

8003

I N   S E N A T E

June 3, 2016

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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:

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

3     S 44. WAGE DATA CLEARINGHOUSE. 1. THE COMMISSIONER, SUBJECT TO AVAIL-  
4 ABLE APPROPRIATIONS AND IN CONSULTATION WITH THE COMMISSIONER OF EDUCA-  
5 TION AND THE STATE WORKFORCE INVESTMENT BOARD, SHALL ESTABLISH A WAGE  
6 DATA CLEARINGHOUSE. THE PURPOSE OF THE WAGE DATA CLEARINGHOUSE IS TO USE  
7 AVAILABLE WAGE RECORD DATA, QUARTERLY CENSUS OF EMPLOYMENT AND WAGES  
8 DATA, AND UNEMPLOYMENT INSURANCE DATA AND OTHER AVAILABLE DATA TO ASSIST  
9 THE DEPARTMENT OF LABOR, POLICY MAKERS, WORKFORCE PREPARATION PROVIDERS,  
10 INSTITUTIONS OF HIGHER EDUCATION AND RESEARCH INSTITUTIONS WITH THE  
11 COLLECTION, ORGANIZATION, MANAGEMENT, AGGREGATION OR DISAGGREGATION AND  
12 ANALYSIS OF SUCH DATA, AND THE ANALYSIS OF THE OUTCOMES AND EFFECTIVE-  
13 NESS OF WORKFORCE PREPARATION PROGRAMS, AND TO CONDUCT OTHER RELATED  
14 RESEARCH.

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

23     3. THE DEPARTMENT SHALL PROVIDE THE WAGE DATA CLEARINGHOUSE WITH ALL  
24 STATE AND FEDERAL WAGE AND EMPLOYMENT RELATED DATA IT HAS AVAILABLE,  
25 INCLUDING BUT NOT LIMITED TO WAGE RECORD DATA, QUARTERLY CENSUS OF  
26 EMPLOYMENT AND WAGES DATA AND UNEMPLOYMENT INSURANCE DATA. ALL DISCLO-  
27 SURE 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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1 CHAPTER SHALL APPLY TO ALL WAGE DATA CLEARINGHOUSE EMPLOYEES WORKING  
2 WITH THE DATA.

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

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

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

28 7. THE WAGE DATA CLEARINGHOUSE SHALL RELEASE REPORTS AND AGGREGATED  
29 DATA TO THE DEPARTMENT, WHICH SHALL SHARE SUCH INFORMATION ON THE  
30 DEPARTMENT'S WEBSITE, AS WELL AS ON ANY WEBSITE MAINTAINED BY THE CLEAR-  
31 INGHOUSE.

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

40 S 2. This act shall take effect immediately.