

**Testimony of
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New York City Department of Sanitation**

**Hearing before the New York City Council
Committee on Sanitation and Solid Waste Management**

**Tuesday, October 24, 2023
1:00 P.M.**

**Oversight – The State of NYC Sanitation Workers’ Safety and Protections
and Intros. 978, 1131 & 1161**

Good afternoon, Chair Nurse and members of the City Council Committee on Sanitation and Solid Waste Management. I am Javier Lojan, First Deputy Commissioner of the New York City Department of Sanitation (DSNY). I am joined today by Ryan Merola, Chief of Staff and Deputy Commissioner for External Affairs; Joshua Goodman, Deputy Commissioner for Public Affairs and Customer Experience; and Kate Kitchener, Director of Recycling and Sustainability. Thank you for the opportunity to testify today on worker safety and protections at DSNY as well as on Introductions 978, 1131 and 1161.

Trash Revolution

As Commissioner Tisch shared with this committee in September, the City is in the midst of a Trash Revolution. The Adams Administration has implemented an ambitious and game-changing set of new initiatives, programs and policies around reducing the impact of trash bags on the sidewalks, fighting rats, and cleaning up our City. I’d like to provide a brief summary of our agenda’s milestones to date:

- **Set out times.** In April, we implemented a new and simple standard for set out times: no trash in black bags can be set out for collection earlier than 8:00 p.m. Trash in bins can be set out earlier: 6:00 p.m. for residents or an hour before closing for businesses.
- **Business container rules.** In August and September, we implemented rules that required food-related businesses and chain stores to containerize their refuse. In mid-September, we announced a proposed rule that would extend this requirement to every commercial business in the City beginning on March 1, 2024. That means 100% of the City’s businesses will be required to containerize their refuse, accounting for nearly half of all trash in the five boroughs.
- **Residential container rules.** We are taking a thoughtful approach to residential containerization and focusing on it in two parts: solutions for buildings that have 9 or fewer units; and solutions for those with 10 or more units. Two weeks ago, we announced our go-forward strategy for 9 or fewer units: by Fall 2024, those residences will be required to use containers for refuse, and by Summer 2026, those containers must be the

official NYC wheelie bin. That will cover 95% of all residential properties in the City. The official NYC Bins will be available for purchase at a price point far below the market value for comparably sized bins and will be designed for mechanized collection. We are still considering the right solution for 10 or more units. To that end, we are piloting shared containerization in Hamilton Heights, which includes 14 schools and 10 residential blocks.

Our drive to containerize also celebrated another milestone on October 2nd: curbside collection of organics began in Brooklyn. All Brooklyn residents can source-separate organics into containers with secure lids for guaranteed collection of that material on their recycling day. As of October 21st, under the rules enacted pursuant to Local Law 85 of 2023, organics separation became mandatory in both Brooklyn and Queens. Until Spring 2025, the Department will only issue warnings, so that residents in all five boroughs will have had curbside collection for at least 6 months before we issue violations.

Safety Practices & Containerization

I would now like to turn to the topic of today's hearing – safety and protections for New York City's Sanitation Workers.

Workforce safety is a guiding principle for this Department. As a former sanitation worker myself, I know firsthand the importance of making sure that New York City's strongest can safely collect, clean and plow our streets. Let me be clear: being a sanitation worker is grueling, difficult and labor-intensive work, and our safety policies are designed to account for the realities of collecting and cleaning. The Department takes great pride in preparing our workforce for the challenging nature of the job. The Department trains its Sanitation Workers from Day 1 in the Sanitation Academy on proper lifting techniques to minimize strain and chance of injury. Sanitation Workers receive a uniform allowance that allows them to purchase Department-prescribed personal protective equipment, which includes work gloves, boots, eye coverings, and reflective clothing. We instruct Sanitation Workers on how to exit their vehicles to minimize the risk of an accident with a vehicle or cyclist, and we have all collection trucks equipped with rearview cameras to give our workforce the benefit of minimizing their blind spot when maneuvering their vehicle for collection.

Training does not stop when a Sanitation Worker graduates from the Academy. Routinely, Department-wide messages on safety practices are distributed to our garages and are required to be read by supervising staff to all Sanitation Workers at the start-of-shift roll calls. In the lead-up to winter each year, DSNY conducts in-service training for **all** uniformed staff. The training refreshes the workforce on safety protocols, the operations of all vehicles and equipment, the proper procedures for attaching snow plows and tire chains, and how to use two-way radios.

The precautions we take and the trainings we conduct will never mitigate all hazards. However, our drive to containerize residential trash in the City is truly the next frontier for worker safety. The newly-announced waste containerization requirements for residences with 9 or fewer units represent meaningful safety improvements:

1. Sanitation Workers will handle less material directly because more waste will be in containers that can be manually tipped in collection trucks;
2. The stress and strain of carrying containers to and from the collection truck will be reduced thanks to wheels on the containers of official NYC Bins; and
3. We are assessing the feasibility of giving our workforce the option for mechanized tipping so that they can choose whether to use that aid when on their routes.

As always with new equipment, we will review potential solutions with our partners in Local 831 and thoroughly field test them.

The safety improvements are not just abstract ideas; they can be measured against the categories of worker injury that will be less likely as New Yorkers set out their waste in containers and official NYC Bins. For example, in FY23, the Department recorded 760 injuries for its uniformed workforce. Of those, more than 40% were due to workers being splashed with an unknown substance while hauling bags and loose material; workers straining to lift and throw material into the truck; and workers suffering lacerations and needle sticks because they handled material directly. **These are the kinds of injuries that will become far less likely when our workforce is collecting material set out in wheeled containers and given the option to use a mechanized tipping solution.**

Vehicles

I would now like to discuss another critical part of the Department's efforts to improve worker safety: replacing and enhancing DSNY's fleet.

Every day, 1,500 heavy-duty DSNY vehicles are on our City's streets. To properly operate them, Sanitation Workers receive extensive training in the Academy, which emphasizes:

- watching for blind spots while turning;
- always using a guide person for backing up;
- using the parking brake;
- operating a vehicle in poor weather conditions, including, of course, snow; and
- entering and exiting vehicles using three points of contact.

These safety practices are reinforced during start-of-shift roll calls and through DSNY's annual in-service training.

Newer trucks are also safer trucks, and for the past two years we have made great strides in improving the Department's fleet. Last year at this time, our fleet's average age for rear loaders was more than 6 years per vehicle. Thanks to significant investments from the Adams Administration, our rear loaders' average age is expected to drop to just over 4 years in FY24. In addition to the rear loader improvements, the Department has replaced almost 30% of its dual bins and 38% of its mechanical brooms.

Along with a younger and healthier fleet, the Department is systematically upgrading every heavy-duty vehicle's standard safety features. As I mentioned before, all collection trucks and mechanical brooms are equipped with rearview cameras, which significantly reduce the driver's blind spot. Now, the Department is moving forward with 360-degree cameras as a standard feature of collection trucks and mechanical brooms. 360-degree cameras provide vehicle operators with a full picture of their surrounding environment – far beyond the visual field of side-view mirrors. Before the Adams administration, these cameras were tested but never actually piloted on our fleet. In partnership with Local 831, the Department successfully implemented these cameras on collection trucks and mechanical brooms, and they are now a standard feature for all new truck and mechanical broom purchases.

Another standard feature for all new collection trucks is the strobe light safety system. The lighting system is a major step forward in nighttime safety for our workforce as well as drivers and cyclists on the road. Already, more than 600 collection trucks have this lighting system.

Worker Complaints

To conclude my testimony on the topic, I'd like to address the Department's management of worker complaints regarding safety. Sanitation Workers are encouraged to raise workplace safety concerns with their supervisors, and supervisors are required to investigate each complaint and document when a condition is found that warrants further investigation or remediation. Complaints can range from the need for electrical repairs to the clearing of clogged drains on garage floors. The Department tracks those requests through our internal work request system and actions for any necessary repairs.

Legislation

Lastly, I will now turn to the three pieces of legislation on today's agenda.

The first is Intro 978 which would require large chain stores to donate nonsalable personal care products. This bill would require the Department or another agency as designated by the Mayor to set up a web portal to facilitate donations of these products to qualified non-profit organizations.

While the Department supports the bill's underlying goal of making personal care products more available to those in need, DSNY is not the appropriate entity to facilitate these donations. The current DonateNYC platform is not scalable for any additions without significant financial investments. Given the current financial climate, it is not an area that we can or should allocate resources at this time.

The second is Intro 1131, which would give the Department of Sanitation authority to enforce against unlicensed mobile car washes. The Department supports this bill. We are at the intersection of public space, businesses and communities, and we understand the importance of ensuring our streets and sidewalks are clean. Our enforcement operations prioritize compliance

with cleanliness and safety standards, including road and sidewalk accessibility as well as proper waste disposal.

The last is Intro 1161, which would require collegiate and professional sports venues to allow attendees to enter with a reusable beverage container. The Department supports the goal of this legislation as we encourage the use of reusable items to reduce overall waste.

Thank you for the opportunity to testify today. We are now happy to answer your questions.