



## Legislation Text

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**File #:** Res 0111-2022, **Version:** \*

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### Res. No. 111

Resolution calling on New York State to pass legislation that would provide domestic violence survivors and their families with job-protected, paid leave, similar to that of New York State's Paid Family Leave law, to be used for any activities relating to their actual or perceived status as a domestic violence survivor or family member of a domestic violence survivor.

By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Stevens, Hanif, Won, Restler, Krishnan, Abreu, Hudson, Nurse, Gutiérrez, Narcisse, Ung, Menin, Lee, Williams, De La Rosa, Richardson Jordan, Avilés, Schulman and Brewer

Whereas, In 2018, the New York State (NYS) Office for the Prevention of Domestic Violence reported that domestic violence and sexual violence hotlines throughout NYS received 341,909 calls, including 81,062 from New York City (NYC), with approximately 5,244 hospital inpatient discharges and Emergency Department visits statewide identified as domestic violence-related events, an 84% increase as compared to similar data in 2017; and

Whereas, From 2010 to 2018, in NYC there were 558 domestic violence homicide incidents, with 55 occurring in 2018, according to the NYC Domestic Violence Fatality Review Committee; and

Whereas, Although domestic violence is highly prevalent in society, as evidenced by NYS and NYC statistics, many domestic violence survivors and their families are not provided with adequate paid time off to tend to their complex situations, often seeing their employment being drastically impacted; and

Whereas, For example, the Institute for Women's Policy Research's 2018 survey on the impact of intimate partner violence (IPV) indicates that 83% of respondents reported that their abusive partners disrupted their ability to work, with those respondents reporting that: 70% were not able to have a job when they wanted or needed one; 53% lost a job because of abuse; 49% missed one or more days of work and 18% missed out on a promotion or raise; and

Whereas, In addition, data from the National Violence Against Women Survey published by the Centers for Disease Control estimated that women victims of IPV lose a total of nearly eight million days of paid work annually as a result of IPV; and

Whereas, In 2016, NYS Governor Andrew Cuomo signed into law Paid Family Leave (PFL), with its official launch in 2018, providing eligible employees paid time off to: bond with a newly born, adopted or fostered child; care for a family member with a serious health condition; or assist loved ones when a spouse, domestic partner, child or parent is deployed abroad on active military service, while also including job protection, continued health insurance and protection from discrimination or retaliation; and

Whereas, NYS' PFL is funded by employee payroll deductions and offers its benefits through a four-year phase-in period, with phase one (2018) providing employees with eight weeks of PFL at 50% of their average weekly wage (AWW), capped at up to 50% of the Statewide Average Weekly Wage (SAWW), and phase four (2021), with employees receiving 12 weeks of PFL at 67% of their AWW, capped at up to 67% of SAWW; and

Whereas, In an effort to help domestic violence survivors and their families, NYC passed the Earned Safe and Sick Time Act in 2017, requiring employers to provide employees who are victims of family offense matters, sexual offenses, stalking and human trafficking, and their family members, with up to 40 hours per calendar year of paid leave or unpaid leave, depending on employer size, to take time off to restore their physical, psychological and economic health or that of a family member; and

Whereas, Although NYC's law is beneficial, domestic violence survivors and their families may require a longer leave period and the assurance of paid leave, similar to the benefits provided by NYS' PFL; and

Whereas, Because NYS' PFL is funded by employee deductions, employers do not bear the cost of providing these benefits to their employees; and

Whereas, Providing domestic violence survivors and their families with job-protected, paid leave, similar to that of NYS' PFL, would ensure that domestic violence survivors and their families properly heal

from the abuse they have endured and receive the financial support, job-protection and protection from discrimination or retaliation that they require to deal with their complex situations, while also ensuring that the cost of such benefit does not fall on employers; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York State to pass legislation that would provide domestic violence survivors and their families with job-protected, paid leave, similar to that of New York State's Paid Family Leave law, to be used for any activities relating to their actual or perceived status as a domestic violence survivor or family member of a domestic violence survivor.

Session 12

CP  
LS 3387  
2/25/22

Session 11

KK  
LS 12528