



Legislation Text

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By Council Members Chin, Ayala, Rosenthal, Rivera, Koslowitz, Gibson, Louis, Adams, Kallos, Eugene, Diaz, Vallone and Rose

A Local Law in relation to establishing an age discrimination in employment testing program

Be it enacted by the Council as follows:

Section 1. Investigation of age discrimination in the workplace. a. For a period of three years, the commission on human rights shall organize and conduct no fewer than five investigations of age discrimination in the workplace per year, during which the commission shall use pairs of testers to investigate local employers, labor organizations or employment agencies and employees or agents thereof. Such investigation shall include but not be limited to sending out matched pairs of testers who shall apply for the same job and who shall present similar credentials but who shall not present the same actual or perceived age. Of the two testers, at least one shall present to be above the age of 50. The investigation shall commence on or before January 15, 2020.

b. On or before June 15 of each following year, the commission shall submit to the speaker of the council a report related to the aging investigation conducted during the prior 12 month period. Such report shall include, but not be limited to: (i) the number of matched pair tests completed; (ii) the location of each matched pair test; (iii) a description of any other tests or exercises done pursuant to such investigation; (iv) the number of incidents of actual or perceived discrimination; and (v) the details of any incidents of discrimination encountered during such investigation.

c. Any incidents of actual or perceived discrimination that occur during such investigation shall be referred to the commission's law enforcement bureau.

§ 2. This local law takes effect immediately.

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