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2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. FUSCHILLO -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to workers on excavations

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

1 Section 1. The labor law is amended by adding a new section 28 to read
2 as follows:
3 S 28. WORKERS ON EXCAVATIONS. UTILITY COMPANIES OR THEIR CONTRACTORS,
4 TO WHOM A PERMIT MAY BE ISSUED BY THE STATE, A COUNTY OR A MUNICIPALITY
5 TO USE OR OPEN A STREET, SHALL BE REQUIRED, BEFORE SUCH PERMIT SHALL BE
6 ISSUED, TO ENTER INTO AN AGREEMENT THAT ONLY COMPETENT WORKERS SKILLED
7 IN THE WORK REQUIRED OF THEM, SHALL BE EMPLOYED ON THE PROJECT FOR WHICH
8 SUCH PERMIT TO USE OR OPEN A STREET WAS ISSUED, AND THAT THE PREVAILING
9 WAGE FOR SIMILAR TITLES AS ESTABLISHED BY THE FISCAL OFFICER PURSUANT TO
10 SECTION TWO HUNDRED TWENTY OF THIS CHAPTER, BE PAID TO THOSE SO
11 EMPLOYED. NO PERMIT SHALL BE ISSUED UNTIL SUCH AGREEMENT SHALL HAVE BEEN
12 ENTERED INTO WITH THE APPROPRIATE STATE, COUNTY OR MUNICIPAL AGENCY, AND
13 ALL PERMITS ISSUED AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL
14 INCLUDE THEREIN A COPY OF THIS SECTION.
15 S 2. This act shall take effect immediately.

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

LBD00911-01-9