STATE OF NEW YORK

839--A

2019-2020 Regular Sessions

IN SENATE

January 9, 2019

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:

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

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

The legislature further intends to foster the development of leadership skills and a commitment to community development among youth and to ensure maximum educational achievement of program participants through high school diploma or the equivalent attainment and transition to 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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The legislature further intends to provide communities the opportunity to establish or rebuild neighborhood stability in economically depressed and low-income areas, as well as historic areas requiring restoration or preservation, while providing economically disadvantaged youth and youth who have not finished high school an opportunity for a meaningful participation in society.

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

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

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

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

a. The training costs for the rehabilitation or construction of housing and related facilities to be used for the purpose of providing homeownership for disadvantaged persons, residential housing for homeless individuals, and low-income and very low-income families, or transitional housing for persons who are homeless, have disabilities, are ill, are deinstitutionalized, or have special needs, or the rehabilitation or construction of community facilities owned by not-for-profit public agencies.

b. The cost of providing training and placement in the growing employment sectors of construction, agriculture, health care, information technology, hospitality/culinary, advanced manufacturing and logistics, and retail services.

c. The cost of integrated education and work experience skills training services and activities which are evenly divided within the program shall include the following elements:

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

(2) A hands-on work experience and occupational skills training component pre-apprenticeship program that includes construction and rehabilitation activities described in paragraph a of this subdivision. The process of construction must be coupled with hands-on work experience skills training and with close on-site supervision by experienced trainers. The curriculum for this component shall contain a set of locally agreed upon skills and competencies that are systematically taught, with students' mastery assessed individually on a regular, ongoing basis. The hands-on work experience and skills training component shall be coordinated to the maximum extent feasible with pre-apprenticeship programs, and apprenticeship programs authorized under article twenty-three of this chapter.

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

following if necessary: outreach, assessment, and orientation; individual and peer counseling; life skills training; drug and alcohol abuse education and prevention; and referral to appropriate drug rehabilitation, medical, mental health, legal, housing, and other services and resources in the community.

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

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

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

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

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

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

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

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

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

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

5. Any not-for-profit private agencies, or public agencies with experience operating a YouthBuild program or with a plan to incubate a YouthBuild program until it can be established as a not-for-profit private agency are eligible entities. Only not-for-profit private agencies or public agencies that are licensed affiliates of YouthBuild USA,

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

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

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

b. A description of the applicant and a statement of its qualifications, including a description of the applicant's past experience running a YouthBuild program, and its experience with housing rehabilitation or construction and with youth and youth education, youth leadership development and other work experience skills training programs, and its relationship with local unions and youth apprenticeship programs, and other community groups; and

c. A description of the educational and work experience skills training activities, work opportunities, and other services that shall be provided to participants.

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