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Mayor de Blasio Signs Legislation to Prohibit Employers from Using Credit Checks to Screen Applicants

May 6, 2015

Signs the most sweeping update to the New York City Air Code since 1975

NEW YORK—Mayor de Blasio today signed into law seven pieces of legislation – Intro. 261-A, in relation to prohibiting discrimination based on consumer credit history; Intro. 271-A, in relation to updating the City’s Air Pollution Control Code; Intro. 211-A, in relation to establishing a plan to expand Bus Rapid Transit; Intro. 597-A, in relation to car sharing in the City’s fleet; Intro. 433-A, in relation to electrical outlet safety; Intro. 681, in relation to the establishment of the Meatpacking Area Business Improvement District; and Intro. 555-A, in relation to the Senior Citizen Rent Increase Exemption and Disability Rent Increase Exemption programs.

The first bill, Intro. 261-A, prohibits employers, labor organizations, and employment agencies from using or requesting an applicant’s consumer credit history, and prevents them from discriminating against an applicant or employee based on their credit history. Using credit checks during the hiring process to screen applicants disproportionately affects low-income applicants and applicants of color, and this legislation prevents the vast majority of employers from doing so. Intro. 261-A also applies to City agencies, most of which are prohibited from requesting or using the consumer credit history of an applicant, licensee or permittee for licensing and permitting processes. There are several exceptions, including for law enforcement and other professions involving a high level of public trust or access to sensitive information, and for employers who conduct credit history checks pursuant to state and federal laws or regulations. Intro. 261-A does not interfere with obligations of government employees to disclose certain information to the Conflict of Interest Board. This legislation was passed by the City Council during the Stated Meeting on April 16.

“Every New Yorker applying for a job deserves a fair shot – and we are committed to protecting the rights of our workers and making sure that every New Yorker has the opportunity to succeed. This bill will remove a barrier to employment and ensure that people are judged on their merits and ability, rather

than unrelated factors,” said **Mayor de Blasio**. “I want to thank Speaker Melissa Mark-Viverito for her leadership, and Council Member Brad Lander for sponsoring this bill.”

“Making New York a more sustainable, livable and environmentally friendly city is always a priority of this City Council,” said **Council Speaker Melissa Mark Viverito**. “Additionally, protecting job seekers from discrimination by prohibiting employers from making personnel decisions based on credit checks will provide greater opportunity to all New Yorkers. I thank my colleagues on the Council and the de Blasio Administration for their partnership on these issues.”

“Poor credit scores can be triggered by a host of reasons – a lost job, a medical crisis, overwhelming student debt, or identity theft. Many New Yorkers know what it’s like to face a personal crisis that forces them to take on debt. The use of credit history to determine job worthiness denies already vulnerable New Yorkers opportunities to gain employment and earn a living for themselves and their families,” said **Carmelyn P. Malalis, Commissioner and Chair of the New York City Commission on Human Rights**. “This bill is an important step in ending this practice. Our Law Enforcement staff will be vigilant in enforcing this law as our Community Relations Bureau takes proactive measures to educate individuals on their rights and employers on their obligations.”

“Credit checks for employment unfairly lock New Yorkers out of jobs. There is no link that can be shown between credit history and job performance, and now New York City law reflects that fact,” said **Council Member Brad Lander**. “I’m proud that with today’s signing New York now has the strongest law of its kind to end discriminatory employment credit checks. After this bill passed the Council, I heard from a recently laid-off single mom, worried about finding a new job because of her daughter’s college loans on her credit report. She wrote that this law gives her ‘a new lease on life.’ Thank you to Mayor de Blasio for continuing to stand up for the most vulnerable New Yorkers, and to my Council colleagues, especially Speaker Mark-Viverito, my co-sponsor Council Member Rose, and Chair Mealy for their support on this strong, smart piece of legislation. Well-earned credit (and the kind you’d be happy to have anyone know about) goes to the 70-member organizations of the NYC Coalition to Stop Credit Checks in Employment, including brave individuals who came forward to tell their stories, and who worked so hard to make this day happen.”

The second bill, Intro. 271-A, thoroughly modernizes and updates the City’s Air Pollution Control Code, and eliminates old, outdated and unused provisions to bring the Air Code into conformance with state and federal standards. The updated Air Code now includes stricter limits on air pollution emissions from idling vehicle engines and new limitations on particulate emissions for char broilers, fireplaces, wood and coal fired ovens, outdoor wood boilers, and mobile food vehicles. Emissions of particulate matter are associated with negative health impacts including decreased lung function, aggravated asthma respiratory symptoms and premature death. The proposed revisions would limit emissions – primarily particulate matter – for certain uncontrolled sources. Approximately 1,400 tons of particulate matter per year would be reduced as a result of these updates. Reduction of particulate matter would protect and improve air quality and public health within New York City, thereby enhancing the quality of life for all New Yorkers. This legislation was passed by the City Council during the Stated Meeting on April 16. In his remarks, the Mayor thanked the bill’s sponsor, Council Member Donovan Richards, Chair of the Committee on Environmental Protection.

“It has been 35 years since New York City took a critical look at the quality of the air we breathe,” said **Council Member Donovan Richards, Chair of the Committee on Environmental Protection**. “For the past 35 years, air pollution has contributed to deaths, high rates of asthma and hospitalizations for respiratory related illnesses as our city continued to fail national standards set by the EPA. After a number of significant revisions, the air code was able to address sources of pollution such as fireplaces,

diesel engines on school buses, generators and char broilers to set measurable and attainable goals to phase out dirty technology and provide greater regulation. Today, I am proud of the revisions of the air code made possible through the collaboration of the Environmental Protection Committee, the mayoral administration, various agencies and advocates on behalf of Int. 271- A. I look forward to this historic piece of legislation setting the new air quality standard of our city for generations to come. ”

The third bill, Intro. 211-A, requires the Department of Transportation, in coordination with the MTA, to establish a plan for expanding the citywide Select Bus Service bus rapid transit network. Select Bus Service includes features such as dedicated bus lanes, off-board fare collection and other measures to make bus transit more efficient. In coordination with MTA, the City Council, Borough Presidents, and Community Boards, DOT must post a plan on its website by September 17, 2017 that will identify areas in need of expansion, strategies for implementation, and capital costs. This bill was passed by the City Council during the Stated Meeting on April 16. In his remarks, the Mayor thanked the bill’s sponsor, Council Member Brad Lander, and Council Member Ydanis Rodriguez, Chair of the Transportation Committee.

“By requiring the Administration to develop these long term plans to implement Bus Rapid Transit we can ensure that our city maintains its forward thinking mentality to better connect its citizens,” said **Council Member Ydanis Rodriguez, Chair of the Transportation Committee**. “I commend Councilman Lander and all those who have highlighted the incredible inequities that exist in our transportation network and the many methods of dispelling them. After our hard work we have made these forward thinking plans to move our citizens more efficiently by the law of the land. Thank you to Mayor de Blasio, and congratulations to my colleagues, Council Member Lander and Speaker Mark-Viverito for today’s success. I look forward to working with this broad coalition to further explore the multiplicity of methods to most efficiently move our citizens. Together we will see a truly well-connected city.”

“New Yorkers across the city – especially in transit-starved, outer-borough neighborhoods – need more mass-transit options,” said **Council Member Brad Lander**. “This law, and subsequent exploration of a Bus Rapid Transit network, will significantly improve public transportation access in the parts of NYC that need it most, at a cost we can afford, and help insure a more sustainable future. I’m proud to stand by Mayor de Blasio as he signs this bill into law today. Low-income New Yorkers and communities of color have disproportionately long commute times. Meanwhile, jobs are growing in the outer boroughs, in parts of our city least equipped with the transportation infrastructure to sustain that growth. Adding new subway lines would take decades and cost billions. Fortunately, a citywide BRT network – with more of the features like protected lanes, center medians, and stations that characterize the best BRT – is something we can afford and implement. Thanks to Mayor de Blasio and NYC Department of Transportation for their support on this legislation and their strong support for BRT for NYC. Thanks as well to Speaker Mark-Viverito and Chair Rodriguez for continuing to stand up for a transit system that works for all New Yorkers.”

The fourth bill, Intro. 597-A, requires the City to expand its car sharing program for all City agencies that use vehicles. This legislation requires the City to remove at least 2 percent of the existing light duty fleet through strategies including car share each year until 2019, and then remove at least 1 percent before the end of 2020. Certain vehicles used for emergency response and enforcement by various agencies are exempt from car sharing. This bill was passed during the Stated Meeting on April 16. In his remarks, the Mayor thanked the bill’s sponsor, Council Member Ritchie Torres, and Council Member Ydanis Rodriguez, Chair of the Transportation Committee.

“Promoting eco-friendly initiatives like car share are essential to ensuring that New York achieves our goal of reducing emissions by 80 percent by 2050. By reducing the size of the City fleet we also will reduce maintenance costs and save the city thousands. Today, thanks to Mayor de Blasio, Speaker Mark-Viverito and Council Member Torres, we take another step forward towards that goal,” said **Council Member Ydanis Rodriguez, Chair of the Committee on Transportation.**

The fifth bill, Intro. 433-A, mandates that owners of buildings with multiple units must install and maintain protective cap, covers or other applicable safety devices over electrical outlets in public areas of the building. The legislation also requires any new or replacement outlets in public areas of a multiple dwelling to be tamper-resistant receptacles. This bill was passed during the Stated Meeting on April 16. In his remarks, the Mayor thanked the bill’s sponsors, Council Member Andy Cohen and Council Member Jumaane Williams, Chair of the Housing and Buildings Committee.

The sixth bill, Intro. 681, establishes the Meatpacking Area Business Improvement District. Business Improvement Districts are key public-private partnerships in New York City and have helped revitalize neighborhoods and catalyze economic development throughout the City. The Meatpacking BID encompasses the northernmost part of the West Village and the southernmost part of lower Chelsea. This bill was passed during the Stated Meeting on April 16. In his remarks, the Mayor thanked the bill’s sponsor, Council Member Corey Johnson.

“I am excited to formally welcome the Meatpacking BID to our community,” said **Council Member Corey Johnson.** “The fast growth of the Meatpacking District has presented us with challenges and opportunities, and the BID will serve as a resource for years to come. I am appreciative of its creative approach to cross-sector collaboration among businesses, residents and government agencies, and I look forward to partnering with them.”

The seventh bill, Intro. 555-A, requires the Department of Finance to create two ombudsperson positions to address inquiries made by landlords or tenants regarding the NYC Rent Freeze Programs, which include the Senior Citizen Rent Increase Exemption Program and the Disability Rent Increase Exemption Program. These two ombudspersons will also make recommendations about the administration of these programs, and their efforts will complement the Department of Finance’s efforts to get every eligible tenant enrolled in these benefits. In addition to creating these positions, the bill requires DOF to report on the number of Rent Freeze Program inquiries annually, and to publish a report every three years containing data about enrollment statistics and how to best enroll eligible New Yorkers. This bill was passed during the Stated Meeting on April 16. In his remarks, the Mayor thanked the bill’s sponsor, Council Member Julissa Ferraras.

“There are far too many individuals eligible for the Rent Freeze Program who are not yet enrolled. Ombudspersons specifically responsible for overseeing SCRIE/DRIE inquiries will provide expert solutions and follow-up for seniors, persons with disabilities and their landlords. In addition, by providing contact information online, this bill targets New Yorkers who might be helping a relative apply and who rely on the Internet for instantaneous information. The Department of Finance has been a great partner, and I look forward to continuing our efforts to reach the Council’s goal of keeping vulnerable New Yorkers in their homes,” said **Council Member Julissa Ferreras, Chair of the Committee on Finance.**

“The two pieces of legislation being signed today ensures the health of our children and the stability of our senior citizens,” said **Council Member Andrew Cohen.** “Bill 555-A will bring ombudspersons to the Department of Finance, which will help make NYC Rent Freeze Programs more accessible for seniors, persons with disabilities and their landlords. As the Chair of the Mental Health Committee, I am doing

everything I can to ensure the elderly and disabled who are eligible for the SCRIE or DRIE rent freeze are able to easily enroll in these programs and stay in their homes. Equally as important, Intro. 433-A will require tamper-resistant receptacles to be installed in any new construction and caps covering outlets in existing buildings. Playing on their hands and knees, a child's curiosity will draw them to outlets that are on their level, in which they will insert whatever – keys, pins, paperclips or their own fingers. An electric shock upon a child's body can result in severe burns, injuries or even death. While most parents take steps to 'baby-proof' their own homes, the common areas of their buildings are often left unprotected. This legislation balances all concerns, weighing the risk of just one curious child being electrocuted with the severity a single shock can cause upon their small bodies against the relatively low burden of installing these easy and inexpensive devices. It's an inexpensive solution to a gap in our current laws, which left apartments' common areas exposed and children's safety at risk.”

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