

STATE OF NEW YORK

582

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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;

22 (6) investigating trouble order forms and initiating high bill inves-
23 tigations;

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

LBD00064-01-7

1 (7) handling payment and other credit arrangements such as obtaining
2 deposits, financial statements and payment plans; and
3 (8) aiding customers with internal assistance programs.

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

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

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

26 § 394-f. Cable company call centers. (a) Every cable corporation and
27 their subsidiaries furnishing traditional landline telephone service,
28 fiber optic service, voice over internet protocol (VOIP), data circuits,
29 cable or internet services shall provide call center service assistance
30 including, but not limited to operator services, directory assistance
31 bureaus and call completion services for the following:

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

40 (3) determining deposit required or billing rate;
41 (4) preparing installation and repair service orders and obtaining
42 access to subscriber's premises;

43 (5) explaining company rates, regulations, policies, procedures,
44 equipment and common practices;

45 (6) investigating trouble order forms and initiating high bill inves-
46 tigations;

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

49 (8) aiding customers with internal assistance programs.

50 (b) No cable corporation shall close a call center or other facility
51 providing the customer assistance set forth in subdivision (a) of this
52 section or relocate such customer assistance to another area of New York
53 state or outside of this state without notice and hearing before the
54 commission. However, at no time shall a cable corporation permanently
55 transfer more than .7 percent of jobs from any call center described
56 above to another area of this state or outside of the state and a valid

1 collective bargaining agreement or employment contract that governs
2 permanent transfer percentages of call center jobs shall supersede the
3 .7 percent job transfer rate described above.

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

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