

1 c. A fast food employer shall assign additional shifts to a fast food employee who has
2 responded to the offer of work. If more than one such employee has responded to the offer of
3 work, the employer shall distribute the work among interested employees according to the
4 criteria contained within the notice required by subdivision b of this section, provided that an
5 employer's system for distribution of shifts must not discriminate on the basis of age, race, creed,
6 color, national origin, gender, disability, marital status, partnership status, caregiver status,
7 sexual orientation, alienage or citizenship status, or any other class protected by federal, state or
8 local law.

9 d. A fast food employee's response to the offer of work shall serve as written consent to
10 the addition of shifts, if such consent is required by subdivision d of section 20-1221.

11 e. A fast food employer shall make reasonable efforts to offer fast food employees
12 training opportunities to gain the skills and experience to perform work for which the employer
13 typically has additional needs.

14 f. This subchapter shall not be construed to require any fast food employer to offer any
15 fast food employee shifts paid at a premium rate under subsection (a) of section 207 of title 29 of
16 the United States code or the overtime requirements of the labor law or any minimum wage order
17 promulgated by the New York commissioner of labor pursuant to labor law article 19 or 19-A,
18 nor to prohibit any employer from offering such shifts.

19 § 2. This local law takes effect on the later of 180 days after it becomes law or the date
20 that a local law amending the New York city charter and the administrative code of the city of
21 New York in relation to establishing general provisions governing fair work practices and
22 requiring certain fast food employers to provide advance notice of work schedules to employees
23 and to provide schedule change premium compensation when hours are changed after required

1 notices, as proposed in an introduction for the year 2016, takes effect, except that the
2 commissioner of consumer affairs shall take such measures as are necessary for the
3 implementation of this local law, including promulgating rules and conducting outreach and
4 education, before such date.

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