

STATE OF NEW YORK

1399

2017-2018 Regular Sessions

IN ASSEMBLY

January 12, 2017

Introduced by M. of A. CAHILL -- Multi-Sponsored by -- M. of A. ABBATE, ABINANTI, ARROYO, BENEDETTO, BRINDISI, COLTON, CRESPO, CROUCH, CUSICK, DINOWITZ, ENGLEBRIGHT, GALEF, GOTTFRIED, GUNTHER, JAFFEE, MAGEE, MAGNARELLI, McDONOUGH, MONTESANO, PERRY, RAIA, RODRIGUEZ, ROSENTHAL, THIELE, ZEBROWSKI -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law and the general business law, in relation to telecommunications and cable call centers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 65 of the public service law is amended by adding a
2 new subdivision 16 to read as follows:

3 16. (a) Every telecommunication corporation and their subsidiaries
4 furnishing traditional landline telephone service, fiber optic service,
5 voice over internet protocol (VOIP), data circuits, cable or internet
6 services shall provide call center service assistance including, but not
7 limited to operator services, directory assistance bureaus and call
8 completion services for the following:

9 (1) determining customer financial responsibility;

10 (2) taking requests for new or additional services, including, but not
11 limited to, emergency service, completing assistance with dialing, using
12 calling cards, connecting collect calls, busy line verification or relay
13 centers for the hearing impaired, providing requested local and national
14 telephone numbers, reverse number searches and taking requests for and
15 completing the publishing and non-publishing of a telephone number, and
16 providing assistance to payphone customers;

17 (3) determining deposit required or billing rate;

18 (4) preparing installation and repair service orders and obtaining
19 access to subscriber's premises;

20 (5) explaining company rates, regulations, policies, procedures,
21 equipment and common practices;

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

LBD00064-01-7

1 (6) investigating trouble order forms and initiating high bill inves-
2 tigations;

3 (7) handling payment and other credit arrangements such as obtaining
4 deposits, financial statements and payment plans; and

5 (8) aiding customers with internal assistance programs.

6 (b) No telecommunication corporation shall close a call center or
7 other facility providing the customer assistance set forth in paragraph
8 (a) of this subdivision or relocate such customer assistance to another
9 area of this state or outside of this state without notice and hearing
10 before the commission. However, at no time shall a telecommunication
11 corporation permanently transfer more than .7 percent of jobs from any
12 call center described above to another area of this state or outside of
13 the state and a valid collective bargaining agreement or employment
14 contract that governs permanent transfer percentages of call center jobs
15 shall supersede the .7 percent job transfer rate described above.

16 (c) This subdivision shall not apply to the collection of debt whereby
17 utility company policy such debt is directed to a collection agency or
18 similar service companies or where the attendance of call center employ-
19 ees is less than ninety percent in any given month, this section shall
20 not apply for the following month. Attendance for this section shall be
21 defined when an employee is expected to report to work as scheduled. If
22 a collective bargaining agreement or employment contract defines attend-
23 ance then that shall supersede the definition above. If attendance falls
24 below ninety percent as a direct result of the corporation then this
25 section shall apply.

26 § 2. The general business law is amended by adding a new section 394-f
27 to read as follows:

28 § 394-f. Cable company call centers. (a) Every cable corporation and
29 their subsidiaries furnishing traditional landline telephone service,
30 fiber optic service, voice over internet protocol (VOIP), data circuits,
31 cable or internet services shall provide call center service assistance
32 including, but not limited to operator services, directory assistance
33 bureaus and call completion services for the following:

34 (1) determining customer financial responsibility;

35 (2) taking requests for new or additional services, including, but not
36 limited to, emergency service, completing assistance with dialing, using
37 calling cards, connecting collect calls, busy line verification or relay
38 centers for the hearing impaired, providing requested local and national
39 telephone numbers, reverse number searches and taking requests for and
40 completing the publishing and non-publishing of a telephone number, and
41 providing assistance to payphone customers;

42 (3) determining deposit required or billing rate;

43 (4) preparing installation and repair service orders and obtaining
44 access to subscriber's premises;

45 (5) explaining company rates, regulations, policies, procedures,
46 equipment and common practices;

47 (6) investigating trouble order forms and initiating high bill inves-
48 tigations;

49 (7) handling payment and other credit arrangements such as obtaining
50 deposits, financial statements and payment plans; and

51 (8) aiding customers with internal assistance programs.

52 (b) No cable corporation shall close a call center or other facility
53 providing the customer assistance set forth in subdivision (a) of this
54 section or relocate such customer assistance to another area of New York
55 state or outside of this state without notice and hearing before the
56 commission. However, at no time shall a cable corporation permanently

1 transfer more than .7 percent of jobs from any call center described
2 above to another area of this state or outside of the state and a valid
3 collective bargaining agreement or employment contract that governs
4 permanent transfer percentages of call center jobs shall supersede the
5 .7 percent job transfer rate described above.

6 (c) This subdivision shall not apply to the collection of debt whereby
7 utility company policy such debt is directed to a collection agency or
8 similar service companies or where the attendance of call center employ-
9 ees is less than ninety percent in any given month this section shall
10 not apply for the following month. Attendance for this section shall be
11 defined when an employee is expected to report to work as scheduled. If
12 a collective bargaining agreement or employment contract defines attend-
13 ance then that shall supersede the definition above. If attendance falls
14 below ninety percent as a direct result of the corporation then this
15 section shall apply.

16 § 3. This act shall take effect on the thirtieth day after it shall
17 have become a law; provided, however, that the public service commission
18 is immediately authorized and directed to take any and all actions,
19 including but not limited to the promulgation of any rules or regu-
20 lations necessary to implement the provisions of this act on such effec-
21 tive date.