STATE OF NEW YORK

4183

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

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

AN ACT to amend the public authorities law, in relation to prioritizing union labor for certain transit projects of the metropolitan transportation authority

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

Section 1. The section heading of section 1265-a of the public authorities law, as added by chapter 929 of the laws of 1986, is amended to read as follows:

[~~Contracts~~] **Union labor and contracts for public work**.

§ 2. Section 1265-a of the public authorities law is amended by adding a new subdivision 1-a to read as follows:

1-a. Union labor. (a) For any contract for public work the authority shall first make substantive effort to utilize union labor for all or significant aspects of the public work.

(b) The authority shall determine the feasibility and appropriateness of union labor by taking into consideration, among other factors, the availability of skills and expertise in relation to the requirements of the public work.

(c) Substantive efforts to secure union labor for proposed public work shall include but not be limited to, publishing and advertising the proposed public work, conducting outreach to relevant labor unions and holding a meeting regarding the nature and terms of such proposed public work.

(d) Upon failing to secure union labor and prior to publishing a contract for public work, the authority shall send a written notice to the city commissioner of transportation, the comptroller and the city commissioner of labor explaining with specific detail:

(i) the effort the authority made to secure union labor for the proposed public work;

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

LBD00162-01-1

(ii) that such effort failed; and

(iii) the intention of the authority to publish a contract for public bidding as a result.

(e) The authority shall spend a minimum of twenty business days seeking union labor for the proposed public work.

(f) Contract for public work may be published for bidding only after substantive effort to engage and secure union labor has been made by the authority and only after written notice has been submitted to the city commissioner of transportation, the comptroller and the city commissioner of labor.

§ 3. This act shall take effect immediately.