STATE OF NEW YORK

4930--A

2023-2024 Regular Sessions

IN SENATE

February 17, 2023

Introduced by Sen. RAMOS -- 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 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:

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

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

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

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

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

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

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

(e) "Public entity" shall mean any local agency as defined in paragraph (c) of this subdivision and any state agency as defined in paragraph (d) of this subdivision.

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

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

(b) adequate funding has been appropriated to ensure compliance with the minimum wage requirements set forth in paragraph (a) of this subdivision.

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