

STATE OF NEW YORK

7223

2023-2024 Regular Sessions

IN SENATE

May 18, 2023

Introduced by Sens. RHOADS, MATTERA -- read twice and ordered printed,
and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to apprenticeship training

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

1 Section 1. The section heading, the opening paragraph of subdivision 1
2 and subdivision 2 of section 811 of the labor law, the section heading
3 and the opening paragraph of subdivision 1 as amended by chapter 482 of
4 the laws of 1961 and subdivision 2 as amended by chapter 51 of the laws
5 of 1968, are amended to read as follows:

6 Powers and duties of [~~industrial~~] the commissioner; personnel.

7 The [~~industrial~~] commissioner shall have the following powers and
8 duties:

9 2. The [~~industrial~~] commissioner shall appoint a person who shall be
10 in charge of apprentice training in the department [~~of labor~~], and who
11 shall act as secretary of the state apprenticeship and training council
12 and of state joint apprenticeship committees. The [~~industrial~~] commis-
13 sioner is further authorized to appoint such clerical, technical, and
14 professional assistants as shall be necessary to effectuate the purposes
15 of this article. The personnel appointed under this article shall
16 receive an annual compensation to be fixed by the [~~industrial~~] commis-
17 sioner within the amount provided by appropriation.

18 § 2. Section 816-b of the labor law is amended by adding a new subdi-
19 vision 3 to read as follows:

20 3. The commissioner shall require that a minimum of ten percent of the
21 labor hours of the total construction workforce employed by all contrac-
22 tors and subcontractors performing work pursuant to a construction
23 contract as defined by this paragraph (b) of subdivision one of this
24 section shall be performed by a person or persons participating in a
25 certified apprenticeship program pursuant to this article. Only hours
26 worked by a person or persons in the construction trade for which they

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

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1 are registered as an apprentice, and only hours worked by such appren-
2 tice according to the allowable ratio of apprentice to journey worker as
3 stated under the applicable prevailing wage schedule, may count towards
4 the ten percent labor hour requirement.

5 § 3. This act shall take effect on the one hundred twentieth day after
6 it shall have become a law.