

# STATE OF NEW YORK

2164--C

Cal. No. 163

2017-2018 Regular Sessions

## IN ASSEMBLY

January 17, 2017

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- amended on the special order of third reading, ordered reprinted as amended, retaining its place on the special order of third reading -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

§ 44. Wage data clearinghouse. 1. The commissioner, subject to available appropriations and in consultation with the commissioner of the education department and the state workforce investment board, shall establish a wage data clearinghouse. The purpose of the wage data clearinghouse shall be to use existing unemployment insurance data as described in section five hundred thirty-seven of this chapter and other available labor, education and workforce development data to evaluate the long-term effectiveness of workforce development and education programs and to identify gaps in the availability of existing and proposed workforce development training to meet employment needs, in addition, the clearinghouse shall conduct any other research it identifies as contributing to increasing the attainment of long-term employment of residents of this state, especially those who are unemployed or underemployed.

2. The wage data clearinghouse shall be administered by an academic institution in the state of New York with proven expertise in analyzing labor data and shall be selected by the commissioner, in consultation

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

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1 with the commissioner of the education department and the state work-  
2 force investment board, through a request for proposals process. Crite-  
3 ria shall include, but not be limited to, the demonstrated ability of  
4 the chosen institution to analyze unemployment insurance and wage  
5 reporting data and to leverage and attract federal funds and non-govern-  
6 mental funds. The commissioner is authorized to provide funding to a  
7 selected academic institution for operating a wage data clearinghouse of  
8 up to six hundred thousand dollars, subject to appropriation. Any  
9 unused allocation may be made available in the subsequent fiscal year.

10 3. The department shall provide the wage data clearinghouse with all  
11 state and federal unemployment insurance and wage and employment related  
12 data it has available, including but not limited to unemployment insur-  
13 ance data as described in section five hundred thirty-seven of this  
14 chapter. All disclosure requirements specified in section five hundred  
15 thirty-seven of this chapter shall apply to all wage data clearinghouse  
16 employees working with the data.

17 4. A statewide wage data clearinghouse advisory board is hereby estab-  
18 lished for the purpose of determining statewide objectives and the wage  
19 data clearinghouse's research and evaluation priorities after consulta-  
20 tion with the director of the wage data clearinghouse. The advisory  
21 board shall appoint a director with expertise in large data systems and  
22 data security with preference given to a candidate who has experience  
23 with workforce development. Such director shall receive an annual salary  
24 within amounts appropriated. (a) The advisory board shall consist of  
25 twelve members, including: the chancellor of the state university of New  
26 York, or such chancellor's designee; the commissioner of the state  
27 education department, or such commissioner's designee; the commissioner  
28 of the state department of labor, or the commissioner's designee; a  
29 representative of superintendents of schools, appointed by the governor;  
30 a representative of a district superintendents of schools, appointed by  
31 the governor; a representative of community colleges, appointed by the  
32 governor; and, six members of the public, including three appointed by  
33 the speaker of the assembly and three appointed by the president pro  
34 tempore of the senate. The public members of the advisory board shall  
35 have expertise in large data systems and data security, workforce devel-  
36 opment programs, economic development, business management and/or organ-  
37 ized labor. (b) The members of the advisory board shall receive no  
38 compensation for their services, but shall be allowed their actual and  
39 necessary expenses incurred in the performance of their duties pursuant  
40 to this section, subject to the approval of the department. (c) Advisory  
41 board members who represent state agencies shall be appointed for terms  
42 of three years, and members who represent local governments shall serve  
43 terms of two years and all other members shall serve terms of four  
44 years. Vacancies shall be filled in the same manner as original appoint-  
45 ments for the remainder of the unexpired term. (d) Advisory board  
46 members shall each be granted voting rights and will together elect a  
47 chair whose designation shall be made bi-annually. (e) The advisory  
48 board shall meet at such times and places as may be determined by its  
49 chair. The advisory board shall meet at a minimum of six times in the  
50 first year and a minimum of three times per year thereafter. All meet-  
51 ings shall be open to the public pursuant to article seven of the public  
52 officers law. A majority of the members of such council shall constitute  
53 a quorum for the transaction of business. (f) After consultation with  
54 the director, the advisory board shall discuss and vote on research  
55 priorities and topics for the clearinghouse that do not duplicate any  
56 research or statistics the department undertakes and that focus on the

1 need of the users of the analysis, which are state and local policy  
2 makers, educational entities, workforce development providers, busi-  
3 nesses, and economic development administrators.

4 5. The wage data clearinghouse shall use unemployment insurance data  
5 as described in section five hundred thirty-seven of this chapter  
6 provided by the department and any other data sets including data  
7 provided by state, federal or local agencies it deems appropriate. The  
8 clearinghouse shall keep private and safeguard any personally identifi-  
9 able information it obtains and shall not release such information to  
10 any other party, and shall use any data it obtains solely for the  
11 purpose of furthering the effectiveness and efficiency of workforce  
12 development efforts as provided in this section.

13 6. The wage data clearinghouse shall release reports and aggregated  
14 data to the department, which shall be posted on the department's  
15 website as well as on any website maintained by the clearinghouse.

16 7. One year after selection of the academic institution that will  
17 serve as the clearinghouse, the department shall submit to the director  
18 of the budget, the chair of the senate finance committee, the chair of  
19 the assembly ways and means committee, the chairs of senate and assembly  
20 labor committees, the speaker of the assembly, and the president pro  
21 tempore of the senate, an evaluation of this program prepared by the  
22 department. Such evaluation shall be submitted every four years there-  
23 after.

24 § 2. This act shall take effect immediately.