

# STATE OF NEW YORK

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254

2019-2020 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 9, 2019

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Introduced by M. of A. CAHILL -- read once and referred to the Committee on Energy

AN ACT directing a study and report on current trends in the workforce that supports the generation and transmission of power in the utility industry

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

1 Section 1. 1. The commissioner of labor, in consultation with, and  
2 using data collected by, the public service commission, shall monitor  
3 trends in the workforce of:

4 (a) personnel that support the generation of power in the utility  
5 industry; and

6 (b) personnel that support the transmission of power in the utility  
7 industry.

8 2. Not later than one year after the effective date of this act, the  
9 commissioner of labor shall submit to the legislature a report on  
10 current trends under subdivision one of this section, with recommenda-  
11 tions to meet the future labor requirements for the energy industries.  
12 The commissioner of labor shall have the authority to commence addi-  
13 tional studies when (a) a utility initiates a rate hike request; or (b)  
14 a complaint is brought by a third party. The scope of any additional  
15 study can be broadened to include all utilities in the state or limited  
16 to the evaluation to just one utility.

17 3. As soon as practicable after the date on which the commissioner of  
18 labor identifies or predicts a significant shortage in this state of  
19 personnel in one or more energy sectors, the commissioner of labor shall  
20 submit to the legislature a report describing the shortage, after the  
21 data review committee, appointed pursuant to subdivision four of this  
22 section has reviewed and provided input on the report. The commissioner  
23 of labor shall have broad authority to require utilities to provide

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

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1 documents and reports regarding their staffing practices. The commis-  
2 sioner of labor shall have the authority to seek the following types of  
3 information, including but not limited to:

- 4 (a) staffing-related service quality data;
- 5 (b) current staffing levels;
- 6 (c) recruitment and hiring plans;
- 7 (d) anticipated retirements;
- 8 (e) anticipated skills set needs;
- 9 (f) retention plans;
- 10 (g) succession plans; and
- 11 (h) efforts to capture knowledge from retiring personnel.

12 4. The commissioner of labor shall evaluate the data with the assist-  
13 ance of experts in human resources, corporate management, internal  
14 controls and business/planning policies, and forecasting and planning.  
15 The commissioner of labor shall benefit by being informed by all enti-  
16 ties with interests in, and relevant information concerning, utility  
17 staffing issues. The commissioner of labor shall form a data review  
18 committee and shall appoint one member each from the following consti-  
19 tuencies to serve for terms of 2 years:

- 20 (a) a regulated utility;
- 21 (b) a labor representative;
- 22 (c) a state ratepayer advocate organization;
- 23 (d) an industrial customer or other large user; and
- 24 (e) the public service commission.

25 § 2. This act shall take effect on the thirtieth day after it shall  
26 have become a law.