

**51732**

**TO:** Honorable Members of the Board of Acquisition and Contract

**FROM:** Honorable Robert P. Astorino  
Westchester County Executive

Hon. Michael B. Kaplowitz, Chairman  
Westchester County Board of Legislators

Robin Schlaff  
Director, Office for Women

**DATE:** April 8, 2016

**SUBJECT:** Authority to enter into an agreement with Westchester Hispanic Coalition, Inc. to provide advocacy and support services to low-income workers who have been victims of wage theft, for a term commencing on January 1, 2016 and continuing through December 31, 2016, for an amount not-to-exceed \$20,600

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The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester, acting by and through its Office for Women, (the "County") to enter into an agreement (the "Agreement") with Westchester Hispanic Coalition, Inc. ("WHC") pursuant to which WHC will provide advocacy and support services to low-income workers who have been victims of wage theft, for a term commencing on January 1, 2016 and continuing through December 31, 2016, for an amount not-to-exceed \$20,600, payable quarterly pursuant to an approved budget.

Wage theft not only depresses the already meager earnings of low-income workers, it also adversely impacts their communities and local economies of which they are a part. Low income families spend the majority of their earnings on basic necessities, such as food, clothing and housing. Their expenditures circulate through local economies, supporting businesses and jobs. Wage theft deprives local communities of this spending, and ultimately limits economic growth and vitality in Westchester towns and cities.

Low-income workers, including immigrant and women workers, need services to enable them to file wage and hour complaints, report health and safety violations, and to access workers' compensation benefits. Immigrants with limited English proficiency require culturally and linguistically appropriate support to aid them in navigating forms and legal processes that are primarily in English.

The proposed Agreement will serve a public purpose by strengthening the implementation of employment and labor laws in the county, impacting a significant part of the low-income workforce in Westchester. Violations may include minimum wage violations, overtime violations and outright wage theft, which may result in families being deprived of critically needed money for basic needs.

The goals and objectives of the proposed Agreement are for WHC to provide advocacy and support services to 20-30 low-income workers who have been victims of wage theft in order to recover unpaid wages.

The goals and objectives of the proposed Agreement will be tracked and monitored by the Office for Women.

Authority to exempt these services from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xxi) thereof has been requested from your Honorable Board in accordance with a separate resolution of the same date hereof.

Attached for your consideration is a proposed Resolution.

# RESOLUTION

Upon a communication from the Westchester County Executive, the Chairman of the Westchester County Board of Legislators, and the Director of the Office for Women, be it hereby

**RESOLVED**, that the County of Westchester, acting by and through its Office for Women, (the "County") to enter into an agreement (the "Agreement") with Westchester Hispanic Coalition, Inc. ("WHC") pursuant to which WHC will provide advocacy and support services to low-income workers who have been victims of wage theft, for a term commencing on January 1, 2016 and continuing through December 31, 2016, for an amount not-to-exceed \$20,600, payable quarterly pursuant to an approved budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute any and all documents and take any actions necessary to effectuate the purposes hereof.

Account to be charged/credited:

Fund	Dept	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	Funding Year(s)
101	52	2508	5100	N/A	\$20,600	2016

**Budget Funding Year(s)** 2016      **Start Date:** 1/1/2016      **End Date:** 12/31/2016  
 (must match resolution)

**Funding Source:** Tax Dollars \$20,600  
 State Aid \_\_\_\_\_  
 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

\$20,600  
 (must match resolution)