STATE OF NEW YORK

3849

2021-2022 Regular Sessions

IN SENATE

January 31, 2021

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

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:

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

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

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

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

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

2. Each local workforce development board shall convene, at least once annually, a group of stakeholders to identify sectors for growth and

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

LBD08049-01-1

enhanced representation. Stakeholders may include local chambers of commerce, industrial development agencies, employers, area trade unions, institutions of higher education, and other appropriate parties. Such stakeholders shall identify sectors of the local and regional economy with anticipated growth and/or potential for future growth and assess workforce development needs associated with such growth. Among those sectors identified, local workforce development boards shall further identify in which sectors women are historically underrepresented. These shall be known as "sectors for growth and enhanced representation".

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

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

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

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

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

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

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

(c) enrolls in full-time study each term beginning in the fall term after her high school graduation in an approved undergraduate program that supports a sector for growth and enhanced representation at a New York state institution of higher education, or a certification or designation program that supports a sector for growth and enhanced representation, as identified by the corporation and by local workforce development boards pursuant to subdivision two of section ten-d of the labor law;

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

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

2. Awards under this section shall be granted beginning with the two thousand twenty-two--two thousand twenty-three academic year and thereafter to applicants for admission to New York state institutions of higher education that the corporation has determined are eligible to receive such awards. Such awards shall equal one thousand dollars. Awards may be applied to tuition, fees, books or other educational costs associated with the recipient's education or costs associated with enrolling in a certification or designation program.

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

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

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

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

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

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

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

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

5. The corporation is authorized to promulgate rules and regulations, and may promulgate emergency regulations, necessary for the implementation of the provisions of this section, including, but not limited to, the rate of interest charged for repayment of the student loan and the criteria for distributing the awards.

§ 4. This act shall take effect immediately.