Legislation Details (With Text)

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Title:	A Local Law to amend the administrative code of the city of New York, in relation to requiring a workers' rights training for certain fast food employees		
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Indexes:			
Attachments:	1. Summary of Int. No. 640, 2. Int. No. 640, 3. August 11, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 8-11-22, 5. Minutes of the Stated Meeting - August 11, 2022, 6. Committee Report 9/19/22, 7. Hearing Testimony 9/19/22, 8. Hearing Transcript 9/19/22		

Date	Ver.	Action By	Action	Result
8/11/2022	*	City Council	Introduced by Council	
8/11/2022	*	City Council	Referred to Comm by Council	
9/19/2022	*	Committee on Consumer and Worker Protection	Hearing Held by Committee	
9/19/2022	*	Committee on Consumer and Worker Protection	Laid Over by Committee	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 640

By Council Members Velázquez, De La Rosa, Menin, Krishnan, Brewer, Hanif, Ung, Won, Dinowitz, Nurse, Hudson, Brannan, Joseph, Abreu, Ossé, Cabán, Sanchez, Williams, Riley and Ayala

A Local Law to amend the administrative code of the city of New York, in relation to requiring a workers' rights training for certain fast food employees

Be it enacted by the Council as follows:

Section 1. Section 20-1202 of the administrative code of the city of New York, as amended by local law 80 for the year 2020, is amended to read as follows:

§ 20-1202 Outreach[and], education and required trainings.

a. The commissioner shall conduct outreach and education about the provisions of this chapter. Such

outreach and education shall be provided to employers, employees and members of the public who are likely to be affected by this law. Such outreach and education shall include a training on the rights provided to fast food employees as set forth in subdivision b of this section.

b. Fast food workers' rights training. 1. (a) The department shall provide a training for fast food employees on the rights afforded to them under city employment laws, including under this title. Such training shall be conducted by the department or the department's designee, which may be another agency or a community organization selected by the department. The training shall be no longer than two hours in duration and shall consist of participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, a computer or online training program or other participatory forms of training as determined by the department.

(b) If the department chooses to designate a community organization to conduct the training required by this paragraph, the department shall consider:

(1) The organization's qualifications and experience related to conducting workers' rights trainings and participatory trainings generally;

(2) The organization's expertise in the rights afforded to fast food employees under this chapter;

(3) The organization's ability to communicate with fast food employees in their preferred language; and

(4) Any other factors the department deems relevant to the efficacy of the training.

2. Upon 45 days' notice by the department, fast food employers shall make their fast food employees available for the training required by paragraph one of this subdivision. Fast food employers shall compensate each fast food employee who receives the training for the time spent traveling to and from the location where the training is held, if not the employee's typical work location, and for the time spent receiving the training.

3. The department shall determine whether to require a fast food employer to make their fast food employees available to attend the training required by this subdivision by considering: (i) the number and severity of violations of this chapter and (ii) any other factors the department deems relevant; provided,

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however, that the department shall not require a fast food employer to make available any fast food employee who has received the training within the past year.

4. The training required by this subdivision is intended to establish a minimum threshold and shall not be construed to prohibit any fast food employer from making their fast food employees available for more frequent or additional training on the same topic.

§ 2. Subparagraph 3 of subdivision a of section 20-1208 of the administrative code of the city of New York is amended by adding a new subparagraph (a) to read as follows, and by relettering existing subparagraphs (a) through (h) as (b) through (i):

(a) Subdivision b of section 20-1202, $500 for each employee that the fast food employer failed to make available for training;

§ 3. This local law takes effect 180 days after it becomes law.

SJ
LS #8902
5/10/22

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