



THE COUNCIL
OF
THE CITY OF NEW YORK
COMMON SENSE CAUCUS

December 8, 2025

Vilda Vera Mayuga
Commissioner Department of Consumer and Worker Protection
45 Broadway
New York, NY 10004

Dear Commissioner Mayuga,

As Members of the City Council Common Sense Caucus, we are writing regarding proposed rules for Local 124 of 2025, in relation to minimum payments to grocery delivery workers.

As you may know, grocery delivery apps provide tens of thousands of New Yorkers with an opportunity to earn money by shopping for and delivering groceries on their own schedules. This type of work allows them to earn extra or supplemental income while balancing other responsibilities, such as family and education.

However, Local Law 124 will impose a rigid “utilization” rate that could eliminate the flexibility that these New Yorkers value, and, rather than protect their livelihoods, limit their opportunities to work and their incomes, while also raising the delivery cost for customers.

Under this legislation, grocery delivery platforms would be required to compensate their workers once they log in to the apps, even when they are not actively shopping or delivering. As a result, apps such as Instacart have said they would be forced to impose “advanced scheduling” on their workers, and restrict how many shoppers can be online at any time.

This legislation is also projected to increase grocery delivery charges by nearly 50 percent, which would have a devastating impact on the working families and seniors who have come to depend on these services and are already burdened by the skyrocketing cost of living in one of the most expensive cities in the world. These rising costs will also hurt local grocery stores across the outerboroughs, who could be forced to scale back deliveries or eliminate them altogether. These “mom-and-pop” businesses already operate on the slimmest of margins and are increasingly losing customers to national chains.

Furthermore, there are questions as to whether this legislation violates state and federal law, which preempts cities from imposing certain restrictions on delivery services. Local Law 124, along with several other bills that regulate food delivery services, is the subject of an ongoing lawsuit.

We support paying workers a fair wage, but imposing a utilization formula would only hurt those workers, their customers and our neighborhood grocers. That is why we urge the Department to exclude the utilization standard from the final rulemaking process.

Thank you for your time and consideration.

Sincerely,



Joann Ariola
Co-Chair, Council District 32



Robert F. Holden
Co-Chair, Council District 30



Vickie Paladino
Council District 19



David Carr
Council District 50



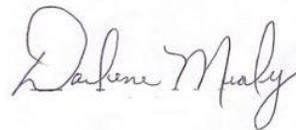
Inna Vernikov
Council District 48



Frank Morano
Council District 50



Kristy Marmorato
Council District 13



Darlene Mealy
Council District 41