

STATE OF NEW YORK

2370--A

2023-2024 Regular Sessions

IN SENATE

January 20, 2023

Introduced by Sens. BAILEY, CLEARE, HINCHEY, JACKSON, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to enacting the "Velmanette Montgomery YouthBuild act"; setting program requirements; authorizing the commissioner of labor to make grants to eligible YouthBuild programs and to establish application requirements; and to expand the number of YouthBuild programs across New York state

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Velmanette Montgomery YouthBuild act".

3 § 2. Legislative intent. The legislature seeks to support economically
4 disadvantaged youth, especially youth who have not finished high school,
5 to obtain education and work experience through occupational skills
6 training, personal counseling, leadership development, job placement
7 assistance, and long-term follow-up services necessary for them to
8 achieve permanent economic self-sufficiency, while at the same time
9 providing valuable community service that addresses urgent community
10 needs including the demand for affordable housing and the need for young
11 role models and mentors for younger teenagers and children.

12 The legislature further intends to foster the development of leader-
13 ship skills and a commitment to community development among youth and to
14 ensure maximum educational achievement of program participants through
15 high school diploma or the equivalent attainment and transition to
16 institutions of higher education, where appropriate.

17 The legislature further intends to provide communities the opportunity
18 to establish or rebuild neighborhood stability in economically depressed
19 and low-income areas, as well as historic areas requiring restoration or

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

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1 preservation, while providing economically disadvantaged youth and youth
2 who have not finished high school an opportunity for a meaningful
3 participation in society.

4 The legislature further intends to allow communities to expand the
5 supply of affordable housing for homeless and other low-income individ-
6 uals by utilizing the energies and talents of economically disadvantaged
7 youth and young people who have not graduated from high school.

8 The legislature also intends to foster the development of leadership
9 skills and a commitment to community development among youth.

10 § 3. The labor law is amended by adding a new section 42-a to read as
11 follows:

12 § 42-a. YouthBuild; program requirements services. 1. The commission-
13 er is authorized, subject to amounts made available by appropriation, to
14 make grants to eligible applicants for the purpose of carrying out
15 YouthBuild programs as approved under this section. All programs funded
16 pursuant to the provisions of this section shall use funds available
17 pursuant to this section to provide the following services:

18 a. The training costs for the rehabilitation or construction of hous-
19 ing and related facilities to be used for the purpose of providing
20 homeownership for disadvantaged persons, residential housing for home-
21 less individuals, and low-income and very low-income families, or tran-
22 sitional housing for persons who are homeless, have disabilities, are
23 ill, are deinstitutionalized, or have special needs, or the rehabili-
24 tation or construction of community facilities owned by not-for-profit
25 public agencies.

26 b. The cost of providing training and placement in the growing employ-
27 ment sectors of construction, agriculture, health care, information
28 technology, hospitality/culinary, advanced manufacturing and logistics,
29 and retail services.

30 c. The cost of integrated education and work experience skills train-
31 ing services and activities which are evenly divided within the program
32 shall include the following elements:

33 (1) An education component which includes: basic skills instruction,
34 secondary education services, and other activities designed to result in
35 the attainment of a high school diploma or its equivalent. The curric-
36 ulum for this component shall include math, language arts, vocational
37 education, life skills training, social studies related to the cultural
38 and community history of the students, leadership skills, and other
39 topics at the discretion of the programs; and

40 (2) A hands-on work experience and occupational skills training compo-
41 nent pre-apprenticeship program that includes construction and rehabili-
42 tation activities described in paragraph a of this subdivision. The
43 process of construction must be coupled with hands-on work experience
44 skills training and with close on-site supervision by experienced train-
45 ers. The curriculum for this component shall contain a set of locally
46 agreed upon skills and competencies that are systematically taught, with
47 students' mastery assessed individually on a regular, ongoing basis.
48 The hands-on work experience and skills training component shall be
49 coordinated to the maximum extent feasible with pre-apprenticeship
50 programs, and apprenticeship programs authorized under article twenty-
51 three of this chapter.

52 d. The cost of counseling services designed to assist participants to
53 positively participate in society, which should include all of the
54 following if necessary: outreach, assessment, and orientation; individ-
55 ual and peer counseling; life skills training; drug and alcohol abuse
56 education and prevention; and referral to appropriate drug rehabili-

1 tation, medical, mental health, legal, housing, and other services and
2 resources in the community.

3 2. A training subsidy, living allowance, or stipend that shall be no
4 less than minimum wage must be provided to program participants for the
5 time spent at the worksite in construction training, health care or
6 information technology, hospitality/culinary, advanced manufacturing and
7 logistics, and retail services. Stipends and wages may be distributed in
8 a manner that offers incentives for good performance.

9 a. Full-time participation in a YouthBuild program shall be offered
10 for a period of not less than six months and not more than twenty-four
11 months.

12 b. A concentrated effort, for those participants who choose not to
13 immediately enroll in an institution of higher education, shall be made
14 to find construction, construction-related, and nonconstruction jobs in
15 the fields of health care, information technology, hospitality/culinary,
16 advanced manufacturing and logistics, and retail services for all gradu-
17 ates of the program who have performed well. The hands-on work experi-
18 ence skills training curriculum shall provide participants with basic
19 preparation for seeking and maintaining a job. Follow-up counseling and
20 assistance in job-seeking shall also be provided to participants for the
21 twelve months following graduation from the program.

22 c. All programs serving twenty-eight trainees or more are required to
23 have a full-time director responsible for the coordination of all
24 aspects of the YouthBuild program.

25 3. a. Eligible participants are youth between the ages of sixteen and
26 twenty-four who are economically disadvantaged as defined in 29 United
27 States Code 1503, and who are part of one of the following groups:

28 (1) Persons who are not attending any school and have not received a
29 secondary school diploma or its equivalent; or

30 (2) Persons currently enrolled in a traditional or alternative school
31 setting or a HSE/TASC (high school equivalency/test assessing secondary
32 completion) program and who are in danger of dropping out of school; or

33 (3) Very low-income persons whose incomes are at or less than fifty
34 percent of the area median income area, adjusted for family size, as
35 estimated by the department of housing and urban development.

36 b. An exception may be made for individuals not meeting income or
37 educational need requirements. Not more than twenty-five percent of the
38 participants in such program may be individuals who do not meet the
39 requirements of this subdivision, but who have educational needs despite
40 the attainment of a high school diploma.

41 4. Priority in the awarding of funds under this section shall be given
42 to applicants with experience in operating YouthBuild programs and
43 implementing the YouthBuild model, including but not limited to, housing
44 construction skills training, education, leadership development, life
45 skills training, and counseling services. Priority shall also be given
46 to those who meet the program standards as defined by the United States
47 department of labor and adopted by the department as the performance
48 standards for agencies awarded these funds.

49 5. Any not-for-profit private agencies, or public agencies with expe-
50 rience operating a YouthBuild program or with a plan to incubate a
51 YouthBuild program until it can be established as a not-for-profit
52 private agency are eligible entities. Only not-for-profit private agen-
53 cies or public agencies that are licensed affiliates of YouthBuild USA,
54 Inc. or currently receive a United States department of labor YouthBuild
55 award, are eligible to use the term YouthBuild or eligible to apply for
56 these funds.

1 6. The commissioner shall require applicants for YouthBuild funds to
2 include various information on the applicant's programs and shall
3 promulgate regulations outlining information required on such applicant.
4 Provided, however, that at a minimum such application shall include:

5 a. A request for an implementation grant, specifying the amount of the
6 grant requested and its proposed uses;

7 b. A description of the applicant and a statement of its qualifica-
8 tions, including a description of the applicant's past experience
9 running a YouthBuild program, and its experience with housing rehabili-
10 tation or construction and with youth and youth education, youth leader-
11 ship development and other work experience skills training programs, and
12 its relationship with local unions and youth apprenticeship programs,
13 and other community groups; and

14 c. A description of the educational and work experience skills train-
15 ing activities, work opportunities, and other services that shall be
16 provided to participants.

17 § 4. This act shall take effect one year after it shall have become a
18 law.