

2379

2011-2012 Regular Sessions

I N S E N A T E

January 19, 2011

Introduced by Sens. SEWARD, LARKIN, O'MARA, RANZENHOFER -- read twice
and ordered printed, and when printed to be committed to the Committee
on Labor

AN ACT to amend the labor law, in relation to eliminating the delivery
of fossil fuel from those building services for which municipalities
are required to pay prevailing wage

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 230 of the labor law, as amended
2 by chapter 542 of the laws of 1984, is amended to read as follows:
3 1. "Building service employee" or "employee" means any person perform-
4 ing work in connection with the care or maintenance of an existing
5 building, or in connection with the transportation of office furniture
6 or equipment to or from such building, [or in connection with the trans-
7 portation and delivery of fossil fuel to such building,] for a contrac-
8 tor under a contract with a public agency which is in excess of one
9 thousand five hundred dollars and the principal purpose of which is to
10 furnish services through the use of building service employees.
11 "Building service employee" or "employee" includes, but is not limit-
12 ed, to, watchman, guard, doorman, building cleaner, porter, handyman,
13 janitor, gardener, groundskeeper, stationary fireman, elevator operator
14 and starter, window cleaner, and occupations relating to the collection
15 of garbage or refuse, and to the transportation of office furniture and
16 equipment, [and to the transportation and delivery of fossil fuel] but
17 does not include clerical, sales, professional, technician and related
18 occupations.
19 "Building service employee" or "employee" also does not include any
20 employee to whom the provisions of articles eight and eight-a of this
21 chapter are applicable.
22 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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