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

4933

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY, NOLAN, JOHN -- read once and referred to the Committee on Labor

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 17 of article 1 of the constitution, in relation to the provision protecting the rights of working men and women with respect to government funded work and a safe and sanitary workplace

Section 1. Resolved (if the Senate concur), That section 17 of article 1 of the constitution be amended to read as follows:

S 17. Labor of human beings is not a commodity nor an article of commerce and shall never be so considered or construed.

No laborer, worker [or], mechanic, OR OTHER PERSON, in the employ of a contractor or sub-contractor engaged in the performance of any [public] work OR ACTIVITY FUNDED BY STATE OR LOCAL GOVERNMENT, OR INCLUDING IN THE EMPLOY OF A PUBLIC CORPORATION CREATED BY, OR FOR THE BENEFIT OF, ANY STATE OR LOCAL GOVERNMENT, shall be permitted to work more than eight hours in any day or more than five days in any week, except in cases of extraordinary emergency; nor shall he or she be paid less than the rate of wages prevailing in the same trade or occupation in the locality within the state where such [public] work OR ACTIVITY FUNDED BY STATE OR LOCAL GOVERNMENT OR A PUBLIC CORPORATION CREATED BY, OR FOR THE BENEFIT OF, ANY STATE OR LOCAL GOVERNMENT is to be situated, erected, or used.

Employees shall have the right to organize and to bargain collectively through representatives of their own choosing.

THE RIGHT OF ALL WORKERS TO WORK IN A SAFE AND SANITARY WORK PLACE SHALL BE PROTECTED.

S 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

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

LBD89101-01-9