



*New York City Council - Committee on Women and Gender Equity
Menstrual Equity in NYC - Update*

Monday, September 18, 2023

Good morning Chair Cabán and members of the Committee on Women and Gender Equity.

My name is Melanie Weniger and I am the Deputy Executive Director for Policy and Programs at the New York City Commission on Gender Equity (CGE). CGE works to advance gender equitable policies, practices, and programming within New York City government and across the city at-large. In this role, I lead the team that monitors policy and legislation, develops and implements programming, and conducts research related to our three areas of focus: Economic Mobility and Opportunity, Health and Reproductive Justice, and Safety. In particular, our office focuses on the needs of, and inequities faced by, women, girls, transgender, intersex, and gender expansive New Yorkers, using an intersectional lens and a human rights framework.

CGE sits within the Mayor's Office of Equity (MOE), the City's first centralized equity office, which the Adams Administration launched last year. MOE works to foster a fairer, more equitable city through policies, practices, and programs across the City's agencies and systems.

I am joined today by Roman Gofman, Citywide Chief Procurement Officer from the Department of Citywide Administrative Services (DCAS), Kat Thompson, Chief of Staff and Chelsea Chard, Senior Policy Advisor, both from the Department of Correction (DOC), and Despina Zaharakis, Senior Executive Director of the Office of School Wellness Programs and John Shea, Chief Executive Officer of the Department of School Facilities, both from New York City Public Schools (NYCPS), to answer your questions.

The Adams Administration is committed to gender equity and meeting the health needs of women, girls, and gender-expansive people. Earlier this year, the Mayor announced his plan to develop New York City's first-ever Women's Agenda and hosted a Women's Health Summit at Hunter College to focus on dismantling decades of systemic inequities that lead to racial disparities in health outcomes. The Administration has also worked to protect access to reproductive healthcare, abortion, and gender-affirming care in New York City through Executive Orders and initiatives like the Abortion Access Hub.

MENSTRUAL EQUITY IN NEW YORK CITY

Menstrual equity laws and policies are geared towards ensuring that menstrual products are safe, affordable, and available to those who need them.¹ Menstrual inequity disproportionately affects marginalized girls, women, and trans and gender expansive people who experience poverty,

¹ Weiss-Wolf, Jennifer. *Periods Gone Public*, 2017.

housing insecurity, are justice involved or in the child welfare system. New York City led the charge toward menstrual equity in 2016 by codifying Local Laws 82, 83 and 84 to ensure products are available at no cost to students in grades 6 through 12 in public and charter schools, people served by homeless shelters, and people who are incarcerated.

Many other cities and states, including New York, have since passed or proposed dozens of laws that aim to provide menstrual products in certain locations or to certain populations, and to repeal taxes on period products. New York City's menstrual equity laws have allowed more menstruating people to access products and manage their cycle in a dignified and comfortable way.

In the school setting, menstrual products (specifically, pads and tampons) are available for free in dispensers in girl's and single-occupancy restrooms in all public and charter school buildings with grades 6 and up. Custodial staff are responsible for monitoring the restrooms and restocking products as needed. NYCPS recently announced that this program has been expanded to school buildings with grades 4 and 5 in recognition of the fact that some younger students also menstruate, and dispensers for pads were installed in single-occupancy bathrooms in these schools in advance of the new school year.

Menstrual products are also provided in shelters, including DV shelters, single adult shelters, family shelters, and HIV/AIDS services housing. Clients have multiple opportunities and areas where they can access menstrual products. Based upon the shelter operations, products are left in easily accessible locations such as the front desk or shared pantries. Certain shelters distribute additional products during outreach events. Case managers in all shelters are available to clients for questions about the resources available to them, including menstrual products, and clients receive packets with this information during intake.

Menstrual products (both pads and tampons) are also available at the Rose M. Singer Center on Rikers Island to people in city custody. Products are either freely available or available by request, depending on the housing area. Menstrual products are also available to people in DOC facilities within courthouses, both post-arraignment and for those who have a court appearance.

Individual agencies purchase menstrual products for their respective clients, though some agencies receive donations of menstrual products that they then distribute to clients. DCAS maintains a supply of pads in its warehouse that agencies can request and access if needed.

MENSTRUAL EQUITY WORKGROUP

CGE leads the Menstrual Equity Workgroup as part of our Health and Reproductive Justice portfolio. The Workgroup has been active since late 2021 to support the implementation of the Local Laws and to address any existing or future gaps in implementation. Workgroup members include DCAS, NYCPS, DOC, Department of Homeless Services, Department of Social Services/Human Resources Administration, Department of Health and Mental Hygiene and other

agencies with a role to play in achieving menstrual equity. We use an expansive definition of gender and recognize that not all women menstruate² and that trans men and gender expansive people may also experience periods.³ Together, the Workgroup has conducted research and worked across agency partners to better understand menstrual product procurement and distribution policies and practices.

The Workgroup is also collaborating to develop policy interventions to better understand client needs and preferences and improve implementation where necessary. For example, we are working with NYCPS to explore different avenues to get student feedback on menstrual products and access. We are also working with NYCPS to develop materials for students about menstruation and their rights to access products, which could potentially be leveraged by other agencies. We are also collaborating with agencies to explore opportunities to increase the variety of products offered to clients in certain settings. In addition, we are partnering with the Office of Labor Relations on programming related to menstruation and menopause for City workers. We will continue to work together to develop policy and programming around menstrual equity for New Yorkers.

LEGISLATION

The Administration appreciates the intent of the legislative package and looks forward to discussing these bills further with Council. We have a few comments on the bills within the package:

- **Int. 1055-2023 (Cabán)**
 - This bill would require NYCPS to produce an annual report on the provision of menstrual products to students. It would also require that the City use the term “menstrual products” in all laws, documents, and materials, rather than “feminine hygiene products.” The Administration supports the use of the gender-neutral term “menstrual products.” The Administration also recognizes the importance of increasing product access to students and is happy to discuss our shared goals further with Council.
- **Int. 1056-2023 (De La Rosa)**
 - This bill would expand the schools in which NYCPS is required to provide menstrual products to grades 4 to 12. The Administration has already taken steps to expand product access to schools with grades 4 and 5, as dispensers for pads have been installed in single-occupancy restrooms in NYCPS schools.

² Rydström K. Degendering Menstruation: Making Trans Menstruators Matter. 2020 Jul 25. In: Bobel C, Winkler IT, Fahs B, et al., editors. *The Palgrave Handbook of Critical Menstruation Studies* [Internet]. Singapore: Palgrave Macmillan; 2020. Chapter 68. doi: 10.1007/978-981-15-0614-7_68.

³ Weiselberg E. Menstrual considerations for transgender male and gender diverse adolescents who were assigned female at birth. *Curr Probl Pediatr Adolesc Health Care*. 2022 Aug;52(8):101239. doi: 10.1016/j.cppeds.2022.101239.

- **Int. 1057-2023 (Farías)**
 - This bill would require DOC to produce an annual report on the provision of menstrual products to incarcerated individuals. The Administration has concerns about requirements to track and report the use of menstrual products on an individualized basis. We would like to talk with Council further about the goals of this legislation and options to meet that intent.
- **Int. 1058-2023 (Farías)**
 - This bill would require DOHMH to create written materials with information regarding menstrual products and provide the written materials to NYCPS for dissemination to students in grades 6 to 12. The Office of School Wellness Programs already disseminates a brochure called Period Facts to schools. This information is circulated to principals and schools can request these brochures for their students. As mentioned earlier in the testimony, the Menstrual Equity Workgroup is working on developing more materials for students on these issues.
- **Int. 1059-2023 (Farías)**
 - This bill would add menstrual cups to the definition of feminine hygiene products and require these products to be distributed. The Administration recognizes that menstrual cups can be a sustainable alternative to disposable tampons and pads but acknowledge that there may be health and safety concerns in distributing these products in a broad array of settings. We would like to discuss this bill further with Council.

CONCLUSION

The Adams Administration recognizes that access to period products, particularly for vulnerable New Yorkers, is a vital step toward gender equity. We look forward to working with the Council to improve conditions for menstruating New Yorkers so that they can move through the world with dignity.

Thank you for the opportunity to testify on this important subject today. We look forward to your questions and to continuing to work together to advance menstrual equity in New York City.