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2009-2010 Regular Sessions

I N S E N A T E

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Introduced by Sens. GOLDEN, ROBACH -- read twice and ordered printed,
and when printed to be committed 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 article 4 to read
2 as follows:

3 ARTICLE IV

4 MATURE WORKER BUSINESS INITIATIVE

5 SECTION 401. MATURE WORKER BUSINESS INITIATIVE.

6 402. GENERAL FUNCTIONS, POWERS AND DUTIES OF THE COUNCIL.

7 S 401. MATURE WORKER BUSINESS INITIATIVE. 1. THERE SHALL BE ESTABLISHED,
8 WITHIN THE OFFICE, A MATURE WORKER BUSINESS INITIATIVE. SUCH
9 INITIATIVE SHALL BE SUBJECT TO THE DIRECTION AND SUPERVISION OF THE
10 MATURE WORKER BUSINESS INITIATIVE COUNCIL.

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

12 (A) THE DIRECTOR OR HIS OR HER DESIGNATED REPRESENTATIVE;

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

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

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

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

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

9 S 402. GENERAL FUNCTIONS, POWERS AND DUTIES OF THE COUNCIL. THE MATURE
10 WORKER BUSINESS INITIATIVE COUNCIL SHALL HAVE THE FOLLOWING FUNCTIONS,
11 POWERS AND DUTIES:

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

16 2. 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 3. TO IDENTIFY EMPLOYERS WHICH ENCOURAGE EMPLOYERS TO OFFER ARRANGEMENTS
21 TO EMPLOYEES DESIGNED TO RECRUIT, RETAIN AND RETRAIN MATURE WORKERS,
22 AND ENCOURAGE THEM TO REMAIN IN THE WORK FORCE;

23 4. TO PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO ENCOURAGE EMPLOYERS
24 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 5. TO DESIGN AND EXECUTE A MARKETING OUTREACH PLAN TO ENCOURAGE BUSINESSES
28 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'S INTERNET WEBSITE AND SUCH OTHER
31 APPROPRIATE MEANS AS THE COUNCIL SHALL DETERMINE TO BE SUITABLE FOR
32 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 ARTICLE
38 FOUR OF THE ELDER LAW. THE MATURE WORKER BUSINESS INITIATIVE SHALL
39 RECOGNIZE THOSE EMPLOYERS THAT PROVIDE EXCEPTIONAL SUPPORT DESIGNED TO
40 RECRUIT, RETAIN AND RETRAIN MATURE WORKERS, AND ENCOURAGE THEM TO REMAIN
41 IN THE WORK FORCE. THE COMMISSIONER, IN COOPERATION WITH THE DIRECTOR OF
42 THE STATE OFFICE FOR THE AGING, SHALL MAKE RECOMMENDATIONS FOR ENHANCING
43 THE OPPORTUNITIES FOR MATURE WORKERS AND WHICH RESOURCES OF THE STATE
44 MAY BE MADE AVAILABLE TO FULLY SUPPORT BUSINESSES THAT HAVE BEEN DESIGNATED
45 AS MATURE WORKER FRIENDLY EMPLOYERS.

46 S 3. This act shall take effect immediately.