

STATE OF NEW YORK

5567

2025-2026 Regular Sessions

IN SENATE

February 25, 2025

Introduced by Sen. FAHY -- 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 establishing the human services wage commission

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

1 Section 1. This act shall be known and may be cited as the "human
2 services wage commission act".

3 § 2. The labor law is amended by adding a new article 19-E to read as
4 follows:

ARTICLE 19-E

HUMAN SERVICES WAGE COMMISSION

Section 697. Legislative findings and purpose.

697-a. Definitions.

697-b. Establishment of the human services wage commission.

697-c. Powers and duties of the commission.

697-d. Reporting.

697-e. Rules and regulations.

697-f. Severability.

14 § 697. Legislative findings and purpose. The legislature hereby finds
15 and declares that the wages paid to employees in human service occupa-
16 tions are often insufficient to provide adequate maintenance and to
17 protect the health of the employee. Therefore, it is necessary to estab-
18 lish a human services wage commission to investigate and address wage
19 disparities in the human services sector.

20 § 697-a. Definitions. For purposes of this article, the following
21 terms shall have the following meanings:

22 1. "Commission" means the human services wage commission established
23 pursuant to this article.

24 2. "Human services worker" means any employee that is employed by a
25 human services provider agency that provides direct hands-on supports

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

LBD10137-01-5

1 and/or services to people or groups of people receiving services in
2 programs licensed, certified, or funded by the state and whose base
3 annual wage is not more than eighty-five thousand dollars per year.

4 3. "Human services provider agency" means an entity that is licensed,
5 certified, or funded by the office of mental health, office for people
6 with developmental disabilities, office of addiction services and
7 supports, office for the aging, department of health, office of tempo-
8 rary and disability assistance, or the office of children and family
9 services to provide services to individuals for which such agencies are
10 licensed, certified, or funded.

11 § 697-b. Establishment of the human services wage commission. 1. There
12 is hereby established within the department the human services wage
13 commission.

14 2. The commission shall consist of the following members:

15 (a) the commissioner;

16 (b) the commissioner of the office of children and family services;

17 (c) the commissioner of the office of temporary and disability assist-
18 ance;

19 (d) the commissioner of the office of addiction services and supports;

20 (e) the director of the office for the aging;

21 (f) the commissioner of the office for people with developmental disa-
22 bilities;

23 (g) the commissioner of the office of mental health;

24 (h) the commissioner of the department of health;

25 (i) the deputy secretary for human services and mental hygiene; and

26 (j) not more than ten representatives of employers in the human
27 services sector and an equal number of human service workers that shall
28 be recommended by the governor, the temporary president of the senate,
29 and the speaker of the assembly.

30 3. The commissioner shall be tasked with appointing the members of the
31 commission and shall be required to designate the chair of the commis-
32 sion.

33 4. The commissioner may create rules to govern the manner in which the
34 commission shall function.

35 § 697-c. Powers and duties of the commission. 1. The commission shall
36 be authorized to investigate whether the wages paid to human services
37 workers are sufficient to provide adequate maintenance and to protect
38 the health and welfare of employees.

39 2. The commission shall hold public hearings and invite written and
40 oral testimony from stakeholders, including but not limited to employ-
41 ees, employers, and other stakeholders.

42 3. The commission shall have the power to conduct public hearings,
43 consult with employers, employees, state, federal, and local agencies,
44 and other persons it deems necessary.

45 4. The commission shall have the authority to administer oaths, compel
46 testimony by subpoena, and perform depositions of witnesses similar to
47 the manner used in civil actions.

48 5. The commission shall not be bound by common law or statutory rules
49 of procedure or evidence.

50 § 697-d. Reporting. 1. The commission shall submit a preliminary
51 report of its findings and recommendations to the governor, the tempo-
52 rary president of the senate, and the speaker of the assembly within one
53 hundred twenty days of the appointment of its members. Such findings and
54 recommendations shall at a minimum include an analysis of the impact of
55 the fiscal and social implications of the recommended wages for human
56 service workers.

1 2. Such preliminary report shall include specific recommendations
2 about wages for the identified titles of human services workers and
3 shall take into consideration wage compression, regional adjustments and
4 other factors that the commission deems necessary and appropriate.
5 Further, such preliminary report shall provide an implementation plan to
6 phase in such recommendations over a period of time that is no longer
7 than five years.

8 3. Following the issuance of the report and recommendations, for human
9 services workers employed by provider agencies in Medicaid-funded
10 programs, the department shall consult with the Centers for Medicare &
11 Medicaid Services prior to issuing the final report and implementation
12 plan to ensure federal financial participation and shall conduct an
13 actuarial analysis of rates, to ensure rate adjustments to support
14 increases in wages in the implementation of the recommendations.

15 4. The final report and implementation plan shall be issued no later
16 than March thirty-first, two thousand twenty-six.

17 5. The reports shall be made available to the public on the depart-
18 ment's website.

19 6. The commission shall be prohibited from submitting any report with-
20 out first holding a majority vote from the panel.

21 7. The commissioner may extend the reporting time up to ninety days,
22 if necessary.

23 § 697-e. Rules and regulations. The commissioner shall promulgate
24 rules and regulations necessary for the implementation of this article.

25 § 697-f. Severability. If any provision of this article or its appli-
26 cation to any person or circumstance is held invalid, the invalidity
27 shall not affect other provisions or applications of this article which
28 can be given effect without the invalid provision or application, and to
29 this end, the provisions of this article are severable.

30 § 3. This act shall take effect immediately.