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

8003

I N S E N A T E

June 3, 2016

Introduced by Sen. MARTINS -- 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 the establishment of a wage data clearinghouse

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

Section 1. The labor law is amended by adding a new section 44 to read as follows:

S 44. WAGE DATA CLEARINGHOUSE. 1. THE COMMISSIONER, SUBJECT TO AVAILABLE APPROPRIATIONS AND IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION AND THE STATE WORKFORCE INVESTMENT BOARD, SHALL ESTABLISH A WAGE DATA CLEARINGHOUSE. THE PURPOSE OF THE WAGE DATA CLEARINGHOUSE IS TO USE AVAILABLE WAGE RECORD DATA, QUARTERLY CENSUS OF EMPLOYMENT AND WAGES DATA, AND UNEMPLOYMENT INSURANCE DATA AND OTHER AVAILABLE DATA TO ASSIST THE DEPARTMENT OF LABOR, POLICY MAKERS, WORKFORCE PREPARATION PROVIDERS, INSTITUTIONS OF HIGHER EDUCATION AND RESEARCH INSTITUTIONS WITH THE COLLECTION, ORGANIZATION, MANAGEMENT, AGGREGATION OR DISAGGREGATION AND ANALYSIS OF SUCH DATA, AND THE ANALYSIS OF THE OUTCOMES AND EFFECTIVENESS OF WORKFORCE PREPARATION PROGRAMS, AND TO CONDUCT OTHER RELATED RESEARCH.

2. THE WAGE DATA CLEARINGHOUSE SHALL BE ADMINISTERED BY AN ACADEMIC INSTITUTION IN THE STATE OF NEW YORK WITH PROVEN EXPERIENCE IN ANALYZING LABOR DATA AND SHALL BE SELECTED BY THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION AND THE STATE WORKFORCE INVESTMENT BOARD, THROUGH A REQUEST FOR PROPOSAL PROCESS. CRITERIA SHALL INCLUDE, BUT NOT BE LIMITED TO, THE DEMONSTRATED ABILITY OF THE CHOSEN INSTITUTION TO ANALYZE WAGE REPORTING DATA AND TO LEVERAGE AND ATTRACT FEDERAL FUNDS, AND OTHER NON-GOVERNMENTAL FUNDS.

3. THE DEPARTMENT SHALL PROVIDE THE WAGE DATA CLEARINGHOUSE WITH ALL STATE AND FEDERAL WAGE AND EMPLOYMENT RELATED DATA IT HAS AVAILABLE, INCLUDING BUT NOT LIMITED TO WAGE RECORD DATA, QUARTERLY CENSUS OF EMPLOYMENT AND WAGES DATA AND UNEMPLOYMENT INSURANCE DATA. ALL DISCLOSURE REQUIREMENTS SPECIFIED IN SECTION FIVE HUNDRED THIRTY-SEVEN OF THIS

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

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CHAPTER SHALL APPLY TO ALL WAGE DATA CLEARINGHOUSE EMPLOYEES WORKING WITH THE DATA.

4. A WAGE DATA CLEARINGHOUSE ADVISORY BOARD IS HEREBY ESTABLISHED FOR THE PURPOSE OF DETERMINING THE WAGE DATA CLEARINGHOUSE'S PRIORITIES IN DATA ANALYSIS. THE ADVISORY BOARD SHALL CONSIST OF NINE MEMBERS, THREE OF WHOM SHALL BE APPOINTED BY THE COMMISSIONER, THREE OF WHOM SHALL BE APPOINTED BY THE COMMISSIONER OF EDUCATION, THREE OF WHOM SHALL BE APPOINTED BY THE STATE WORKFORCE INVESTMENT BOARD. THE ADVISORY BOARD SHALL INCLUDE REPRESENTATIVES OF HIGHER EDUCATION, WORKFORCE PREPARATION PROGRAMS, LARGE AND SMALL BUSINESSES, LABOR ORGANIZATIONS, AND OTHER APPOINTEES WITH EXPERTISE IN WORKFORCE DEVELOPMENT THE DEPARTMENT DEEMS APPROPRIATE. CONSIDERATION SHALL BE GIVEN TO GEOGRAPHIC REPRESENTATION OF APPOINTEES.

5. THE WAGE DATA CLEARINGHOUSE SHALL USE WAGE RECORD DATA, QUARTERLY CENSUS OF EMPLOYMENT AND WAGES DATA, AND UNEMPLOYMENT INSURANCE DATA PROVIDED BY THE DEPARTMENT AND ANY OTHER DATA SETS PROVIDED BY ANY OTHER STATE, FEDERAL OR LOCAL AGENCIES IT DEEMS APPROPRIATE, TO PROVIDE ANALYSES OF THE EFFECTIVENESS OF WORKFORCE PREPARATION PROGRAMS THROUGHOUT THE STATE, AND ANY OTHER RESEARCH THE ADVISORY BOARD IDENTIFIES AS HELPING TO IMPROVE WORKFORCE DEVELOPMENT PROGRAMS IN THE STATE, HELPING TO CLOSE A MIDDLE SKILLS GAP AND CONTRIBUTING TO THE ATTAINMENT OF LONG-TERM EMPLOYMENT OF RESIDENTS, ESPECIALLY THOSE WHO ARE UNEMPLOYED OR UNDER-EMPLOYED.

6. THE ADVISORY BOARD OF THE WAGE DATA CLEARINGHOUSE WILL CONSULT WITH THE DEPARTMENT, THE COMMISSIONER OF EDUCATION AND THE STATE WORKFORCE INVESTMENT BOARD, TO DETERMINE THE WAGE DATA CLEARINGHOUSE'S PRIORITIES IN DATA ANALYSIS.

7. THE WAGE DATA CLEARINGHOUSE SHALL RELEASE REPORTS AND AGGREGATED DATA TO THE DEPARTMENT, WHICH SHALL SHARE SUCH INFORMATION ON THE DEPARTMENT'S WEBSITE, AS WELL AS ON ANY WEBSITE MAINTAINED BY THE CLEARINGHOUSE.

8. ON OR BEFORE THE FIRST OF JANUARY, TWO THOUSAND EIGHTEEN, THE DEPARTMENT SHALL SUBMIT TO THE DIRECTOR OF THE BUDGET, THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE CHAIRS OF SENATE AND ASSEMBLY LABOR COMMITTEES, THE SPEAKER OF THE ASSEMBLY, AND THE PRESIDENT PRO TEMPORE OF THE SENATE, AN EVALUATION OF THIS PROGRAM PREPARED BY AN ENTITY INDEPENDENT OF THE DEPARTMENT. SUCH EVALUATION SHALL BE SUBMITTED EVERY FOUR YEARS THEREAFTER.

S 2. This act shall take effect immediately.