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THIS WEEK IN NEW YORK

COVERING NEW YORK & CITY GOVERNMENT

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"Obstacles don't define us. Rather, it is the unparalleled courage and character of us that defines us as a people. So my confidence in the future is steeped in our glorious past - in the face of adversity, we always persist. We persevere, we prevail." Governor Kathy Hochul



In The News-New York State



NYS Department of Labor Announces Guidance to Protect Outdoor Workers from Extreme Cold

The New York State Department of Labor (NYSDOL) this week released of new comprehensive guidance to help employers better protect outdoor workers during extreme cold weather.

According to the NYSDOL guidance, employers should limit workers' time in frigid elements whenever possible. If workers must be outside, it is essential that employers take proactive steps to ensure

worker safety. The new guidance outlines specific precautions that employers should take before, during, and after extreme cold weather events to keep outdoor workers safe.

This includes recommendations for building a work/rest schedule based on wind chill levels, properly acclimatizing workers to cold weather, appropriate Personal Protective Equipment (PPE), and developing an emergency preparedness and training plan.

“New Yorkers know that cold temperatures during the winter are part of life in the Empire State, but without suitable preparation and equipment, frigid weather can be dangerous,” Commissioner Reardon explained. “This new guidance provides New York businesses the tools they need to keep their employees safe during the winter”

During extreme cold events, the guidance advises employers to engage in best practices such as:

- Limit outdoor work, provide frequent breaks in warm areas and schedule outdoor work during the warmest times of the day.
- Ensure access to clean drinking water.
- Have a written plan for handling acclimatization, extreme cold preparedness and emergency response.
- Train workers and supervisors annually on cold preparedness plans and to recognize the symptoms of cold-related illnesses like hypothermia and frostbite.

To keep themselves safe, workers should:

- Stay hydrated with warm beverages and avoid drinking caffeine.
- Wear proper PPE, including at least three layers of clothing, gloves or mittens, thick socks, insulated footwear and a hat, hood or hard hat liner.

The NYSDOL encourages all employers to utilize this guidance as needed to help keep workers safe amidst extreme cold temperatures. Ensuring worker safety in extreme weather conditions not only reduces the risk of illnesses, accidents and injuries, but also helps businesses save money by avoiding increased workers’ compensation claims, insurance costs, and decreases in productivity. In a unionized workplace, employers should negotiate in good faith and follow any collective bargaining agreement currently in place. For more information, including access to the full guidance documents, please visit the NYSDOL’s [Extreme Weather Guidance page](#).



Governor Hochul Reminds New Yorkers of Minimum Wage Increase on January 1st

Governor Kathy Hochul this week announced that New Yorkers earning minimum wage will earn an additional \$0.50 per hour starting on January 1, 2025. New York’s minimum wage will increase to \$16.50-per-hour in New York City, Westchester, and Long Island, and \$15.50-per-hour for the rest of the state.

This adjustment is part of New York’s multiyear agreement between Governor Hochul and the New York State Legislature to index the minimum wage to inflation. This week’s announcement is part

of NYSDOL's ongoing effort to educate employees and employers alike, ensuring awareness of the change, and to proactively reduce potential wage theft.

“Thanks to our efforts in the 2023 budget, New York’s minimum wage earners can expect to start every new year with a raise,” Senate Labor Committee Chair Jessica Ramos explained. “More money in their pockets means more money circulating in our local economy. I urge New Yorkers to check their pay stubs closely to make sure they are taking home every penny they have earned. Together with the Governor and the Department of Labor, we are committed to fighting wage theft and making sure you can continue to afford to live in our great state.”

The minimum wage is scheduled to increase by another \$0.50 in 2026 and then increase annually starting in 2027 at a rate determined by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the Northeast Region – the most accurate regional measure of inflation. An "off-ramp" is available in the event of certain economic or budget conditions. Employers can find additional information, including an interactive Minimum Wage Lookup Tool, by visiting the [Minimum Wage](#) website.

“Our families and workers deserve a minimum wage that keeps pace with costs so they can afford life’s necessities,” Assembly Labor Committee Chair Harry Bronson said. “As Chair of Labor, I am proud to have stood with my colleagues in the Legislature in the fight to raise the minimum wage, and, critically, index it to inflation, so working people will no longer continue to be priced out of the economy if costs rise. This was about doing right for New Yorkers and creating an economy that supports our businesses and our families.”



Chapters of the Laws of 2024

Chapter 594 – Sponsored by AM Epstein/Senator Krueger - Relates to prohibiting the sale or distribution of expanded polystyrene containers that are designed or intended to be used for cold storage.

Chapter 596– Sponsored by AM Eachus/Senator Skoufis - Establishes a maximum temperature in school buildings and indoor facilities.

Chapter 581 – Sponsored by AM Weinsteins/Senator Ramos - Establishes contract requirements for contracts involving the creation and use of digital replicas.

Chapter 588 – Sponsored by Senator Gounardes/AM Pheffer Amato - Expands disability benefits for firefighters who suffered any condition or impairment of health caused by endocrine/thyroid cancer.

Chapter 591 – Sponsored by Assembly Rules (Braunstein)/Senator Sepulveda - Extends the effectiveness of certain provisions relating to joint bidding on contracts for public work projects.

Chapter 595 – Sponsored by Senator Stavisky/AM Rosenthal – Ensures insurance coverage of scalp cooling devices to preserve hair during chemotherapy treatment.

Chapter 596 – Sponsored by Senator Skoufis/AM Eachus -- Establishes a maximum temperature in school buildings and indoor facilities.



Vetoos of 2024

Veto #77– Sponsored by AM Stern/Senator Martinez - Authorizes the presence of dogs in state parks.

Veto #83 – Sponsored by AM Anderson/Senator Comrie - Establishes a captive insurance program for commuter vans, black cars, ambulettes and paratransit vehicles, and small school buses pre-arranged for-hire vehicles, and accessible vehicles.

Veto #84 – Sponsored by Senator Ramos/AM Bronson - Authorize workers' compensation claimants to use any in-state pharmacy that is registered with the education department.

Veto #96 – Sponsored by AM Paulin/Senator Comrie - Relates to the organization of the Port Authority including adding four new non-voting commissioner positions to the Board, two of whom must be mass transit users recommended by rider advocacy groups and two of whom are to be recommended by labor organizations.

Veto #111 – Sponsored by AM Gibbs/Senator Salazar - Provides for rules and regulations for strip searches in correctional facilities.

In The News-New York City



NYC Council Projects City to Receive \$2.6 Billion More in Tax Revenues for Fiscal Years 2025 and 2026

The New York City Council released its [November 2024 Economic and Tax Revenue Forecast](#) that projects, despite signs of slowing growth, the economy will remain resilient resulting in a slightly improved tax revenue outlook. It estimates \$2.6 billion in greater tax revenues for Fiscal Years (FY) 2025 and 2026 than the Mayor's Office of Management and Budget's (OMB) update in its November 2024 Financial Plan.

The differences in projections are mainly driven by stronger than expected property, personal income, and business tax collection, as well as a more comprehensive reforecast than OMB. The City's tax revenue growth rate is projected to remain moderate at an average 3.7% annually from FY25 to FY28, compared to the 5.5% average annual tax revenue growth experienced over the decade of FY10 to FY19.

The Council noted that although the national economy continues to grow and show strength as inflation decreases and interest rates start to come down, rising consumer debt and the lagged effects of higher interest rates are expected to keep economic growth below long-run average. Consumer spending is also anticipated to cool down in response to a softening labor market and still-elevated borrowing costs. Inflation is expected to decline to 2.3% by the end of next year from 3.3%.

While the city's economy continues to grow, according to the Council, it also shows signs of cooling down as annual payroll growth has slowed. Lower-than-average wage job sectors continue to be the main driver of job growth in the city as higher paying sectors have contracted, leading to slightly weaker city tax collections. In the future, the Council expects higher paying sectors will resume contributing to job growth and in turn raise the average wage as the Federal Reserve continues to lower interest rates

“With a resilient national and local economy, the city continues to have the necessary resources to support essential services while investing in parks, mental health solutions, and other key needs,” Finance Committee Chair Justin Brannan said.

Differences Between Council's November Tax Forecast and OMB November Plan

TAX (MILLIONS)	FY2025	FY2026	FY2027	FY2028
REAL PROPERTY	\$248	\$725	\$804	\$988
PERSONAL INCOME AND PTET	\$80	\$406	\$726	\$775
BUSINESS CORPORATE	\$224	\$733	\$678	\$589
UNINCORPORATED	\$100	\$109	\$140	\$186
SALES	(\$115)	(\$168)	(\$157)	(\$174)
COMMERCIAL RENT	\$3	\$1	\$7	\$22
REAL PROPERTY TRANSFER	\$43	\$46	\$37	\$24
MORTGAGE RECORDING	(\$9)	\$42	(\$5)	\$2
UTILITY	(\$10)	(\$5)	(\$9)	\$16
HOTELS	(\$7)	\$10	\$30	\$18
ALL OTHER TAXES	\$0	\$0	\$0	\$0
AUDITS	\$79	\$79	\$79	\$79
TOTAL TAXES	\$636	\$1,978	\$2,330	\$2,525

Meanwhile, in his office's [Annual State of the City's Economy and Finances](#), New York City Comptroller Brad Lander projected stronger economic growth than projected last year, as well as looming economic and budget risks because of the incoming Trump Administration.

The Comptroller's analysis projects that the Mayor's Office of Management and Budget (OMB) has underbudgeted likely expenses including uniformed overtime, special education Carter Cases, and rental subsidies by an average of \$3 billion each fiscal year. At the same time, the report projects that the Adams Administration inflated projected costs for spending on asylum seekers by nearly \$6 billion in total over the same period.

This report also indicates that New York City has climbed out from the economic downturn and disruption of the pandemic but faces new economic and budget challenges from an incoming Trump administration. Cuts to Federal aid, tariff, and immigration policies threaten to reverse recent growth and imperil the very fabric of New York City.

2024 Laws of the City of New York

New York City Mayor Eric Adams this week signed the *City of Yes for Housing Opportunity* legislative package and bills aimed at upgrade the City's infrastructure including:

Intro. 654-A — Sponsored by Councilmember Sanchez — Extends the J-51 tax abatement program for certain alterations or improvements completed after June 29, 2022 and before June 30, 2026. Eligible buildings are condos and co-ops where the average assessed valuation is under \$45,000 per dwelling unit, and rental buildings 1) where more than half the units are affordable, 2) that are operated by limited-profit housing companies, or 3) that receive substantial governmental assistance.

Intro. 814-A — Sponsored by New York City Councilmember James Gennaro — Requires that the New York City Department of Environmental Protection (DEP) to update, by 2025, its plan to prevent sewer backups and conduct further updates every five years thereafter.

Intro. 815-A — Sponsored by Councilmember Gennaro — Requires DEP, in consultation with the DOB and Mayor's Office of Climate and Environmental Justice, to promulgate rules to adopt an interim flood risk area map for inland and coastal flooding.

Intro. 850-A — Sponsored by New York City Councilmember Rafael Salamanca — Requires HPD to submit periodic reports to the City Council regarding city-financed affordable housing projects involving the disposition of city property.

Intro. 1127-A — Sponsored by New York City Councilmember Pierina Sanchez — Establishes a pilot program basement and cellar dwelling unit legalization in certain community districts. Building owners would be able to apply for an authorization for temporary residence for units that existed prior to April 20, 2024. The New York City Department of Buildings (DOB) would inspect such units prior to issuing an authorization and, if issued, the building owner would be permitted to do any necessary construction on the unit to legalize the unit and apply for an amended or partial certificate of occupancy. Tenants who resided in the basement or cellar unit on April 20, 2024 would have a right of first refusal to return to the unit upon its first occupancy following any necessary alterations.

Intro. 1128-A — Sponsored by Councilmember Sanchez — Sets forth eligibility, safety, and design requirements for accessory dwelling units (ADUs) added to one- or two-family dwellings.

Briefs

Governor Hochul Signs New Legislation to Address the Opioid and Overdose Crisis

Governor Kathy Hochul this week signed legislation that builds on New York's ongoing efforts to address the opioid and overdose epidemic.

Chapter 600 will require the Department of Health to distribute fentanyl test strips along with opioid antagonists, which it distributes to registered opioid overdose prevention programs. The legislation will also require that an informational card or sheet distributed along with the opioid antagonist contain information about fentanyl test strips and their uses. It was sponsored by Senator Monica Martinez and AM Alicia Hyndman.

Chapter 599 will require the state to equip public institutions and buildings with opioid antagonists. It was sponsored by former Senator John Mannion and AM Marianne Buttenschon.

Chapter 589 will authorize health care professionals, including pharmacists to dispense drug adulterant testing supplies used to test for xylazine, a non-opioid used as a sedative, anesthetic, muscle relaxant, and analgesic for animals, but it is not FDA-approved for use in humans due to severe central nervous system (CNS) depressant effects. It was sponsored by Senator Nathalie Fernandez and AM John McDonald.

Attorney General James Recovers \$4 Million from Drizly for Former Delivery Workers

New York Attorney General Letitia James announced that she has recovered \$4 million in withheld tips from Drizly, a now-defunct alcohol delivery platform owned by Uber, for failing to ensure delivery workers received their rightfully earned tips.

An investigation by the Office of the Attorney General (OAG) found that Drizly actively encouraged customers to leave tips for delivery workers, even including an automatic 10 percent tip at checkout. However, Drizly led customers to believe that the entirety of those tips would go directly to the delivery workers who earned them, when in fact all tips instead went to store owners for distribution. Liquor stores using Drizly had the option to either outsource deliveries or to employ their own delivery workers.

For delivery workers employed by the stores, including more than 8,300 workers at 2,453 stores throughout New York state, Drizly sent all of the tips to the store owners, who then decided how tips would be distributed. As a result of OAG's action, Drizly will pay \$4 million in restitution to impacted delivery workers.

Comptroller DiNapoli: Local Sales Tax Collections Up 3% in November

Local sales tax collections in New York state increased by 3% in November compared to the same month in 2023, [according to data](#) released today by State Comptroller Thomas P. DiNapoli. Overall, local collections totaled \$1.86 billion for the month, up \$53 million year over year, with New York City accounting for 61.5% of the increase.

In November:

- New York City's collections totaled \$848 million, an increase of 4% compared to the same time last year.
- County and city collections in the rest of the state totaled \$903 million, an increase of 1.8%.
- 61% (35 of 57) of counties experienced year-over-year increases.

State's Highest Court Rules NYC Must Continue to Pay for Retirees' Health Care of Choice

The New York State Court of Appeals this week ruled in favor of 250,000 Medicare-eligible retired New York City workers and their dependents, finding that the City of New York must continue to pay the entire cost of the health insurance plan a retiree chooses from the City's health option.

The Court unanimously [held](#) that "the City must pay—up to the statutory cap—for each health insurance plan that it offers employees and retirees."

In 2021, the City announced that it would stop paying for retirees' Medicare supplemental insurance and switch them into the federally funded Medicare Advantage plan.

"The City's Medicare Advantage plan would have constrained our retirees to a smaller network with more restrictive requirements on care," Comptroller Brad Lander explained. "Many public servants entered the municipal workforce with the promise of middle-class wages, pensions, and a retirement plan. The shift to anything less than that full promise was a hard pill to swallow."

FARE Act – NYC's Real Estate Broker Reform Initiative – Becomes Law, Real Estate Board Files Lawsuit

Real estate leaders in New York City filed a lawsuit on Monday seeking to halt a new law that would shift broker fees from renters to landlords.

[Introduction 360-A](#), known as the Fairness in Apartment Rentals Act (FARE), became law on Friday as a result of the mayor taking no action within 30 days of its passage. The Council approved the bill, 42-8, on November 13th. The new law, which is scheduled to will take effect 180 days after becoming law, prohibits landlords from passing the fees of brokers they hire onto prospective tenants.

The Real Estate Board of New York (REBNY) and other groups representing brokers and landlords filed suit Monday in Federal District Court in Manhattan asserting, "While the FARE Act may have the 'right intention,' it will wreak havoc on the New York City rental markets and unleash a host of unintended consequences, causing immediate and irreparable harm to the consumers it purports to protect, as well as harm brokers and landlords around the city."

"The Council continues to take action that makes housing and our city more affordable to New Yorkers, so they can remain in our communities," said Speaker Adrienne Adams. "...The Administration was fully engaged in negotiations with the Council to ensure successful passage of this law throughout the legislative process. We fully expect Mayor Adams to implement it without delay to reinforce his pledge to support working-class New Yorkers."

The lawsuit could impact implementation.

2025 Legislative Calendar



New York State Legislative Session Calendar January — June 2025



The New York State legislative session calendar establishes a schedule for the 2025 legislative session and provides dates important to the legislative process. The session calendar is intended to afford Members flexibility in conducting legislative business in Albany and planning activities within their home districts. The session calendar will foster orderly and timely consideration of legislation. Unforeseen events may require modification of the session calendar.

JANUARY						
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January 8 2025 Legislative Session convenes
January 20 Martin Luther King, Jr. Day
January 21 Final Day for Submission of Executive Budget

February 17 Presidents' Day
April 1 Beginning of new Fiscal Year
May 26 Memorial Day

 Indicates session day

Coming Up

New York State

There are no meetings scheduled for the week of December 23rd through the 27th at the time of this publication

New York City

There are no meetings scheduled for the week of December 23rd through the 27th at the time of this publication

**The next edition of This Week in New York will be published on
January 3, 2025. Happy New Year!**

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