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Thursday, December 4, 2025

**BY WEBSITE SUBMISSION / NO HARDCOPY SENT:**

**<https://www.rules.cityofnewyork.us/rule/rules-relating-to-contracted-delivery-workers>**

New York City Department of Consumer and Worker Protection  
Attn: Office of Legal Counsel  
42 Broadway, 8th Floor  
New York, NY 10004

**RE: Proposed amendment(s) to Subchapter H of Chapter 7 of Title 6 of the Rules of the City of New York to implement Local Laws 95, 107, 108, 113, 123, and 124 of 2025**

To Whom it May Concern:

I submit this comment in my capacity as a registered representative before the Office of Administrative Trials and Hearings (OATH) which includes labor compliance, consumer protection, and administrative enforcement before multiple New York City agencies.

The proposed rules present significant implications for restaurants, contracted workers, and consumers.

A comprehensive evaluation of their impacts is essential to ensure balanced outcomes.

**Impacts on Restaurants**

**1. Benefits**

- a. Regulatory clarity regarding relationships with third-party delivery platforms;
- b. Defined pay standards, tipping disclosures, and platform reporting;
- c. obligations that support predictable business planning;

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115 Forest Avenue, Unit 61, Locust Valley, NY 11560

- d. Improved public perception through partnerships with compliant platforms.

**2. Liabilities**

- a. Potential fee increases as platforms distribute costs associated with compliance obligations;
- b. Limited ability of small independent restaurants to absorb increased operational costs;
- c. Possible reductions in delivery coverage, hours, or long-distance routes due to platform adjustments.

**Impacts on Contracted Workers**

**1. Benefits**

- a. Enforceable minimum pay protections for trip time and on-call time;
- b. Enhanced transparency in pay statements and tipping transfers;
- c. Defined rights regarding distance limits, bridge and tunnel preferences, and retaliation protection;
- d. Strengthened worker safety through required equipment provisions and detailed platform recordkeeping.

**2. Liabilities**

- a. Potential limitations on worker log-ins or shift access due to platform cost-management strategies;
- b. Increased acceptance metrics or batch-assignment rules that may pressure workers;
- c. Reduced earnings predictability if shift availability becomes constrained.

**Impacts on Consumers**

**1. Benefits**

- a. Clearer disclosure of fees, gratuities, and delivery charges;
- b. Improved service quality, safer handling practices, and consistent delivery times;

c. Strengthened consumer confidence in the delivery marketplace.

## **2. Liabilities**

- a. Higher delivery costs as platforms and restaurants adjust to increased operational obligations;
- b. Narrowed delivery availability in certain neighborhoods or time periods.

### **Administrative and Enforcement Considerations**

Consistent guidance for platforms, restaurants, and workers is critical. Standardized record formats will support enforcement and efficient adjudication. Clear rules for platform deactivation, gating practices, and complaint review procedures are necessary for fair enforcement.

### **Recommendation**

A structured public-private inquiry should be conducted before adopting the rules.

Stakeholder representation should include agency staff, worker & restaurant advocacy groups, restaurants, delivery platforms, consumer organizations, and independent researchers.

The inquiry should evaluate:

1. Projected delivery coverage adjustments by zone and time.
2. Expected fee pass-through patterns to restaurants and consumers.
3. Anticipated worker access constraints, including log-in gating and shift availability.
4. Tipping transfer practices and compliance burdens.
5. Administrative burdens for small restaurants.
6. Impacts on consumer pricing, satisfaction, and complaint trends.
7. Baseline operational data from platforms to support enforcement.

This review should establish measurable benchmarks and operational safeguards to protect all parties.

These benchmarks should be in place before finalizing the rules to ensure a calibrated regulatory structure supported by verified data.

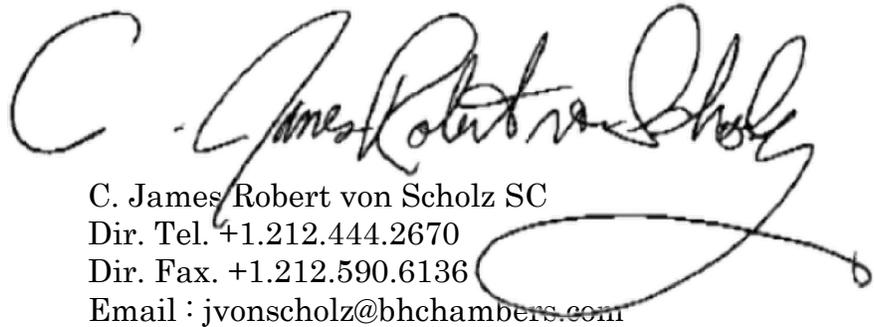
## Conclusion

The proposed rules provide meaningful worker protections and improve transparency for consumers. However, their adoption should be contingent upon:

1. Completion and implementation of the recommended public-private review mechanism.
2. Establishment of defined performance benchmarks that protect consumers, contracted workers, and restaurants.

Thank you for the opportunity to comment.

Respectfully submitted,



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