

# STATE OF NEW YORK

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7569--B

2019-2020 Regular Sessions

## IN ASSEMBLY

May 9, 2019

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Introduced by M. of A. GALEF, BRABENEC -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT requiring the payment of prevailing wages to affected employees of the Indian Point Nuclear Power Plant and for the department of labor to oversee the hiring of new employees at such power plant

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

1 Section 1. Any transfer or lease, as well as any decommissioning  
2 activities, by the Indian Point Nuclear Power Plant of its franchise,  
3 works or system or any part of such franchise, works or system to any  
4 corporation, firm, company, partnership, limited liability company,  
5 association or person shall, to the maximum extent practicable, provide  
6 that employees of the Indian Point Nuclear Power Plant with skill sets  
7 necessary for the operation of a successor corporation, firm, company,  
8 partnership, limited liability company, association or person be  
9 retained for employment with such successor and shall be paid a wage of  
10 not less than the prevailing wage in the locality where the Indian Point  
11 Nuclear Power Plant is located.

12 § 2. Notwithstanding any other provision of law to the contrary, the  
13 commissioner of labor shall ensure that any employees of the Indian  
14 Point Nuclear Power Plant shall be granted notice to any affected  
15 employees pursuant to section 860-b of the labor law and such employees  
16 shall be granted prevailing wages pursuant to section 220 of the labor  
17 law. Such affected employees shall be paid a premium wage commensurate  
18 with the premium wages prevailing in the area in which the work is  
19 performed until such time as the Indian Point Nuclear Power Plant is  
20 closed.

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

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1     § 3. Notwithstanding any other provision of law to the contrary, any  
2 corporation, firm, company, partnership, limited liability company or  
3 association, hereinafter known as "purchaser" with a contract to  
4 purchase the Indian Point Nuclear Power Plant, to the extent practica-  
5 ble, shall maintain the current workforce through the conclusion of the  
6 purchase of such power plant. In hiring any new employees, such  
7 purchaser shall hire from a pool of current employees at the Indian  
8 Point Nuclear Power Plant unless such purchaser proves to the department  
9 of labor that such employees' skills do not meet the requirements needed  
10 for the open positions. The department of labor shall oversee the  
11 employment practices of the Indian Point Nuclear Power Plant.

12     § 4. This act shall take effect immediately.