The New York City Council

City Hall
New York, NY 10007

Legislation Details (With Text)

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Title: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to agency diversity plans, salary data, and pay equity analyses

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Indexes: Report Required

Attachments: 1. Summary of Int. No. 515-A, 2. Summary of Int. No. 515, 3. Int. No. 515, 4. June 16, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 6-16-22, 6. Minutes of the Stated Meeting - June 16, 2022, 7. Committee Report 9/22/22, 8. Hearing Testimony 9/22/22, 9. Hearing Transcript 9/22/22, 10. Pay Equity in NYC Report - September 2022, 11. Proposed Int. No. 515-A - 1/26/23, 12. Committee Report 2/2/23, 13. Hearing Transcript 2/2/23, 14. Committee Report - Stated Meeting, 15. February 2, 2023 - Stated Meeting Agenda, 16. Hearing Transcript - Stated Meeting 2-2-23, 17. Minutes of the Stated Meeting - February 2, 2023, 18. Int. No. 515-A (FINAL), 19. Fiscal Impact Statement, 20. Mayor's Letter, 21. Local Law 27

Date	Ver.	Action By	Action	Result
6/16/2022	*	City Council	Introduced by Council	
6/16/2022	*	City Council	Referred to Comm by Council	
9/22/2022	*	Committee on Civil and Human Rights	Hearing Held by Committee	
9/22/2022	*	Committee on Civil and Human Rights	Laid Over by Committee	
9/22/2022	*	Committee on Civil Service and Labor	Hearing Held by Committee	
9/22/2022	*	Committee on Civil Service and Labor	Laid Over by Committee	
2/2/2023	*	Committee on Civil and Human Rights	Hearing Held by Committee	
2/2/2023	*	Committee on Civil and Human Rights	Amendment Proposed by Comm	
2/2/2023	*	Committee on Civil and Human Rights	Amended by Committee	
2/2/2023	A	Committee on Civil and Human Rights	Approved by Committee	Pass
2/2/2023	A	City Council	Approved by Council	Pass
2/2/2023	A	City Council	Sent to Mayor by Council	
2/21/2023	A	Mayor	Hearing Held by Mayor	

2/21/2023	A	Mayor	Signed Into Law by Mayor
2/21/2023	A	City Council	Recved from Mayor by Council

Int. No. 515-A

By The Speaker (Council Member Adams) and Council Members Cabán, Hanif, Abreu, Brewer, Louis, Ung, Gutiérrez, Hudson, Restler, Won, Bottcher, De La Rosa, Sanchez, Farías, Menin, Brannan, Avilés, Williams, Narcisse, Velázquez, Rivera and Gennaro

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to agency diversity plans, salary data, and pay equity analyses

Be it enacted by the Council as follows:

Section 1. Paragraph 19 of subdivision a of section 815 of the New York city charter, as amended by local law number 12 for the year 2019, is amended to read as follows:

(19) To establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women who are employed by, or who seek employment with, the agency and, in accordance with the uniform procedures and standards established by the department of citywide administrative services for this purpose, to adopt and implement an annual plan to accomplish this objective. Such plan shall include the following information: an analysis of the agency's compensation data and measures to address pay disparity and occupational segregation in the most recent fiscal year; diversity and inclusion training; and schedule and workplace accommodations and access to facilities, including access for individuals with disabilities, gender appropriate bathrooms, and lactation rooms. Such plan shall first be submitted to the department of citywide administrative services pursuant to the customary annual plan schedule. Copies of such plans shall be filed with the mayor, council, department of citywide administrative services, equal employment practices commission, and city civil service commission and shall be made available for reasonable public inspection. In carrying out duties related to this paragraph, the heads of city agencies shall cooperate fully with the department of citywide administrative services' office of diversity and inclusion in accordance with section 814.1; and

§ 2. Section 815 of the New York city charter is amended by adding new subdivision l to read as

follows:

l. No later than September 30, 2023, and by each September 30 thereafter, the head of each city agency shall publish and submit to the mayor, the speaker of the council, the department of citywide administrative services, and the equal employment practices commission a report that contains the following information:

(1) Number of new full-time and part-time employees retained by such agency;

(2) Number of employees promoted at such agency, their level of promotion, old and new titles, and their change in pay;

(3) Number of employees terminated by such agency and their pay at the time of termination;

(4) Number of employees that left such agency and the pay received by such employees; and

(5) Aggregated data showing the frequency of full-time, part-time, and seasonal employees retained by such agency, EEO-4 job group, pay band, race, ethnicity, gender, and any factors that affect the pay of such employees.

§ 3. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-208.1 to read as follows:

§ 12-208.1 Pay equity analysis. a. Pay equity analysis report. The department of citywide administrative services, in collaboration with relevant agencies and stakeholders, shall issue 3 pay equity reports, to be provided to the mayor and the speaker of the council and made available to the public, according to the following schedule:

1. No more than 180 days after the effective date of the local law that added this section, the department of citywide administrative services shall issue a request for proposals for a pay equity analysis of the city government workforce, which shall include the creation and execution of a system to conduct such analysis;

2. Within 30 days of a contract for such analysis being entered into by the department of citywide administrative services, the commissioner of citywide administrative services shall provide to the speaker of the council a detailed written framework of the project timeline for such analysis, including relevant milestones and

implementation deadlines; and

3. The first pay equity analysis report shall be due no later than 2 years after such project timeline has been provided to the speaker pursuant to paragraph 2 of this subdivision. The second and third pay equity analysis reports shall be due 1 year and 2 years, respectively, after the first report has been published. Each such report shall include:

(a) A list of all civil service title codes selected pursuant to subparagraph (d) of this paragraph;

(b) For each such civil service title code, the following information:

(1) Number of current employees;

(2) Racial, ethnic, and gender compositions of current employees; and

(3) Minimum and maximum salary;

(c) A description of the pay equity analysis system developed by the contractor to evaluate for pay disparities within titles;

(d) An analysis of a minimum of 30 civil service tiles and a maximum of 60 civil service titles based on data for the fiscal year in which a contract was entered into by the department of citywide administrative services pursuant to this subdivision. Such civil service titles shall have at minimum 100 employees and include the 15 civil service titles that have the greatest deviation from the gender demographic found in the city. Such civil service titles shall include the 15 civil service titles that have the greatest deviation from the racial or ethnic demographic found in the city. The department of citywide administrative services may include up to 30 additional civil service titles. Such analysis shall include:

(1) Collecting and reviewing relevant background information and documents;

(2) Determining the criteria and a statistical methodology for analyzing such collected job information and completing a pay equity job title evaluation of selected titles;

(3) Evaluating pay equity for job titles identified pursuant to subparagraph (d) of this paragraph, in accordance with such defined criteria and methodology; and

(4) Preparing an initial report of findings, including recommendations for eliminating any pay disparity identified, taking into account time, cost, and alternative approaches;

(e) If applicable, an estimate of the appropriations necessary to equalize pay disparities identified within evaluated titles.

b. All methodologies used in the pay equity analysis required by this section shall be made available to the public. The department shall submit a copy of each pay equity analysis report required pursuant to this section to each bargaining unit.

c. The department of citywide administrative services shall ensure that pay and employment equity data outlined in section 12-208 is provided to the contractor, in addition to any additional information necessary to conduct such analysis.

d. Upon commencement of an individual's employment of any individual in a title for which a pay equity report prepared pursuant to this section has been published, and at least annually thereafter, the department of citywide administrative services shall provide to each employee a written statement to inform the employee of their job title, wage rate, and how the wage is calculated and the job evaluation system used for such title.

e. Collective bargaining agreements. To the extent they are covered by a collective bargaining agreement, the wages, hours and working conditions for all employees represented by an exclusive representative certified pursuant to chapter 3 of title 12 shall be governed solely by the collective bargaining agreement executed by the parties.

§ 4. This local law takes effect 120 days after it becomes law.

JG/NC/MMB
LS #6241/6242/6243/6246
1/25/23; 2:59 p.m.