STATE OF NEW YORK

5992

2021-2022 Regular Sessions

IN ASSEMBLY

March 4, 2021

Introduced by M. of A. PICHARDO, REYES -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to purchasing services and commodities

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

Section 1. Paragraph g of subdivision 4 of section 163 of the state finance law, as added by chapter 10 of the laws of 2006, is amended to read as follows:

g. All state agencies shall require all contractors, including subcontractors, that provide services for state purposes pursuant to a contract, to submit an annual employment report for each contract for services that includes for each employment category within the contract the number of employees employed to provide services under the contract, the number of hours they work [~~and~~], their total compensation under the contract **and the average weekly wage paid to employees in each employment category**. Employment reports shall be submitted to the agency that awarded the contract, the department of civil service and the department of audit and control and shall be available for public inspection and copying pursuant to section eighty-seven of the public officers law provided that in disclosing such reports pursuant to the public officers law, the agency making the disclosure shall redact the name or social security number of any individual employee that is included in such document.

§ 2. Paragraphs c and f of subdivision 14 of section 163 of the state finance law, as added by chapter 317 of the laws of 2014, are amended to read as follows:

c. The report required pursuant to subparagraph (iv) of paragraph a of this subdivision shall include:

(i) information required to be reported by the contractor annually by the employment category within the contract, including the planned

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

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number of employees to provide services under the contract, the planned number of hours to be worked under the contract, [~~and~~] the total compensation planned under the contract**, and the average weekly wage paid to employees in each employment category**; and

(ii) information required to be reported by the contractor annually pursuant to paragraph g of subdivision four of this section, specifically, the actual number of employees, by employment category within the contract, employed to provide services under the contract, the number of hours worked [~~and~~]**, total compensation under the contract, and the average weekly wage paid to employees in each employment category**.

f. All reports required under this subdivision shall be available for public inspection and copying pursuant to section eighty-seven of the public officers law provided that in disclosing such reports pursuant to the public officers law, the agency making the disclosure shall redact the name or social security number of any individual employee that is included in such document. **All reports required under this paragraph shall be available in a searchable public database on the public website of the state procurement council.**

§ 3. Paragraph c of subdivision 15 of section 163 of the state finance law, as added by chapter 317 of the laws of 2014, is amended to read as follows:

c. All reports required under this subdivision shall be available for public inspection and copying pursuant to section eighty-seven of the public officers law provided that in disclosing such reports pursuant to the public officers law, the agency making the disclosure shall redact the name or social security number of any individual employee that is included in such document. **All reports required under this paragraph shall be available in a searchable public database on the public website of the state procurement council.**

§ 4. This act shall take effect immediately, provided, however, that the amendments to section 163 of the state finance law made by sections one, two and three of this act shall not affect the repeal of such section and shall be deemed repealed therewith.