

THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007

**EXECUTIVE ORDER NO. 49**

**ESTABLISHMENT OF TRANSIT PASS PROGRAM**

**July 7, 2000**

WHEREAS, Federal law authorizes employers to offer their employees the opportunity to elect to use pre-tax earnings to purchase transit passes for use on mass transit facilities; and

WHEREAS, the Office of Labor Relations recently negotiated a citywide collective bargaining agreement with District Council 37 of the American Federation of State, County and Municipal Employees that offers approximately 160,000 City employees the opportunity to elect to use pre-tax earnings to purchase Metrocards; and

WHEREAS, establishment of a Transit Pass Program that offers City employees who are not represented in collective bargaining the opportunity to elect to use pre-tax earnings to purchase Metrocards would reduce the cost of mass transportation for employees who participate in the Program, thereby making the use of mass transportation by such employees for commuting to and from work and for other purposes a more attractive option; and

WHEREAS, an increase in the use of mass transportation by City employees would reduce automobile use, thereby decreasing automobile emissions in the City as well as wear on City streets;

WHEREAS, City employees who are not represented in collective bargaining should be offered the opportunity to participate in a Transit Pass Program, both to enjoy the cost savings and facilitate the environmental benefits associated with a Transit Pass Program, as well as to achieve equality with the approximately 160,000 City employees who have been offered the opportunity to elect to use pre-tax earnings to purchase Metrocards;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Definitions:

“City employees” means elected officials of the City of New York and employees of such officials, including employees of mayoral agencies, provided that such official’s or employee’s pay is processed by the Office of Payroll Administration, and provided, further, that the term “City employees” shall not include employees who are represented in collective bargaining.

“Transit Pass Program” or “Program” means the program established in accordance with this Order and other applicable law under which City employees are offered the opportunity to elect to use pre-tax earnings to purchase Metrocards.

§ 2. Transit Pass Program:

The Office of Payroll Administration, under the direction of the Mayor’s Office of Operations, shall hereby establish and administer a Transit Pass Program.

§ 3. Program Guidelines and Procedures:

The Office of Payroll Administration shall develop appropriate guidelines and procedures to establish and administer the Transit Pass Program including, without limitation, guidelines and procedures that:

a. establish the procedure by which City employees may elect to participate in the Program;

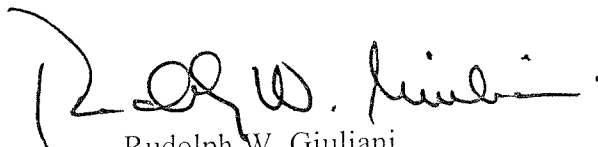
b. establish the amount of earnings that may be used by City employees to purchase Metrocards;

c. establish the commencement date of the Program;

d. establish a fee, if necessary, to be charged to City employees who participate in the Program to cover the cost of establishing and administering the Program; and

e. establish a cost-effective and secure method for multi-point distribution of Metrocards.

§ 4. This Order shall take effect immediately.



Rudolph W. Giuliani

Mayor