STATE OF NEW YORK

8546--A

IN SENATE

February 12, 2024

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:

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

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

2. Within one hundred twenty days after such report required pursuant 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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in consultation with affected bona fide labor organizations of jurisdiction in the utility industry, shall compile a list of transitioning workers, who have lost their employment or will be losing their employment in the fossil fuel energy sector. Such list shall be updated quarterly.

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

4. The transitioning workers, identified by the list compiled pursuant to subdivision two of this section and which have successfully completed the department of labor workforce development program, if it exists, as created and required by subdivision three of this section, shall be offered to first, any and all operation and maintenance positions at renewable energy generating projects receiving grants, guaranteed loans, tax benefits or funding from New York state. Should there be no candidates available from the list of transitioning workers which have completed such program such renewable energy generating project may hire transitioning workers off such list which have not completed such program. The department of labor shall make such list available to the New York state energy research and development authority and any and all renewable energy generating project receiving grants, guaranteed loans, tax benefits or funding from New York state upon award of such government assistance and ninety days prior to completion of such project.

§ 3. This act shall take effect immediately.