



Legislation Text

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Int. No. 10

By Council Members Brannan and Louis

A Local Law in relation to requiring businesses with 10 or more employees to appoint COVID-19 response coordinators, and providing for the repeal of such provisions upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. COVID-19 response coordinators. a. Definitions. For the purposes of this section the following terms have the following meanings:

COVID-19. The term “COVID-19” means the 2019 novel coronavirus or 2019-nCoV.

Employee. The term “employee” means any person covered by the definition of “employee” set forth in subdivision 5 of section 651 of the labor law or by the definition of “employee” set forth in 29 U.S.C. § 203(e) and who is employed within the city and who performs work on a full-time or part-time basis, including work performed in a transitional jobs program pursuant to section 336-f of the social services law, but not including work performed as a participant in a work experience program pursuant to section 336-c of the social services law. Notwithstanding any other provision of this section, the term “employee” does not include any person who is employed by (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state, including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

Employer. The term “employer” means any person or entity covered by the definition of “employer” set forth in subdivision 6 of section 651 of the labor law or any person or entity covered by the definition of “employer” set forth in 29 U.S.C. § 203(d). Notwithstanding any other provision of this section, the term

“employer” does not include (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

b. Any employer with 10 or more employees shall designate at least one employee to serve as a COVID-19 coordinator. The COVID-19 coordinator or coordinators shall complete the virtual training program provided by the department of consumer and worker protection and the office of emergency management developed pursuant to subdivision c.

c. The department of consumer and worker protection, in collaboration with the office of emergency management, shall develop and make available online a virtual training program detailing the guidance or requirements issued or enacted by the state of New York or the city of New York for operating during the COVID-19 pandemic. Such program shall be posted on the website of the department of consumer and worker protection.

d. Any employer who violates subdivision b of this section, or any rule promulgated pursuant to this section, shall receive a warning from the department of consumer and worker protection. Any person who commits any subsequent violation of subdivision b of this section, or any rule promulgated pursuant to this section, shall be subject to a civil penalty of not more than \$1000.

§ 2. This local law takes effect 30 days after it becomes law, except that the commissioner of consumer and worker protection shall take such measures as are necessary for its implementation before such date. This local law remains in effect until 1 year after the declaration of a state of emergency contained in mayoral executive order number 98 for the year 2020, as extended, has expired, at which time this local law expires and is deemed repealed.

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NLB

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JG

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