

STATE OF NEW YORK

9001

IN SENATE

September 23, 2020

Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the labor law, in relation to the identification of sectors of the local and regional economy with anticipated growth and/or potential for future growth and the assessment of underrepresentation of women in such sectors; and to amend the education law, in relation to establishing the New York state underrepresented women's incentive award

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

1 Section 1. Legislative intent. In order to promote economic growth,
2 New York must pursue a workforce that is both skilled and diverse. In
3 pursuit of this goal, the legislature seeks to identify sectors that
4 will benefit from additional workforce development, further identify in
5 which of those sectors women are historically underrepresented and
6 increase the number of women trained to work in those sectors.

7 § 2. The labor law is amended by adding a new section 10-d to read as
8 follows:

9 § 10-d. Underrepresented workforce development. 1. As used in this
10 section:

11 (a) "local workforce development board" means a local board that sets
12 policy for workforce development within the local area, as set forth in
13 section 107 of the federal Workforce Innovation and Opportunity Act of
14 2014 (Public Law No. 113-128); and

15 (b) "New York state underrepresented women's incentive award" means an
16 award that provides either free tuition or an educational grant as set
17 forth in section six hundred sixty-nine-i of the education law, or that
18 covers costs associated with enrollment in a certification or design-
19 ation program.

20 2. Each local workforce development board shall convene, at least once
21 annually, a group of stakeholders to identify sectors for growth and
22 enhanced representation. Stakeholders may include local chambers of
23 commerce, industrial development agencies, employers, area trade unions,
24 institutions of higher education, and other appropriate parties. Such

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

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1 stakeholders shall identify sectors of the local and regional economy
2 with anticipated growth and/or potential for future growth and assess
3 workforce development needs associated with such growth. Among those
4 sectors identified, local workforce development boards shall further
5 identify in which sectors women are historically underrepresented. These
6 shall be known as "sectors for growth and enhanced representation".

7 3. Once sectors for growth and enhanced representation are identified,
8 local workforce development boards shall work with educational providers
9 to develop educational pathways suitable for grades nine through twelve
10 leading to a career in those sectors. Such pathways may be provided
11 through boards of cooperative educational services (BOCES), community
12 colleges, or other entities. Pathways may lead to certification or
13 college credit, and shall be provided free of charge to participating
14 females. Entities providing such courses may be reimbursed for their
15 services.

16 4. Local workforce development boards shall also identify associate
17 and bachelor degree programs that support sectors for growth and
18 enhanced representation. Women enrolling in these programs shall be
19 eligible for a New York state underrepresented women's incentive award.

20 5. The department of labor shall be distributed funds, subject to
21 appropriation, for the purpose of carrying out the provisions of this
22 section.

23 § 3. The education law is amended by adding a new section 669-i to
24 read as follows:

25 § 669-i. New York state underrepresented women's incentive award. 1.
26 An undergraduate female student who is matriculated in approved higher
27 education programs or a female enrolled in a certification or design-
28 ation program leading to a career in a sector for growth and represen-
29 tation, as defined in section ten-d of the labor law and identified by
30 local workforce development boards, shall be eligible to receive a New
31 York state underrepresented women's incentive award, provided she:

32 (a) graduates from a high school located in New York state, or
33 completes her high school equivalency while residing in New York state,
34 during or after the two thousand twenty-one--two thousand twenty-two
35 academic year;

36 (b) enrolls in a degree-granting institution or registered not-for-
37 profit business school qualified for tax exemption under § 501(c)(3) or
38 a certification or designation program;

39 (c) enrolls in full-time study each term beginning in the fall term
40 after her high school graduation in an approved undergraduate program
41 that supports a sector for growth and enhanced representation at a New
42 York state institution of higher education, or a certification or design-
43 ation program that supports a sector for growth and enhanced represen-
44 tation, as identified by the corporation and by local workforce develop-
45 ment boards pursuant to subdivision two of section ten-d of the labor
46 law;

47 (d) signs a contract with the corporation agreeing that her award will
48 be converted to a student loan in the event the student fails to comply
49 with the terms of the program as set forth in subdivision four of this
50 section; and

51 (e) complies with the applicable provisions of this section and all
52 requirements promulgated by the corporation for the administration of
53 the program.

54 2. Awards under this section shall be granted beginning with the two
55 thousand twenty-one--two thousand twenty-two academic year and thereaft-
56 er to applicants for admission to New York state institutions of higher

1 education that the corporation has determined are eligible to receive
2 such awards. Such awards shall equal one thousand dollars. Awards may
3 be applied to tuition, fees, books or other educational costs associated
4 with the recipient's education or costs associated with enrolling in a
5 certification or designation program.

6 3. An eligible recipient enrolled in an undergraduate program shall
7 not receive an award for more than four academic years of full-time
8 undergraduate study, or five academic years if the program of study
9 normally requires five years, excluding any allowable interruption of
10 study.

11 4. (a) The corporation shall convert to a student loan the full amount
12 of the award given to a recipient pursuant to this section, plus inter-
13 est, according to a schedule to be determined by the corporation if:

14 (i) the recipient fails to complete an approved undergraduate program
15 or certification or designation program that supports a sector for
16 growth and enhanced representation;

17 (ii) upon completion of such undergraduate degree program or certif-
18 ication or designation program a recipient fails to either (A) complete
19 full time employment in a sector for growth and enhanced representation
20 with a public or private entity located within New York state for a
21 continuous number of years equal to the duration of the award received
22 within six months of receipt of her final award payment or (B) maintain
23 residency in New York state for such period of employment; or

24 (iii) a recipient fails to respond to requests by the corporation for
25 the status of her academic or professional progress.

26 (b) The terms and conditions of this subdivision shall be deferred for
27 individuals who enroll on at least a half-time basis in a graduate or
28 higher degree program or other professional licensure degree program
29 until they are conferred a degree, and shall also be deferred for any
30 interruption in undergraduate study, enrollment of a certification or
31 designation program, or employment as established by the rules and regu-
32 lations of the corporation. The terms and conditions of this subdivision
33 may also be deferred for a grace period to be established by the corpo-
34 ration following the completion of an approved undergraduate program, a
35 graduate or higher degree program or other professional licensure degree
36 program that supports a sector for growth and enhanced representation.

37 (c) Any obligation on the part of a recipient to comply with the
38 provisions of this section shall be cancelled upon the death of the
39 recipient.

40 (d) Notwithstanding any provisions of this subdivision to the contra-
41 ry, the corporation is authorized to promulgate rules and regulations to
42 provide for the waiver or suspension of any financial obligation which
43 would involve extreme hardship.

44 5. The corporation is authorized to promulgate rules and regulations,
45 and may promulgate emergency regulations, necessary for the implementa-
46 tion of the provisions of this section, including, but not limited to,
47 the rate of interest charged for repayment of the student loan and the
48 criteria for distributing the awards.

49 § 4. This act shall take effect immediately.