

STATE OF NEW YORK

6567

2019-2020 Regular Sessions

IN SENATE

June 16, 2019

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

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.

21 § 3. Notwithstanding any other provision of law to the contrary, any
22 corporation, firm, company, partnership, limited liability company or
23 association, hereinafter known as "purchaser" with a contract to
24 purchase the Indian Point Nuclear Power Plant, to the extent practica-

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

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1 ble, shall maintain the current workforce through the conclusion of the
2 purchase of such power plant. In hiring any new employees, such
3 purchaser shall hire from a pool of current employees at the Indian
4 Point Nuclear Power Plant unless such purchaser proves to the department
5 of labor that such employees' skills do not meet the requirements needed
6 for the open positions. The department of labor shall oversee the
7 employment practices of the Indian Point Nuclear Power Plant.
8 § 4. This act shall take effect immediately.