how this process plays out at the end of the
7 day.

8 KADIAN OUTAR: And I will just add to that too,
9 one of the things that we do is with the Civil
10 Service one on one process, is that we look ahead at
11 the schedule and we work with the agencies that we
12 know have Provisionals or utilize that title to hire
13 and send them communication that you know we are
14 hosting monthly Civil Service one on one sessions, so
15 that way there are employees that are in titles that
16 are coming up. They can learn a little bit more
17 about what that process is. What the Civil Service
18 examination is all about. Getting them familiar with
19 like what is an education experience versus a
20 multiple choice and answer some of the questions that
21 they may have about that process.

22 We also know that the agencies themselves work to
23 notify their employees as soon as possible about the
24 upcoming exam so those folks are aware that it's
25 available.

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2 CHAIRPERSON DE LA ROSA: I think with the social
3 workers it's a little different because they have to
4 be licensed right? This is an employee that's a city
5 hire that's working towards their license but has
6 still like two years left on the master's degree but
7 they're working, they're doing the work. They're not
8 licensed social worker, and so, in order to take the
9 exam, you have to have that minimum qualification
10 right? So, that employee would drop off. It
11 wouldn't be eligible to take that exam.

12 And so, but there's still talent there is what
13 I'm saying like that worker shouldn't simply be
14 discarded because like if they're good enough to do
15 the job when it's an emergency, they still haven't
16 had - they're not licensed yet. There should still
17 be a way that we should be using that workers talent
18 in the city. Maybe it's a diversion to a different
19 title. It's that type of comprehensive sort of
20 customization for city workers happening, especially
21 in this case where you know HRA hired a ton of
22 workers. Some of those workers are not licensed
23 social workers but they're doing the work of
24 processing applications and other things. And now,
25 an exam list is produced. They don't qualify to take

2 the exam because they don't have a master's degree
3 but they've been doing the work. So, what do we do
4 as a city to not lose that talent, especially in the
5 face of you know such high vacancy rates.

6 KADIAN OUTAR: I do want to note that for
7 somebody that is hired into a specific Civil Service
8 title as a professional, the requirements are usually
9 the same for the exams. So, for example, if we hire
10 somebody to a social work title, the requirements
11 that are there to allow that person to be qualified
12 and hired into that title is generally the same
13 requirement for -

14 CHAIRPERSON DE LA ROSA: We're hearing that
15 that's not the case for some social workers. That is
16 not the case because there was a backlog remember
17 when the HRA backlog was happening with the
18 applications. There was a backlog and so, I'm not
19 100 percent sure as to what were the accommodations
20 that were made but we're hearing that there is indeed
21 not an overlap completely in the eligibility based on
22 the exam and how that person is licensed. Now, and I
23 understand we need licensed social workers but in my
24 mind, in a city where we have such a high vacancy
25 rate, if someone is doing the job and they're

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2 qualified to do that job, then we shouldn't lose that
3 talent. There should be another way to either put
4 that person in another unit or in another title and
5 you know actually help them to compete and keep
6 moving up while they finish their master's degree for
7 example. Just putting that out there.

8 KADIAN OUTAR: Okay, thank you.

9 CHAIRPERSON RESTLER: Couldn't agree more. I
10 want to just recognize Council Member Dinowitz was
11 with us. Council Member Feliz is with us and past
12 the 36 week threshold, Council Member Gutiérrez is on
13 Zoom. We're lucky to have her. Questions Council
14 Member Carr.

15 COUNCIL MEMBER CARR: Thank you Chairs.
16 Commissioners it's good to see you. I just want to
17 return to the topic I was discussing with Henry
18 Garrido when he was here, which is the issue of those
19 workers who were severed from city service as a
20 result of their vaccination status. Can you give us
21 any window into where the Administration is in terms
22 of working towards a solution and hopefully bringing
23 these individuals back to work in their titles with
24 their seniority so that they can continue serving the
25

2 city in the wonderful way they did before the COVID
3 crisis began.

4 DANIEL POLLAK: Thank you Council Member, I'll
5 take that question. So, the policy that is currently
6 in place is the same policy that was implemented when
7 the vaccine mandate was lifted in February of 2023.
8 Employees at that time who were eligible to apply for
9 reinstatement under Civil Service rules had the
10 opportunity to apply for reinstatement. That was
11 mostly competitive class employees and any other
12 employees had the opportunity to apply for rehire.
13 That continues to be the policy today.

14 COUNCIL MEMBER CARR: But it's not an adequate
15 policy right? It's a policy that has allowed some
16 people to return under you know we'll say less than
17 desirable circumstances, not with their title, not
18 with their seniority. There are folks who are still
19 litigating successfully and are not being allowed to
20 return. Some people have been asked to sign away
21 their legal rights. So, that's the policy that you
22 think should be in place at this point? I know it is
23 the policy but I'm asking if there's going to be a
24 change?

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4 DANIEL POLLAK: So, you know that's not within my
5 ability to answer. That's something I defer to City
6 Hall on that issue.

7 COUNCIL MEMBER CARR: Well I think what you're
8 really deferring to is the Law Department right
9 because the Law Department has been the main culprit
10 for why we haven't had a positive resolution on this
11 right? This is supposed to be the get stuff done
12 Administration, right? That's the hallmark allegedly
13 of this tenure so far, right? And the truth is, in
14 order to work through this, right there needs to be a
15 will right to work through it. There's things that
16 need to be resolved. Henry brought up some of them
17 in his testimony but there's no willingness to do
18 that. It's just sort of like we have all these
19 positions that we need to fill. Quite desperately we
20 have people who performed well in the roles before
21 and during the pandemic I might add right, people who
22 were deemed essential workers that are no longer able
23 to return to their jobs with dignity. So, what's
24 your opinion about that at this stage?

25 DANIEL POLLAK: So, as I mentioned, I can only
speak to the policy that's in place and the way that

2 was implemented. I can't speak to anything beyond
3 that.

4 COUNCIL MEMBER CARR: Yeah, I think it's a policy
5 that absolutely needs to change and I'm not going to
6 go at you too hard because as I said, this is the Law
7 Department's bailiwick and they have been absolutely
8 horrible from beginning to end on this and the policy
9 needs to change because ultimately they're going to
10 lose in court. They've already lost in trial.
11 They're going to lose at the division and you're
12 going to have to do this with the sort of proverbial
13 legal gun to the city's head, as opposed to just
14 doing the right thing out front.

15 And I want to be very clear, I'm not talking
16 about whether or not the city should have the legal
17 capacity to require vaccination of its employees.
18 I'm not even talking about whether the decision to
19 use that legal authority was correct in the past.
20 What is clear is that since August or September of
21 2022, the CDC put out guidelines that the vaccination
22 while effective for controlling symptoms wasn't
23 effective at preventing transmission, which was the
24 whole predicate reason for requiring the vaccination
25 in the first place.

2 So, we're just asking that city government be
3 nimble. Realize that new facts have emerged since
4 the policy was first created and allow people to come
5 back to work who were good workers. These weren't
6 bad workers. These are people who ably serve the
7 city and want to continue to do so. So, I know
8 you're not in a position to answer a comment further
9 but it's just a shame that it's you know over two
10 years since the CDC put out that new guidance and
11 nothing has really changed for the better.

12 CHAIRPERSON RESTLER: Thank you Council Member
13 Carr. Council Member Salaam followed by Council
14 Member Paladino.

15 COUNCIL MEMBER SALAAM: Thank you Chairs and good
16 morning. Regarding the efficiency and the
17 implementation of Intro.'s 75, how will
18 implementation of this bill change the process of how
19 DCAS operates business to develop an interactive
20 workforce page to include comprehensive data points
21 while ensuring the information remains current and
22 accurate and what is the budgetary requirements to
23 such a robust informative page?

24 KATRINA PORTER: So currently the development of
25 the Workforce profile report is done in partnership

2 with many external entities. DCAS has access to data
3 for agencies that are in our NYCAP system but there
4 are multiple agencies that fall outside of that
5 system, such as the Department of Education, Health +
6 Hospital Corp. So, there is a dialogue that happens
7 for us to obtain that information from them. So, we
8 do foresee there being you know a struggle with
9 obtaining that information to be responsive to the
10 bill as written. We do recognize and understand the
11 importance of workforce data and we do find value in
12 the reports as we are producing them. But to have a
13 two week refresh will be a challenging effort for us.
14 As it relates to the fiscal implications, we have not
15 analyzed that as of yet.

16 COUNCIL MEMBER SALAAM: And in what ways can
17 privacy concerns be addressed when providing detailed
18 workforce information to the public?

19 KATRINA PORTER: Privacy concerns. So the data
20 that we provide through the Workforce Profile report
21 is aggregated, so we protect the privacy of our
22 employees in that way.

23 COUNCIL MEMBER SALAAM: Regarding Intro. 212,
24 what criteria can be used to simplify Civil Service
25 exam language to enhance accessibility without

2 compromising the exams integrity and how can
3 simplified exams be designed to eliminate cultural
4 bias inaccurately access the necessary competencies
5 for Civil Service positions?

6 KATRINA PORTER: So, as a part of our exam
7 development process, we work in partnership with
8 subject matter experts from city agencies. We invite
9 permanent incumbents to participate in this process.
10 It is a multipronged approach where we have subject
11 matter expert panels. One group develops the
12 questions and then the second group of subject matter
13 experts, they review the work of the first panel to
14 ensure readability and that the questions that are
15 being developed are aligned with the key knowledge
16 skills and you know the key functions of the
17 position. So, in essence, we are pretty much doing
18 that now as a part of our process.

19 COUNCIL MEMBER SALAAM: And as it relates to
20 Reso. 78, if the Public Office of Law is amended, how
21 can noncitizens be supported in applying for and
22 succeeding in civil office roles?

23 KATRINA PORTER: 78, so I'm not prepared to speak
24 to that, that Resolution today.

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2 COUNCIL MEMBER SALAAM: Okay, and so probably not
3 721 as well?

4 KATRINA PORTER: That's correct.

5 COUNCIL MEMBER SALAAM: Alright thanks I'll pass
6 it back.

7 CHAIRPERSON RESTLER: Thank you and perhaps we
8 can follow up on Council Member Salaam's questions
9 relating to Majority Leader Farias's Resolutions.
10 And with that, Council Member Paladino.

11 COUNCIL MEMBER PALADINO: Thank you very much
12 Chairman Restler and I want to thank you both for
13 bringing this hearing. It's very important. What
14 we're seeing here today is we're shining a very
15 bright light on what happened pre-COVID. In pre-
16 COVID, this city worked and it worked well and I want
17 to compliment my colleague Council Member Carr in
18 articulating it really far better than I could. We
19 have laid off tens of thousands of abled body people.
20 We did not have this problem. So, for example, I
21 have a woman who works in my office teacher for 29
22 years, 29 years. Lone Wolf, her case was won. She
23 taught in Astoria, same school 29 years. She was
24 told to report back to her school on the first day of
25 school where she did go. Where they refused her

2 entry. 29 years a school teacher turned away. So, I
3 know it falls within legal. She goes there every
4 day. She just recently stopped going but she went
5 every single day where they were very nice.
6 Everybody in the school knew her including her
7 principal of course. 29 years is a long time but we
8 need to understand that to find a phrase would be the
9 chickens have come home to roost.

10 In light of all the new CDC and everything that's
11 come to past, we now know that anyone was vaccinated
12 that was - we really didn't do much good for anybody
13 good, hardworking people. As a Council Member in my
14 district, my first six months in office from January
15 right through to December, my Commissioners were
16 saying goodbye to me because they were leaving after
17 20 years on the job. So, I really think we really
18 need to echo what Councilman Carr here said and we
19 really need to take a look at what we let go. They
20 do not want to be compensated. They want to be
21 reinstated and that goes for everybody from Police to
22 Fire, to Teachers. As Daniel also said, people
23 worked during the pandemic.

24 So, for us to have this type of emptiness of
25 20,000 workers is insane. This is New York City, the

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2 greatest city on the planet, in my opinion and I love
3 it but we really need to reexamine the mistakes that
4 we made. We can do that if everybody works and
5 figures this out. There's no such thing as a
6 problem, there's only a solution. Hiring back the
7 fired workers are your solutions. Thank you very
8 much.

9 CHAIRPERSON RESTLER: Thank you very much Council
10 Member Paladino. Any response? Okay, thank you
11 Deputy Commissioner Pollak, would you like to jump
12 back in?

13 CHAIRPERSON DE LA ROSA: Yes, I do have a few
14 questions. Well, let me first ask a question of OLR
15 and then we want to get a little bit into the
16 consulting contracts, but for OLR, what role has your
17 office played in improving workforce retention? And
18 then has the number of vacancies in the city's
19 workforce impacted OLR's negotiation with unions at
20 this point?

21 DANIEL POLLAK: Thank you very much for that
22 question Council Member. So, we're very proud that
23 over the last year and a half, a little bit more,
24 we've successfully negotiated contracts with unions
25 representing 97 percent of the city workforce and the

2 you know, at that time we entered into negotiation
3 through this round, you know we were acutely aware of
4 some of the challenges with recruitment and retention
5 that agencies face. And it was very much a priority
6 for us in those negotiations. So, in addition to you
7 know the general wage increase, which you know a
8 total of SS is 16 percent for the contract period,
9 which I would think would you know greatly aid in
10 improvement and retention. There were also other
11 aspects of our agreements that were focused on
12 improvement and retention. We, as Henry Garrido
13 testified, we agree to remote work and a compressed
14 work pilot with DC 37, which you know we've heard has
15 you know - we've heard from agencies a positive
16 reception to that. That they've seen that improve
17 recruitment retention.

18 We also, in many of our contracts, dedicated
19 funding specifically for titles that were facing
20 challenges. Again, you know Mr. Garrido spoke to the
21 equity fund that we created with DC 37 that among
22 other things created you know bonuses for case
23 workers at HRA, which is in effect right now and
24 numerous other kind of targeted efforts to increase
25 salaries or create bonuses or otherwise address

2 places where we really saw the greatest challenges.

3 You mentioned probation. Probation officers we
4 reached a contract agreement with them a couple
5 months ago. That agreement created a whole new
6 salary structure. It increased a starting salary by
7 about 30 percent. So, you know we have been aware of
8 that. We have worked with our unions, who obviously
9 are very concerned about that as well to try to
10 address that the best we can in our agreements.

11 CHAIRPERSON DE LA ROSA: One of the sectors of
12 the workforce that I'm very concerned about and I
13 know as a Council, the Black, Latino, Asian Caucus
14 and others have been talking about, is the
15 disparities that exist with the EMT's and the EMS.
16 Can you shed some light into some of the
17 conversations that are happening with that sector of
18 the workforce that I know you know has ongoing
19 negotiations and there have been conversations around
20 the pay parity issues. Do you have any- because that
21 is a sector right? We've heard about the ambulance
22 response times. We've heard that this is a sector of
23 the workforce that we can't retain. I mean they're
24 the lowest paid emergency services workers in our
25

2 city. Can you shed some light as to the
3 conversations around EMT, EMS pay?

4 DANIEL POLLAK: So, we are in bargaining with the
5 union representing EMS workers and our policy is not
6 to comment on ongoing negotiations but you know we do
7 - we are engaged in bargaining. We hope to reach a
8 deal with them that's fair to them as well as the
9 taxpayers.

10 CHAIRPERSON DE LA ROSA: Okay, I just want to
11 then reiterate for the record that it is so
12 important. This, just like the 911 operators right,
13 this is a sector of our workforce that we cannot
14 afford to lose and when we're paying these workers
15 who are supposed to be responding to us, I mean these
16 are the same workers that responded to calls at the
17 height of the pandemic. Many of them getting sick as
18 they responded to New Yorkers right and now is the
19 time for us to really take a look at this workforce
20 and understand the value that they bring. They're
21 doing the work that no one else can do.

22 First of all, they're you know trained to do so
23 but also if you're ever on the receiving end of a
24 call to an ambulance, you want to have your call
25 responded to by a trained professional that is

2 willing and able to do their job. And this is a
3 workforce that I have found in conversations with
4 them. They're willing and able to serve, they just
5 need to get paid you know in order to live in our -
6 continue to live in our city. So, I trust that
7 collective bargaining will do its thing and I just
8 wanted to make sure we put a plug in for those
9 workers.

10 So, we also wanted to dig in a little bit going
11 back to DCAS on consulting contracts. Do consulting
12 contracts go through the same procurement process as
13 contracts for other goods and services on behalf of
14 the city?

15 KATRINA PORTER: So, unfortunately I do not have
16 any information on the consulting process at it
17 relates to the city. That is managed by DCAS but
18 through another line of service that would be more
19 inclined to answer a question on that.

20 CHAIRPERSON DE LA ROSA: Which line of service?

21 KATRINA PORTER: That would be procurement.

22 CHAIRPERSON DE LA ROSA: Oh procurement.

23 KATRINA PORTER: Okay. Is there any way that you
24 can get back to the Committee with information on
25 consulting contracts and what that looks like? I

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2 mean one of the things that we're concerned about as
3 a Committee is how work is being contracted out and
4 how that's impacting the ability to hire workers
5 because we're spending money on outsourcing work
6 rather than investing in the workforce and some of
7 the numbers that we've seen are egregious. I mean
8 when we dig into what these contracts look like, for
9 example, for the delivery of service for migrants and
10 asylum seekers in our city, we see that some of these
11 contracts could hire four commissioners or more. And
12 so, we are concerned that that investment is not
13 happening in the workforce, in a workforce that
14 frankly needs it right because we're seeing these
15 numbers and so, if you could get back to us with some
16 of that information, that would be valuable.

17 KATRINA PORTER: Will do.

18 CHAIRPERSON RESTLER: Great, thank you so much
19 Chair De La Rosa and I have a bunch of different
20 things I was hoping to dig in on and colleagues
21 Council Member Salaam, please feel free to jump in
22 again if you'd like to ask some additional questions.
23 Deputy Commissioner Porter, I was just struck by
24 Henry Garrido's testimony about 911 call operators.
25 I am genuinely concerned about the public safety

2 implications. People working 16 hour shifts,
3 mandatory overtime, calls not being answered. Are
4 you aware of these issues? Were you aware of them
5 prior to his testimony?

6 KATRINA PORTER: No, that was the first time I
7 heard anything of that sort.

8 CHAIRPERSON RESTLER: And not to put you on the
9 spot but just to think with us today, we're certainly
10 going to be following up and doing our best to try
11 and help address this issue. Any suggestions for
12 ways that DCAS can help?

13 KATRINA PORTER: So, we do work very closely with
14 the I believe they're in the Office of Innovation and
15 Technology. No, that's 311, sorry I'll scratch that.
16 We'll look into it.

17 CHAIRPERSON RESTLER: Okay good, we look forward
18 to working together on that.

19 DANIEL POLLAK: If I could just add something?
20 Apologies Council Member. So, just OLR has been
21 deeply involved in conversations with DC 37 about 911
22 operators. You know we know it's a challenging job
23 and we have worked with them to try to find ways,
24 creative ways to improve recruitment and retention.
25 There's currently a pilot program under way that has

2 compressed work schedules there. We meet on a
3 regular basis with them as well as NYPD to try to
4 address it.

5 CHAIRPERSON RESTLER: Which is the primary local
6 involved?

7 DANIEL POLLAK: You know it's a new local that
8 represents just 911 operators. I didn't recall the -
9 it used to be Local 1549. They split off.

10 CHAIRPERSON RESTLER: Right, okay. Glad to hear
11 that OLR is involved to try and address recruitment
12 and retention issues and think about some creative
13 strategies. Clearly we have an urgent issue on our
14 hands.

15 And Deputy Commissioner, just going back, Deputy
16 Commissioner Porter, just going back to some of the
17 questions we were asking about the hiring timelines.
18 The timeframes you were referencing, those were all
19 total days not business days?

20 KATRINA PORTER: Those are total days, yes.

21 CHAIRPERSON RESTLER: Good, just wanted to
22 confirm that, great thank you. And then I was just -
23 one question that I didn't ask that I was thinking
24 about after was, you know with this low process, do
25 you carefully and you know to your earlier comments,

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2 do you carefully track how many people turn down the
3 opportunities when contacted by DCAS or the agencies
4 about the lists that they may have an opportunity to
5 be hired off of?

6 KATRINA PORTER: Absolutely, there's a local law
7 that tracks that information. It's Local Law 50 of
8 2002.

9 CHAIRPERSON RESTLER: Do you know those trend
10 lines? Are we moving in the wrong direction?

11 KATRINA PORTER: So I think that the issue at
12 hand is not about folks not being interested in city
13 jobs. They may have taken multiple Civil Service
14 exams, so they may already be city employees working
15 in a different title. Hence they you know would fail
16 to report or decline to be hired in a different
17 title.

18 CHAIRPERSON RESTLER: So, that is probably a good
19 segway. I did want to check in on bridge exams,
20 which I think is one of the really positive
21 developments that we've seen at DCAS. Could you tell
22 us how many different bridge exams are currently
23 being offered and are there plans to expand the
24 number of bridge exams that are being offered. I

2 think we're eager to see as much consolidation there
3 as possible.

4 KATRINA PORTER: Sure, we're on our third
5 iteration of bridge exams. This is the primary
6 bridge exam where we're offering one exam, one
7 application fee for multiple titles that actually
8 turn into multiple lists. So, we've been
9 administering bridge since fiscal year 2022 and so,
10 those exams are going well. We did recently expand
11 that model during fiscal year 2025 to offer a public
12 safety bridge where applicants can take one exam, one
13 fee for four different titles. However, its one
14 Civil Service list that agencies will be using. And
15 we will continue to expand that strategy and use it
16 you know to first provide access to city employes but
17 then also to help agencies fill their vacancies.

18 CHAIRPERSON RESTLER: Well, we certainly, I think
19 it's a very positive development, any greater
20 opportunities for us to further consolidate or create
21 more opportunities from bridge exams I think is a
22 great thing. So, we welcome any information you can
23 share about plans to expand in the future. And I
24 recognize that with the development or the creation
25 of bridge exams, we are making it more affordable for

2 test takers right? So, instead of having to pay for
3 the fee for three or five, ten different tests with
4 bridge exams, you may - it's reduced. But I'm still
5 kind of confounded that we charge the way that we do
6 for people to take exams. The state recently
7 announced that it was waving all Civil Service exam
8 fees until 2025 to reduce barriers and help fill
9 state vacancies. Has DCAS considered waving of exam
10 fees?

11 KATRINA PORTER: There have been instances where
12 we have waived the fees for public safety exams and
13 we found that that is not an effective recruitment
14 model. We saw an uptick in applications but then
15 those folks actually did not show up for the actual
16 examination. And so, hence that's-

17 CHAIRPERSON RESTLER: When did that happen?

18 KATRINA PORTER: This was I believe it was Fiscal
19 Year 2022 and 2023. We have waived exam fees for a
20 police officer, a correction officer and a few other
21 public safety titles, traffic enforcement agents and
22 safety agent and it had an adverse impact on our
23 resources.

24 CHAIRPERSON RESTLER: It had an adverse impact
25 because you found that the people who were passing

2 the exam were not actually interested in or meeting
3 your criteria?

4 KATRINA PORTER: No, it was the folks who applied
5 for the exam, so they went through the application
6 process. They actually did not show up to sit for
7 the exam.

8 CHAIRPERSON RESTLER: Oh, okay so we had a no
9 show rate, that was the problem?

10 KATRINA PORTER: Yes, and then you know we also
11 have standard fee waivers for folks, you know some of
12 our more vulnerable populations, veterans, folks who
13 may receive Medicaid or public assistance, spouses of
14 veterans are all eligible for fee waivers.

15 CHAIRPERSON RESTLER: Okay. How much would it
16 cost - how much do you know, is it one fee, is it the
17 same fee for every exam?

18 KATRINA PORTER: So, the exam fees are
19 commensurate to the salary for the position. So, it
20 varies from \$40 for most of our entry level exams,
21 upwards to I would say like \$100 for our promotion
22 exams.

23 CHAIRPERSON RESTLER: Okay and so, do you know
24 how much revenue we generate on exams? I'm just
25 trying to do some math.

2 KATRINA PORTER: I can get back to you on that
3 number. I don't have it handy today.

4 CHAIRPERSON RESTLER: Okay, you know millions of
5 dollars. Do you, have you considered - so your
6 concern is that by waiving the operational concern of
7 no shows is the primary concern. Did it have other
8 benefits that countered the no show issue? Because I
9 would think there are operational ways we might be
10 able to solve for people not showing up. Did they
11 have to you know confirm via text the day before or
12 some other mechanism you know to verify attendance?
13 Were there any other benefits that you identified?

14 KATRINA PORTER: So, I think it's also important
15 to mention that we charge exam fees as per you know
16 Civil Service law. We're required to charge exam
17 fees, so if we got to make any large scale changes to
18 how we manage that process, we would need to consult
19 our legal department.

20 CHAIRPERSON RESTLER: Right, I just you know,
21 it's notable that they've been waived at the state
22 level. We have a ton of vacancies. Henry Garrido
23 testified to 22,000 of them. We're desperately
24 trying to fill them. It's having real significant
25 impacts on our parks and our social services, 911

2 emergency responses. I would think that anything we
3 could do to help address that would be helpful.

4 KATRINA PORTER: What I can share is that
5 approximately 20 percent of our exam applicants do
6 apply for fee waivers. And so, that is - we feel
7 like that is a great way to provide our vulnerable
8 population -

9 CHAIRPERSON RESTLER: Right but you wonder how
10 many more of those people might apply if they knew
11 that they had access to a waiver or weren't going to
12 pay and we've been joined by Council Member Gennaro.
13 Thank you for being with us. Did you want to jump in
14 on something before I -

15 KADIAN OUTAR: I was just going to add that a
16 part of it is the awareness of the fee waiver. So,
17 whenever we go out into the public to share
18 information about city government, we make the fee
19 waivers a regular part of our presentation so folks
20 are familiar with the process and where they can go
21 to access those fee waivers. So, we do heavy
22 marketing with that.

23 CHAIRPERSON RESTLER: Okay, yeah, there are
24 probably different ways to approach it but I did want
25 to jump in on hiring halls or maybe one or two other

2 things and we'll let you enjoy the rest of your day.
3 So, February 2023 DCAS started hosting hiring halls
4 to fast track filling vacancies across city
5 government and from February to August, DCAS hosted
6 16 events yielding 2,200 same day job offers for
7 critical roles. We heard from Mr. Garrido that OMB
8 intervened on some of those and prevented them from
9 actually from those positions being filled but more
10 problematic, even more problematically in September
11 of 2023, Mayor Adams put a freeze on hiring halls as
12 a result of his hiring freeze.

13 In March 2024, after the hiring freeze was lifted
14 instead of restarting DCAS's hiring halls, the Mayor
15 announced a resumption of hiring halls that would
16 include both public and private sector employers.
17 What's DCAS's role in these events?

18 KATRINA PORTER: Thank you I'll hand it over to
19 Kadian for a response.

20 KADIAN OUTAR: Thank you. The initial versions
21 of the hiring hall was to address the vacancy
22 challenges that we had. So, these were specific to
23 agencies and ensuring that candidates had access to
24 interview and get hired on the spot. And offered on
25 the spot, so which was very successful. In terms of

2 the evolution of the hiring halls, which now allows
3 not only candidates to have access to positions that
4 are available within city government but also for the
5 private sector. They also had the opportunity to
6 learn more about resources that are available because
7 sometimes folks are not job ready but they're
8 interested in the different resources that are
9 available.

10 So, DCAS's role in these is one, engaging
11 agencies and I'm encouraging participation at these
12 hiring halls. We also play a support role in
13 providing guidance to the development of the event
14 but also we ourselves are participating in those
15 events to not only recruit but make sure that folks
16 are getting information about the Civil Service
17 process and how to apply for examinations.

18 CHAIRPERSON RESTLER: Right, so, all of that's
19 positive in my background outside of my time as
20 bureaucrat is in workforce development. I certainly
21 appreciate the access to training and skills
22 development to help people attain the jobs that you
23 know will help them support their families but when
24 we were doing the first round of hiring halls that
25 DCAS we leading, we made over 2,000 job offers, 2,200

2 job offers to city workers, potential city workers
3 that really needed those positions - where we needed
4 those positions filled. Since we've shifted this
5 model, how many job offers have we made to potential
6 city workers?

7 KADIAN OUTAR: So, this is being operated by NYC
8 Workforce Development but from awareness, I know that
9 there were over 1,200 job offers that were made.

10 CHAIRPERSON RESTLER: Okay so in a twice as long
11 a period of time, practically half as many job offers
12 were made. I think DCAS was doing a very good job at
13 this. I mean, I want to give you all credit. I
14 thought the hiring halls was a smart innovation and
15 they were well executed and they were effective and I
16 just don't understand why we're not continuing with
17 them. Why we develop a model that works? It's making
18 a difference and then we just ignore it and have a
19 different agency involved. It's focused more on
20 private sector jobs than public sector jobs. My
21 understanding and please correct me if I don't have
22 this right is that DCAS's involvement leading these
23 efforts was discontinued because DCAS didn't have the
24 staff to continue to operate the hiring halls. Is
25 that right?

2 KATRINA PORTER: So, I think it was a combination
3 of the hiring freeze that kind of paused the New York
4 City government hiring halls as we called them.

5 CHAIRPERSON RESTLER: Correct.

6 KATRINA PORTER: And I think that the
7 Administration's goal was to expand these efforts to
8 the not-for-profit agencies. So, I think it was a
9 combination of those two things. It was an all hands
10 on deck effort for DCAS for sure.

11 CHAIRPERSON RESTLER: Sure when it was last year
12 from February to August of 2023 over those five or
13 six months. It was an all hands on deck or 16
14 events, 2,200 same day job offers, successful model.
15 The Mayor puts in a hiring freeze and when it's time
16 to lift the hiring freeze and there's a return of
17 some hiring hall model, although quite a very
18 different model right? The reason DCAS is no longer
19 leading this model despite your success and efficacy,
20 is because you don't have the capacity. You don't
21 have the headcount to be able to do it. Is that - am
22 I -

23 KATRINA PORTER: It was a hiring sprint and we
24 were you know involved specifically to support you
25 know the - it was a vacancy sprint so it was - we

2 were involved directly to help reduce the vacancy
3 rate.

4 CHAIRPERSON RESTLER: Right but to be clear, the
5 headcount in city government has budged this much
6 since Mayor Adams came into office, less than half a
7 percent right? So, despite the hiring freeze and the
8 focus and the effort, we're not actually filling and
9 we cut 10,000 jobs right and we have 22,000 vacancies
10 today, according to Henry Garrido. So, why are we
11 not in a sprint anymore?

12 KATRINA PORTER: That's a good question.

13 CHAIRPERSON RESTLER: Yeah, I agree. Sorry,
14 maybe I shouldn't say that my own question is a good
15 question. I apologize but it's disappointing and I
16 just you know my understanding from our Committee
17 report today is that we have a 16 percent vacancy
18 rate at DCAS, 383 vacancies. It's one of the highest
19 in the city and you know when we have a high vacancy
20 rate at DCAS, it slows down everything else in city
21 government, and when your team isn't staffed up
22 Deputy Commissioner Porter, it means that we're not
23 helping every other agency staff up and meet their
24 hiring needs. So, it has a significant negative
25 impact on our ability to provide the services that

2 New Yorkers depend on. So, I appreciate your answers
3 to those questions. Alright, I'll do one or two more
4 and then I'll shut up. So, my understanding - your
5 testimony indicated that our bill Intro. 75, the
6 Public Hiring Tracker, we were too ambitious in our
7 biweekly reporting and our biweekly data and twice
8 annual reporting but the reason we wanted to - part
9 of the reason we wanted to have this information is
10 to better understand vacancies in real time so that
11 we can advocate appropriately. Part of it's also
12 because the workforce profile reports are always
13 delayed and I don't this this is a you thing or a
14 current DCAS thing when I worked in the
15 Administration side, the workforce profile reports
16 were always delayed then too. But how do we speed up
17 getting the workforce profile reports out? Do we
18 have any timeline for when FY23 and FY24 are going to
19 be released?

20 KATRINA PORTER: Absolutely, so I'm glad you
21 asked that question because we do recognize the
22 importance of the workforce profile report and how
23 that data is used across the city. And so, yes, the
24 FY23 report we expect for it to be released by the
25 end of this year. In FY24, during the first quarter

2 of calendar year 2025, and then we'll be on par and
3 we are hopeful that we can continue to release the
4 workforce profile report on a regular cadence
5 thereafter.

6 CHAIRPERSON RESTLER: Okay, thank you. One of
7 the things that I am always interested in is Long
8 Beach compliance. Could you give us an update on
9 where we are on Long Beach compliance and how we're
10 doing on the provisional employee reduction?

11 KATRINA PORTER: Absolutely so as of December 31,
12 2023, the city became in full compliance with our
13 provisional compliance efforts and our oversight by
14 the state ended.

15 CHAIRPERSON RESTLER: Right.

16 KATRINA PORTER: Also, the provisions under Civil
17 Service law Section 65-5 sunset it until you know
18 we're just working to remain in compliance with Civil
19 Service law. Currently there are about a little over
20 11,000 Provisionals citywide and we continue to work
21 with city agencies. We meet with them individually
22 to develop plans of actions to ensure that they
23 remain in compliance with Civil Service law and that
24 we're supporting them to reach their reduction goals.

25 CHAIRPERSON RESTLER: Great, congratulations.

2 KATRINA PORTER: Thank you.

3 CHAIRPERSON RESTLER: That's a big
4 accomplishment. It took many, many years of very
5 hard work. So, congrats on making that happen.
6 Deputy Commissioner Pollak, I feel like I have to ask
7 you questions just to make sure that you're
8 sufficiently engaged.

9 DANIEL POLLAK: That's okay.

10 CHAIRPERSON RESTLER: I wanted to ask about
11 something I mentioned to Henry earlier around salary
12 ranges. Our understanding is that the current city,
13 kind of OMB policy is that agencies have to hire at
14 the lowest possible end of a salary range for a
15 position, regardless of the qualifications of the
16 candidate if they're coming from outside city
17 government. And there may be some caveats to that,
18 there always are but that OMB has placed just
19 tremendous restrictions on allowing any agency to
20 hire from within the range. So, let's say there's a
21 social worker with a range from \$55,000 to \$79,000.
22 OMB is insisting that that person be hired at a
23 \$55,000 range.

24 Is there anything in our labor agreements that
25 would prohibit an agency from hiring at a higher

2 point if that's the acceptable range for the
3 position? Is that just an entirely OMB discretionary
4 issue?

5 DANIEL POLLAK: Thank you for that question
6 Council Member. Yes, it is in our contract. So,
7 where there are ranges in our contracts, not all of
8 them have them. Some contracts have a flat rate for
9 a position. A rate, set rate based on your service.
10 Where there's a range, we typically have what's
11 called a new hire rate, which applies from the first
12 three years of city service. So, anyone with less
13 than two years of service under those contracts is
14 required to be paid the new hire rate, which is
15 typically 15 percent below the incumbent minimum
16 rate, meaning the rate applicable to some with at
17 least two years. So, the contracts specify that
18 someone must be paid that minimum rate from the first
19 two years of city service, unless there's been a
20 waiver which you know where there are recruitment
21 retention challenges, OLR has the authority to issue
22 of waiver of that new hire rate but under our
23 contracts, the general principle is someone who is
24 supposed to be brought in at a new hire rate.

2 CHAIRPERSON RESTLER: So, Deputy Commissioner
3 Pollak are you tracking the number of waivers that
4 are - do you get is it OLR's determination to issue
5 that waiver or do you have to get OMB's approval to
6 print out the waiver?

7 DANIEL POLLAK: We have discussed the kind of
8 criteria for when that would be waived.

9 CHAIRPERSON RESTLER: So, it's a collaborative
10 decision with OMB. Is that what I'm hearing?

11 DANIEL POLLAK: Yes.

12 CHAIRPERSON RESTLER: And you've been in city
13 government for a while, have you noticed a shift or a
14 trend or is there any data reporting on the number of
15 waivers that are issued annually?

16 DANIEL POLLAK: I do not have any data you know.
17 Anecdotally, I would say the last few years we have
18 seen more hiring above the new hire rate. I would
19 note also DCAS maintains a list of [INAUDIBLE
20 02:09:29] through titles. That's something we often
21 look to for guidance to determine if DCAS has already
22 made a determination that a title is hard to recruit
23 for residency purposes. You know that's illustrative
24 that you know they may need an exemption from the new
25 hire rate as well.

2 CHAIRPERSON RESTLER: For revenue generating
3 positions?

4 DANIEL POLLAK: It would depend on the position.
5 There's not an automatic waiver.

6 CHAIRPERSON RESTLER: For you know when our parks
7 are in terrible shape and we've seen a 35 percent
8 increase since the Mayor came into office and
9 complaints every summer because of the 40 percent
10 reduction in seasonal employees in the summer time
11 cleaning up parks. Would that lead to an increase in
12 waivers being issued?

13 DANIEL POLLAK: Again, it depends on the
14 recruitment retention challenges they're facing. You
15 know we look at data. We try to determine whether
16 it's necessary to recruit.

17 CHAIRPERSON RESTLER: When HRA is unable to
18 process food stamps and cash assistance requests
19 within the 30 days they are required to do so because
20 they don't have enough bodies? Would that inform
21 increasing a waiver?

22 DANIEL POLLAK: You know we're taking into
23 account all the circumstances but you know we really
24 focus on whether this is really a place where they've
25

2 tried to recruit the new hire salary and have been
3 unable to.

4 CHAIRPERSON RESTLER: Okay, I mean, I think we
5 need more reporting on this. We need to understand
6 when these waivers are being granted and what
7 flexibility agencies have to fill vacant positions.
8 The overarching sentiment I feel from this hearing is
9 there was a recognition a year and a half ago that we
10 were in a hiring crisis and that that recognition is
11 lost on this Administration today. And that the
12 urgency that we at some point felt for a period of
13 months from OMB and City Hall to fill vacant
14 positions is gone and we're just not seeing the
15 progress that we need to see. We're seeing
16 conditions deteriorate in too many places because we
17 don't have the bodies in place and I don't hear the
18 new initiatives or the sense of prioritization and
19 urgency that we felt 18 months ago to do something
20 about it. So, we'd love to dig in and understand
21 that a little bit better.

22 And then I just wanted to also ask you about the
23 hybrid work pilot. How many city employees are
24 currently eligible to work remotely?

2 DANIEL POLLA: So, I don't have data on the
3 numbers to the employees and you know just to give
4 you some background on how the process worked. When
5 the remote work pilot was launched, there was an
6 initial approval process that went through the
7 flexible work committee which I represent, it's from
8 City Hall, DCAS, OLR, and others where they would
9 approve the initial rosters but that was just the
10 initial pilot. You know since then, employees, they
11 have been doing remote work, employees, they have
12 been added, new groups added, so we don't keep a
13 running factor of how many employees are working
14 remotely. I can tell you and I do have here the
15 number of agencies that were approved for remote
16 work.

17 CHAIRPERSON RESTLER: What do you got?

18 DANIEL POLLAK: Give me a moment to find it.

19 CHAIRPERSON RESTLER: And I'll tell you the
20 numbers that I have because maybe they're right is
21 25,000 DC 37 workers and 15,000 non-DC 37 workers,
22 40,000 total are currently eligible for remote work
23 is the data that we have but please confirm if you
24 know differently.

2 DANIEL POLLAK: Like I said, I don't have that
3 data. We can work to get you what we do have.

4 CHAIRPERSON RESTLER: Okay.

5 DANIEL POLLAK: We have for the agencies who are
6 participating in the remote work pilot and 31 who
7 have been approved for compressed work. There is a
8 process to actually start a pilot. They have to meet
9 with the effected union, discuss before actually
10 moving forward but those are the numbers that have
11 been approved.

12 CHAIRPERSON RESTLER: Okay, well that's look,
13 it's really I know that Chair De La Rosa has really
14 been focused on this issue. I think it's really
15 promising. Hopefully we'll improve retention. How
16 are we tracking the success of this initiative on the
17 remote work side and on the compressed scheduled
18 side?

19 DANIEL POLLAK: So, the compressed work side of
20 newer but the remote work pilot, I would say the
21 primary way we're measuring success is we're talking,
22 we meet every week with DC 37 as part of this pilot
23 to talk about the challenges we're facing. You know
24 we're talking to agencies. We're getting their
25 feedback and you know as we approach the expiration

2 to file it in July, you know we'll continue to have
3 those conversations and to determine together with DC
4 37 as well as other unions the best way to measure
5 kind of what our next steps are.

6 CHAIRPERSON RESTLER: And what about the
7 retention data? Is that I mean I realize it's one
8 data point. Things change there are different
9 factors that inform retention policies and peoples
10 decision to stay in their jobs. You know we saw a
11 huge exodus from the city workforce you know in 2022
12 and kind of at peak COVID times. I don't know. I'm
13 guessing it was COVID but how are we - is that being
14 closely monitored and is that informing our decisions
15 to expand it or reduce it or is that not the primary
16 thing that we're looking at?

17 DANIEL POLLAK: It's certainly going to be
18 something we look at. You know it's hard to
19 determine, can't I separate out all the other factors
20 that have taken place? You know I do think there's
21 been an improvement in the city's attrition rate but
22 you know at the same time we were doing this; we also
23 sailed our contracts and did a lot of things on
24 compensation that I discussed earlier. So, it's hard
25 to you know determine what had what impacts but we'll

2 certainly look at attrition rates, retention rates
3 and you know the feedback from the agencies and
4 employees and determine whether it's having the
5 desired effect.

6 CHAIRPERSON RESTLER: Thank you and I'd like to
7 kick it back to Chair De La Rosa.

8 CHAIRPERSON DE LA ROSA: Thank you. I have two
9 questions. One is on the 241 hire model, which is
10 still in effect. Is our understanding correct?

11 KATRINA PORTER: Yes.

12 CHAIRPERSON DE LA ROSA: Still in effect. Is
13 there a timeline for transitioning back to the normal
14 hiring practices?

15 KATRINA PORTER: So, two for one is the OMB
16 policy so I don't have insight to answer the question
17 but we can definitely take it back.

18 CHAIRPERSON DE LA ROSA: But I imagine that there
19 is communication at the hiring arm of the city
20 between you all and OMB on this policy or is it kind
21 of like just dictated down and that's it?

22 KATRINA PORTER: OMB manages the process, so they
23 would you know best be able to answer that question.

24 CHAIRPERSON DE LA ROSA: Okay, well we'll get in
25 touch with OMB about this. I think that in a time

2 where we're seeing such high vacancy rates, it would
3 be important for this Council to understand where the
4 two for one hiring process is still place. Where are
5 the exemptions to that rule and in addition to that,
6 when is the timeline to lift it? This policy was
7 made under the guides of you know we're in dire
8 fiscal straights. This Council has a position on how
9 dire that strain is and what we do know and what the
10 position that I've taken as the Chair of this
11 Committee is that it is past due time for us to have
12 a robust workforce that delivers services for our
13 city and this is a hinderance to that.

14 I mean you have to wait you know for two people
15 to leave to hire one person back. The math is not
16 mathing, so we need to make sure that we get folks
17 hired and especially in these agencies. I mean, we
18 have the numbers here. The Taxi and Limousine
19 Commission 26 percent vacancy rate and what we're
20 hearing is that Vision Zero, which is supposed to be
21 one of the hallmark you know projects of this
22 Administration and the previous one is where we're
23 seeing the impact to the TLC. The reduction of
24 summonses for traffic safety violations is reduced
25 and obviously like, we can't preach that we're a city

2 that puts safety first and then pedestrian and
3 traffic violations are going unaddressed. The
4 Department of Finance as we heard, a 17 percent
5 vacancy rate at this time. The Department of
6 Probation has a 16 percent, almost 17 percent, DCAS
7 has a 16 percent, the Department of Corrections has
8 almost a 16 percent, Environmental Protection right,
9 we've heard these days about the drought warning and
10 where we are on that and that has a 12 percent
11 vacancy rate and it goes on and on. I mean the
12 Department of Housing and Preservation has an 11
13 percent vacancy rate.

14 In a time where the city is asking us to consider
15 the City of Yes and asking us to consider how our
16 communities sustain more housing but we have no DOB
17 inspectors that are able to do that work. And so,
18 these conversations are inter related and what we
19 know is that in order for us to have a city that is
20 functioning at maximum capacity, we need a workforce
21 that is reflective of that. And so, we'll take that
22 back to OMB and we appreciate you being with us
23 today. Colleagues, any other questions? No, alright
24 so thank you so much for being here. We look forward
25 to continuing the conversation as usual.

COMMITTEE ON GOVERNMENTAL OPERATIONS, STATE AND
1 FEDERAL LEGISLATION JOINTLY WITH THE COMMITTEE ON
CIVIL SERVICE AND LABOR 121

2 KATRINA PORTER: Thank you so much.

3 CHAIRPERSON RESTLER: Yeah, just want to
4 underscore Chair De La Rosa's gratitude. We'll go to
5 the next panel in a moment. [02:18:14]- [02:21:28]

6 I'm now going to open the hearing for public
7 testimony. I'd like to remind members of the public
8 that this is a formal government proceeding and that
9 decorum shall be observed at all times. As such,
10 members of the public shall remain silent at all
11 times. The witness table is reserved for people who
12 wish to testify. No video recording or photography
13 is allowed from the witness table. Further, members
14 of the public may not present audio or video
15 recordings as testimony but may submit transcripts of
16 such recordings to the Sergeant at Arms for inclusion
17 in the hearing record. If you wish to speak at
18 today's hearing, please fill out an appearance card
19 with the Sergeant at Arms and wait to be recognized.
20 When recognized you will have three minutes to speak
21 on today's hearing topics.

22 If you have a written statement or additional
23 written testimony you wish to submit for the record,
24 please provide a copy of the testimony to the
25 Sergeant at Arms. You may also submit email written

2 testimony to testimony@council.nyc.gov within 72
3 hours of the conclusion of this hearing. Audio and
4 video recordings will not be accepted.

5 I would now like to call up the first panel,
6 which includes Sylvester Ervin. Does it? Maybe not.
7 It did include Sylvester Ervin but I think we lost
8 him, who is a Local 983 Member from DC 37, an
9 Associate Park Service Worker. Maybe he'll - maybe
10 he's in the bathroom and Isaac Kirk Davidoff who is a
11 Local 371 Member who I believe is with us on Zoom.
12 Isaac, can you hear us?

13 SERGEANT AT ARMS: Starting time.

14 CHAIRPERSON RESTLER: Isaac, if you can hear us,
15 we'd welcome your testimony.

16 ISAAC KIRK DAVIDOFF: Oh yeah okay. I just got
17 unmuted.

18 CHAIRPERSON RESTLER: Great, how are you?

19 ISAAC KIRK DAVIDOFF: Okay, yeah so my name is
20 Isaac, I'm a Local 371 Member. I'm a Parks worker.
21 I'm speaking you know as my private assistant on my
22 lunchbreak, so just a history lesson right? One of
23 the first recognized union contracts in this city was
24 for parks laborers. The laborers went on strike.
25 They forced Robert Moses to recognize their union and

2 they want some dignity at work. So, Parks workers,
3 we didn't just build our incredible park system, we
4 built a strong workplace, democracy and good working
5 conditions but years of austerity and class warfare
6 have damaged both our parks themselves and parks
7 working conditions. So, currently Parks have more
8 than 1,000 less full time equivalent employees than
9 two years ago. It's like about 100 less than at the
10 height of the fiscal crisis. So, we're like lower
11 headcount than at like 1976, 1977. It's about like
12 4,000 less than the peak in 1975. It means there's a
13 huge alliance on seasonal nonprofit and volunteer
14 labor and that's not sustainable.

15 When I first started in 2019, I was a full time
16 seasonal. This meant I worked full time, 12 months
17 of the year but was only funded to the end of the
18 fiscal year. I had to wait with all the other play
19 fair hires for June 30th. So, just picture the wait
20 to not know until the end of June if you have a job
21 in July. Just picture that uncertainty, the stress
22 and the competition for the one or two permanent
23 positions that open up. So, after a few years of
24 floating through conservancy after the COVID budget
25 cuts, going back to a play fair line after grants ran

2 out, I finally lucked out and got a permanent line.
3 And so, in 2023 after four years in Parks, I finally
4 attended my new employee orientation. So, full time
5 seasonals, it's an oxymoronic absurd category but
6 it's a reality for thousands of park workers in
7 seasonal lines. These seasonal lines are really
8 treated by the people who work them as full time
9 jobs.

10 So, working seasonal lines without health
11 insurance for years, with advancement mostly
12 depending in being in the right place and the right
13 time but it's gotten worse in the last few months.
14 The majority of parks workforce, the seasonals
15 haven't been able to apply to - we haven't been
16 allowed to apply to most internal postings, which are
17 listed for full time permanent employees only.

18 Constant ominous news about the budget and little
19 to no room for advancement. It's not a surprise
20 people are leaving. So, there's a banner hanging in
21 my trailer, Forest Restoration that everyone signs
22 when they leave. Showed this over a year ago and
23 it's almost covered with signatures.

24 With my amazing co-worker, I'm responsible for
25 like 300,000 miles of trail across the city and we do

2 our job very well. We kick ass but we just don't
3 have the capacity we need. Two people can't do 300
4 miles right?

5 The Mayor has gone back on his pledge to give
6 Parks one percent of the budget. He's cut millions,
7 so that smoke all of you smelled this week, it should
8 be a reminder that we live in this precarious
9 anthropogenically damaged planet. The ecological
10 stewardship, it doesn't work on a piece by piece
11 seasonal basis. So, we really need a year around
12 baseline permanent commitment, not just for forest
13 restoration workers but for our entire seasonal
14 workforce. I think at bare minimum, like seasonal
15 should be allowed to apply for internal postings or
16 else we're just kind of trapped in these positions
17 forever but really it raises a lot of questions of
18 why our Parks rely on temporary, seasonal funding
19 when we really need like a permanent long time
20 condition right?

21 I make you know steps. I make really strong
22 structures. They're built to last and I just want
23 the city to like treat workers with the same respect
24 that we treat our own work.

2 CHAIRPERSON DE LA ROSA: I just want to thank you
3 for taking time on your lunchbreak to come and tell
4 us about what you've been witnessing. It is our full
5 intention you know to work with our colleagues,
6 Council Member Restler but also our Parks Chair
7 Council Member Krishnan to dig in a little bit deeper
8 into what's happening in our parks. And you know I
9 represent Inwood and you heard the DC 37 President
10 Henry Garrido talk about, Executive Director talk
11 about what's happening in Inwood Park. And so, I'm
12 grateful but I'm more grateful this week for the work
13 of Parks employees across our city and so I just want
14 to express some gratitude and thank you for giving us
15 a glimpse into what is happening.

16 CHAIRPERSON RESTLER: Yeah, I really want to echo
17 Chair De La Rosa's sentiments. You know there was no
18 greater disappointment for me in the last budget than
19 the cuts that Mayor Adams insisted on to the Parks
20 Department and we quite simply cannot accept them for
21 any longer and we need to see significant
22 restorations and expansions of Park funding. I'm
23 hopeful that in the months to come we'll be able to
24 make that happen.

2 Isaac, I really appreciated your testimony. Your
3 thoughtful insights. I missed it though, tell me
4 again how many years have you been with Parks?

5 ISAAC KIRK DAVIDOFF: So, like I've been with
6 Parks for it's at five years.

7 CHAIRPERSON RESTLER: Five years.

8 ISAAC KIRK DAVIDOFF: But that includes, so
9 there's like you know some years of seasonal stuff.
10 There's also time I was out of conservancy where I
11 was doing basically the same thing but I had like you
12 know like three more bosses but it was like the same
13 role, same truck, same office and I think that's like
14 normal for or it shouldn't be normal but it is normal
15 for a lot of like seasonal workers. If you kind of
16 bounce back and forth conservancy and Park. So, I
17 think it's all Parks. Like, if I work for a
18 conservancy that's partnered with the Parks, I think
19 that's part of Parks but that means I didn't - those
20 years aren't in my pension unfortunately.

21 CHAIRPERSON RESTLER: Five years of civil service
22 you know towards your pension but five years working
23 in the Parks for sure.

24 ISAAC KIRK DAVIDOFF: Yeah.
25

2 CHAIRPERSON RESTLER: And you know in that time
3 period we've seen a phenomenal reduction in the
4 seasonal workforce. You know even just since Mayor
5 Adams came to office; we've seen approximately a 40
6 percent reduction in the number of seasonal workers
7 who are working in our parks. It's really, could you
8 just elaborate, how are you seeing this you know
9 dramatic shrinking of the Parks workforce impact the
10 conditions in our parks?

11 ISAAC KIRK DAVIDOFF: Yeah, so you know me and my
12 co-workers do a great job. Like, we really do but
13 you know if there's less people working in forest
14 restoration, there's less acres you can cover. And
15 you can't just like let a patch of grass or invasive
16 species right? They grow back. You can't just let
17 these various kind of ignore them for a few years and
18 then come back. So, without that kind of like
19 sustainable commitment, it makes it hard ecologically
20 and it's also hard like to want to work for a place
21 if there's not that sustained commitment. Like, you
22 know, if you like, it's January and then it's like,
23 yeah well, we don't really know if you're going to
24 have a job in July and I mean like this year right,
25 we do is June, I think exactly on June 30th, that we

2 got messaged, oh no of course restoration lines
3 weren't extended and then there's a you know, like
4 literally that day and it was like okay next week, do
5 we even have a job?

6 So, that's really, there's a lot of uncertainty
7 and I think it's dangerous ecologically but it's also
8 dangerous for workforce and like my you know, one of
9 my co-workers have left, gone for other things. It's
10 - I know like anecdotally at least, you know I just
11 work out in the woods but I know like in the, more
12 like in the maintenance side, there's just so much
13 stuff to do and so much that so little capacity. We
14 don't have people like working in fixed posts in
15 parks anymore and we haven't had that for decades.

16 So, it's definitely gotten worse but it's like a long
17 term problem when you have a model where you kind of
18 go from park to park to park, instead of just being
19 in that same park and especially for the kind of more
20 like ecological roles like gardeners, people in
21 forestry, that kind of thing. Recreation for
22 rangers, there just hasn't been that kind of level of
23 commitment that's needed in order to like really meet
24 the huge ecological promise and like necessity of
25 caring for like; I mean it's like 20,000 acres. I

2 mean we have huge, huge forests in New York City and
3 a lot of them are just kind of basically like people
4 just don't go in them. Like don't do much work in
5 them. They're kind of neglected for a while and
6 these are really our jewels like they're awesome. I
7 love the woods you know and I think we really need
8 that sustained resources in order to like you know
9 really be good ecological stewards for this land.

10 CHAIRPERSON RESTLER: I think you said that
11 perfectly well and I really want to thank you again
12 just like Carmen did for being with us on your
13 lunchbreak. It means a lot and your testimony
14 matters and we promise to do our best to fight in the
15 City Council to support our Parks and to support our
16 Park workers. We know you all have been going above
17 and beyond to try and maintain conditions in our
18 parks and we want to thank you for your service to
19 our city and for your care for our parks and thank
20 you for being with us today.

21 ISAAC KIRK DAVIDOFF: Thank you.

22 CHAIRPERSON RESTLER: It's now my privilege to
23 recognize Former Chair of the Governmental Operations
24 Committee, Council Member Gale Brewer.

COMMITTEE ON GOVERNMENTAL OPERATIONS, STATE AND
1 FEDERAL LEGISLATION JOINTLY WITH THE COMMITTEE ON
CIVIL SERVICE AND LABOR 131

2 COUNCIL MEMBER BREWER: Thank you. I was at
3 another Committee across the street. I just want to
4 be clear, I'm not late, just I was across the street.

5 CHAIRPERSON RESTLER: Those are not mutually
6 exclusive things. You can be across the street and
7 late. But with that, I think, I don't believe that
8 Barbara Manny is still with us, so I think we're
9 going to thank everybody for being with us today.
10 Thank the Sergeant at Arms, thank the City Council,
11 thank our great Co-Chair Carmen De La Rosa and
12 adjourn for the day. [GAVEL] Thanks all.

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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 December 7, 2024