



April 7, 2023

**To:** The NYC Department of Consumer and Worker Protection (DCWP)

**From:** New York State Senator Gustavo Rivera  
33rd District, The Bronx

**Written Testimony re:** The NYC DCWP proposal to add rules establishing methods for determining the minimum payments that must be made to a food delivery worker by a third-party food delivery service or third-party courier service

I'm grateful for the delivery workers who kept New York City fed and countless small businesses afloat during the height of the Covid-19 outbreak by enabling people like me to stay safe at home. So many of the Bronx constituents I represent in the 33rd Senate District were essential workers who showed up during the height of the pandemic, particularly delivery workers that traversed the City day in and day out despite extreme conditions, demanding work, and in too many cases, exploitative practices by employers and contractors. As a State Senator and as a New Yorker, it is unacceptable that New York City's food delivery workers still aren't guaranteed a minimum wage to support themselves, their families, and our communities.

I'm deeply disappointed by the Department of Consumer and Worker Protection's decision to reissue the draft rule for implementation of Local Law 115 of 2021. This decision is causing unnecessary delays and withholding at least five months of pay from essential delivery workers who rely on tips. There's no more time for delay. I stand with delivery workers in urging you to ensure that they are given a minimum wage now.