



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

COALITION OF CITY & STATE ELECTED OFFICIALS TO INTRODUCE LAWS EXPLICITLY BANNING DISCRIMINATION AGAINST MINORITY, WOMEN, AND LGBTQ-OWNED BUSINESSES IN GOVERNMENT PROCUREMENT

BRAD HOYLMAN-SIGAL September 16, 2016



(New York, NY) – According to a review of anti-discrimination laws conducted by the Office of New York City Comptroller Scott M. Stringer released today, City and State agencies are not expressly prohibited from discriminating against companies owned by minorities, women, or LGBTQ individuals as they bid on contracts. In response, Comptroller Stringer announced that in collaboration with State Senator Brad Hoylman, Assemblymember

Rodneyse Bichotte, Council Members Ritchie Torres and Robert Cornegy, and the City Council's Black, Latino and Asian Caucus, new legislation will be introduced to expand anti-discrimination protections to every business owner in New York.

“Our City’s diversity is one of our greatest strengths, and it’s government’s job to ensure every New Yorker is safe from discrimination in all forms,” **New York City Comptroller Scott M. Stringer** said. “Current law prohibits discrimination in housing, employment, and public accommodations, but fails to address contracting with the City or State. Our laws must reflect our values, and it’s time to enact new legislation that ensures everyone has an equal opportunity to bid on government contracts.”

Each year, the City spends close to \$14 billion purchasing everything from paperclips to firetrucks, but recent reports from Comptroller Stringer have shown that the City has failed to fully include Minority and Women Owned Business Enterprises (M/WBEs) in the procurement process. In 2015, only \$725 million – just 5.3 percent of total procurement spending – went to M/WBEs, seriously hurting business owners’ ability to grow their companies, hire more New Yorkers, and drive our local economy.

Although the New York State Human Rights Law and New York City Human Rights Law are designed to protect minority, women, and LGBTQ New Yorkers from discriminatory business practices, a legal analysis by the Comptroller’s Office found that these laws do not apply to the government contract process. Specific findings include:

- The New York State Human Rights Law section on unlawful discriminatory practices references employment advertisements and applications, but is silent on whether its protections extend to government contracting.

- Similarly, the New York City Human Rights Law addresses “employment, public accommodations and housing and other real estate,” but does not explicitly mention City procurement.

In response to these findings Comptroller Stringer, State Senator Hoylman, Assemblymember Bichotte, Council Members Torres and Cornegy, and the City Council’s Black, Latino, and Asian Caucus announced today that they will introduce legislation to amend both the State and City Human Rights Laws. The amendments will include sections prohibiting discrimination in government procurement, expanding protections to minority, women, and LGBTQ-owned businesses that bid on City and State contracts.

“These laws leave open a door to discrimination that should have been closed years ago, and we must bring them into the 21st Century,” **Comptroller Stringer** said. “With City spending on M/WBEs stuck in low gear, we must send the message that New York is open for business with everyone. I thank this coalition for uniting around the cause of diversity, inclusion, and acceptance.”

"New York State currently has more than 50,000 contracts worth nearly \$240 billion a year," said **State Senator Brad Hoylman**. "We have an obligation to leverage these tremendous resources to ensure a seat at the table for communities that remain underrepresented in state contracting and the business world. I'm grateful to Comptroller Stringer for discovering this loophole in New York's Human Rights Law and look forward to working with City Comptroller Stringer, Assembly Member Bichotte, Councilmember Cornegy, and Councilmember Torres to ensure equity in our state's contracting practices."

"It is an honor to join NYC Comptroller Scott Stringer, State Senator Brad Hoylman, and City Councilmember Ritchie Torres to introduce legislation that protects those who enter into a contract or procurement opportunity with the City of New York against discrimination," said **Assemblymember Rodneyse Bichotte, Chair, Subcommittee on the Oversight of Minority and**

Women –Owned Business Enterprises. “As someone who advocates on behalf of small businesses, and MWBEs throughout the State, I chose to support and introduce this legislation because it acts to protect businesses that have historically experienced discrimination.”