

# STATE OF NEW YORK

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839--A

2019-2020 Regular Sessions

## IN SENATE

January 9, 2019

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Introduced by Sens. MONTGOMERY, BENJAMIN, BRESLIN, JACKSON, LIU, MARTINEZ, PARKER, PERSAUD, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to enacting the "New York state YouthBuild act"; setting program requirements; authorizing the commissioner of labor to make grants to eligible YouthBuild programs and to establish application requirements; and to expand the number of YouthBuild programs across New York state

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "New York state YouthBuild act".

3 § 2. Legislative intent. The legislature seeks to support economically  
4 disadvantaged youth, especially youth who have not finished high school,  
5 to obtain education and work experience through occupational skills  
6 training, personal counseling, leadership development, job placement  
7 assistance, and long-term follow-up services necessary for them to  
8 achieve permanent economic self-sufficiency, while at the same time  
9 providing valuable community service that addresses urgent community  
10 needs including the demand for affordable housing and the need for young  
11 role models and mentors for younger teenagers and children.

12 The legislature further intends to foster the development of leader-  
13 ship skills and a commitment to community development among youth and to  
14 ensure maximum educational achievement of program participants through  
15 high school diploma or the equivalent attainment and transition to  
16 institutions of higher education, where appropriate.

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

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1 The legislature further intends to provide communities the opportunity  
2 to establish or rebuild neighborhood stability in economically depressed  
3 and low-income areas, as well as historic areas requiring restoration or  
4 preservation, while providing economically disadvantaged youth and youth  
5 who have not finished high school an opportunity for a meaningful  
6 participation in society.

7 The legislature further intends to allow communities to expand the  
8 supply of affordable housing for homeless and other low-income individ-  
9 uals by utilizing the energies and talents of economically disadvantaged  
10 youth and young people who have not graduated from high school.

11 The legislature also intends to foster the development of leadership  
12 skills and a commitment to community development among youth.

13 § 3. The labor law is amended by adding a new section 42-a to read as  
14 follows:

15 § 42-a. YouthBuild; program requirements services. 1. The commission-  
16 er is authorized, subject to amounts made available by appropriation, to  
17 make grants to eligible applicants for the purpose of carrying out  
18 YouthBuild programs as approved under this section. All programs funded  
19 pursuant to the provisions of this section shall use funds available  
20 pursuant to this section to provide the following services:

21 a. The training costs for the rehabilitation or construction of hous-  
22 ing and related facilities to be used for the purpose of providing  
23 homeownership for disadvantaged persons, residential housing for home-  
24 less individuals, and low-income and very low-income families, or tran-  
25 sitional housing for persons who are homeless, have disabilities, are  
26 ill, are deinstitutionalized, or have special needs, or the rehabili-  
27 tation or construction of community facilities owned by not-for-profit  
28 public agencies.

29 b. The cost of providing training and placement in the growing employ-  
30 ment sectors of construction, agriculture, health care, information  
31 technology, hospitality/culinary, advanced manufacturing and logistics,  
32 and retail services.

33 c. The cost of integrated education and work experience skills train-  
34 ing services and activities which are evenly divided within the program  
35 shall include the following elements:

36 (1) An education component which includes: basic skills instruction,  
37 secondary education services, and other activities designed to result in  
38 the attainment of a high school diploma or its equivalent. The curric-  
39 ulum for this component shall include math, language arts, vocational  
40 education, life skills training, social studies related to the cultural  
41 and community history of the students, leadership skills, and other  
42 topics at the discretion of the programs; and

43 (2) A hands-on work experience and occupational skills training compo-  
44 nent pre-apprenticeship program that includes construction and rehabili-  
45 tation activities described in paragraph a of this subdivision. The  
46 process of construction must be coupled with hands-on work experience  
47 skills training and with close on-site supervision by experienced train-  
48 ers. The curriculum for this component shall contain a set of locally  
49 agreed upon skills and competencies that are systematically taught, with  
50 students' mastery assessed individually on a regular, ongoing basis.  
51 The hands-on work experience and skills training component shall be  
52 coordinated to the maximum extent feasible with pre-apprenticeship  
53 programs, and apprenticeship programs authorized under article twenty-  
54 three of this chapter.

55 d. The cost of counseling services designed to assist participants to  
56 positively participate in society, which should include all of the

1 following if necessary: outreach, assessment, and orientation; individ-  
2 ual and peer counseling; life skills training; drug and alcohol abuse  
3 education and prevention; and referral to appropriate drug rehabili-  
4 tation, medical, mental health, legal, housing, and other services and  
5 resources in the community.

6 2. A training subsidy, living allowance, or stipend that shall be no  
7 less than minimum wage must be provided to program participants for the  
8 time spent at the worksite in construction training, health care or  
9 information technology, hospitality/culinary, advanced manufacturing and  
10 logistics, and retail services. Stipends and wages may be distributed in  
11 a manner that offers incentives for good performance.

12 a. Full-time participation in a YouthBuild program shall be offered  
13 for a period of not less than six months and not more than twenty-four  
14 months.

15 b. A concentrated effort, for those participants who choose not to  
16 immediately enroll in an institution of higher education, shall be made  
17 to find construction, construction-related, and nonconstruction jobs in  
18 the fields of health care, information technology, hospitality/culinary,  
19 advanced manufacturing and logistics, and retail services for all gradu-  
20 ates of the program who have performed well. The hands-on work experi-  
21 ence skills training curriculum shall provide participants with basic  
22 preparation for seeking and maintaining a job. Follow-up counseling and  
23 assistance in job-seeking shall also be provided to participants for the  
24 twelve months following graduation from the program.

25 c. All programs serving twenty-eight trainees or more are required to  
26 have a full-time director responsible for the coordination of all  
27 aspects of the YouthBuild program.

28 3. a. Eligible participants are youth between the ages of sixteen and  
29 twenty-four who are economically disadvantaged as defined in 29 United  
30 States Code 1503, and who are part of one of the following groups:

31 (1) Persons who are not attending any school and have not received a  
32 secondary school diploma or its equivalent; or

33 (2) Persons currently enrolled in a traditional or alternative school  
34 setting or a HSE/TASC (high school equivalency/test assessing secondary  
35 completion) program and who are in danger of dropping out of school; or

36 (3) Very low-income persons whose incomes are at or less than fifty  
37 percent of the area median income area, adjusted for family size, as  
38 estimated by the department of housing and urban development.

39 b. An exception may be made for individuals not meeting income or  
40 educational need requirements. Not more than twenty-five percent of the  
41 participants in such program may be individuals who do not meet the  
42 requirements of this subdivision, but who have educational needs despite  
43 the attainment of a high school diploma.

44 4. Priority in the awarding of funds under this section shall be given  
45 to applicants with experience in operating YouthBuild programs and  
46 implementing the YouthBuild model, including but not limited to, housing  
47 construction skills training, education, leadership development, life  
48 skills training, and counseling services. Priority shall also be given  
49 to those who meet the program standards as defined by the United States  
50 department of labor and adopted by the department as the performance  
51 standards for agencies awarded these funds.

52 5. Any not-for-profit private agencies, or public agencies with expe-  
53 rience operating a YouthBuild program or with a plan to incubate a  
54 YouthBuild program until it can be established as a not-for-profit  
55 private agency are eligible entities. Only not-for-profit private agen-  
56 cies or public agencies that are licensed affiliates of YouthBuild USA,

1 Inc. or currently receive a United States department of labor YouthBuild  
2 award, are eligible to use the term YouthBuild or eligible to apply for  
3 these funds.

4 6. The commissioner shall require applicants for YouthBuild funds to  
5 include various information on the applicant's programs and shall  
6 promulgate regulations outlining information required on such applicant.  
7 Provided, however, that at a minimum such application shall include:

8 a. A request for an implementation grant, specifying the amount of the  
9 grant requested and its proposed uses;

10 b. A description of the applicant and a statement of its qualifica-  
11 tions, including a description of the applicant's past experience  
12 running a YouthBuild program, and its experience with housing rehabili-  
13 tation or construction and with youth and youth education, youth leader-  
14 ship development and other work experience skills training programs, and  
15 its relationship with local unions and youth apprenticeship programs,  
16 and other community groups; and

17 c. A description of the educational and work experience skills train-  
18 ing activities, work opportunities, and other services that shall be  
19 provided to participants.

20 § 4. This act shall take effect one year after it shall have become a  
21 law.