

3887

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. ENGLEBRIGHT, MORELLE, LUPARDO, MARKEY, MILLMAN, ESPAILLAT, J. RIVERA, MAISEL, ABBATE, BROOK-KRASNY, CLARK, PHEFFER, MAGNARELLI, ALESSI, GUNTHER, CAHILL, BOYLAND -- Multi-Sponsored by -- M. of A. BENEDETTO, BRADLEY, COLTON, DIAZ, EDDINGTON, GABRYSZAK, GOTTFRIED, JACOBS, LATIMER, McENENY, OAKS, PAULIN, PEOPLES, REILLY, SWEENEY, WEISENBERG -- read once and referred to the Committee on Aging

AN ACT to amend the elder law and the economic development law, in relation to establishing the mature worker business initiative

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

1 Section 1. The elder law is amended by adding a new section 302 to  
2 read as follows:

3 S 302. MATURE WORKER BUSINESS INITIATIVE. 1. THERE SHALL BE ESTAB-  
4 LISHED, WITHIN THE OFFICE FOR THE AGING, A MATURE WORKER BUSINESS INITI-  
5 ATIVE. SUCH INITIATIVE SHALL BE SUBJECT TO THE DIRECTION AND SUPERVISION  
6 OF THE MATURE WORKER BUSINESS INITIATIVE COUNCIL.

7 2. THE MATURE WORKER BUSINESS INITIATIVE COUNCIL SHALL BE COMPOSED OF:

8 (A) THE DIRECTOR OF THE OFFICE FOR THE AGING OR HIS OR HER DESIGNATED  
9 REPRESENTATIVE;

10 (B) THE COMMISSIONER OF ECONOMIC DEVELOPMENT, OR HIS OR HER DESIGNATED  
11 REPRESENTATIVE; AND

12 (C) SUCH OTHER PERSONS AS SHALL BE DESIGNATED BY THE GOVERNOR, WHO  
13 SHALL BE REPRESENTATIVES OF STATE AGENCIES, ADVOCATES FOR THE AGING AND  
14 THE BUSINESS COMMUNITY, WHO ARE CONCERNED WITH THE ROLE OF OLDER WORKERS  
15 IN THE ECONOMY, AND DEVELOPMENT OF SECOND CAREER OPPORTUNITIES ENTREPRE-  
16 NEURIAL INITIATIVE. SUCH MEMBERS SHALL SERVE AT THE PLEASURE OF THE  
17 GOVERNOR.

18 3. THE MEMBERS OF THE MATURE WORKER BUSINESS INITIATIVE COUNCIL SHALL  
19 SERVE WITHOUT COMPENSATION, BUT SHALL BE ENTITLED TO THEIR ACTUAL AND  
20 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT  
21 TO THIS ARTICLE.

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

LBD07106-01-9

1 4. THE DIRECTOR OF THE OFFICE FOR THE AGING, OR HIS OR HER DESIGNATED  
2 REPRESENTATIVE, SHALL SERVE AS THE CHAIR OF THE MATURE WORKER BUSINESS  
3 INITIATIVE COUNCIL. IN THE EVENT OF THE ABSENCE OF THE DIRECTOR OR HIS  
4 OR HER DESIGNATED REPRESENTATIVE FROM ANY MEETING OF SUCH COUNCIL, THE  
5 MEMBERS SHALL ELECT AN ACTING CHAIR FROM AMONGST THE MEMBERSHIP OF THE  
6 COUNCIL. LEGAL, TECHNICAL AND OTHER SERVICES SHALL BE PROVIDED TO SUCH  
7 COUNCIL BY THE OFFICE FOR THE AGING, THE DEPARTMENT OF ECONOMIC DEVELOP-  
8 MENT, THE URBAN DEVELOPMENT CORPORATION, AND OTHER STATE DEPARTMENTS AND  
9 AGENCIES.

10 5. THE MATURE WORKER BUSINESS INITIATIVE COUNCIL SHALL HAVE THE  
11 FOLLOWING FUNCTIONS, POWERS AND DUTIES:

12 (A) TO DEVELOP AND IMPLEMENT A PROGRAM OF INITIATIVES THAT SHALL  
13 ESTABLISH STRATEGIES FOR IDENTIFYING BUSINESSES THAT OFFER ARRANGEMENTS  
14 TO EMPLOYEES DESIGNED TO RECRUIT, RETAIN AND RETRAIN MATURE WORKERS, AND  
15 ENCOURAGE THEM TO REMAIN IN THE WORK FORCE;

16 (B) TO DEVELOP A CERTIFICATION PROCESS FOR WHICH AN EMPLOYER MAY APPLY  
17 INDICATING THAT SUCH EMPLOYER HAS MET THE QUALIFICATIONS ESTABLISHED BY  
18 THE MATURE WORKER BUSINESS INITIATIVE COUNCIL AND PROVIDING FOR THE  
19 DESIGNATION OF SUCH EMPLOYER AS A "MATURE WORKER FRIENDLY EMPLOYER";

20 (C) TO IDENTIFY EMPLOYERS WHICH ENCOURAGE EMPLOYERS TO OFFER ARRANGE-  
21 MENTS TO EMPLOYEES DESIGNED TO RECRUIT, RETAIN AND RETRAIN MATURE WORK-  
22 ERS, AND ENCOURAGE THEM TO REMAIN IN THE WORK FORCE;

23 (D) TO PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO ENCOURAGE EMPLOY-  
24 ERS TO OFFER ARRANGEMENTS TO EMPLOYEES DESIGNED TO RECRUIT, RETAIN AND  
25 RETRAIN MATURE WORKERS, AND ENCOURAGE THEM TO REMAIN IN THE WORK FORCE;  
26 AND

27 (E) TO DESIGN AND EXECUTE A MARKETING OUTREACH PLAN TO ENCOURAGE BUSI-  
28 NESSES TO PARTICIPATE IN MATURE WORKER BUSINESS INITIATIVES, AND TO  
29 EDUCATE MATURE WORKERS ABOUT BUSINESSES THAT HAVE IMPLEMENTED SUCH  
30 INITIATIVES, BY MEANS OF THE OFFICE FOR THE AGING'S INTERNET WEBSITE AND  
31 SUCH OTHER APPROPRIATE MEANS AS THE COUNCIL SHALL DETERMINE TO BE SUIT-  
32 ABLE FOR INFORMATION DISTRIBUTION.

33 S 2. Section 100 of the economic development law is amended by adding  
34 a new subdivision 18-h to read as follows:

35 18-H. TO WORK IN COOPERATION WITH THE DIRECTOR OF THE STATE OFFICE FOR  
36 THE AGING AND THE MATURE WORKER BUSINESS INITIATIVE COUNCIL TO ESTABLISH  
37 RULES, REGULATIONS AND PROCEDURES TO IMPLEMENT THE PROVISIONS OF SECTION  
38 THREE HUNDRED TWO OF THE ELDER LAW. THE MATURE WORKER BUSINESS INITI-  
39 ATIVE SHALL RECOGNIZE THOSE EMPLOYERS THAT PROVIDE EXCEPTIONAL SUPPORT  
40 DESIGNED TO RECRUIT, RETAIN AND RETRAIN MATURE WORKERS, AND ENCOURAGE  
41 THEM TO REMAIN IN THE WORK FORCE. THE COMMISSIONER, IN COOPERATION WITH  
42 THE DIRECTOR OF THE STATE OFFICE FOR THE AGING, SHALL MAKE RECOMMENDA-  
43 TIONS FOR ENHANCING THE OPPORTUNITIES FOR MATURE WORKERS AND WHICH  
44 RESOURCES OF THE STATE MAY BE MADE AVAILABLE TO FULLY SUPPORT BUSINESSES  
45 THAT HAVE BEEN DESIGNATED AS MATURE WORKER FRIENDLY EMPLOYERS.

46 S 3. This act shall take effect immediately.