DEPARTMENT OF CONSUMER AND WORKER PROTECTION

Vilda Vera Mayuga, Commissioner

WHAT WE DO

The Department of Consumer and Worker Protection (DCWP) protects and enhances the daily economic lives of New Yorkers to create thriving communities. DCWP licenses more than 45,000 businesses in more than 40 industries and enforces key consumer protection, licensing, and workplace laws that apply to countless more. By supporting businesses through equitable enforcement and access to resources, and by helping to resolve complaints, DCWP protects the marketplace from predatory practices and strives to create a culture of compliance. Through its community outreach efforts and the work of its offices of Financial Empowerment (OFE) and Labor Policy & Standards (OLPS), DCWP empowers consumers and working families by providing the tools and resources they need to be educated consumers and to achieve financial health and work-life balance. DCWP also conducts research and advocates for public policy that furthers its work to support New York City's communities.

FOCUS ON EQUITY

The core of DCWP's mission is to create thriving communities, which can only be achieved through advancing equity. As a result, DCWP places great emphasis on identifying and addressing areas of inequity using a multi-pronged approach of advocacy, education, and enforcement to effect change. DCWP's commitment to a fair marketplace starts with an education-first approach to its enforcement work. DCWP prioritizes educating businesses about their obligations under the law and providing them with the tools they need to achieve compliance to prevent prohibited activity that may hurt consumers and workers and lead to violations. DCWP also concentrates its work in industries and communities where the City's most vulnerable consumers and workers are being taken advantage of.

To promote equity in the workplace, DCWP's OLPS enforces NYC's worker protection laws, ensuring workers have access to paid safe and sick leave, fair scheduling protections, and other rights. OLPS also develops and enforces innovative policies, such as the Minimum Pay Rate for app-based restaurant delivery workers, to raise job standards in low-wage industries, where workers are primarily women, immigrants, and people of color. DCWP investigates all complaints regardless of immigration status.

DCWP's OFE focuses on initiatives that educate, empower, and protect residents and neighborhoods with low- and moderate- incomes so they can improve their financial health and build assets. This work, which is guided by research that identifies the most vulnerable communities, includes providing free one-on-one professional financial counseling at a network of NYC Financial Empowerment Centers. In addition to financial counseling, OFE also helps eligible New Yorkers file their taxes for free and claim valuable tax credits like the Earned Income Tax Credit through NYC Free Tax Prep.

OUR SERVICES AND GOALS

SERVICE 1 Protect and advocate for consumers and ensure businesses comply with applicable laws and regulations.

Goal 1a Respond to consumer complaints and mediate with businesses to achieve fair and timely outcomes.

Goal 1b Ensure businesses comply with NYC's Consumer Protection Law and related laws.

Goal 1c Promptly negotiate settlements on violations issued to businesses.

SERVICE 2 Assist and educate businesses about their contributions towards a fair marketplace for all.

Goal 2a Assist businesses in meeting their licensing requirements.

Goal 2b Engage with businesses to help them understand their role in promoting a fair marketplace for all.

SERVICE 3 Educate and empower New Yorkers with low incomes.

Goal 3a Help residents with low incomes achieve financial stability.

SERVICE 4 Protect and advocate for workers.

Goal 4a Investigate worker complaints in a timely manner to ensure their rights under NYC's worker protection laws are upheld.

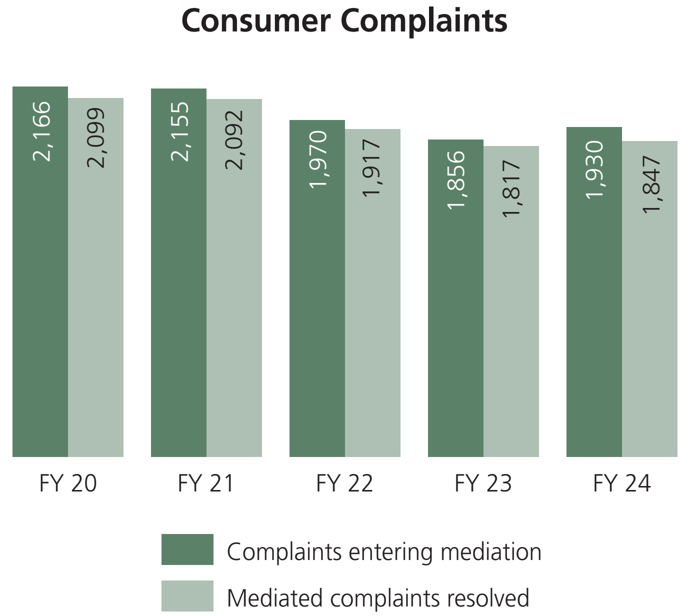
Goal 4b Assist freelancers in exercising their rights under the Freelance Isn't Free Law.

HOW WE PERFORMED IN FISCAL 2024

SERVICE 1 Protect and advocate for consumers and ensure businesses comply with applicable laws and regulations.

Goal 1a Respond to consumer complaints and mediate with businesses to achieve fair and timely outcomes.

When a consumer files a complaint, they must request the complaint be mediated and submit documentation substantiating their claim, and DCWP must determine that it has oversight authority over the nature of the complaint. The number of complaints entering mediation increased by four percent, from 1,856 in Fiscal 2023 to 1,930 in Fiscal 2024, and the number of mediations resolved similarly increased by two percent, from 1,817 to 1,847. The median number of days to close mediations increased by 30 percent, from 27 days in Fiscal 2023 to 35 days in Fiscal 2024. Correspondingly, the proportion of mediations completed within 28, 50 and 90 days all decreased, falling below their respective targets. Much of the increase in the time taken to close mediations was related to data issues in the new Business Automation system, including migrating documents and complaint records from the old system. These data issues were resolved in Fiscal 2024 and DCWP expects the time to close mediations to improve in Fiscal 2025.



The total amount of consumer restitution awarded increased by 157 percent, from $1,251,476 in Fiscal 2023 to $3,210,146 in Fiscal 2024. This increase is largely attributable to a single $1.5 million award secured in January 2024 against a group of car dealerships for deceptive sales practices and a more than $1 million award for consumers who submitted claims to obtain restitution from the Home Improvement Contractor Trust Fund; restitution is available to consumers if DCWP-licensed home improvement contractors did not complete a contracted job and debts were incurred.

The number of complaints referred for inspection increased by 22 percent, from 3,551 in Fiscal 2023 to 4,323 in Fiscal 2024. Similarly, the median number of days to respond to these inspection referrals doubled from ten days to 20 over the last fiscal year. This increase in response time is due in part to the increase in demand for inspections, as well as operational changes and system integration challenges that arose from the implementation of the new Business Automation system in Fiscal 2024. DCWP expects that the time to respond to inspection requests will improve in Fiscal 2025 as operations are further refined and system integration issues are abated.

	Actual					Target		Trend	
Performance Indicators	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Complaints entering mediation	2,166	2,155	1,970	1,856	1,930	*	*	Down	*
Mediated complaints resolved	2,099	2,092	1,917	1,817	1,847	*	*	Down	*
★ Median days to close mediations	27	28	31	27	35	28	28	Up	Down
Mediations completed within 28 days (%)	54%	52%	50%	56%	37%	50%	50%	Down	Up
– Within 0-50 days (%)	91%	93%	86%	98%	76%	85%	85%	Down	Up
– Within 0-90 days (%)	99%	100%	99%	100%	99%	100%	100%	Neutral	Up
Consumer restitution awarded ($)	$1,186,615	$1,018,323	$1,695,560	$1,251,476	$3,210,146	*	*	Up	*
Complaints referred for inspection	4,358	2,854	3,566	3,551	4,323	*	*	Neutral	*
★ Median days to respond to inspection referrals	20	26	12	10	20	⇩	⇩	Down	Down

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

Goal 1b Ensure businesses comply with NYC's Consumer Protection Law and related laws.

DCWP's enforcement division conducted 47,288 inspections during Fiscal 2024, an increase of nine percent compared to Fiscal 2023. Inspections are broken down by licensed businesses, non-licensed businesses, and tobacco program inspections. Licensed business category inspections, which do not include tobacco and electronic cigarette dealer businesses, decreased by 61 percent to 6,042 inspections in Fiscal 2024. Much of this decline is due to the transition of Street Vending enforcement to the Department of Sanitation, which accounted for more than 6,800 fewer inspections of licensed businesses. Non-licensed business category inspections increased by 114 percent from 9,711 in Fiscal 2023 to 20,829 in Fiscal 2024. The biggest increases were seen in retail stores (2,500 additional inspections), salons and barber shops (2,400 additional inspections), and grocery stores (1,100 additional inspections). Tobacco Program inspections increased by 13 percent, from 18,072 in Fiscal 2023 to 20,417 in Fiscal 2024. These inspection increases are due, in part, to the continued proliferation of new smoke shop businesses in the City.

In alignment with the increase in Tobacco Program inspections, the compliance rate for restricting the sale of tobacco products to minors increased by four percentage points, from 86 percent in Fiscal 2023 to 91 percent in Fiscal 2024. Additionally, compliance with tobacco packaging and pricing regulations remained high at 99 percent in Fiscal 2024, and compliance with regulations regarding the sale of flavored tobacco products increased from 76 percent in Fiscal 2023 to 78 percent in Fiscal 2024. DCWP attributes some of the improvement in compliance with tobacco regulations to an increase in enforcement and education efforts in Fiscal 2024.

Mirroring the increase in inspections, the total number of summonses issued increased by three percent, from 16,439 in Fiscal 2023 to 17,057 in Fiscal 2024. Licensed business category summonses decreased 60 percent, non-licensed business category summonses increased 171 percent, and Tobacco Program summonses decreased 0.3 percent. The composition and number of businesses inspected varies across years, which can impact the overall number of summonses issued.

Among the other key compliance indicators, compliance with the requirement for certain businesses to have a DCWP-issued license increased from 75 percent in Fiscal 2023 to 79 percent in Fiscal 2024. Licensees' compliance with the licensing law also increased from 96 percent in Fiscal 2023 to 97 percent in Fiscal 2024, while compliance with the consumer protection law decreased from 84 percent to 79 percent. The compliance rate for retail gasoline pumps remained steady at 99 percent and the compliance rate for fuel trucks decreased slightly, from 88 percent in Fiscal 2023 to 87 percent in Fiscal 2024.

	Actual					Target		Trend	
Performance Indicators	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Inspections – Total	45,177	26,011	37,980	43,280	47,288	*	*	Up	Up
Licensed business category inspections	11,860	17,522	21,337	15,497	6,042	*	*	Down	*
Non-licensed business category inspections	21,555	4,787	4,665	9,711	20,829	*	*	Up	*
Tobacco program inspections	11,762	3,702	11,978	18,072	20,417	*	*	Up	Up
Summonses – Total	11,114	7,360	10,487	16,493	17,057	*	*	Up	*
Licensed business category summonses	3,165	4,266	3,117	3,036	1,218	*	*	Down	*
Non-licensed business category summonses	5,418	1,142	634	1,410	3,823	*	*	Down	*
Tobacco program summonses	2,531	1,952	6,736	12,047	12,016	*	*	Up	*
License Law – License requirement compliance rate (%)	90%	97%	85%	75%	79%	*	*	Down	Up
License Law – Licensee compliance rate (%)	86%	82%	94%	96%	97%	*	*	Up	Up
Consumer protection law compliance rate (%)	86%	95%	86%	84%	79%	*	*	Down	Up
Weights and measures law compliance rate – Gasoline pumps (%)	100%	99%	99%	100%	100%	98%	98%	Neutral	Up
Weights and measures law compliance rate – Fuel trucks (%)	76%	81%	85%	88%	87%	72%	72%	Up	Up
★ Tobacco Program – Sale to youth compliance rate (%)	89%	99%	90%	86%	91%	⇧	⇧	Neutral	Up
Tobacco Program – Out of package sales compliance rate (%)	97%	93%	97%	99%	99%	*	*	Neutral	Up
Tobacco Program – Flavored tobacco and e-cigarette compliance rate (%)	97%	80%	82%	76%	78%	*	*	Down	Up

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

Goal 1c Promptly negotiate settlements on violations issued to businesses.

DCWP's Settlement Unit works with businesses to resolve violations and enter into settlement agreements. The total dollar amount of civil penalties collected through settlement agreements increased by 18 percent, from $8,045,022 in Fiscal 2023 to $9,470,022 in Fiscal 2024. A substantial portion of this increase is due to the settlement of a consumer fraud case brought by DCWP against a group of car dealerships. The rate at which cases were settled prior to their initial hearing date improved by five percentage points, increasing from 42 percent in Fiscal 2023 to 47 percent during Fiscal 2024.

Performance Indicators	Actual					Target		Trend	
	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Civil penalties collected from settlements ($)	$4,360,527	$3,082,276	$6,644,529	$8,045,022	$9,464,222	*	*	Up	*
★ Cases settled prior to original hearing date (%)	63%	59%	48%	42%	47%	*	*	Down	*

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

SERVICE 2 Assist and educate businesses about their contributions towards a fair marketplace for all.

Goal 2a Assist businesses in meeting their licensing requirements.

In Fiscal 2024, DCWP received a total of 22,885 applications for new licenses and renewals of existing licenses, a 38 percent decrease from the 37,120 received in Fiscal 2023. The number of license applications and renewals received can fluctuate from year to year due to the mix of one-year and two-year renewal cycles. For example, the largest license category, Home Improvement Contractor, expires in February of odd-number years, which contributes to an overall increase in odd-number years and decrease in even-number years.

The median number of days to approve license applications and renewals received during Fiscal 2024 was unchanged at one day. The percent of applications approved within ten days increased by 11 percentage points from Fiscal 2023 to 95 percent in Fiscal 2024, and the percent of applications approved within 30 days increased by three percentage points from Fiscal 2023 to 97 percent in Fiscal 2024. These improvements are attributable to a mixture of operational enhancements and increased use of the online application portal, which allows applicants to gather all required materials before submitting their applications. The percentage of all applications submitted online increased by six percentage points, from 42 percent in Fiscal 2023 to 48 percent in Fiscal 2024. This increase is largely attributable to the new application portal released in late Fiscal 2023.

The average wait time for consumers visiting DCWP's licensing centers increased from three minutes in Fiscal 2023 to five minutes in Fiscal 2024, but remains well below the target of 15 minutes. This increase is largely attributable to increased volume, as there was a six percent increase in the number of service requests processed from walk-in customers over the last fiscal year.

Performance Indicators	Actual					Target		Trend	
	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Applications received	30,718	34,291	26,268	37,120	22,885	*	*	Down	*
★ Median processing time (days)	1	1	1	1	1	4	4	Neutral	Down
Applications approved within 10 days (%)	75%	74%	84%	84%	95%	85%	85%	Up	Up
Applications approved within 30 days (%)	85%	87%	90%	94%	97%	95%	95%	Up	Up
Applications submitted online (%)	22%	46%	42%	42%	48%	*	*	Up	Up
★ Average Licensing Center wait time (minutes)	5	10	4	3	5	15	15	Down	Down
Customer service requests processed at licensing centers	55,228	6,675	16,516	20,556	21,822	*	*	Down	Up

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

Goal 2b Engage with businesses to help them understand their role in promoting a fair marketplace for all.

DCWP continues to supplement its education efforts with intensive outreach to help businesses understand their legal responsibilities. During Fiscal 2024, DCWP conducted 86 business outreach and engagement events, a 37 percent increase from Fiscal 2023, and reached 7,234 businesses through these efforts, a 32 percent increase from the 5,497 businesses reached last year. In Fiscal 2024, DCWP prioritized education and outreach events to improve compliance and decrease violations. In addition to hosting outreach events, businesses can request a violation-free education inspection to better inform them of potential violations. From Fiscal 2023 to Fiscal 2024, the number of business education inspections decreased by five percent, from 2,079 to 1,973. The decrease is partially attributable to a small drop in the number of newly issued, premises-based business licenses in Fiscal 2024.

	Actual					Target		Trend	
Performance Indicators	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
★ Businesses engagement and outreach events	67	100	61	63	86	*	*	Neutral	*
Businesses participating in engagement and outreach events	7,814	4,956	5,251	5,497	7,234	*	*	Neutral	Up
Business education inspections	2,551	2,603	1,787	2,079	1,973	*	*	Down	*

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

SERVICE 3 Educate and empower New Yorkers with low incomes.

Goal 3a Help residents with low incomes achieve financial stability.

Through its Office of Financial Empowerment (OFE), in Fiscal 2024 DCWP continued to focus on initiatives that support New Yorkers and communities with low incomes in building assets and improving their financial health. During Fiscal 2024, DCWP provided financial counseling to 11,622 clients, a 32 percent increase from Fiscal 2023. This included 9,008 first-time clients, 38 percent more new clients than in Fiscal 2023. This increase in both clients served and new clients seen is partly due to the resumption of normal service levels after significant turnover of front-line staff during the COVID-19 pandemic in Fiscal 2022 and Fiscal 2023. Additionally, the expansion of Financial Empowerment Center services at the Department of Small Business Services' Workforce1 centers, launched in early 2023, became fully integrated and operational this year. In Fiscal 2024, 23 percent of clients achieved a financial goal within their first year of enrollment, a one percentage point increase from Fiscal 2023. Financial goals may include establishing a safe bank account, establishing a savings pattern or credit score, increasing savings as a percent of income, reducing debt by at least ten percent, or increasing credit scores by 35 or more points.

The cumulative amount of debt reduced by Financial Empowerment Center clients increased by 15 percent from Fiscal 2023 to $121,688,089 in Fiscal 2024, and the cumulative amount of increased savings rose by 14 percent to $15,998,451 in Fiscal 2024. These results were achieved due to the steady increase in new clients and the return to full staffing levels after the COVID-19 pandemic.

There were 101,415 returns filed by the NYC Free Tax Prep program during Fiscal 2024, a 20 percent increase from Fiscal 2023. This increase is because of more investment by the City in promoting the program through a multi-channel education and awareness campaign, along with providing additional resources for volunteer recruitment to increase service capacity. Additionally, NYC Free Tax Prep providers operated 29 more locations in Fiscal 2024 than in Fiscal 2023. There also was continued growth of the NYC Free Tax Prep for Self-Employed Filers service line in Fiscal 2024, which was its second year of operation.

	Actual					Target		Trend	
Performance Indicators	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Clients served	6,899	6,901	7,160	8,829	11,622	*	*	Up	*
First-time clients	5,096	4,873	5,017	6,528	9,008	*	*	Up	*
★ Clients achieving a financial goal within their first year of receiving counseling (%)	18.0%	19.0%	20.0%	22.0%	23.0%	⇧	⇧	Up	Up
Cumulative debt reduced ($)	$79,836,643	$85,057,192	$95,101,598	$105,912,641	$121,688,089	*	*	Up	Up
Cumulative savings increase ($)	$7,860,236	$9,978,759	$12,475,648	$14,054,805	$15,998,451	*	*	Up	Up
Tax returns filed through the NYC Free Tax Preparation Program	67,132	70,241	78,679	84,471	101,415	*	*	Up	Up

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

SERVICE 4 Protect and advocate for workers.

Goal 4a Investigate worker complaints in a timely manner to ensure their rights under NYC's worker protection laws are upheld.

DCWP's Office of Labor Policy & Standards (OLPS) enforces the City's worker protection laws. Since its establishment at DCWP in May 2016 to initially focus on workers' paid sick leave rights, the portfolio of laws OLPS is responsible for enforcing and, by extension, the nature and complexity of the cases, has grown substantially. The number of all worker protection complaints OLPS received increased 260 percent from 439 in Fiscal 2023 to 1,581 in Fiscal 2024. This increase is due to two factors: (1) a new complaint filing portal DCWP launched in May 2023, which made it easier for workers to file complaints, and (2) the app-based restaurant delivery worker minimum pay rule, which led to an increase in complaints from delivery workers. Subsequently, the number of investigations opened increased by 71 percent, from 279 in Fiscal 2023 to 476 in Fiscal 2024. Even with the spike in complaints received and investigations opened, the median days to assign complaints to enforcement matters and open investigations decreased 52 percent from 32 days in Fiscal 2023 to 16 days in Fiscal 2024. This decrease is due to hundreds of similar complaints filed by workers against Uber in January 2024, all of which were assigned to an open enforcement matter. The number of investigations closed increased by 43 percent from Fiscal 2023 to 387 in Fiscal 2024, while the median number of days to close investigations decreased by 42 percent, improving from 194 days in Fiscal 2023 to 113 days in Fiscal 2024. These changes are partially attributable to a higher volume of app-based restaurant delivery worker investigations. In some circumstances, these delivery worker investigations can be resolved on a shorter timeline than investigations arising under other worker protection laws.

The number of workers entitled to restitution decreased by 14 percent from Fiscal 2023 to 12,598 workers in Fiscal 2024, while the amount of worker restitution assessed in Fiscal 2024 also decreased by about $11.5 million to just under $14 million. The higher numbers in Fiscal 2023 are the result of DCWP's settlement with Chipotle, covering approximately 100 store locations and providing more than 9,200 employees approximately $20 million in restitution. Although this one large investigation led to a higher amount of restitution for more workers in Fiscal 2023, DCWP had a greater number of high-dollar resolutions in Fiscal 2024. Worker restitution assessed in Fiscal 2024 included six major cases involving more than 1,000 employees each, resulting in more than $8.9 million in restitution. Restitution payments directly compensate workers for violations of worker protection laws, while civil penalties are fines paid to the City of New York. The amount of civil penalties collected increased by seven percent from Fiscal 2023 to nearly $1.46 million in Fiscal 2024. In Fiscal 2024, civil penalties collected included 15 cases of more than $15,000, four of which were more than $100,000. Despite the one million dollars of civil penalties collected, resulting from the Chipotle settlement, in Fiscal 2023, there were only six other cases of more than $15,000 in Fiscal 2023, none of which were more than $100,000.

	Actual					Target		Trend	
Performance Indicators	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Complaints received	558	1,727	386	439	1,581	*	*	Up	*
Investigations opened	311	198	251	279	476	*	*	Up	*
Median days to access complaints and open investigations	10	71	29	32	16	*	*	Down	Down
Investigations closed	257	216	266	270	387	*	*	Up	*
★ Median days to close investigations	162	234	143	194	113	⇩	⇩	Down	Down
Workers entitled to restitution	3,890	1,154	7,957	14,669	12,598	*	*	Up	*
Worker restitution assessed ($)	$1,912,792	$1,105,637	$3,620,499	$25,368,095	$13,821,536	*	*	Up	*
Civil penalties collected ($)	$265,584	$232,354	$236,759	$1,365,330	$1,459,694	*	*	Up	*

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

Goal 4b Assist freelancers in exercising their rights under the Freelance Isn't Free Law.

The Freelance Isn't Free Law guarantees freelancers' rights to written contracts and prompt payment in full and strengthens their ability to file claims in civil court. OLPS assists freelancers in exercising these rights through its Navigation Program. In Fiscal 2024, the number of complaints received about violations of the Freelance Isn't Free Law increased by 45 percent, from 501 in Fiscal 2023 to 728 in Fiscal 2024. The number of navigation cases opened also increased 47 percent from 480 to 704 over a comparative reporting period. These increases in Freelance Isn't Free complaints and cases opened are largely attributable to DCWP's new online complaint form that has increased access and improved intake. The number of navigation cases closed decreased by seven percent from 412 in Fiscal 2023 to 382 in Fiscal 2024, while the amount recovered by complainants decreased by ten percent, from $626,062 to $560,439. It is important to note that data regarding the amount recovered is self-reported by freelance workers during follow-up after their case has closed.

	Actual					Target		Trend	
Performance Indicators	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Complaints received	652	283	332	501	728	*	*	Up	*
Navigation cases opened	607	322	325	480	704	*	*	Up	*
★ Navigation cases closed	427	531	370	412	382	*	*	Down	*
Amount recovered by complainants ($)	$519,210	$309,243	$604,521	$626,062	$560,439	*	*	Up	*

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Trend	
Customer Experience	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Average customer in-person wait time (minutes:seconds)	4:00	10:00	3:58	4:00	5:00	17:00	17:00	Down	Down
Completed customer requests for interpretation	2,429	3,682	3,404	2,335	2,806	*	*	Neutral	*
CORE facility rating	99	100	100	99	97	87	87	Neutral	Up

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

Performance Indicators	Actual					Target		Trend	
Response to 311 Service Requests (SRs)	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5-Year	Desired Direction
Percent meeting time to first action within 4 days – Consumer complaint for exchange/refund/return	100%	98%	NA	NA	NA	85%	85%	NA	*
Percent meeting time to first action within 4 days – Consumer complaint for false advertising	100%	94%	NA	NA	NA	85%	85%	NA	*
Percent meeting time to first action within 4 days – Consumer complaint for non-delivery goods/services	100%	96%	NA	NA	NA	85%	85%	NA	*
Percent meeting time to first action within 4 days – Consumer complaint for overcharge	100%	100%	NA	NA	NA	85%	85%	NA	*
Percent meeting time to first action within 7 days – DCA/DOHMH new license application request for general street vendor license	100%	NA	NA	NA	NA	85%	85%	NA	*

★ Critical Indicator ✹ Equity Indicator "NA" Not Available ⇧⇩ Directional Target * None

AGENCY RESOURCES

Resource Indicators	Actual[1]					Plan[2]		
	FY20	FY21	FY22	FY23	FY24	FY24	FY25	5yr Trend
Expenditures ($000,000)[3]	$41.5	$42.5	$59.4	$67.9	$67.6	$66.3	$65.5	Up
Revenues ($000,000)	$22.1	$13.5	$16.9	$21.8	$21.5	$18.5	$17.2	Up
Personnel	390	366	400	413	402	447	454	Neutral
Overtime paid ($000)	$147	$106	$46	$120	$114	$114	$228	Down

[1]Actual financial amounts for the current fiscal year are not yet final. Final fiscal year actuals, from the Comptroller's Comprehensive Annual Financial Report, will be reported in the next PMMR. Refer to the "Indicator Definitions" at nyc.gov/mmr for details. [2]Authorized Budget Level [3]Expenditures include all funds
"NA" - Not Available *None

SPENDING AND BUDGET INFORMATION

Where possible, the relationship between an agency's goals and its expenditures and planned resources, by budgetary unit of appropriation (UA), is shown in the 'Applicable MMR Goals' column. Each relationship is not necessarily exhaustive or exclusive. Any one goal may be connected to multiple UAs, and any UA may be connected to multiple goals.

Unit of Appropriation	Expenditures FY23[1] ($000,000)	Modified Budget FY24[2] ($000,000)	Applicable MMR Goals[3]
Personal Services - Total	$32.2	$34.1	
001 - Administration	$15.8	$16.6	All
002 - Licensing and Enforcement	$16.4	$17.5	1b, 1c, 2a, 2b, 4a
Other Than Personal Services - Total	$35.7	$33.5	
003 - Other than Personal Services	$35.7	$33.5	All
Agency Total	$67.9	$67.6	

[1]Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2023. Includes all funds. [2] City of New York Adopted Budget for Fiscal 2024, as of June 2024. Includes all funds. [3] Refer to agency goals listed at front of chapter. "NA" Not Available * None

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

- The indicator 'Sites inspected—Total' was renamed 'Inspections—Total' in Goal 1b to more accurately reflect that this indicator is measuring a count of Enforcement division inspections. The total number of inspections published in prior fiscal years has been updated due to an adjustment in the reporting that accounts for missing data points which prevented some inspections from being counted.

- The indicators 'Sites inspected—Proactive,' 'Sites inspected—Referred,' 'Sites issued summonses—Proactive inspection summonses,' and 'Sites issued summonses—Referred inspection summonses' were removed from Goal 1b because of changes in DCWP's operations and inspection priorities, as well as the decision to emphasize the distinction between licensed and non-licensed businesses.

- The indicators 'Licensed business category inspections,' 'Non-licensed business category inspections,' 'Licensed business category summonses,' and 'Non-licensed business category summonses' were added to Goal 1b to replace proactive and referred inspections and summonses with categories that DCWP can track through the new Business Automation system. Reporting the distinction between licensed and non-licensed business categories provides insight into how creating and repealing licensing categories, or policy changes such as shifting street vending enforcement from DCWP to the Department of Sanitation, impacts the number of licensed businesses that are inspected.

- The indicator 'Sites inspected—Tobacco program' was renamed 'Tobacco program inspections' in Goal 1b to more accurately reflect that this indicator is measuring a count of Enforcement division inspections for Tobacco Retail Dealer and/or Electronic Cigarette Dealer businesses.

- The indicator 'Sites issued summonses—Total' was removed from Goal 1b and replaced with 'Summonses—Total'. The original indicator was counting the number of inspections that resulted in a violation. If an inspection covers more than one business category it is possible for more than one summons to be issued, one in each business category. The new indicator, 'Summonses—Total,' measures a distinct count of all summonses issued.

- The indicator 'Sites issued summonses—Tobacco program inspection summonses' was removed from Goal 1b and replaced with 'Tobacco program summonses'. The original indicator was counting the number of inspections that resulted in a violation. To keep this consistent with the other new summonses metrics, the new indicator, 'Tobacco program summonses,' tracks a distinct count of summonses issued during Tobacco Program inspections, as multiple summonses can be issued in one inspection.

- The indicator 'Total Settlements ($)' was renamed 'Civil penalties collected from settlements ($)' in Goal 1c to more accurately reflect that this indicator is measuring the total amount of payments received for civil penalties and not the amount of civil penalties that resulted from settlements.

- The indicator 'Visits to DCWP licensing centers' was added to Goal 2a to provide additional context to the overall work performed by the Licensing division. Though not reflected in DCWP's metrics, DCWP's licensing centers also receive applications for permits and licenses issued by the Department of Health and Mental Hygiene.

- The indicators 'Clients achieving short-term success within their first year (%)' and 'Clients achieving long-term financial goals (%)' were removed from Goal 3a and replaced with 'Clients achieving a financial goal within their first year (%)' after an internal agency review of how to more effectively measure client success in the Office of Financial Empowerment's financial counseling program. The agency found that measuring financial goals based on a short-term and long-term time frame does not adequately capture the way client success is measured at the programmatic level and there is no clear way to define short versus long-term because it is based on an individual's circumstances. The new indicator incorporates a more holistic view of the extent to which new clients, within their first year, achieve a financial goal.

- Under Goal 4a, the indicator 'Median days to open investigations' was renamed 'Median days to assess complaints and open investigations' to better reflect the underlying intake process. In order to open an investigation DCWP must first determine whether the complainant is alleging a violation of a worker protection law that DCWP enforces.

- Under Goal 4a, 'Median days to close investigations' has replaced 'Median days to assess complaints and open investigations' as the critical indicator. The median days to assess and open investigations indicator can be volatile. For example, this fiscal year the median number of days decreased by 52 percent for no operational reason, but because several hundred complaints were grouped into an already existing case. The time to close investigations can vary, based on the size and complexity of the case as examples, but this metric only includes time when a case is actively being investigated and is therefore a more suitable measure of Agency and division performance.

- The indicator 'Penalties assessed ($)' was removed from Goal 4a and replaced with 'Civil penalties collected ($)' to bring this measure into alignment with the 'Civil penalties collected from settlements ($)' metric under Goal 1c, which sums the payments received rather than the penalties assessed.

- The indicator 'Average customer in-person wait times (minutes)' was renamed to 'Average customer in-person wait times (minutes:seconds)' and the previously published data was revised from decimal format to minute:seconds format. This change was made in order to standardize publication of time-value indicators.

- A number of previously published figures were updated as part of this publication after a review of historical data:
  - The Fiscal 2020 figure for the 'Median days to respond to inspection referrals' indicator was updated from 28 to 20.
  - The Fiscal 2023 figure for the 'Workers entitled to restitution' indicator was updated from 18,597 to 14,669.
  - The Fiscal 2021 figure for the 'Worker restitution assessed ($)' indicator was updated from 1,063,469 to 1,105,637.
  - The Fiscal 2023 figure for the 'Worker restitution assessed ($)' indicator was updated from 25,317,879 to 25,368,095.
  - The Fiscal 2023 figure for the 'Navigation cases closed' indicator was updated from 403 to 412.

- Due to disruption of data transmission between DCWP's complaints tracking system and the Office of Technology and Information (OTI)/311's CRM system, the Response to 311 Service Requests (SRs) indicators in the Agency Customer Service section are not reportable at this time.

ADDITIONAL RESOURCES

For additional information on items referenced in the narrative, go to:

- Licenses:
  nyc.gov/BusinessToolbox
- Worker Rights:
  nyc.gov/workers
- Third-Party Food Delivery Services
  https://www1.nyc.gov/site/dca/about/Third-Party-Food-Delivery-Services.page
- NYC Financial Empowerment Centers:
  nyc.gov/TalkMoney
- NYC Free Tax Prep:
  nyc.gov/taxprep

For more information on the agency, please visit: www.nyc.gov/dcwp.