

7601

2009-2010 Regular Sessions

I N   A S S E M B L Y

April 16, 2009

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Introduced by M. of A. MAGEE -- read once and referred 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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