S T A T E O F N E W Y O R K

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I N A S S E M B L Y

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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:

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

S 302. MATURE WORKER BUSINESS INITIATIVE. 1. THERE SHALL BE ESTABLISHED, WITHIN THE OFFICE FOR THE AGING, A MATURE WORKER BUSINESS INITIATIVE. SUCH INITIATIVE SHALL BE SUBJECT TO THE DIRECTION AND SUPERVISION OF THE MATURE WORKER BUSINESS INITIATIVE COUNCIL.

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

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

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

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

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

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

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

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

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

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

(C) TO IDENTIFY EMPLOYERS WHICH ENCOURAGE EMPLOYERS TO OFFER ARRANGEMENTS TO EMPLOYEES DESIGNED TO RECRUIT, RETAIN AND RETRAIN MATURE WORKERS, AND ENCOURAGE THEM TO REMAIN IN THE WORK FORCE;

(D) TO PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO ENCOURAGE EMPLOYERS TO OFFER ARRANGEMENTS TO EMPLOYEES DESIGNED TO RECRUIT, RETAIN AND RETRAIN MATURE WORKERS, AND ENCOURAGE THEM TO REMAIN IN THE WORK FORCE; AND

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

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

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

S 3. This act shall take effect immediately.