

NYC ADMINISTRATIVE CODE § 6-109

A City service contractor or subcontractor that provides homecare services, day care services, head start services or services to persons with cerebral palsy must pay its covered employees no less than the living wage and must provide its covered employees healthcare benefits or must supplement their hourly wage rate by an amount no less than the health benefits supplement rate.

A City service contractor or subcontractor that provides building services, food services or temporary office services must pay its covered employees no less than the living wage or the prevailing wage, whichever is greater. Where the living wage is greater than the prevailing wage, the city service contractor or subcontractor must either provide its covered employees healthcare benefits or must supplement their hourly wage rate by an amount no less than the health benefits supplement rate. Where the prevailing wage is greater than the living wage, the city service contractor or subcontractor must provide its employees the prevailing wage and supplements.

In accordance with NYC Administrative Code § 6-109, the Comptroller of the City of New York has promulgated this schedule of wages and supplemental benefits for the above services on New York City contracts for non-emergency work in excess of the small purchase limit set by the Procurement Policy Board. This schedule is required to be annexed to and form part of the contract pursuant to § 6-109.

This schedule is a compilation of separate determinations of the prevailing rate of wage and supplements made by the Comptroller for each trade classification listed herein pursuant to NYC Administrative Code section § 6-109. The source of the wage and supplement rates, whether a collective bargaining agreement, survey data or other, is listed at the end of each classification.

Agency Chief Contracting Officers should contact the Bureau of Labor Law's Classification Unit with any questions concerning trade classifications, prevailing or living wage rates or practices with respect to procurement on City service contracts. Contractors are advised to review this schedule before bidding on City service contracts. Contractors with questions concerning trade classifications, prevailing or living wage rates or practices with respect to City service contracts in the procurement stage must contact the contracting agency responsible for the procurement.

Any error as to compensation under the prevailing or living wage law or other information as to trade classification, made by the contracting agency in the contract documents or in any other communication, will not preclude a finding against the contractor of prevailing wage violation.

Any questions concerning trade classifications, prevailing or living wage rates or practices on City service contracts that have already been awarded may be directed to the Bureau of Labor Law's Classification Unit by calling (212) 669-4443. All callers must have the agency name and contract registration number available when calling with questions on City service contracts. Please direct all other compliance issues to: laborlaw@comptroller.nyc.gov or Bureau of Labor Law, Attn: Paul Brumlik, Office of the Comptroller, 1 Centre Street, Room 651, New York, N.Y. 10007.

NYC Administrative Code § 6-109 requires contractors and subcontractors to post on the site of the work a current copy of this schedule of wages and supplemental benefits.

This schedule is applicable to work performed during the effective period, unless otherwise noted. Changes to this schedule are published on our web site comptroller.nyc.gov/wages. Contractors

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must pay the wages and supplements in effect when the City service employee performs the work. Preliminary schedules for future one-year periods appear in the City Record on or about June 1 each succeeding year. Final schedules appear on or about July 1 in the City Record and on our web site comptroller.nyc.gov/wages.

Contractors are solely responsible for maintaining original payroll records delineating, among other things, the hours worked by each employee within a given classification.

In order to meet their obligation to provide prevailing supplemental benefits to each covered employee, employers must either:

- 1) Provide bona fide fringe benefits which cost the employer no less than the prevailing supplemental benefits rate; or
- 2) Supplement the employee's hourly wage by an amount no less than the prevailing supplemental benefits rate; or
- 3) Provide a combination of bona fide fringe benefits and wage supplements which cost the employer no less than the prevailing supplemental benefits rate in total.

The New York State Minimum Wage Act, Labor Law § 652 et seq., may require a higher wage than the living wage set forth in this schedule. Although prevailing wage laws do not require employers to provide bona fide fringe benefits (as opposed to wage supplements) to their employees, other laws may. For example, the Employee Retirement Income Security Act, 29 U.S.C. § 1001 et seq., the Patient Protection and Affordable Care Act, 42 U.S.C. § 18001 et seq., and the New York City Paid Sick Leave Law, N.Y.C. Admin. Code § 20-911 et seq., require certain employers to provide certain benefits to their employees. Labor agreements to which employers are a party may also require certain benefits. The Comptroller's Office does not enforce these laws or agreements.

Employers must provide prevailing supplemental benefits at the straight time rate for each hour worked unless otherwise noted in the classification.

For more information, please refer to the Comptroller's Prevailing Wage/Living Wage and Minimum Average Hourly Wage Law Regulations in Title 44 of the Rules of the City of New York, Chapters 2 and 3, available at comptroller.nyc.gov/wages.

Paul Brumlik
Director of Classifications
Bureau of Labor Law

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BUILDING CLEANER AND MAINTAINER (NON-RESIDENTIAL)

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.

BUILDING CLEANER AND MAINTAINER (RESIDENTIAL)

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.

CLEANER (PARKING GARAGE)

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.

DAY CARE SERVICES

Day Care Services

'Day Care Services' means provision of day care services through the city's center-based day care program administered under contract with the city's Administration for Children's Services. No other day care programs shall be covered, including family-based day care programs administered by city-contracted day care centers.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$10.00**

Supplemental Benefit Rate per Hour: **\$1.50**

(NYC Administrative Code §6-109)

FOOD SERVICE EMPLOYEES

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Cook

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$23.74**

Supplemental Benefit Rate per Hour: **\$2.19**

Cafeteria Attendant

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$23.37**

Supplemental Benefit Rate per Hour: **\$2.19**

Counter Attendant

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$17.35**

Supplemental Benefit Rate per Hour: **\$2.19**

Kitchen Helper / Dishwasher

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$19.83**

Supplemental Benefit Rate per Hour: **\$2.19**

Overtime

Time and one half the regular hourly rate after 40 straight time hours in any work week.

(Based on data from NYS Department of Labor Occupational Employment Statistics and US Department of Labor Bureau of Labor Statistics)

HEAD START SERVICES

Head Start Services

'Head Start Services' means provision of head start services through the city's center-based head start program administered under contract with the city's Administration for Children's Services. No other head start programs shall be covered.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$10.00**

Supplemental Benefit Rate per Hour: **\$1.50**

(NYC Administrative Code §6-109)

HEMOCARE SERVICES

Home Care Services

'Homecare Services' means the provision of homecare services under the city's Medicaid Personal Care/Home Attendant or Housekeeping Programs, including but not limited to the In-Home Services for the Elderly Programs administered by the Department for the Aging.

For homecare services provided under the Personal Care Services program, the wage and supplemental benefit rate above shall apply only as long as the state and federal government maintain their combined aggregate proportionate share of funding and approved rates for homecare services in effect as of the date of the enactment of this section.

For contractors or subcontractors providing homecare services, the supplemental benefit rate may be waived by the terms of a bona fide collective bargaining agreement with respect to employees who have never worked a minimum of eighty (80) hours per month for two consecutive months for that covered employer, but such provision may not be waived for any employee once a minimum of eighty (80) hours for two consecutive months has been achieved.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$10.00**

Supplemental Benefit Rate per Hour: **\$1.50**

(NYC Administrative Code §6-109)

LANDSCAPING AND GROUNDSKEEPING WORKER

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.

SECURITY GUARD (ARMED)

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.

SECURITY GUARD (UNARMED)

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.

SERVICES TO PERSONS WITH CEREBRAL PALSY

Services To Person With Cerebral Palsy

'Services to Persons with Cerebral Palsy' means provision of services which enable persons with cerebral palsy and related disabilities to lead independent and productive lives through an agency that provides health care, education, employment, housing and technology resources to such persons under contract with the city or the department of education.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$10.00**

Supplemental Benefit Rate per Hour: **\$1.50**

(NYC Administrative Code §6-109)

TEMPORARY OFFICE SERVICES

Administrative Assistant

Provides high-level administrative support requiring analytical skills such as conducting research, preparing statistical reports and handling information requests, in addition to performing clerical functions such as preparing correspondence, receiving visitors, arranging conference calls and scheduling meetings. May also train and supervise lower-level clerical staff.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$42.71**

Supplemental Benefit Rate per Hour: **\$5.21**

Cashier

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$18.27**

Supplemental Benefit Rate per Hour: **\$5.21**

Computer Assistant

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Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$38.71**

Supplemental Benefit Rate per Hour: **\$5.21**

Data Entry Operator

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$24.10**

Supplemental Benefit Rate per Hour: **\$5.21**

File Clerk

Performs a wide variety of clerical duties including answering telephones, bookkeeping, typing or data entry, office machine operation and filing.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$22.59**

Supplemental Benefit Rate per Hour: **\$5.21**

Receptionist

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$21.26**

Supplemental Benefit Rate per Hour: **\$5.21**

Secretary

Performs clerical functions such as drafting correspondence, scheduling appointments and providing information to callers, in addition to performing duties of File Clerk.

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$24.08**

Supplemental Benefit Rate per Hour: **\$5.21**

Word Processor

Effective Period: 7/1/2023 - 6/30/2024

Wage Rate per Hour: **\$25.24**

Supplemental Benefit Rate per Hour: **\$5.21**

Overtime

Time and one half the regular hourly rate after 40 straight time hours in any work week.

(Based on data from NYS Department of Labor Occupational Employment Statistics and US Department of Labor Bureau of Labor Statistics or NYC Administrative Code §6-109)

WINDOW CLEANER

For the above building service classification, see the Building Service Employee Schedule: Labor Law Article 9, Real Property Tax Law 421-a, NYC Administrative Code 6-130.