

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2024**

No. 76

Introduced by Council Members Hudson, Louis and Cabán.

A LOCAL LAW

To amend the New York city charter and the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to administer workplace culture surveys

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 815 of the New York city charter, as amended by local law number 59 for the year 1996, paragraph 19 of such subdivision as amended by local law number 27 for the year 2023, is amended to read as follows:

a. Subject to the civil service law and applicable provisions of this charter, heads of city agencies shall have the following powers and duties essential for the management of their agencies in addition to powers and duties vested in them pursuant to this charter or other applicable law:

(1) To recruit personnel;

(2) To participate with the department of citywide administrative services in job analyses for the classification of positions;

(3) To allocate individual positions to existing civil service titles;

(4) To allocate individual managerial or executive positions to managerial assignment levels;

(5) To assist the department of citywide administrative services in the determination of minimum qualifications for classes of positions and to review and evaluate qualifications of candidates for positions in the civil service;

(6) To assist the commissioner in the planning and preparation of open competitive examinations;

(7) To schedule and conduct tests other than written tests for promotion to competitive class positions;

(8) To determine whether to hold an open competitive or promotion examination to fill positions in the civil service subject to disapproval of the commissioner within [thirty] 30 days;

(9) To plan and administer employee incentive and recognition programs;

(10) To fill vacant positions within quarterly spending allotments and personnel controls pursuant to section [one hundred six] 106;

(11) To administer and certify eligible lists for classes of positions unique to the agency;

(12) To make appointments to competitive positions from eligible lists pursuant to subsection [one] 1 of section [sixty-one] 61 of the state civil service law, which authority shall not be abridged or modified by local law or in any other manner;

(13) To establish and administer performance evaluation programs to be used during the probationary period and for promotions, assignments, incentives and training;

(14) To conduct training and development programs to improve the skills, performance and career opportunities of employees;

(15) To ensure and promote equal opportunity for all persons in appointment, payment of wages, development and advancement;

(16) To administer employee safety programs;

(17) To maintain personnel records;

(18) To perform such other personnel management functions as are delegated by the commissioner pursuant to this chapter or that are not otherwise assigned by this chapter;

(19) To establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women who are employed by, or who seek employment with, the agency and, in accordance with the uniform procedures and standards established by the department of citywide administrative services for this purpose, to adopt and implement an annual plan to accomplish this objective. Such plan shall include the following information: an analysis of the agency's compensation data and measures to address pay disparity and occupational segregation, *developed both within the agency and as a result of consultation with prospective applicants and external stakeholders*, in the most recent fiscal year; diversity and inclusion training; and schedule and workplace accommodations and access to facilities, including access for individuals with disabilities, gender appropriate bathrooms, and lactation rooms. Such plan shall first be submitted to the department of citywide administrative services pursuant to the customary annual plan schedule. Copies of such plans shall be filed with the mayor, council, department of citywide administrative services, equal employment practices commission, and city civil service commission and shall be made available for reasonable public inspection. In carrying out duties related to this paragraph, the heads of city agencies shall cooperate fully with the department of citywide administrative services' office of diversity and inclusion in accordance with section 814.1; and

(20) To provide assistance to minority group members and women interested in being employed by city agencies to ensure that such minority group members and women benefit, to the maximum extent possible, from city employment and educational assistance programs.

§ 2. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-218 to read as follows:

§ 12-218 *Workplace culture surveys. a. Definitions. As used in this section, the following terms have the following meanings:*

Commissioner. The term “commissioner” means the commissioner of citywide administrative services.

Department. The term “department” means the department of citywide administrative services.

Workplace culture. The term “workplace culture” means an agency’s workplace environment and atmosphere as perceived by its employees, including but not limited to, shared values and beliefs, employee attitudes, relationships between colleagues, relationships between managers or supervisors and subordinates, job duties, perceptions of equitable pay, and working conditions.

b. No later than July 1, 2025, the commissioner shall create a workplace culture survey to be administered online, the responses to which shall be confidential. Such survey shall be designed to elicit information related to workplace culture. Survey instructions shall emphasize that employee responses will remain confidential, not be shared with managers or supervisors for any purpose, including, but not limited to, performance evaluation or employee discipline, and be used only by the department to report a summary analysis without including any information identifying any employee. Such survey shall include, but need not be limited to, questions designed to elicit:

- 1. The employee’s views on their agency’s workplace culture;*
- 2. The employee’s views on their agency’s management practices;*
- 3. Whether the employee has considered pursuing a managerial or supervisory role within their agency;*

4. *The employee's perceived barriers to promotion, if any;*
5. *The employee's views on diversity and equity within their agency;*
6. *Any workplace culture or equity-related concerns that may cause the employee to consider departing from their position or agency; and*
7. *The employee's views on any improvements that could be made to the agency workplace culture.*

c. No later than September 1, 2025, and September 1 of each odd-numbered year thereafter, the department shall coordinate with agencies to distribute a link to the survey required by subdivision b of this section to all employees, to be completed on a voluntary basis.

d. No later than January 1, 2026, and January 1 of each even-numbered year thereafter, the commissioner shall submit to the mayor, the speaker of the council, the head of each agency, and the equal employment practices commission a report summarizing, at a minimum, the information received from the surveys administered pursuant to subdivision c of this section, disaggregated by agency. Such report shall not contain any information identifying any employee.

§ 3. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 6, 2024 and returned unsigned by the Mayor on July 8, 2024.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 76 of 2024, Council Int. No. 767-A of 2024) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.