

**Testimony of Assistant Commissioner Carlos A. Ortiz
New York City Department of Consumer and Worker Protection**

**Before the Committee on
Consumer and Worker Protection**

Introduction 865

September 25, 2024

Introduction

Good morning, Chair Menin, and members of the Committee. My name is Carlos Ortiz, and I am the Assistant Commissioner for External Affairs at the Department of Consumer and Worker Protection (DCWP). I am joined today by our Director of Legislative Affairs, Hali Radecker. Thank you for the opportunity to testify on Introduction 865, relating to reporting of worker fatalities in New York City.

DCWP provides fundamental consumer and worker protections, and financial empowerment programming to New Yorkers. We strive to ensure that consumers who have been deceived or exploited have recourse, that workers have a passionate defender of their rights, and that all New Yorkers have the support they need to improve their financial health. Since the start of the Adams' Administration, DCWP has helped deliver ~\$785 million dollars into the pockets of New Yorkers, through debt relief, restitution, and financial empowerment programming.

Workers' Rights Enforcement and Education

DCWP is steadfast in its commitment to ensure fair workplaces for all New Yorkers through our dedicated enforcement efforts and proactive outreach. Since 2021, DCWP has secured more than \$43 million in monetary relief to nearly 36,000 workers across the city. And, we have conducted nearly 1,000 events to educate New Yorkers specifically on their rights in the workplace and what actions to take if those rights are violated. Workers' rights will always be an essential priority for the Department.

Introduction 865

Moving to today's bill, Introduction 865 would require DCWP to establish and maintain an online, public database that compiles information related to workplace fatalities that occur in New York City. It would require the Office of Chief Medical Examiner to facilitate maintenance of this database by delivering reports of any work-related fatal injury to DCWP.

Ensuring that workers are safe, and that employers follow the essential health and safety standards for workplaces is a vital issue for New Yorkers. Workers must have safe working conditions, and the injury of one worker, or loss of life, on the job site is one too many. Under federal law, employers are obligated to report work-related employee fatalities to the Occupational Safety and Health Administration (OSHA), which investigates all work-related fatalities in all covered workplaces. OSHA maintains a database that publishes worker-specific

and worksite-specific data that covers New York State and New York City in its reporting. Under New York state law, the state Department of Labor has created a registry inclusive of New York City for work-related fatalities in the construction industry and maintains a public database of aggregate data. And finally, our colleagues at Health's Bureau of Vital Statistics, who are responsible for the registration, analysis, and reporting of all vital events in NYC, including deaths, have published data on workplace fatalities as a part of its annual Summary of Vital Statistics.

Given these existing public health reporting mandates, the ongoing work of other agencies, and that public health surveillance is not in the scope of work of DCWP, we oppose this legislation as drafted. Finally, I would like to note that the Law Department is also continuing to review this legislation.

Conclusion

Of course, we welcome continued collaboration and partnership with all stakeholders, workers' advocates, and the Council to strengthen workplace protections for New York City's workers. Thank you again for the opportunity to testify before you today. I look forward to our discussion and answering any questions you may have.