

# STATE OF NEW YORK

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8546--A

## IN SENATE

February 12, 2024

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Introduced by Sens. JACKSON, ADDABBO, HARCKHAM, MANNION, PALUMBO, PARKER, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to requiring certain renewable energy generating projects to enter into a memorandum of understanding for the operation and maintenance of such project with a bona fide labor organization

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

1 Section 1. Every renewable energy generating project receiving grants,  
2 guaranteed loans, tax benefits or funding from New York state, shall  
3 demonstrate that the developer or other entities owning such renewable  
4 energy generating project has entered into a memorandum of understanding  
5 for the operation and maintenance of such project with a bona fide labor  
6 organization of jurisdiction that is actively engaged in representing  
7 transitioning utility workers in the fossil fuel industry. Such memoran-  
8 dum shall be entered into prior to the completion date of such project  
9 and the memorandum shall be an ongoing material condition of authori-  
10 zation to operate and maintain the renewable energy project. The memo-  
11 randum shall only apply to employees necessary for the maintenance and  
12 operation of such renewable energy generation project. Such memorandum  
13 shall contain, but not be limited to, safety and training standards,  
14 disaster response measures, guaranteed hours, staffing levels, pay rate  
15 protection and retraining programs.

16 § 2. 1. The department of labor and the New York state energy research  
17 and development authority, in consultation with renewable energy indus-  
18 try stakeholders, shall issue a report no later than the one hundred  
19 twentieth day after the effective date of this act that identifies the  
20 job titles and skill sets required to maintain and operate any and all  
21 renewable generation facilities and technologies approved by law. Such  
22 report shall be updated annually.

23 2. Within one hundred twenty days after such report required pursuant  
24 to subdivision one of this section is issued, the department of labor,

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

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1 in consultation with affected bona fide labor organizations of jurisdic-  
2 tion in the utility industry, shall compile a list of transitioning  
3 workers, who have lost their employment or will be losing their employ-  
4 ment in the fossil fuel energy sector. Such list shall be updated quar-  
5 terly.

6 3. Within six months after the effective date of this act, the depart-  
7 ment of labor shall, in consultation with renewable energy industry  
8 stakeholders and affected bona fide labor organizations of jurisdiction  
9 in the utility industry, create a workforce development program, which  
10 shall provide training and retraining to those transitioning fossil-fuel  
11 workers. Such program, at a minimum, shall address the job titles and  
12 skill sets, as identified by the report required pursuant to subdivision  
13 one of this section, necessary to qualify for renewable energy gener-  
14 ation operation and maintenance positions and shall offer a combination  
15 of on-the-job training, where applicable, and classroom job related  
16 instruction to transitioning workers.

17 4. The transitioning workers, identified by the list compiled pursuant  
18 to subdivision two of this section and which have successfully completed  
19 the department of labor workforce development program, if it exists, as  
20 created and required by subdivision three of this section, shall be  
21 offered to first, any and all operation and maintenance positions at  
22 renewable energy generating projects receiving grants, guaranteed loans,  
23 tax benefits or funding from New York state. Should there be no candi-  
24 dates available from the list of transitioning workers which have  
25 completed such program such renewable energy generating project may hire  
26 transitioning workers off such list which have not completed such  
27 program. The department of labor shall make such list available to the  
28 New York state energy research and development authority and any and all  
29 renewable energy generating project receiving grants, guaranteed loans,  
30 tax benefits or funding from New York state upon award of such govern-  
31 ment assistance and ninety days prior to completion of such project.

32 § 3. This act shall take effect immediately.