

51731

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 exempt from the Westchester County Procurement Policy 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

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 exempt from the Westchester County Procurement Policy 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.

WHC has been providing services in Westchester for the past 40 years and has extensive experience working with immigrants and low-income workers. Through its Wage Theft & Workers' Rights Program, it assists in the enforcement of workers' rights and provides advocacy and enforcement of laws regulating wages and hours in an effort to recoup back wages and assure safe working conditions.

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.

Under the Westchester County Procurement Policy Section 3(a)(xxi), your Honorable Board may determine "by resolution passed prior to commencing procurement that compliance with the Procurement Policy would not be in the best interests of the County." Due to the fact that WHC has the necessary experience and expertise to provide these services in a culturally and linguistically appropriate manner, and for the reasons set forth above, it is requested that your Honorable Board make the determination that it is in the best interests of the County to exempt from the application of the procedural requirements of the Westchester County Procurement Policy the proposed Agreement with WHC.

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 pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting written price quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Westchester Hispanic Coalition, Inc. pursuant to which Westchester Hispanic Coalition, Inc. will provide advocacy and support services to low-income workers who have been victims of wage theft.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/15/2016 - USA MARIJAS SECRETARY