

STATE OF NEW YORK

1644--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. JOYNER, ALVAREZ, DICKENS -- read once and referred to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to requiring human service providers that contract with the state to pay their employees a certain minimum wage

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

1 Section 1. The labor law is amended by adding a new section 224-f to
2 read as follows:

3 § 224-f. Wage requirements for certain human services workers. 1. For
4 the purposes of this section:

5 (a) "Human services" shall mean any service provided to individuals or
6 groups of individuals, for the purpose of improving or enhancing such
7 individuals' health and/or welfare, by addressing social problems
8 including but not limited to: domestic violence, teenage pregnancy,
9 migrant health problems, child abuse, nutritional deficiencies, suicide,
10 hunger, unemployment, lack of suitable shelter, crime, drug and alcohol
11 abuse and poverty.

12 (b) "Human services provider" shall mean any: (i) not-for-profit or
13 charitable organization, or (ii) local agency as defined in paragraph
14 (c) of this subdivision, that (1) contracts with any state agency or
15 other public entity, as defined in paragraph (e) of this subdivision to
16 provide human services as defined in paragraph (a) of this subdivision,
17 or (2) directly or indirectly receives any public funds to provide or
18 contract with third persons to provide human services for the benefit of
19 the general public or specific client groups.

20 (c) "Local agency" shall include all county, city, town and village
21 governing bodies, all other public corporations, special districts and
22 school districts in the state.

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

LBD04314-02-3

1 (d) "State agency" shall include any department, division, board,
2 bureau, commission, office, agency, authority or public corporation of
3 the state.

4 (e) "Public entity" shall mean any local agency as defined in para-
5 graph (c) of this subdivision and any state agency as defined in para-
6 graph (d) of this subdivision.

7 2. Every contract for human services entered into between a public
8 entity and a human services provider, and any such contract entered into
9 by a third party acting in place of, on behalf of and for the benefit of
10 such public entity pursuant to any lease, permit or other agreement
11 between such third party and the public entity, shall stipulate that:

12 (a) the public entity shall pay to each human services worker for each
13 hour worked no less than one hundred fifty percent of the higher of: (i)
14 the otherwise applicable minimum wage under section six hundred fifty-
15 two of this chapter; or (ii) any otherwise applicable wage rule or order
16 under article nineteen of this chapter; and

17 (b) adequate funding has been appropriated to ensure compliance with
18 the minimum wage requirements set forth in paragraph (a) of this subdi-
19 vision.

20 § 2. This act shall take effect immediately and shall apply to
21 contracts and agreements issued, renewed, modified, altered or amended
22 on or after such date.