

S T A T E   O F   N E W   Y O R K

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2236--A

2009-2010 Regular Sessions

I N   S E N A T E

February 13, 2009

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Introduced by Sens. PERKINS, DIAZ, DILAN, DUANE, HASSELL-THOMPSON, C. JOHNSON, KLEIN, KRUGER, MONTGOMERY, ONORATO, OPPENHEIMER, PARKER, SAMPSON, SAVINO, SCHNEIDERMAN, SERRANO, STACHOWSKI, THOMPSON, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to establishing the summer employment program

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

1     Section 1. Legislative findings and declaration. The legislature finds  
2     and declares that summer employment is an important formative activity  
3     for youth as they make transitions between middle and high school and  
4     into employment or post-secondary education. The legislature also finds  
5     that the summer months provide an ideal time frame during which youth  
6     can earn money and experience the world of work without placing limita-  
7     tions on the time that can, and should, be spent preparing for and  
8     attending classes.  
9     The legislature also finds that employment for youth can be valued not  
10    only in terms of the work performed but also in relation to the enhanced  
11    self-esteem of participants that comes, in part, from earned income.  
12    The legislature also finds that employment provides an opportunity for  
13    young people to gain interpersonal and employability skills, including  
14    team building, conflict resolution and problem solving, that are comple-  
15    mentary to academic activity and that will serve employers well in the  
16    future when they have a pool of job candidates who are experienced with  
17    workplace expectations.  
18    Therefore the legislature declares that a summer employment program  
19    would have significant benefit for both participants and employers.

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

LBD04446-02-0

1 S 2. The labor law is amended by adding a new article 25-B to read as  
2 follows:

3 ARTICLE 25-B  
4 SUMMER EMPLOYMENT PROGRAM

5 SECTION 862. SHORT TITLE.

6 862-A. ADMINISTRATION.

7 862-B. PROGRAM.

8 862-C. PROVIDERS.

9 862-D. USE OF FUNDS.

10 862-E. REPORTING AND EVALUATION.

11 S 862. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS  
12 THE "SUMMER EMPLOYMENT PROGRAM".

13 S 862-A. ADMINISTRATION. 1. THE COMMISSIONER SHALL FORMULATE AND  
14 ESTABLISH A SUMMER EMPLOYMENT PROGRAM FOR THE PURPOSE OF PROVIDING YOUTH  
15 FOURTEEN TO TWENTY-ONE YEARS OF AGE WITH PAID SUMMER EMPLOYMENT THROUGH  
16 CONTRACTS WITH LOCAL PROVIDERS ELIGIBLE TO PARTICIPATE IN THE PROGRAM  
17 PURSUANT TO SECTION EIGHT HUNDRED SIXTY-TWO-C OF THIS ARTICLE. THE  
18 COMMISSIONER SHALL DO THE FOLLOWING:

19 A. INSTRUCT LOCAL WORKFORCE INVESTMENT BOARDS TO DEVELOP AND ISSUE A  
20 REQUEST FOR PROPOSAL FOR LOCAL ELIGIBLE PROVIDERS TO PROVIDE SUMMER  
21 EMPLOYMENT NO LATER THAN NOVEMBER FIRST, TWO THOUSAND ELEVEN AND EACH  
22 NOVEMBER FIRST TRIENNIALLY THEREAFTER. PROPOSALS SHALL INCLUDE BUT ARE  
23 NOT LIMITED TO:

24 (I) A DESCRIPTION OF THE JOBS TO BE DEVELOPED OR FILLED; AND

25 (II) WAGES AND BENEFITS;

26 B. NOTIFY LOCAL PROVIDERS NO LATER THAN MARCH FIRST OF EACH YEAR OF  
27 PROGRAM ALLOCATION AND ENSURE THAT PROGRAMS CAN RECRUIT AND ASSIGN  
28 PARTICIPANTS TO JOBS IN A TIMELY MANNER; AND

29 C. PROVIDE TECHNICAL ASSISTANCE TO PROGRAM PROVIDERS AS APPROPRIATE.

30 2. THE PROGRAM SHALL BE ADMINISTERED INDEPENDENTLY OF ANY OTHER FEDER-  
31 ALLY-FUNDED YEAR-ROUND, BEFORE- OR AFTER-SCHOOL, OR SUMMER JOBS PROGRAM  
32 AND PROGRAM FUNDS SHALL NOT BE USED TO SUPPLANT FUNDS OTHERWISE AVAIL-  
33 ABLE FROM ANY FEDERAL, STATE OR LOCAL SOURCE.

34 S 862-B. PROGRAM. 1. EMPLOYMENT OPPORTUNITIES SUPPORTED THROUGH THE  
35 PROGRAM SHALL BE:

36 A. POSITIONS IN THE PUBLIC OR NOT-FOR-PROFIT SECTORS;

37 B. JOBS THAT EMPLOY INDIVIDUALS A MINIMUM OF TWENTY-FOUR HOURS PER  
38 WEEK; AND

39 C. JOBS THAT ARE COMPLIANT WITH ALL STATE AND FEDERAL LABOR LAWS AND  
40 HEALTH AND SAFETY STANDARDS.

41 2. PARTICIPATION SHALL BE LIMITED TO YOUTH FOURTEEN TO TWENTY-ONE  
42 YEARS OF AGE. A. PRIORITY SHALL BE GIVEN TO THOSE YOUTH WHO ARE FOURTEEN  
43 TO FIFTEEN YEARS OF AGE.

44 B. NOT LESS THAN SEVENTY PERCENT OF PARTICIPANTS SHALL BE FROM FAMI-  
45 LIES WITH INCOME AT OR BELOW TWO HUNDRED PERCENT OF THE FEDERAL POVERTY  
46 LEVEL.

47 S 862-C. PROVIDERS. PROVIDERS ELIGIBLE TO RECEIVE FUNDS UNDER THIS  
48 PROGRAM ARE LIMITED TO LOCAL COMMUNITY-BASED ORGANIZATIONS, GOVERNMENT  
49 ENTITIES AND WORKFORCE INVESTMENT BOARDS WITH PRIOR EXPERIENCE IN ADMIN-  
50 ISTERING AND PROVIDING SUMMER YOUTH EMPLOYMENT SERVICES. PREFERENCE  
51 SHALL BE GIVEN TO COMMUNITY-BASED ORGANIZATIONS AND FURTHER PREFERENCE  
52 SHALL BE GIVEN TO THOSE COMMUNITY AND GOVERNMENT AGENCIES WITH DEMON-  
53 STRATED SUCCESSFUL EXPERIENCE IN PROVIDING YOUTH EMPLOYMENT.

54 S 862-D. USE OF FUNDS. 1. FUNDS SHALL BE USED UNDER THIS ARTICLE FOR  
55 THE FOLLOWING:

56 A. WAGES AND BENEFITS;

1 B. TRANSPORTATION;  
2 C. CLOTHING ALLOWANCE INCLUDING FULL-COST OF UNIFORMS; AND  
3 D. TOOLS AND SUPPLIES.  
4 2. NO MORE THAN TEN PERCENT OF THE FUNDS SHALL BE USED FOR ADMINISTRA-  
5 TIVE PURPOSES.  
6 S 862-E. REPORTING AND EVALUATION. ON OR BEFORE DECEMBER FIRST, TWO  
7 THOUSAND TWELVE AND ON OR BEFORE EVERY SUBSEQUENT DECEMBER FIRST, THE  
8 COMMISSIONER SHALL REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF  
9 THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON THE IMPACT OF THE PROGRAM.  
10 SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO:  
11 1. A DESCRIPTION OF THE SUMMER POSITIONS FILLED BY PROGRAM PARTIC-  
12 IPANTS INCLUDING:  
13 A. JOB TITLES;  
14 B. WAGES AND BENEFITS; AND  
15 C. NUMBER OF PARTICIPANTS BY AGE.  
16 2. LISTS OF EMPLOYERS BY LOCATION.  
17 S 3. This act shall take effect April 1, 2011.