



Legislation Text

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Int. No. 1790

By Council Member Rosenthal and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to increasing the living wage for city-contracted human services workers

Be it enacted by the Council as follows:

Section 1. Paragraphs (2) and (3) of subdivision b of section 6-109 of the administrative code of the city of New York, as added by local law number 38 for the year 2002, are amended to read as follows:

(2) The Living Wage. The living wage shall be an hourly wage rate of [ten dollars per hour and will be phased in as provided below] \$15 per hour. Beginning in 2019 and each year thereafter, the living wage rate and the health benefits supplement rate shall be adjusted based upon the 12-month percentage increases, if any, in the consumer price index for all urban consumers for all items and the consumer price index for all urban consumers for medical care, respectively, or their successor indexes, if any, as published by the bureau of labor statistics of the federal department of labor, based on the most recent 12-month period for which data is available. The adjusted living wage rate and health benefits supplement rate shall each then be rounded to the nearest five cents. [Provided, however, that for homecare services under the Personal Care Services program, the wage and health rates below shall only apply as long as the state and federal government maintain their combined aggregate proportionate share of funding and approved rates for homecare services in effect as of the date of the enactment of this section:

- (a) As of the effective date of this section, \$8.10 per hour;
- (b) As of July 1, 2003, \$8.60 per hour;
- (c) As of July 1, 2004, \$9.10 per hour;

(d) As of July 1, 2005, \$9.60 per hour;

(e) As of July 1, 2006, \$10.00 per hour.]

(3) Health Benefits. (a) Health Benefits means receipt by a covered employee of a health care benefits package for the covered employee and/or a health care benefits package for the covered employee and such employee's family and/or dependents.

(b) The Health Benefits Supplement Rate shall be [\$1.50] \$1.75 per hour.

[(c) For homecare services provided under the Personal Care Services program, the wage and health rates above shall only apply as long as the state and federal government maintain their combined aggregate proportionate share of funding and approved rates for homecare services in effect as of the date of the enactment of this section.

(d) In the case of city service contractors or subcontractors providing homecare services, the health benefits requirements of this section may be waived by the terms of a bona fide collective bargaining agreement with respect to employees who have never worked a minimum of eighty (80) hours per month for two consecutive months for that covered employer, but such provision may not be waived for any employees once they have achieved a minimum of eighty (80) hours for two consecutive months and no other provisions of this section may be so waived.]

§ 2. Subparagraph (a) of paragraph (1) of subdivision d of section 6-109 of the administrative code of the city of New York, as added by local law number 38 for the year 2002, is amended to read as follows:

(a) The mayor or his or her designee shall promulgate implementing rules and regulations as appropriate and consistent with this section and may delegate such authority to the comptroller. The comptroller shall be responsible for calculating and publishing the living wage rate, the health benefits supplement rate and [for calculating and publishing] all applicable prevailing wage and [health benefits] supplement rates. The comptroller shall annually publish the adjusted rates. The adjusted living wage rate and health benefits supplement rate shall take effect on July 1 of each year, and the adjusted prevailing wage rates shall take effect

on whatever date revised prevailing wage rates determined under section 230 of the [state] labor law are made effective. At least 30 days prior to their effective date, the relevant contracting agencies[,] shall provide notice of the adjusted rates to city service contractors, which shall in turn provide written notification of the rate adjustments to each of their covered employees, and to any city service subcontractors, which shall in turn provide written notification to each of their covered employees. Covered employers shall make necessary wage and health benefits adjustments by the effective date of the adjusted rates.

§ 3. This local law takes effect immediately.

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