BEFORE THE NEW YORK STATE SENATE FINANCE
AND ASSEMBLY WAYS AND MEANS COMMITTEES

JOINT LEGISLATIVE HEARING

In the Matter of the
2025-2026 EXECUTIVE BUDGET ON
LABOR/WORKFORCE DEVELOPMENT

Hearing Room B
Legislative Office Building
Albany, New York

February 26, 2025
9:38 a.m.

PRESIDING:

Senator Liz Krueger
Chair, Senate Finance Committee

Assemblyman J. Gary Pretlow
Chair, Assembly Ways and Means Committee

PRESENT:

Senator Thomas F. O'Mara
Senate Finance Committee (RM)

Assemblyman Edward P. Ra
Assembly Ways & Means Committee (RM)

Senator Jessica Ramos
Chair, Senate Committee on Labor

Assemblyman Harry B. Bronson
Chair, Assembly Committee on Labor

2025-2026 Executive Budget
Labor/Workforce Development
2-26-25

PRESENT: (Continued)

Senator Robert Jackson
Chair, Senate Committee on Civil Service and Pensions

Assemblywoman Stacey Pheffer Amato
Chair, Assembly Committee on Governmental Employees

Senator Steven D. Rhoads

Assemblyman Joe DeStefano

Assemblywoman Jo Anne Simon

Senator Alexis Weik

Assemblyman Jonathan G. Jacobson

Assemblyman Michael Durso

Senator John Liu

Assemblywoman Jodi Giglio

Assemblyman Matt Slater

Assemblyman Angelo Santabarbara

Senator Mario R. Mattera

Assemblyman Patrick Burke

Assemblywoman Gabriella A. Romero

Senator Nathalia Fernandez

Assemblyman Alex Bores

Assemblyman Clyde Vanel

Assemblywoman Yudelka Tapia

2025-2026 Executive Budget
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PRESENT: (Continued)

Senator Jabari Brisport

Assemblyman Al Taylor

Assemblyman Patrick J. Carroll

Assemblyman Steven Otis

Senator Peter Oberacker

Assemblyman Tony Simone

Assemblywoman Nikki Lucas

Senator Christopher J. Ryan

Assemblywoman Judy Griffin

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CHAIRWOMAN KRUEGER: Good morning, everyone. We're going to start, so if you would take your seats, please. Thank you very much for your attention and your timeliness, and I know that other colleagues will be joining us as we move along.

Hi, I'm Liz Krueger, chair of the Finance Committee. To my left is Gary Pretlow, chair of Ways and Means. We take turns running these hearings. Today is my turn. I'll do the opening statement officially in a few seconds, but I just want to go over some of the standard rules of the road, because if you don't sit here every day of your life the way some of us do, you might not know this.

You'll see clocks everywhere. They tell you how long you have to testify. Our government invited witnesses get 10 minutes each. Everyone in all the panels after the government invited witnesses only gets three minutes each.

Legislators are allowed to ask questions. The chairs of the relevant

committee get 10 minutes with the government representatives; the rankers get five minutes. Everyone else gets three minutes.

Very important for those of us who are the legislators: That clock is the amount of time you have both to ask a question and get it answered.

We do this every day, and it doesn't work every day. If you spend your three minutes asking a question, you will get no answer. They don't get extra time to answer when you take all your time asking the questions.

Some of us just like to make speeches. And you get three minutes to make your speech, but then you're not going to have a question or an answer. So just please think it through in advance.

And everybody who's testifying, whether you're getting 10 minutes or three minutes, some of you walk in with testimony that's 20 pages long. We appreciate that. Everyone's testimony, government and citizenry, goes up on our

websites in the Senate and the Assembly for everyone in the State of New York to read. We all have access to it.

If you try to read it, you're going to get through the first introductory page in your amount of time. So bullet-point the priorities for you that you want to make sure we know. Even say, When you get to read my testimony, you're going to be really interested in page 17. Okay? But don't try to read it, because then I just cut you off and I feel mean. But I will cut you off.

I think those are the basic rules of the road. Okay, we have two hearings today, so we're really feeling like we need to go at double pace. And we appreciate everybody's time and attention. So now I'm going to officially read the opening comments which are required.

So good morning. I'm Liz Krueger, chair of the State Senate Finance Committee, cochair of today's budget hearing.

Today is the 11th of 14 hearings conducted by the joint fiscal committees of

the Legislature regarding the Governor's proposed budget for state fiscal year '25-'26.

These hearings are conducted pursuant to the New York State Constitution and legislative law.

Today the Senate Finance Committee and the Assembly Ways and Means Committee will hear testimony concerning the Governor's proposed budget for the New York State Department of Labor, State Department of Civil Service, and the Governor's Office of Employee Relations. Oh, also Workers' Comp, so excuse me. That should have been on the list.

Let's see. Following each testimony there will be some time for questions from the chairs of the fiscal committees and other legislators.

I'm going to now introduce members of the Senate. Assemblymember Gary Pretlow, who is the chair of Ways and Means, will introduce his members. And then we will turn to our rankers, Tom O'Mara for the Senate and

Assemblymember Ra for the Assembly, to introduce their members.

So just to start, let me make sure I have the list. And again, more people will come in during the day and we'll introduce them as they get here.

We have Senator Liu, Senator Jackson, and Senator Chris Ryan from the Senate so far.

And Assembly?

CHAIR PRETLOW: Thank you, Senator.

Good morning, everyone.

Today we have the chair of our Labor Committee, Harry Bronson; the chair of Government Operations, Stacey Pheffer Amato.

Also joining us are Assemblymembers Bores, Vanel, Tapia, Taylor, Carroll and Otis.

CHAIRWOMAN KRUEGER: And Senator Tom O'Mara, to introduce the Republicans.

SENATOR O'MARA: Thank you.

We're joined by our ranking member on the Labor Committee, Steve Rhoads; our ranking member on the Civil Service

Committee, Alexis Weik; and Senator Rob Rolison.

CHAIRWOMAN KRUEGER: Assemblymember Ra?

ASSEMBLYMAN RA: Good morning.

We have our ranker on Labor, Assemblyman Michael Durso; our ranker on Government Employees, Assemblyman Joe DeStefano; and Assemblyman Matt Slater.

CHAIRWOMAN KRUEGER: And again, just before we start the testimony, for any legislators who think they have questions they want to ask, get to your chair or your ranker up here and let us know so that we put you on the list, instead of your thinking you're on a list and then being upset that we didn't call on you.

With that, we're going to start with Commissioner Reardon from the Department of Labor first.

DOL COMMISSIONER REARDON: Good morning.

CHAIRWOMAN KRUEGER: Good morning.

DOL COMMISSIONER REARDON: Now it's

on. Good morning. I'd like to begin by acknowledging Chairs Krueger and Pretlow. Thank you so much for inviting me to testify today.

Distinguished members of the committee, thank you for giving me this opportunity to discuss Governor Kathy Hochul's Executive Budget and provide details on our efforts at the Department of Labor. I am Roberta Reardon. I'm the New York State Commissioner of Labor.

The work of this committee and the entire Legislature is vital to the department's mission, and we truly value your partnership. Together we continue to champion our workforce, passing strong laws that preserve and protect both workers and businesses alike.

The Legislature and my department continue to put in the work to maintain our synergy for the betterment of New York State. I have met one-on-one with many of you and your esteemed colleagues over the past year. You know, transparency is a top priority to

Governor Hochul, and I want you to know that our doors will remain open to you this year and beyond.

Your constituents have high expectations. In this modern age we all have a heightened sense of urgency. And as an agency that has undergone a rapid but necessary transformation, we are in a better position now more than ever not only to meet their expectations -- we aim to exceed them.

One issue that impacts every worker, business and community across New York State is wage theft. The Governor's proposal to strengthen our enforcement capabilities will enhance our ongoing effort to crack down on bad actors. Her plan will give us the authority to levy liens and seize financial assets following an unpaid wage theft judgment. This will help us get money directly back into the pockets of hardworking New Yorkers. It also sends a powerful message that there is zero tolerance for wage theft in New York State.

Since 2017 the department has

recovered and disbursed more than $243 million in stolen wages. Last year alone, our investigations recovered nearly $34 million in wages for over 46,000 workers. We continue to work with law enforcement and labor partners to recover funds for New Yorkers.

You now have unprecedented access to our work in this space through our new wage theft investigation dashboard, which provides comprehensive information on wage violation cases, wages returned to workers, and penalties levied against violators.

The Governor vowed to make New York the safest state in the nation, and that extends to protecting the youngest members of our workforce. Young New Yorkers are the future of our economy, and early negative work experience can impact their career aspirations for years to come. Which is why Governor Hochul is advancing legislation to strengthen child labor protections. She wants to raise the maximum civil penalties and establish felony-level criminal charges

for violations that seriously injure our youngest members of the workforce.

We also want to make entering the workforce as simple as possible for young New Yorkers, but in order to do that we need to meet them where they are. The Governor is aware of that, which is why she wants to bring the working papers system into the digital age.

Taking this step will be transformative not only for young workers, but it will reduce the burden on employers and streamline the hiring process. We want to make it as efficient as possible for workers just starting to get ready to jump into the workforce.

Governor Hochul's focus on health and well-being also extends to families in the workplace. As the first mother to serve as Governor of New York State, she understands the struggle of balancing family and work. Thanks to Governor Hochul, New York is the first state in the nation to offer paid prenatal leave to pregnant workers. This

means never having to choose between a paycheck and a checkup.

Paychecks across the state are growing, thanks to the minimum wage increase. The state's lowest earners just received a bump in their pay by 50 cents per hour. The minimum wage will rise again next year before increases are tied to the rate of inflation.

Prenatal leave and the rising minimum wage are just two of the many initiatives the Governor has implemented in her effort to make New York a more affordable place in which to raise a family.

In order to better set New Yorkers up for success, especially the unemployed or underemployed, they must be able to learn the skills they need to succeed. Workforce development is absolutely essential to our economic survival.

We continue to lean on successful workforce development models, including registered apprenticeships, which help guide New Yorkers into stable, fulfilling and family-sustaining careers.

Registered apprenticeships give thousands of New Yorkers access to a debt-free form of higher education that is a job from day one. To begin a career with little or no debt these days is the very definition of affordable higher education.

The Governor continues to champion registered apprenticeships. Her budget calls for $10 million in new state funding to augment the expansion of these programs and grow opportunities for the next generation of our young workers.

I want to thank our esteemed Labor Chairs Senator Ramos and Assemblymember Bronson for joining me in November for our grant announcements supporting programs in their regions. While we have more than 17,000 active apprentices participating in around 900 programs across the state right now, more can and will be done. We are working with partners to explore ways to grow and enhance programming.

The department is also focused on strengthening workforce development for young

New Yorkers. The Governor is proposing $8 million for training in key industries such as artificial intelligence, cybersecurity, advanced manufacturing, healthcare, education and more.

This will involve collaborating with businesses, schools and community stakeholders to establish successful pathways for jobseekers and high school students. By investing in the next generation now, we are fortifying the future of our economy.

We're also busy building the next generation of the Unemployment Insurance system. We are now in the testing phase to ensure it works well for our customers. Once completed, this effective and efficient system will be a model for the entire nation.

The Department of Labor is so far from the agency we were just a few years ago, and I continue to marvel at our metamorphosis. We embraced evolution, and it has positioned us for continued improvement for years to come. With your support we have laid a very strong groundwork. The foundation remains

solid, fueled by the strength of dedicated civil servants who are committed to supporting the needs of their neighbors.

Now we focus on the future, a future that seems brighter each year, thanks to the leadership of Governor Hochul and the partnership of you, the Legislature. And with the support of this budget, we can continue to work together to build the strong, innovative and inclusive economic future that our state deserves.

So thank you for inviting me, and I now welcome your questions.

CHAIRWOMAN KRUEGER: Thank you. We're going to reserve questions until all of you go.

DOL COMMISSIONER REARDON: Perfect.

CHAIRWOMAN KRUEGER: So the next up is Timothy Hogues, from the New York State Department of Civil Service.

Good morning.

DCS COMMISSIONER HOGUES: Good morning.

Good morning, Chairs Krueger, Pretlow,

Jackson, Amato, Ramos, and Bronson, as well as distinguished members of your respective committees. My name is Timothy Hogues, and I am pleased to serve as the commissioner of the Department of Civil Service and the president of the Civil Service Commission.

I appreciate the opportunity to appear before you to comment on Governor Hochul's Executive Budget for fiscal year 2026, and to highlight all we are doing to build tomorrow's workforce today.

Since she has taken office, Governor Hochul has made it a top priority to rebuild the New York State workforce to reflect the people that we serve. And over the past year, Team Civil Service has been focused on achieving this goal.

An impactful strategy that we implemented is the NY HELPS program, which launched in 2023 and was expanded in 2024. This program, which temporarily waives the entrance exam for nearly all jobs open to the public, has resulted in nearly 24,000 appointments at the state level and nearly

6,000 appointments at local government agencies.

I want to underscore that NY HELPS has been a huge success in allowing state agencies and municipal governments to hire new employees more efficiently. And that is why we recently sought approval from the Civil Service Commission to extend NY HELPS for an additional year through June of 2026 as we continue our merit system hiring transformation.

The message has been simple and clear: It is easier than ever to get a job with New York State, and now is the time to apply.

To amplify this message, we implemented a highly successful marketing campaign -- in English and in Spanish -- to promote the virtues, benefits, and diverse opportunities available as a New York State public servant. Building on this success, Governor Hochul is proposing continued funding to allow for additional campaigns in the future.

As part of our campaign, we are

promoting the great benefits available to public employees. Through NYSHIP, we are proud to ensure that its over 1.2 million members have access to high-quality providers and services. We are pleased to report that there was a zero percent increase for enrollees of the Empire Plan for 2025, and this was due to the department's rebid of its pharmacy benefit manager contract. The new contract agreement is a five-year agreement and is estimated to save more than $600 million annually.

In 2024, we also launched new Centers for Careers in Government. We announced the opening of the first center here in the Capital Region in September, and since then all 10 centers have opened in regions across the state. Civil Service staff at these centers collaborate with our partners at the Department of Labor to provide comprehensive support to assist jobseekers.

And we're not done yet. 2025 is sure to be another pivotal year. For years we've heard concerns that exams are offered too

infrequently and at inconvenient times over the weekend. Enter our new computer-based testing centers. We anticipate opening nine centers by the end of this calendar year, and all 12 testing centers will be open by the end of 2026.

Coupled with waiving civil service exam fees through June of 2026, these centers will boost access to exams in regions all across the Empire State.

The law enforcement field is one that will greatly benefit from the new testing centers. Ensuring that New York's communities are safe is a top priority for Governor Hochul, and she has proposed several legislative and administrative actions aimed directly at bolstering the ranks of public safety officials.

Further, we realize that not everyone goes to college, and our stakeholders asked us to consider the value of a candidate's experience. So we are currently updating the minimum qualifications for titles to allow experience to substitute for college degrees

where appropriate.

In addition, we boosted pay for licensed engineers and other similar titles requiring licensing, as well as for professional traineeships and fellowships.

More broadly, the department is undertaking a comprehensive study to modernize the civil service pay structure, which dates to the 1950s. This study is being conducted to review cash and non-cash compensation and benefits and recommend strategies to ensure they are competitive with both public and private employers.

We have also released a request for proposal for a new job evaluation solution to allow the department to value jobs accurately and consistently, and affirm pay equity for jobs across diverse occupations.

Finally, the department is currently undertaking a comprehensive strategic planning effort to engage a variety of stakeholders and develop the future vision for the civil service merit system. This transformation will focus on customer

service, sustainability, and on-boarding best practices aimed at recruiting the next generation of public employees and leaders.

As part of this effort, the department will leverage technology to develop a customer-friendly, fully accessible, innovative jobs portal and applicant management system. The new system will ensure we build a workforce that mirrors the diversity and ability of all New Yorkers. The ultimate goal is to develop new automated processes to improve the experiences of both candidates and HR professionals and orient hiring practices toward matching the most qualified candidates with open positions quickly, efficiently, and equitably.

Our work, under Governor Hochul's leadership, contributes to the noble and basic philosophy that public servants should earn a solid, decent wage, which in itself helps lift up and support the middle class.

I would be remiss if I did not give a proper shout-out to Team Civil Service. None of this would be possible without the

dedicated employees of our department. They're willing to listen, and they're eager to implement changes so that Civil Service can better support the future success of our customers.

And I'd like to take this time to thank you, our partners in the Legislature. Your investments allow us to be forward-thinking and innovative in our solutions, while being responsive to the needs and concerns of our customers. With your support and partnership, we will continue to remove barriers and improve the process to bring in and retain the best and the brightest for New York State Government.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

And next is Michael Volforte, New York State Governor's Office of Employee Relations.

GOER DIRECTOR VOLFORTE: Good morning, and thank you.

Good afternoon Chair Krueger, Chair Pretlow, other respected chairs and

honorable members of the Assembly and Senate. My name is Michael Volforte, and I am the director of the New York State Office of Employee Relations.

Thank you for the opportunity to speak with you about Governor Hochul's Executive Budget proposal for fiscal year 2026 as it relates to our agency and the state workforce.

Over the past year, we negotiated four collective bargaining agreements covering employees in law enforcement. All of these agreements contained compensation increases in each year of the agreement and introduced cost-saving measures that preserve health insurance benefits while helping to control the growth of costs borne by both employees and the state.

As was true with agreements in 2023, all the agreements reached included paid parental leave. This leave provides 12 weeks of leave at full pay for bonding with a child at birth, adoption, or foster care placement. This benefit provides much needed time for

new parents to bond with new family members without having to make undue financial sacrifices.

Negotiations continue with two unions with expired agreements. Our approach in these negotiations will remain consistent with the Governor's message of being fair to employees and ensuring that state agencies are positioned to deliver outstanding service to New Yorkers.

Last year, in addition to negotiating these contracts, OER undertook several additional initiatives consistent with the Governor's focus on making life affordable for New York State government's hardworking employees and their families.

Under the Governor's direction, after the Legislature passed legislation authorizing it, we eliminated the five-day salary deferral program for most new state employees.

OER also executed a public awareness campaign highlighting the benefits of the Public Service Loan Forgiveness Program to

our eligible employees and encourage them to reduce the burden of repaying student loans. This included social media campaigns and directions to agencies on how to integrate the Public Service Loan Forgiveness Program into their intranet sites and on-boarding materials for employees.

OER significantly increased the annual cap on tuition reimbursement programs available to our executive-branch employees in multiple bargaining units. This helps make it more affordable for our employees to take the initiative to upgrade their skills and open the door to new professional opportunities. In many bargaining units, employees can be reimbursed for up to $5,000 of qualifying tuition expenses in this calendar year, and with additional money available for certain employee groups such as registered nurses.

We also expanded the availability of programs that offset some of the costs borne by employees to renew licenses required to perform their jobs.

In the coming year, we're excited to continue our pursuit of initiatives consistent with the Governor's emphasis on making life more affordable for working families. Under the Governor's leadership, we have worked extensively with the Office of State Comptroller and the Division of Budget to develop the voluntary payroll advance for new executive-branch employees that is reflected in this year's budget proposal.

This implements the Governor's direction that we mitigate the effect of the lag payroll on our new employees and does so in a way that minimizes administrative costs and disruptions.

We're actively preparing for our next round of bargaining with the employee unions whose agreements expire in early 2026. The Governor has directed my office to focus on developing proposals that will further our emphasis on affordability while ensuring that the state has the operational flexibility it needs to efficiently deliver services to all New Yorkers.

OER will also be engaging our union partners in a dialog about modernizing our Employee Assistance Program and expanding its focus on both the mental health and physical well-being of our employees. The Governor believes that there are significant opportunities to work within the already negotiated labor-management funding levels to increase the value of EAP for employees, and we are enthusiastic about pursuing that vision.

Consistent with the Governor's State of the State message and our requested budget, our office will once again take the lead on providing additional diversity, equity and inclusion training for the state workforce to foster a work environment of inclusivity and continue to move New York forward as an employer of first choice.

This year, in collaboration with the state's chief diversity officer and chief disability officer, OER will roll out video-based training on workplace accessibility issues. This follows our

successful November 2024 event where we convened leadership from all executive-branch agencies to highlight the importance of making our state workplaces accessible to all New Yorkers.

As you all know, our office offers a number of pre-tax programs for state employees that save them pre-tax dollars for various healthcare, dependent care and transportation expenses. Last year there were over 22,000 enrollments in the various programs.

We continue to make our pre-tax program even more attractive by allowing individuals to roll over the maximum amount of funds from 2023 into 2024 for the healthcare spending account and provided a grace period for our dependent care advantage account and adoption expenses flexible spending accounts, where employees can use utilize the 2023 balance in the first couple of months of 2024. We'll continue these programs again for this year as well.

These programs continue to be tools

that allow employees to deal with the affordability of healthcare, dependent care and adoption expenses, and we will strive to expand participation in the coming year.

In sum, under the Governor's leadership our office is actively engaged in support of programs that make life more affordable for executive-branch employees and their families and empower them to protect their mental and physical well-being while providing outstanding service.

Thank you.

CHAIRWOMAN KRUEGER: Thank you very much.

And while we're not always joined by the New York State Workers' Comp Board, there were special requests for you to join us today. So welcome, Clarissa Rodriguez, the chair and commissioner.

WCB COMMISSIONER RODRIGUEZ: Thank you so much. Happy to be here.

Good morning, Chairpersons Krueger, Pretlow, Ramos and Bronson and other distinguished members of the New York State

Senate and Assembly committees. Thank you for this opportunity to testify before you today at today's hearing.

My name is Clarissa Rodriguez, and I am honored to serve as chair of the board. I'm pleased to speak with you today as I know we share a dedication to protecting and serving New York's workers and employers.

Many things have changed in the more than 110 years since the board has been established, but our core mission -- to protect the rights of employees and employers -- has not wavered. As you know, the board is a special revenue agency that acts as a court system for the Workers' Compensation Program and administers several other important worker benefits.

We ensure that wage replacement and medical benefits are in a timely manner consistent with laws and regulations governing workers' compensation, disability benefits, and paid family leave, as well as volunteer firefighter and volunteer ambulance worker laws.

We also engage in outreach and education on the important benefits we administer and engage in other services to help workers get back to work and resume their daily lives.

The agency has a policymaking body of 13 board members, including myself and a vice chair, who serve for seven-year terms and are confirmed by the Senate. We're a full-time, paid board made up of professionals from the workers' compensation industry, business, and labor from across the state.

Then we have our executive team, deputy directors and remaining staff that handle the day-to-day operations of the board, for a total of 1,054 staff. We have nine district offices as well as hearing points and customer service centers throughout the state.

And in October, the board was pleased to reopen to the public for in-person hearings and other services by appointment for the first time since March of 2020. Our virtual hearing center, which enabled the

board to operate uninterrupted during the pandemic, continued to be the statewide standard.

But today I'd like to focus on three key areas of our work: Governor Hochul's five-point plan to improve injured workers' access to medical care in the workers' compensation system; the many enhancements that we've made to the system; and the 2025 updates that are putting more in workers' pockets and providing savings for employers.

Let's start with Governor Hochul's exciting proposals to transform medical treatment in the workers' compensation system. These include universally authorizing all eligible licensed healthcare providers in good standing to treat workers' compensation patients. Currently only providers authorized by the board may treat. Universal authorization will enable injured workers to see any licensed healthcare provider who is willing to treat them, including their own primary care provider.

Next, allowing resident and fellow

physicians to treat injured workers under a supervising faculty member the same way that they do for regular health insurance. This will increase provider participation at New York's renowned academic hospitals and healthcare systems.

Also, amending the Insurance Law to codify a 2006 general counsel opinion from the Department of Financial Services directing healthcare insurers to pay for medical treatment for workers' compensation claimants with no copay while their workers' compensation claim is being disputed. This ensures the workers get the medical treatment they need and that providers will get paid in a timely manner. If the claim is ultimately compensable, the health insurer will be reimbursed by the workers' compensation insurer.

Next, amending the Workers' Compensation Law so that workers' compensation insurers can pay for medical treatment without accepting liability for up to one year in medical-only cases. In

addition to helping injured workers get timely care, the provision requires insurers to notify injured workers that such payments are being made and that unless their claim is disputed, they will automatically be accepted at the end of the one-year mark.

And finally, increasing the board's medical fee schedules. The Governor's plan will ensure that board rates are consistently higher than Medicare and in line with regular health insurance.

The Governor's proposals complement the many administrative actions that the board has taken to increase provider participation in the workers' compensation system, including transitioning to a universal billing form, creating an online system for medical disputes, implementing telehealth regulations, and reducing the need for provider depositions.

Currently only 10 percent of licensed medical providers in the state are authorized to treat workers' compensation patients. The Governor's proposals will significantly

expand the number of licensed medical providers while making system improvements.

And these proposals are just a start. The board looks forward to working with our partners and the medical community to address feedback and continue making the system easier and better for providers to participate.

The board is amid a historic multiyear business modernization program called OnBoard through which we're replacing our paper-based workflows and systems with web-based solutions that offer more automation and better data capabilities. The board launched the first phase of OnBoard in 2022, moving the paper prior authorization request process online. By expediting the process, the change has expedited treatment.

At the end of 2024, the board launched the first eForm for claimant attorneys to request action from the board, including hearings. This form has already helped reduce the time to get expedited hearings by 10 days.

Also, reducing time to schedule and hold hearings continues to be a top priority. We now have over 200 judges, up from 75 judges only two years ago, and are hiring more so that we can continue reducing the time frame from the date a hearing is requested to the date that hearing is granted.

Changes in workflow implementation of the new online form to request hearings, and additional staff, have already enabled the board to reduce hearing times by more than 30 percent.

Last year we heard suggestions from the Legislature on ways we could improve the board's indexing of cases. We listened. And in 2024 we expanded our case indexing. When the board issues a Notice of Index, the career must accept or controvert the claim within 25 days so the injured worker knows the status of their claim.

In the past six months we have begun indexing every case when a report of injury and medical evidence -- which makes for a

complete claim -- is filed with the board. This means that 25 days after indexing these cases, the payer will have waived most defenses to the claim unless they have filed a timely denial of the claim with the board and the worker claiming benefits.

Under this new indexing system, we have tripled the number of case that are indexed.

With affordability high on her agenda, Governor Hochul has been working to put money back in the pockets of New Yorkers, and the board is pleased to also play a role in this. This year, injured workers as well as those who need to take leave to care for a loved one are receiving higher benefits than ever before. On January 1, the minimum workers' compensation weekly benefit increased to $325 per week. That's more than double what it was a decade prior to 2024.

And starting July 1, 2026, the minimum comp rate will be indexed to the state's average weekly wage.

And this year, the total maximum

benefit a worker may receive for paid family leave is $300 more than in 2024.

The board is also making workers' compensation more affordable for employers. As of January 1, the assessment rate is 7.1 percent of the standard premium or premium equivalent. And that's a 22 percent decrease from 2024, which is expected to save New York's businesses approximately $191 million.

In summary, the board is working hard to create a system that is better for workers, better for business, better for families, and better for New York State. We're very excited about the Governor's proposals and look forward to collaborating with the Legislature, now and in the future, to do our part to make New York healthier, more affordable, and a place where all families can thrive.

Thank you for your time today, and I'm happy to answer any questions that you may have.

CHAIRWOMAN KRUEGER: Thank you all

very much.

Before we start the questions, I'll just take a moment to announce that we have been joined by Chair Ramos, Senator Fernandez, Senator Brisport, Senator Rolison, and Senator Mattera.

Any Assemblymembers join us?

Oh, and Senator Oberacker, excuse me. Thank you.

CHAIR PRETLOW: And we've been joined by Assemblymember Burke, who I think has already departed, Assemblywoman Romero, and Assemblywoman Simon.

CHAIRWOMAN KRUEGER: Thank you. Okay, Senator Jackson, chair, will be the first questioner.

SENATOR JACKSON: Good morning, everyone. How you doing? Good to see you all. I have a question I'm addressing to all of you, because on the news I heard our Governor, Kathy Hochul, say that those individuals who were fired or laid off from the federal government, please come to New York State to work.

And my question to each one of you is: What is your agency going to be doing, if you have a thousand people lined up for these jobs, in order to put them into the system? And so that's open to each one of you. I'd like to -- since when you talk about the employee relations, that's at the highest level of the state; civil service; labor; workers' compensation. So please, I want to hear what you know, if anything.

DOL COMMISSIONER REARDON: May I start?

SENATOR JACKSON: Sure.

DOL COMMISSIONER REARDON: First of all, thank you very much for that question. And thank you to the Governor for this opportunity. It is no secret that we have open positions across the state in state government.

SENATOR JACKSON: Approximately how many?

DOL COMMISSIONER REARDON: I don't have that number. I bet Michael Volforte has a better number than I do.

GOER DIRECTOR VOLFORTE: Approximately 8,000.

DOL COMMISSIONER REARDON: Thank you very much.

So we are here, the doors are open, our staff is ready. Unfortunately, we don't know -- we don't have specific information on these workers because the federal government does not have to do a warn notice. So we are not able to do our usual warn -- you know, outreach to the workers.

But when they notify us that they're interested, we will immediately sit down with them, as we do with any New Yorker who needs a job, and help them if they need to rewrite their resume, because maybe they've been working for the federal government for 10 years and they need to refresh it. Help them with interview techniques. Again, they may have been working for quite a while and the workforce has changed, the way that people get into work has changed. So we're ready to give them all of those services.

And of course we're going to work very

closely with my dear friend Tim Hogues at Civil Service to make sure that they understand, you know, from our perspective what's open, what they need to do. But we really are very, very interested in these new workers who, frankly, many of them live in New York State: Come work for the state.

SENATOR JACKSON: And Commissioner Hogues, I know you discussed about NY HELPS. So how is NY HELPS helping the New Yorkers that may be impacted by the craziness in Washington, D.C.?

DCS COMMISSIONER HOGUES: Yeah, thank you so much, Senator Jackson. Actually NY HELPS has set up agencies to be able to handle this type of wave of individuals looking for opportunities.

And so if you think about it, in 2023-2024 when we expanded NY HELPS, agencies started receiving thousands of applications for jobs that we previously hadn't received that many for. And so agencies started preparing HR teams to make sure that they're able to handle that. And so if they go to

that website, it is easier than ever, like I said in my testimony, to connect and start your employment career with New York State.

Because right now the NY HELPS program temporarily eliminates the need for individuals to take a civil service examination for most entry-level jobs that are open to the public. And so we have worked on this for quite some time in streamlining that process for individuals to apply.

Now, I must say that they must meet the minimum qualifications to the positions that they're applying for to be considered. But I believe we're ready.

SENATOR JACKSON: And Director Volforte, what are you hearing, as the director, with respect to the wave of employees that may come looking for employment here? Since our Governor basically has opened the door and said: We are the State of New York; if you live here, we have a job for you, and hopefully we'll just slide you right in under the NY HELPS

program.

GOER DIRECTOR VOLFORTE: I'm hearing very similar things to what Commissioner Hogues addressed. We've got so many vacancies that agencies are happy to have any influx of talent to consider.

And I know just in my own agency, with the number of postings, we've actually seen individuals currently employed by the federal government apply for those job postings. And as you know, we have a lot of technical jobs. And those applicants, at least on paper, look like, you know, a match.

So it's very good to have additional candidates in addition to the normal pool so that we can fill these vacancies in all agencies that we have.

DCS COMMISSIONER HOGUES: Senator Jackson, I just want to make one thing clear. You said "slide individuals in." And so once again, I just want to make sure that we're clear that individuals have to meet minimum qualifications and compete in that type of stuff and submit their resume and

application, and it will be reviewed with others that are applying.

So it's not like we're giving a fast track, but they have that opportunity to apply.

SENATOR JACKSON: And Chair and Commissioner Rodriguez, what do you anticipate as far as individuals and New York State as a result of things that are going on, the impact of people filing for workers' compensation, if any?

WCB COMMISSIONER RODRIGUEZ: Yeah, well, I'll start by saying that we're also happy to welcome them to the board.

We actually, just like the other agencies across the state, have a shortage ourselves. We're looking for good attorneys. You know, we're an administrative adjudication agency. We adjudicate these cases and we actually welcome attorneys. And we have district offices across the state.

So if you're interested in working for the board and you're listening to this hearing, please go to our website for our job

postings.

As far as the impact on workers' compensation, look, I mean, we -- we're here to make sure that we're protecting injured workers and, you know, ensuring the rights of employers as well. Right? So if they happen to be in an occupation where they happen to, you know, have a workplace injury or illness, we're here to protect them. And New York has some of the strongest protections when it comes to workers' compensation, so it's a good place to work.

SENATOR JACKSON: Let me ask a specific question for Commissioner Hogues. So you've talked about the NY HELPS program. But how many appointments have there been and how many appointments are still employed and what is the Department of Civil Service doing to ensure a smooth on-boarding of new employee satisfaction?

DCS COMMISSIONER HOGUES: Thank you for that question.

As I mentioned in my testimony, at the state level we've appointed approximately

24,000 individuals to -- through the HELPS program. Now, the 24,000 appointments don't equate to new employees. We have employees that were currently with the state that took advantage of the HELPS program to move to different jobs.

We've looked at the attrition rate, and we haven't seen a great increase in it as far as we look at the percentage of individuals that have entered and that have flowed through state government. So we believe it's been a very successful program.

And at the local level, I mentioned that there have been almost 6,000 individuals that have -- excuse me, 6,000 appointments at the local level. And I was just at the NYSAC Conference last night, and they came up and they were saying, Hey, we appreciate what's going on with HELPS. It is allowing us to hire individuals and fill up our ranks.

And so it has been a great filler while -- while we look at how we're going to transform civil service into the future.

SENATOR JACKSON: Those employees that

are looking for help as far as employment, do they go to the Department of Civil Service or do they go to the Department of Labor?

DCS COMMISSIONER HOGUES: They can go to both, actually. We have teamed up with the Department of Labor. We're collocated throughout the state in 10 DOL Career Centers to make sure that individuals have that opportunity to gain gainful employment.

DOL COMMISSIONER REARDON: I should note when we do job fairs, we try to have state agencies and municipal agencies attend as well, and we make sure that there's somebody from Civil Service on-site so people can understand what the process is.

Because we want people, good people working in the State of New York. We want to make sure that they know they have that opportunity across the state.

SENATOR JACKSON: Commissioner, how long -- have you seen, in the Department of Labor, an increase in people applying for unemployment insurance as a result of everything that's happening? And how long is

it taking for people -- if they've put in their application for unemployment, how long is it taking for them to get it?

DOL COMMISSIONER REARDON: That's an interesting question.

So some of the people who are working in the federal space, as I understand it, are not officially fired yet. So there's a lag. People who may have taken the buyout, they have a different situation.

Any federal employee in the State of New York who is genuinely laid off can come to us and apply through our unemployment insurance system. But the money that pays their unemployment is a federal fund, and it does not come out of the New York State trust fund. So there will be no impact on the UI trust fund here in the State of New York. They're paid federally. But it's the same process.

And I haven't heard any -- I haven't heard any statistics. But it's within the last two weeks, frankly. Anybody who applies, there's a lag week and then the

payment should start. The people who have who are uncertain of their status, that's a difficult place for them to be. But if they really are laid off, they should absolutely pick up the phone -- or don't pick up the phone, go on the computer. Please don't pick up the phone.

(Laughter; overtalk.)

DOL COMMISSIONER REARDON: And go on the computer and file.

SENATOR JACKSON: Let me thank you all for coming in.

DOL COMMISSIONER REARDON: Thank you.

CHAIR PRETLOW: Labor Chair Harry Bronson.

ASSEMBLYMAN BRONSON: Thank you all for being here today. Really appreciate it. And I also want to publicly thank you all for being accessible and being a good partner in government.

I'm going to start with Commissioner Reardon and talk about unemployment insurance first of all. As you know, we have a current unemployment debt in connection with the

federal trust, or the federal government. And the FUTA credit is going to be reduced as a result.

The first question, can you tell me what the debt amount is currently? And in addition to that, what would be the amount to make the state trust fund solvent so that we could begin to raise benefits?

DOL COMMISSIONER REARDON: So currently the trust fund is at about $6.3 billion in deficit. And in order to make this -- so you'd have to pay that back. In order to raise the benefit, the state law also says you have to have an additional cushion, and that brings it up to about $8 billion.

ASSEMBLYMAN BRONSON: Eight billion, okay. And as you know -- I mean, this is helpful for businesses. Myself, as a past small businesses owner up to last year, was impacted by this. And in particular it really -- it's a burden on small businesses.

But importantly, we can't raise -- the benefits that are scheduled in current

statutory law, we can't raise because we have this debt.

So the Governor's proposal is to pay off $165 million of the interest. That really doesn't help us pay off the debt. What plans, what ideas has the Department of Labor thought of to get the trust fund solvent so we can begin to raise benefits for our workers?

DOL COMMISSIONER REARDON: So first of all I want to thank the Governor for paying the -- it's called the IAS, it's an assessment, for this year's interest. It's about $169 million, I think. And this is something the business community has been very avid about. And so at least -- it's not everything, but it's a good start in the right direction.

We do not -- we at the department don't have oversight of the budget to pay off the trust fund. That's -- you know, that's a discussion with the Governor and with you and, you know, people in Budget and all of that.

The trust fund will be solvent, at this rate, in 2027. And the federal government has set the rate by which that debt is repaid. And we don't have any -- you know, we don't have any mechanism over it. That's a federally determined repayment system. So it will be solvent in 2027.

ASSEMBLYMAN BRONSON: So with that repayment timetable you're giving, though, that means it's going to be substantially more burden placed on employers to pay it down, right?

DOL COMMISSIONER REARDON: It will go up -- I have a percentage, I can find it for you. It's not -- it doesn't -- it goes up this year and I think it goes up a little bit next year but not terribly.

Interestingly, almost half the employers in the state pay the minimum because the rate is your experience rate, how many people churn through your employment in a year. There are certain industries like construction and hospitality where it's a very high churn rate. And they have a very

high rate because of it.

There are other very stable employers that nobody leaves. They're very stable. A lot of small businesses don't actually have churn, so their rate is the flat rate of -- I think it's 2.3 percent.

ASSEMBLYMAN BRONSON: Okay. So, you know, our experience here in New York State is that we borrow from the feds more often than most other states. And part of that is because the formula we use to fund our trust fund is based on the current taxable wage base.

Have there been discussions to, you know, look at that and revise how we are funding this trust fund? Because, you know, who knows when we're going to have another recession, right, especially with what's happening at the federal level. So have we looked at the formula to fund the trust fund?

DOL COMMISSIONER REARDON: I believe that's a legislative initiative. So, I mean, we could certainly sit with you and have that conversation, but I don't think we would

initiate it.

ASSEMBLYMAN BRONSON: Okay. All right. Turning to another topic, and that is the enforcement efforts of the Department of Labor. As you know, we have recently passed a number of worker protection bills, the Fashions Act, the Warehouse Worker Injury Bill and others. And the Retail Workers Bill. There was no increase for full-time equivalents in the proposal. Yet we have, you know, more requirements coming to your department. Plus we also know we need to do more on wage theft enforcement.

You know, how are you going to handle all these other responsibilities without requesting an increase in full-time equivalents?

DOL COMMISSIONER REARDON: It's a great question. And I thank you for asking.

First of all, I want to say thank you again for the $25 million that the Legislature gave us a couple of years ago. That has been a godsend. Worker Protection has used every penny of it to hire up staff

and make sure that we have, you know, the kinds of people that we need.

And again, NY HELPS has been amazing. It has really, really helped across the agency, frankly. We have -- I have the number here. It's surprising how many people we've been able to hire.

Thank you for lifting the hiring cap when she came in, to Governor Hochul. Because we were frozen for a very long time.

So we are looking at all of these various ways to solve the problem. We have worked with our -- inside the agency realigning reporting so it's flatter, it's not a lot of steps to reporting, so more people can actually be doing the business. We are retraining our folks. We understand -- I tell everybody if you're doing the same thing you were doing six years ago, you're probably doing it wrong, because the world has changed. So we are changing with it. We are getting digital tools.

But the fact is I could flood the zone with thousands of new employees, and at the

end of the day, if I cannot force that employer who has stolen wages from their workers to pay their debt, that theft will not stop. So thank you to the Governor for finally giving us the stick we have asked for and the ability to levy -- you know, assess liens, seize property.

This is what the UI folks do on the other side of the table, and they are very successful in making sure that people pay what UI says they owe. So thank you for the stick. We will be using it if you agree.

ASSEMBLYMAN BRONSON: All right. So I'm not going to ask a question but I'm just going to put on the record, though, you know, I am interested in the Article VII language in connection with having warrants go to the sheriffs. And I want to make sure that we have due process protections and things of that nature.

But I want to get to my friends at the Workers' Comp Board while we still have a few minutes. So, Chair, as you know from our conversations, I firmly believe the workers'

comp system should err on the side of injured workers. But at the very best, it ought to be neutral as it compares to injured workers and insurance companies, slash, employers.

That's not historically what has happened in the last couple of decades. Unfortunately, it seems to be a very burdensome system. It doesn't seem to do what we want to have happen -- get medical treatment as quickly as possible, get the wage replacements done. And if we get medical treatment, hopefully get people to return to work and continue to participate in the employment setting.

Some of your proposals seem to head to that direction of trying to get the benefits to the injured workers. But I don't think they're really getting to the real problem. The real problem is the complexity of the forms. The real problem is that we don't have an opportunity -- and I heard your testimony about the shortened time to get a hearing and things of that nature. But hearings aren't as timely as they should be,

and the forms are very complicated.

So you can authorize and code all the physicians and other medical providers you want, but we have providers who are already coded who are leaving the system because of the complexity of the forms.

And I don't know about the on-boarding that you mentioned, but what are we really doing to streamline the system, make the forms functional instead of being, you know, form over substance, and really getting our injured workers the medical treatment they need and they deserve and the system is supposed to be set up to give them?

WCB COMMISSIONER RODRIGUEZ: Thank you so much for that question.

You know, I agree and so does the Governor, that regardless of income or where you're located, you know, every worker should have access to speedy medical care and treatment and the wage replacement benefits that they deserve so that they can go back to work and resume their daily lives.

I think these proposals should be

taken as a whole, as an attempt to, yes, bring more providers in the system and address some of the pain points that are affecting injured workers right now and our barriers, but also looked at together with all the other improvements that we've made over time to the system to make it easier for providers to navigate the system.

Like what you're saying, we've actually reduced the number of forms that a provider has. You know, we've eliminated like 12 custom forms. We've moved to the universal billing forms. We have medical portals. Now we have an online way for providers to engage with us when they're going to submit prior authorization requests and other -- and their billing disputes.

So we also are doing what we can to streamline the system so that providers have a better time navigating and treating injured workers. And ultimately that's what authorization is about, right? By automatically authorizing all providers, yes, we're increasing the pool, but we're also

paying them more. We're also going to make sure that they are well-trained so that they know how to navigate our system and are able to treat injured workers.

ASSEMBLYMAN BRONSON: Thank you very much.

CHAIRWOMAN KRUEGER: Thank you. Next is Chair of Labor Jessica Ramos.

SENATOR RAMOS: All right. Good morning. Buenos dias, everybody.

I want to pick up where my Assembly counterpart left off in terms of UI. For a while now we've been tracking and hoping that Uber and Lyft pay what they owe to the system, and it's my understanding that we've come to a settlement. And I'm wondering if at least the first payment has been made and whether they're actually complying with the order.

DOL COMMISSIONER REARDON: They are complying.

SENATOR RAMOS: They're on time making their payments --

DOL COMMISSIONER REARDON: Yes. Yes.

SENATOR RAMOS: -- of what they owe?

DOL COMMISSIONER REARDON: As far as we know.

SENATOR RAMOS: Well, that's good to hear.

One thing I understand wasn't covered in your testimony, Commissioner Reardon, was the expected impact of federal funding cuts that might take place. How is the DOL preparing for that catastrophe?

DOL COMMISSIONER REARDON: So as you can imagine, this is a very fluid time. It has happened very quickly, and we don't really have any hard information.

The "pause" has been paused. So, you know, there was that one day when money was absolutely stopped, and then that has gone away. So we're not -- we don't have any funds paused at this moment. And we are not hearing anything directive from USDOL at this point. We are waiting to hear.

As the Governor has said -- you know, most of my funding is federal money. And this is money authorized by the Legislature

and signed. So this is a contract between us and the federal government. And we expect all of that money to appear because it's already in law.

Going forward -- and I know that they're in budget talks right now in Washington -- that could change. And we are trying to do some preparedness inside the agency, but it's actually very hard to tell which way things are going to go.

All of the funding that we have, with a few exceptions, is nationwide. So WIOA funds cover every state in the nation and the territories. You cut New York's funds, you cut Alabama's, you cut Alaska's, you cut Texas. And so I think that that might help a little bit. But, you know, we're waiting to see.

And we are prepared to continue to deliver the services that we always have. Our doors are open, our people are at work, and we will continue to do that until we can't.

SENATOR RAMOS: Well, very good. I

think I speak for everyone when I say that we're bracing for impact, and we're really here to support your efforts.

Because what you did share in your testimony was the amount of wage theft that was recovered this year, so we know that it's a pervasive issue here in New York State -- $34 million in wages for over 46,000 workers. So I'm wondering what percentage of wage theft cases that come before you are being successfully sought through to the end.

DOL COMMISSIONER REARDON: I don't actually have that figure. I can get it for you. You know, we -- you know, we take every case and assess them.

SENATOR RAMOS: Do you feel you have the number of investigators you need?

DOL COMMISSIONER REARDON: You know, I never say no to help. But again, you know, the $25 million that we got from the Legislature a couple of years ago really has helped, and Tim has helped.

We are -- one of the things about our investigators and inspectors in worker

protection, they're a specific kind of worker. It's not the kind of job that just anybody can walk into and do. It's a tough job. You're out in the public, you're being aggressive with an employer. And nobody's happy when these people show up at your place of business. So they require a lot of training.

We are very intentional in the way we hire. We want cultural competency because the workers in New York State are multicultural.

SENATOR RAMOS: Do you have many bilingual investigators?

DOL COMMISSIONER REARDON: We do, actually, in worker protection. And not just Spanish/English, we have various Chinese, Haitian Creole. It's a good mix, I must say.

And that's extremely helpful, because you can imagine talking to a worker who feels afraid to even talk to a government officer and then has to talk in a different language. We take that that very, very seriously.

SENATOR RAMOS: Commissioner, has

there been an uptick in child labor that we've seen in New York State?

DOL COMMISSIONER REARDON: So, you know, there was that big expose I think last year, and it was really more about poultry plants in the Midwest. And really horrifying. You know, young kids working overnight cleaning, you know, cutting machines in processing plants.

We have much less of that here. There is -- you know, we go out, we've been out quite a bit this year and last year to make sure that people are complying. It's been a real focus for the Governor. But it's more like ski resorts that give kids, you know, time on the slopes instead of paying them.

SENATOR RAMOS: Movie theaters. Movie theaters as well who are --

DOL COMMISSIONER REARDON: I'm sorry, say that again?

SENATOR RAMOS: Movie theaters as well who are -- that are having young kids stay past the number of hours they're supposed to work.

But I ask because the Governor is proposing increasing penalties for employers -- rightfully so -- but the bill also includes language giving the DOL unilateral authority to reduce or eliminate those penalties. And that really scares me, because I don't want there to be any special treatment for anyone who's trying to break the law.

DOL COMMISSIONER REARDON: So I'm right there with you. And, you know, we do a lot of work, a lot of educational work with employers. That's one of the reasons we've gone out and done these compliance meetings with various groups of employers.

What she's talking about is if somebody has an administrative issue -- let's say they're keeping the working papers at a central location instead of at the site of employment -- that's fixable. So they would pay -- the recommendation is, the proposal is they would pay the fine, it would be a reduced fine, and then they would have to take a certain amount of training, their

managers would be trained. They have to set up a written plan for how that's not going to happen again. And then for 12 months afterwards they would submit records so we can see that they're actually following the plan that they wrote.

Our focus is to make sure that young workers are protected. And, you know, they do have limited hours, they have limited occupations. That's for their safety.

SENATOR RAMOS: Yes. Well, I'm hoping that in those circumstances the DOL circumvents penalties or fines that have to do with child labor laws being broken.

Mr. Volforte, I have a question for you today. I am aware that late in 2024 a member of our Public Employees Federation took his life, largely because of a toxic work environment in our state agencies.

And in response to so much feedback that I've received as chair of the Labor Committee from our state employees about toxic work environments in our agencies, I introduced an anti-bullying

bill -- it was S4925 -- and the Governor vetoed it.

I'm wondering what steps you're taking to improve mental health and workplace dignity for public employees. Is this something you're proactively working on? I would be very, very concerned.

GOER DIRECTOR VOLFORTE: I think we're all concerned about employees' mental health and well-being in a number of roles and throughout the state.

As I mentioned in my testimony, one thing that we're looking at is we have an Employee Assistance Program where employees for 40 years have been able to go and get assistance. We're looking to make better use of that. And we have --

SENATOR RAMOS: How?

GOER DIRECTOR VOLFORTE: -- some initiatives.

SENATOR RAMOS: Better how? Are you getting rid of the people who are bullying workers?

GOER DIRECTOR VOLFORTE: Well, the EAP

program is not that. The EAP program is specifically dedicated to helping employees, and we're going to be working with our unions to be able to better position mental health and well-being benefits for those employees.

In terms of what is misconduct in the agencies, a supervisor or employee creating a toxic work environment, the Governor has been very clear: That's misconduct. If it's not related to protected class status, then it's an agency's responsibility to investigate that and, where it occurs, eradicate it. And we've been very clear --

SENATOR RAMOS: Let's say a worker is harassed, you know, by their supervisor and is being harassed, you know, in a very clear unprofessional way. What are the consequences?

I mean, my understanding is that people are getting shifted around from one agency to another or one site to another, and there seems to be no consequences for toxic people.

GOER DIRECTOR VOLFORTE: Well, I'm not

familiar with those examples. And I'm happy to engage the union on specific claims where individuals who are the victims have been moved around.

But if an agency finds that a -- let's just say a supervisor has acted unprofessionally, because I'll just use that generic term, they are supposed to take appropriate action. That could be anything from counseling and training to removing the individual from that job and removing that --

SENATOR RAMOS: How many people have you had to remove in the past year?

GOER DIRECTOR VOLFORTE: Those statistics, if they're kept, would be kept at an individual level. My agency doesn't oversee individual --

SENATOR RAMOS: But you keep track --

GOER DIRECTOR VOLFORTE: No.

SENATOR RAMOS: About how employee relations are going in every agency?

GOER DIRECTOR VOLFORTE: Well, we're in contact with the agencies, but there's not a -- there's not a tracking system for

discipline --

SENATOR RAMOS: So if I were to ask you which agency is the most toxic, you wouldn't be able to answer me.

GOER DIRECTOR VOLFORTE: No.

SENATOR RAMOS: So how do we know the scope of need and whether you're addressing it?

(Time clock sounds.)

SENATOR RAMOS: Thank you. I'll be back for Workers' Comp.

CHAIR PRETLOW: Assemblywoman Pheffer Amato.

ASSEMBLYWOMAN PHEFFER AMATO: Good morning. Thank you, everyone, for your testimony. I appreciate all the positive information you've given.

Commissioner Hogues, I'm going to just turn to like the next step. We're very happy -- people being hired through the HELPS program, that sounds great.

However, what I'm hearing a lot of are the lack of promotional exams, the next step that's coming. Because we're having this

hiring frenzy, which sounds great, but then it goes right along with what you were all talking about.

Harry and I are working the line together and I'm going to say, Yeah, you want to get a promotion? It's been 2005 since an exam is given. You're going to go nowhere.

What are we doing about that? Because that's -- we're not going to keep these employees, and I want them to be lifers.

DCS COMMISSIONER HOGUES: Thank you so much for that question. I do as well. And that's part of the retention plan that we have.

So when we talked about opening up these testing centers, the 12 testing centers across the 10 regions in New York State, those are really aimed at having promotional exam opportunities.

As we have been transforming how we do business in the Department of Civil Service, we have a team that has been focused on that. And so this past year we have seen a decrease in promotional exam opportunities because

we've had -- we've held some of the larger, more complex ones that didn't allow for us to get to some other ones. We're in constant communication with our partners at PEF, and we just met yesterday to talk about strategies on how to make sure that -- a couple of things. One, that we're getting to the promotional exams that are important to both agencies and the individuals. And, two, how do we do it more efficiently and effectively. And so those are some of the things that we're looking at to make sure that we hit that.

And so the last thing I'll say on this is the team has really been focused on this transformation and the future, and so some of the promotional examinations have taken a hit on the state level. But we also are responsible for the examinations on the local level as well. And so when you look at it as a total package, I think the team has been doing a great job and once we get to that transformation, we'll --

ASSEMBLYWOMAN PHEFFER AMATO: I'm not

taking away from the good job, all due respect. But if we can sit here and talk about an exam that wasn't given since 2005 or 2011 -- and I know sometimes the low-hanging fruit might be easier -- I think we have to take that challenge on. It's not fair to the workforce, to those provisional people, to keep hoping for an exam. And then everyone will complain -- and I mean everyone -- Well, this employee went to the county, left the state, because they're frustrated.

So I'm going to implore you to really look at those exams, talk to the unions and say, Where are we struggling? And pick those and take the challenging ones a little faster than the other ones. Because we're hiring people, that's great. They're still in that beginning phase of being excited. But I really want to take care of those people to keep continuing to be into the system and not leave public service.

COMMISSIONER HOGUES: Definitely.

ASSEMBLYWOMAN PHEFFER AMATO: So I'm going to ask you to challenge those.

As a pivot -- and I wasn't going to talk about this, but as everyone is talking about Paid Parental Leave Act -- so this is for Governor's Office of Employee Relations and for Compensation -- it's great that we are going to help and take care of parents who are adopting, give birth and all those other fostering children, but we don't talk about stillbirth here. And this is going to make everyone uncomfortable.

But there's over a thousand stillbirths -- babies born, parents giving birth and it's a stillborn child. And we don't address that in our parental family leave. And not in compensation or anywhere.

And I'm going to ask what we're going to do about that. Because these women give birth today and their baby is not born alive, and they're expected to be back at work on Friday. And I think that is the most unfair, and a part that we're missing, and no one wants to address that. So what are we going to do about this?

WCB CHAIR RODRIGUEZ: Yes, thank you.

You know, I agree that it is a heart-wrenching issue. You know, I'm a mom myself of two and I've also had, you know, experiences in my family with this. I think that we leave this up to the policymakers. You know, whatever the Legislature passes and the Governor signs, we're at the ready to implement. You know, we administer the Paid Family Leave Program. But if there is a program that impacts our agency, we will do our job and we will implement it.

ASSEMBLYWOMAN PHEFFER AMATO: Mike, anything from --

GOER DIRECTOR VOLFORTE: In terms of the state workforce, while it's not covered by either the paid family leave or the paid parental leave benefit, there are other leave benefits that employees can access to remain absent, such as their sick leave, their vacation, and their personal leave.

So -- and if there are particular issues with that, employees have their unions and the unions can contact us and we can address specific situations. So if there are

specific cases that are out there, we're more than happy to intervene and look at it and make sure that the workforce is being treated fairly.

ASSEMBLYWOMAN PHEFFER AMATO: I think it's pushing it back on us. But as a state, I mean, we're all talking about how we're doing great for what's live. And I think we have to address the mother's health. And I do think it comes from you also, because you have to be hearing it when you have to deny that claim that someone can't get parental leave.

You know, I just think that we could do a better job at pushing, you know, to us what you're hearing. Because I have constituents, I'm on meetings with women that this is a very hard topic but their family went broke because at that time their husband couldn't take paid leave to take care of them as an employee.

So now we fixed that little part, but we're not addressing the mother's health. And I just want it on the record why I think

we all could do better. It's not -- we could pass the laws, but it also has to come right back to you and not to put on the unions. You know, everyone just views it as live birth, and I think we just have to acknowledge stillbirth in this state.

So thank you on that.

Flipping back to a less tense area, I want to talk about the -- you know, we're all talking about, everyone knows about the benefits. Work for the state, this is great, you can have your college loan paid back and there's these benefits. I guarantee everyone here, if we ask their staff, they have no idea.

So as much as we think we're advertising, we're not getting there. It is the responsibility of an employee to know their benefits, but it's definitely, to me, a tool that I've been talking to college students about for entering the workforce. What can we do more to really educate? Because we're talking about generations now who don't have families that were in public

service, so they don't get it.

But what can we do more? Like where are you seeing that, like, disconnect in that? If you're seeing any, I guess.

DCS COMMISSIONER HOGUES: Thank you for that question.

And actually our health benefits department is really looking at a campaign to really help individuals understand in state government what benefits are available to you. That started I believe the fourth quarter, third or fourth quarter of last year. We've been having conversations about that, changing up the material that we provide, how we provide it, understanding that people don't check their mail, sometimes they get mail from state and they toss it.

And so we're looking at all those types of options to make sure that our state employees are educated and taking advantage of all the benefits that are available to them. So I will keep you updated on the progress of that.

ASSEMBLYWOMAN PHEFFER AMATO: Yeah,

and we talked about this. I mean, it's very difficult. People don't know the benefits and it becomes too late.

So which positions has the state found to be most difficult to recruit and retain? And I say this in -- where that like disconnect is, again. We have increased retirements, we're preparing for that, and how to get those difficult ones? And it helps HELPS, but it doesn't help, as Commissioner, we were speaking before -- Reardon, that it doesn't help in some of those positions.

So what can we do more?

COMMISSIONER HOGUES: That --

ASSEMBLYWOMAN PHEFFER AMATO: This age-old question? Come on.

COMMISSIONER HOGUES: That is the age-old question. Obviously --

ASSEMBLYWOMAN PHEFFER AMATO: I think it goes with benefits. I think there's something -- you know, we talk about advertising. But when I say it to folks, my peers, that -- I'm like, Did you Google this

job? And they did not. So there's still something, a disconnect, to the professionals of a certain age.

DCS COMMISSIONER HOGUES: So we can educate, we can market, but there are just certain positions that the public and others just shy away from. We know those in law enforcement sometimes, individuals just have not been going into that field lately. And so there are other direct-care type of opportunities that the HELPS program has assisted, and the numbers have increased, but we know those are sometimes the less desirable positions for individuals to go into because of the requirements that go along with it. And so --

ASSEMBLYWOMAN PHEFFER AMATO: But I think those are the challenges. We take the less -- the ones that are harder, if it's forming a roundtable discussion on how we could pull.

COMMISSIONER HOGUES: Yes.

ASSEMBLYWOMAN PHEFFER AMATO: You can't get them all, but we can get some.

Right, Commissioner?

DOL COMMISSIONER REARDON: So we're very aware of this, you know, at the DOL as well. And one of the things that we've done in our counsel's office, we have an intern program from Albany Law. And they come and sit with you and they work with us, I think it was over the summer, but -- and it gives them a real experience of what it means to work in state government, work in labor law, work in different areas in labor law, because it's pretty vast in DOL.

And it's been very successful because we have -- you know, these are young people, they're not out of school yet. And it opens up a door that they have not considered. So we are thinking about could we have a similar program for auditors, because that's another big need that we have, and we're not the people that they think of. Exposure.

ASSEMBLYWOMAN PHEFFER AMATO: Thank you. I'll come back.

CHAIRWOMAN KRUEGER: Thank you.

Next is Senator Brisport.

SENATOR BRISPORT: Thank you, Madam Chair. My questions are for Commissioner Reardon. Thank you all for being here. They're about the childcare workforce.

I'd like to focus on the April 2024 Childcare Availability Task Force Report. The cover letter that you submitted for that report, along with the OCFS commissioner, makes the point that we need to focus on addressing the childcare workforce crisis. The report goes on to repeatedly argue over and over again that we need to act with urgency to implement a permanent line of funding to supplement childcare worker wages.

Why is it so important and urgent that New York State stabilize its childcare workforce?

DOL COMMISSIONER REARDON: So it is -- unfortunately, it's a very essential workforce that is really underpaid. And many of them work for minimum wage. And if you work in certain areas of childcare, you may have not just a college degree, you may have

a master's degree, and you're still working barely above minimum wage. So it's not sustainable. And there is a lot of churn in that area.

And these are mostly women, some men -- many immigrants -- who are very dedicated to the work and really excellent at their job. But we need to find a way to sustain their need for better wages. It is a very, very difficult problem to solve because the burden falls on the parents.

Everybody here has had conversations with people about the high cost of childcare, and yet parents need to be able to go to work. We need them in our workforce. We don't have the luxury of saying, Oh, you stay home. You know, if somebody wants to work, we need to be able to facilitate that.

So trying to find solutions is really, really critical. The Governor's proposal to form the Childcare Council is really thoughtful, and in that council is going to be tax experts so that they can help guide those conversations. Because the real goal

is universal childcare. And it's hard, it's a very -- you talk about tough conversations, that's a very difficult conversation, the funding part.

But it is doable. Other countries have done it, other states have approaches. And I hope that the Childcare Coalition coalesces quickly and starts their work, because it is urgent. You know, I have people in my office who talk about how hard it is to find childcare. And I have daycare in my building in Albany and people come to work for us because of that. So I know intimately what that's about.

But we need to facilitate this. It's not just a mother's problem, it's not just a family issue. It's an economic issue, and we need to resolve it.

SENATOR BRISPORT: Thank you so much.

I would add we could tax the rich to fund universal childcare.

I also want to note the report cites data that all programs were operating below their license capacity due to workforce

shortages. And that we are serving 28,462 fewer children than capacity. So just confirming, the workforce shortage is causing a decrease in capacity, right?

DOL COMMISSIONER REARDON: Yes. Because if you don't have the right ratio, you can't have the kids in the classroom.

SENATOR BRISPORT: Thank you.

DOL COMMISSIONER REARDON: That's the other part about her proposal, is having the pool of vetted, trusted professionals who can step in. It's a great idea.

SENATOR BRISPORT: Thank you.

CHAIRWOMAN KRUEGER: Assembly.

CHAIR PRETLOW: Assemblymember Durso for five minutes.

ASSEMBLYMAN DURSO: Thank you, sir.

Thank you, everybody, for being here today.

Commissioner Reardon, I have a couple of questions for you. Something we've spoken about in the past, obviously, is wage theft, especially in the construction industry, and I'll be specific to Long Island.

Understanding your office works more on a complaint-driven model as opposed to being proactive in it, why is that? Why is it that we can't get a proactive approach to the wage theft, especially in the construction industry, having investigators to go out to visit those job sites?

DOL COMMISSIONER REARDON: It partially is a budget issue, because that would require a lot more people. And, you know -- and frankly, we're not any different from most departments of labor across the country. It's typically a tips-driven industry. We do depend on -- as you know, depend on our friends in organized labor, and they are incredibly helpful. But, you know, to be able -- think about the number of construction projects, from a small construction project all the way to a large one, the numbers that are in Long Island alone, and they change constantly.

So we are very aware of it. Again, in worker protection, we've looked at our processes, looking at how we can change the

way we do things. We are more proactive, particularly on Long Island, because of the conversations we've had. In the summertime we've been able to go out and do sweeps during the summertime school construction period. And, you know, we know who the bad players are so we can follow up with them. But it's strictly -- it's surely the sheer size of the industry makes it difficult.

If we get the stick that I mentioned earlier and be able to, you know, seize property and assess -- you know, levy fines and things like that, and demand the money back, that will make a huge difference. Because, you know, if I don't have to pay -- if I get a judgment and the Department of Labor doesn't have a real stick to come after me, I'm not going to pay the money back. And that's really the root of the problem.

So give us the stick and we will use it.

ASSEMBLYMAN DURSO: Okay. So with that being said, if that's the case -- and I don't know if it will change then, but are

the investigators that are going out, especially in the construction industry -- because it's obviously very different. It's vastly different from a small restaurant business or any other type of business. Are they trained a specific way in that industry?

And if you are to get that funding, will you be able to have more investigators trained specifically for the construction industry?

DOL COMMISSIONER REARDON: So we do recruit people across industry sectors for worker protection, and we do definitely have people -- we have people who have retired from the construction industry who work with us. So they are very well aware of the businesses that they're looking into.

ASSEMBLYMAN DURSO: Okay. So just a quick -- I want to just jump back to the unemployment trust. You had said that's roughly $8 billion, correct?

DOL COMMISSIONER REARDON: Well, it's 6.3 is the debt. And then in order to be able to raise the benefits, you have to have

an extra amount of money in the fund, emergency fund, as it were.

So it would be 8 billion in total before we can raise the benefits.

ASSEMBLYMAN DURSO: Okay. And do you know -- what's your feeling on when will it be solvent? Not the number, but when can we get to that point?

DOL COMMISSIONER REARDON: 2027.

ASSEMBLYMAN DURSO: 2027.

DOL COMMISSIONER REARDON: It's on a schedule.

ASSEMBLYMAN DURSO: Okay. Perfect.

DOL COMMISSIONER REARDON: Unless -- I should say if there is a recession, it could tail out. But right now, going at the rate that we're going, it's 2027.

ASSEMBLYMAN DURSO: Okay, thank you.

And then just for anybody, and especially Commissioner Hogues, when my colleague had spoke about recruitment, retention and getting the information out to potential employees and current employees of the state, when it comes to the benefits that

they are allowed, whether it's tuition reimbursement, anything like that, are we doing any type of statewide campaign as far as for that information to come out?

I mean, again, we do statewide campaigns for many things and again, obviously, some of them are great. But being able to get the information out to those employees to not only retain them, to let them know that these things are available, and to possibly bring in other people.

DCS COMMISSIONER HOGUES: So thank you for that.

So obviously we do provide the information currently. People just aren't consuming it like we would hope. And so that's why we are reimagining how we're going to start getting information to the individuals about the benefits, and how we're packaging it, whether it's going to be paper, one sheet, whether it's going to be electronic.

And so those are some of the things that the team has been looking at to once

again make sure that individuals are aware. And we're figuring out how do we have this interactive opportunity for individuals to call or email or that type of stuff to --

ASSEMBLYMAN DURSO: And that's with current employees, correct?

COMMISSIONER HOGUES: Yes. Yes.

ASSEMBLYMAN DURSO: I'm saying to recruit and retain them. I mean, we do -- we see TV ads all the time throughout New York State, billboards, but I don't see anything about those specifically talking about what's available.

COMMISSIONER HOGUES: So you guys have invested in us, and we've done a marketing campaign, we're setting up to do another one.

ASSEMBLYMAN DURSO: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Rhoads, five minutes, ranker.

SENATOR RHOADS: Thank you, Madam Chairwoman. I want to thank everyone for their testimony thus far.

Chair Rodriguez, I do have a question for you, and sort of dovetailing off of

Assemblyman Bronson's points that he made so eloquently.

With respect to some of the Governor's proposals, specifically with respect to increasing the number of providers that actually are able to treat workers' comp patients, both the Medical Society of the State of New York and the Injured Workers Bar Association have come out against that proposal.

Because the real issue is that -- not that doctors don't want to be a part of the system, it's that no doctor wants to be bothered with the morass of forms, the authorization procedures, the billing delays and the denials and the testimony obligations that the system entails, which really aren't going to be addressed by this particular proposal.

You know, there needs to be a significant increase in the medical fee schedule, which is something that you're attempting to address. But really a reduction in the administrative burden is

what's called for, and sort of eliminating the three-level gatekeeping of the medical treatment guidelines, the medical portal and the PAR system, and use the guidelines as a preauthorization for treatment, which it was supposed to be.

As opposed to now what is a baseline of what is approved or what is rejected if it doesn't meet those guidelines -- you know, essentially allowing the guidelines to substitute for a contrary medical opinion that would typically have to be offered.

Are there any plans to reduce or make it easier for providers to be able to actually sign up and negotiate the process if they do sign up?

WCB CHAIR RODRIGUEZ: Yeah, absolutely. Thank you for that question.

And, you know, we share those same concerns. We've heard those concerns over the last few years, and we have done our part to try and make sure that we are looking at every bit of improvement that we can do.

We look at this automatically

authorizing providers as a big part of that, because the way it stands today, it is an administrative burden and sometimes comes at a sizable cost to providers to participate in the system. And it was a process that -- you know, if I may -- has outlived its efficacy.

You know, it's antiquated, it predates the internet and even faxing. You know, providers have to bundle their documentation, mail it to us, then we mail it to the medical societies who sometimes reviews, sometimes does it for a fee --

SENATOR RHOADS: I'm going to follow up with you on that, only because I only get five minutes.

WCB CHAIR RODRIGUEZ: Okay.

SENATOR RHOADS: The other issue is going to be the fact that you're going to have doctors that are not familiar with the system who are actually now going to try and negotiate the system for the first time, and as a result it's the workers who are not going to be able to get the benefits that they need and will be cut off because they

won't have the proper medical documentation to be able to establish their case. That's my concern.

The second issue I have is with respect to the Governor's idea of having health insurers pay for workers' compensation coverage initially. I love the idea of workers being able to get the treatment that they need, but might it not be a better idea to flip that system and require that workers' compensation insurers pay even if it's being controverted and then, if it turns out that it was not in the course of employment, seeking reimbursement from the health insurance company?

Because they're paying at two different rates. There's nothing in the legislation that would reconcile what happens if a health insurer paid for medical treatment at one particular rate when the workers' compensation rate is significantly less. How are they going to be made whole, and how would the difference be made up?

WCB CHAIR RODRIGUEZ: Right.

SENATOR RHOADS: And I'll follow up with you on that point as well. Sorry, five minutes goes quick.

WCB CHAIR RODRIGUEZ: I love this, I don't have to answer.

(Laughter.)

SENATOR RHOADS: Five minutes goes quick.

So, Mr. Volforte, I know that you mentioned the Governor's message of being fair to employees and protecting their mental and physical well-being. And I'm glad that you did that, because I want to play something for you and ask you some questions.

{From phone: "The Governor's office has called us and ordered us to call all remaining staff back to work due to the state of emergency, regardless of whether you're out on vacation, doctor's note, FMLA or comp"} --

CHAIRWOMAN KRUEGER: We don't allow props or -- I don't think we allow --

(Phone recording continuing; inaudible overtalk.)

SENATOR RHOADS: My question is, are you aware -- are you aware of the Governor's regulation requiring these workers to come back even if they're on comp?

(Time clock sounds.)

CHAIRWOMAN KRUEGER: I'm sorry.

Next, Assemblymember DeStefano, five-minute ranker.

ASSEMBLYMAN DeSTEFANO: Thank you, Chair.

I'm going to pivot a little bit, probably a little add-on to Senator Rhoads. The prison system, what's going on right now, what role does the department have in overseeing the workplace safety in the state-run facilities? Commissioner Reardon.

DOL COMMISSIONER REARDON: Sorry. It's a public safety -- Public Employee Safety and Health, we have some role in it. We are looking into complaints that we've received. The wildcat strike has -- that's not anything that my agency has anything to do with.

But we are concerned about the welfare

of the people in the facility.

ASSEMBLYMAN DeSTEFANO: How can the department work with DOCCS to ensure the workplace safety -- it's a collaboration of people.

DOL COMMISSIONER REARDON: Well, we work with them all the time. I mean, we've -- last year ago or so there was a problem with fentanyl going into some facilities in the mail. This was a couple of years ago. And we worked very closely with them to develop a system so that we could make sure that the mail handlers themselves were not being damaged by the illegal material that was being sent through the mail system.

And I have to give big props to Dan -- I can't pronounce his last name, the commissioners of DOCCS, who was incredibly helpful. And we managed to set up a system to make sure that their mail handlers were not harmed by this illegal substance.

So we do have a lot of relationship with them and we work with them very closely

on things like that.

ASSEMBLYMAN DeSTEFANO: Would it be fair to say that the situation that's going on, based on what you're reading, seeing on TV and all those other -- would you think that it's more of an issue of -- it's protection of the corrections officers, the inmates and the civilian staff that work within the facilities?

DOL COMMISSIONER REARDON: So I would have to talk to my staff about some of that. But, you know, this is obviously a very difficult situation that they're all in. And the responsibility for the safety in the facility is -- some of it's ours, as Public Employee Safety and Health. Some of it is at DOCCS.

ASSEMBLYMAN DeSTEFANO: Okay. Do you think any of the legislation that was recently passed has anything to do with why we're in the situation that we're in right now?

DOL COMMISSIONER REARDON: I don't know. That would be a DOCCS question.

ASSEMBLYMAN DeSTEFANO: Okay. But it's fair to say that the reason why we're seeing what we're seeing in public today is because a lot of people that work there fear for their safety when it comes to working in those facilities?

DOL COMMISSIONER REARDON: Again, I think that's a question for DOCCS, not for DOL.

ASSEMBLYMAN DeSTEFANO: But the Department of Labor has like no interest in trying to help facilitate fixing the problem?

DOL COMMISSIONER REARDON: It's not a lack of interest. It would be a question for the commissioner at DOCCS.

ASSEMBLYMAN DeSTEFANO: Okay. So you wouldn't work in collaboration to try and solve the issue?

DOL COMMISSIONER REARDON: We work with DOCCS all the time.

ASSEMBLYMAN DeSTEFANO: Okay. Moving on to a different topic.

The recent changes in Washington, do you think that that may have an effect on

your 2027 idea that we're going to be paid off with the trust fund, if there's anything that changes there?

DOL COMMISSIONER REARDON: That is actually dependent on the economy. So Washington -- whatever Washington is doing with funding has nothing to do with the UI trust fund.

It really is -- the way it would impact is if we had a spike in unemployment so that we're -- and I mean a spike, not just a small increase like we did during the pandemic. Obviously the trust fund would take a hit because more people would apply for benefits, and that would take more money out of the trust fund. So it really is an economic question, not a Washington politics question.

ASSEMBLYMAN DURSO: Commissioner Hogues, one for you. The Governor proposed that we're going to waive the fees for civil service tests, for extension. My question -- which I wrote it down because I don't want to forget anything -- is do you think it's

helping the situation when recruiting and training?

And also of that, if the answer to that is yes, then do we have any data that supports the recruitment and retention of those people that have been taking the test and staying in the job? Or are they leaving after a certain amount of time?

And if that's the case, do you think it's because it's salary, Tier 6? What do you think it is?

DCS COMMISSIONER HOGUES: That's a lot.

(Laughter.)

ASSEMBLYMAN DeSTEFANO: Well, we get five minutes. I've got to jam it in.

(Laughter.)

COMMISSIONER HOGUES: I get it, I get it, I get it, I get it, I get it. I appreciate the question.

So it's difficult for us to really assess because at the same time the HELPS program came on board, where we have temporarily eliminated the need for

individuals to take a civil service exam for a bunch of entry-level type of positions. So it's hard to get that data.

Anecdotally, we believe that it has helped just being at job fairs and out in the community talking to individuals. They appreciate both the HELPS program as far as how efficiently and effectively they are able to get access to state jobs.

And then those that are still taking examinations, we've heard from our partners in labor that yes -- oh, I'm sorry.

CHAIRWOMAN KRUEGER: Hold that thought. Thank you.

Just before I call the next Senator, just for the record, we don't allow posters, photographs. We didn't even think about the question of video or audiotapes. Those are not acceptable in hearings.

So just for everyone to know in case other folks are interested in exploring that model: Please, not during budget hearings. Outside in a hallway, fine.

Next we have Senator Weik, ranker.

SENATOR WEIK: Good morning. Thank you all for your testimony. Thank you for being here today.

First, I want to commend Commissioner Hogues. I want to say thank you so much for all the strides you've taken to update civil service, because I know you have a lot of requests to meet and I think you're doing that in a very timely fashion. And I'm very pleased to hear the progress that we're making.

With that, I want to ask you, does this proposed budget allocate enough to support the expanding continuous recruitment and increasing test accessibility?

DCS COMMISSIONER HOGUES: Yes. Yes.

And so we would like to thank the Governor and you, the legislative body, for continuing to invest in the Department of Civil Service. The staffing increase has really allowed us to not only take care of the day-to-day, but look into the future and see how we can effectively transform. And so --

SENATOR WEIK: Thank you. And I know we've been talking and I know you're making a lot of progress, that you and your team are working really hard to make sure you're meeting those requests, and I really appreciate that.

To switch topics, because I only get five minutes -- so right now we have obviously a big outstanding issue with our corrections officers. And I'm just curious, do you intend to authorize or recommend that DOCCS rehire retired corrections officers to address the intermediate staffing shortages, as was done in the early 2000s?

COMMISSIONER HOGUES: I'm not a part of those discussions. I don't know if --

SENATOR WEIK: Does anyone else have --

COMMISSIONER HOGUES: -- colleagues or anyone else is able to --

GOER DIRECTOR VOLFORTE: I think that would be -- sorry to defer to the Department of Corrections on this, but that would be for them to create a program and an ability to

make sure that they're properly trained and recertified if they were to seek to rehire those individuals.

SENATOR WEIK: Thank you.

And as my colleague Senator Rhoads was trying to play was that a corrections officer who is out on workers' comp. So apparently individuals who are out on workers' comp or family leave are being called back to work and, if they don't show back to work, then they're going to be losing -- in danger of losing their health insurance.

And is that legal?

WCB CHAIR RODRIGUEZ: (Mic issue.) You know, again, I was not part of those conversations. And our work here at the board is limited to whether or not someone has a compensable claim --

SENATOR WEIK: Well, the conversations are happening now. So is it legal?

WCB CHAIR RODRIGUEZ: I cannot speak to that. All I know is that if someone should be --

SENATOR WEIK: Well, who would be able

to say whether or not this is legal?

WCB CHAIR RODRIGUEZ: I guess I don't understand. The "this" meaning being asked to go back to work? Is that the question? I'm sorry.

SENATOR WEIK: So there are individuals who are out right now on workers' comp or paid family medical leave or whatever, and they're being called back and they're being told if they don't come back, they are going to lose their health insurance, as if they were striking. Which they are not.

WCB CHAIR RODRIGUEZ: I see. I understand.

Again, I hate to defer, only because I don't want to give the wrong answer, but I think that's a DOCCS question --

SENATOR WEIK: Because I don't have enough time, I'm just going to move on to the next question.

So another question I have is, is it legal for the Governor, under the state of emergency or otherwise, to recall all staff

in the Department of Corrections to go back to work, regardless of whether or not they're on vacation, have a doctor's note, family medical leave -- which I just asked. I apologize, I'm repeating myself.

Is it legal to charge two AWOL days or every day not reporting to revoke medical insurance on the sixth day? I mean, the steps that we're hearing, are any of these legal?

GOER DIRECTOR VOLFORTE: Well, the -- I can address some of that. I don't think I can address specific cases.

So in terms of leaves are approved or not and the department is currently in the midst of an unprecedented-for-40-plus-years strike, and folks who can return to work have been told to return to work.

SENATOR WEIK: Well, we seem to have this big problem with individuals who are legally out under workmen's comp or family medical leave, and they're being told they must come back to work.

GOER DIRECTOR VOLFORTE: I think that

is part of what they've been told.

And what they've also been told is to contact the facility and, if there are circumstances that don't permit their return, those are considered by the facilities.

SENATOR WEIK: Okay. And what else can we be doing?

Because with the HALT Act there certainly weren't enough individuals already assigned to those correctional facilities to be able to enforce -- and it's funny, we talk to the correctional officers and they do support certain aspects of the HALT Act. But it does require that many more employees be put in place.

What are we going to do to fill that shortfall of individuals? What can we do presently? Because obviously it has become so dangerous that it is dangerous to the inmates, it's dangerous to the correctional officers.

What are we doing to make sure that there's plenty of staff members there? This is why they're not returning. It's

dangerous. What are we doing to ensure there are going to be enough individuals to fill those spots?

GOER DIRECTOR VOLFORTE: Well, I --

(Time clock sounds.)

CHAIRWOMAN KRUEGER: You know what, I will take a few of my minutes and give them to you to answer.

GOER DIRECTOR VOLFORTE: Part of the staffing are efforts that the department makes on its own. And I know they've done -- I know they've done a number of things in terms of like regional recruiting and things of that nature to buttress the workforce.

Part of the goal now is everybody recognizes that there are issues in the correctional facilities. That's been highlighted by the illegal strike. We're currently engaged in mediation to discuss these issues. Because of the sensitivity of it, I'm not going to get into specifics there.

But there is a free-flowing and honest conversation going on where we're looking for

solutions to help bring those folks back. But it's clear that the first step in making the jails safe is to get everybody back who's supposed to be working.

CHAIRWOMAN KRUEGER: Thank you. I'll save the rest of my time for later.

Thank you. Onward to Assemblymember Tapia.

ASSEMBLYWOMAN TAPIA: Commissioner Reardon, my first question focuses on our immigrant community. I am from the Boogie-Down Bronx, and the majority of us are immigrants.

Particularly in the context of federal immigration enforcement now, I mean, how is it that we are ensuring fair wages and employment protections for our immigrant community?

And I have another question just in case we can get there. And then many of my constituents have reported difficulties accessing the unemployment phone line in recent weeks. I guess there's a shortage of employees. But do you have any metrics on

the average wait time for callers seeking assistance?

DOL COMMISSIONER REARDON: So let me answer the first one.

Anybody who works in the State of New York is covered by New York law and covered by New York Labor Law. And we enforce it that way. We do not ask people's immigrant -- we don't ask for any status. We ask for how they were harmed. And that is how we do our work. We don't collect any information on people's status when we work with them, so there's no information for anybody to come and ask us to see because we don't have it.

It's not our job. Our job is make sure that New York State Labor Law is there to protect the workers, and that's what we do. The door is open, and we're ready to go to work for everybody.

ASSEMBLYWOMAN TAPIA: Good to know.

DOL COMMISSIONER REARDON: Yes.

UI phone lines, I know that there's a problem. Boy, do I know there's a problem.

Our phone traffic in the UI call center today is 3.5 times what it was at the same level of unemployment before the pandemic. Something is wrong. And it's not just -- it's -- something has changed.

I was having this conversation earlier with somebody else. This isn't just my agency. If you talk to other agencies -- I know somebody was talking about an agency they were talking to, and their call center's also being flooded this way.

I talk to my doctor's office when I go to my doctor's office, a big practice. They have the same problem. So something has changed in society in the way people handle calling somebody for an answer.

We have worked very, very hard to make sure that the trained staff we have are there answering the questions that people need to get answered. We've also worked very hard to deploy technology -- chatbots, texts, emails, all of that -- so we can get answers to people when they need them.

We are still experiencing this very

high volume, which we are now working with our folks in statistics and research to understand -- they have a lot of data and they're trying to boil it down. We have people -- we have like 35 percent, I think, of callers a couple of weeks ago --

(Time clock sounds.)

ASSEMBLYWOMAN TAPIA: Okay, thank you.

CHAIRWOMAN KRUEGER: Thank you. To be continued.

Senator Fernandez.

SENATOR FERNANDEZ: Thank you.

And good morning, Commissioners.

So it's known that a lot of workplace injuries do result in addiction to the prescription drugs that they're given or for pain relief and et cetera. What is the state doing to enhance worker safety, make sure that safety protocols are in place and respected, to prevent workplace injuries?

Yes, you.

DOL COMMISSIONER REARDON: So that's a complicated answer because Public Employee Safety and Health we are responsible for. So

public -- you know, people who work for the state, the city, the municipality. OSHA is responsible for workplace safety outside of New York State DOL.

And so there is a complicated relationship there. We -- you know, we are responsible for certain kinds of hazards -- asbestos, things like that. But safety on the job itself, if it's a private employer, actually belongs to the federal government.

When people -- obviously if somebody reports it to us, we try to make sure that the appropriate people go in and check it. But it is this complicated relationship. So, you know, I wish I had a straightforward answer for you, but we share that jurisdiction -- well, we don't share all the jurisdiction. They have jurisdiction. We have public employees.

SENATOR FERNANDEZ: Gotcha. So the workplace is a key location for intervention where employers, unions, communities can become very active in preventing and responding to substance use disorder. With

someone who is entering recovery, in recovery, a big tool in their lives is having a steady job.

Is there any existing program to support people in recovery and connecting them to jobs?

DOL COMMISSIONER REARDON: Wow, that is a good question. I mean, we help a lot of people in a lot of different circumstances. And I, off the top of my head, don't know of a specific program.

But obviously HIPAA laws -- I mean, if you're applying for a job, if you're in recovery, that would not be shared necessarily with your employer because you're protected by law, you don't have to share that.

I know that OASAS has a lot of really great programming to support people, and they probably have --

SENATOR FERNANDEZ: Programming that we had to fight for funding for. So I hope that you can remain in this corner to have those vocational job trainings --

DOL COMMISSIONER REARDON: Yes, I think they're probably the partner in this.

SENATOR FERNANDEZ: Yes, okay.

Well, 23 seconds, I do just want to plug in a bill that I have introduced called Recovery-Ready Workplace Initiative, and it is a set of criteria that any employer can instill in their workplace to make sure that the environment is supportive for people in recovery.

So I plan to speak with you and Workers' Comp to see that this can be something we can work towards in all of our workspaces. Thank you.

DOL COMMISSIONER REARDON: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assemblymember Bores.

ASSEMBLYMAN BORES: Thank you all for being here.

I'm going to start with Commissioner Hogues.

We've heard a bit about different sort of culture within the organizations and how it responds to their employees. We've also

heard about 8,000 open positions. We very much value our workforce here and want to ensure those are filled with new people from the outside. We also want to make sure we're doing everything we can to retain our workforce.

So in figuring out why people leave the state workforce, the private sector often uses things like exit interviews. New York City recently passed a bill to require exit interviews of city employees when they're leaving.

Do you have a sense of how many agencies, what percentage of employees have exit interviews when they leave the civil service?

COMMISSIONER HOGUES: I don't specifically have that.

But when you talk about the retention of employees, a couple of things that we're doing that this honorable body helped us with is we're doing a total compensation study to really look at how we are -- to see if we're competitive with the private and other public

sectors. So that is one thing that we're going to do to say, Hey, are we losing individuals because of pay in the total compensation --

ASSEMBLYMAN BORES: I think that's great, I think that's worth studying. Sometimes people leave for pay, sometimes they leave for a whole bunch of other reasons.

Has there been just a study or a set of interviews of the workforce to say, When you're leaving, you know, what are the reasons? And ranking them. Not just saying, focus on compensation or --

DCS COMMISSIONER HOGUES: No. No, and I get that. And so I will work with the team and see if we have some data around that.

ASSEMBLYMAN BORES: That would be good.

COMMISSIONER HOGUES: And we will definitely get back to you on that.

ASSEMBLYMAN BORES: Wonderful, thank you.

Second of all, I was really excited to

see in this budget training specifically around AI for the state workforce. We want to combine the power of AI with the intimate knowledge of the government and of New Yorkers' needs that we have in our civil service workforce.

I know that's for IT to implement, but we've talked before -- if you could just share a little bit about what you see as the need there and the receptiveness of employees to this training.

COMMISSIONER HOGUES: Yes, so AI is a broad term that means so many different things.

And so I believe, as Commissioner Reardon talked about, having that call center and that type of stuff to make sure that we are getting back to employees, potential employees and that type of stuff. Because we're getting -- we're getting a huge influx of calls. And how do we respect the employee and how do we make timely conversations.

So I think AI is a --

ASSEMBLYMAN BORES: Great. I just

have a few seconds left.

I want to ask Commissioner Reardon a question on that. Another thing that is in this budget is digitizing children's working papers.

DOL COMMISSIONER REARDON: Oh, you're singing my song.

ASSEMBLYMAN BORES: How do we make sure that's implemented well and helping these families, right? Obviously that's a tricky project.

DOL COMMISSIONER REARDON: It is long needed. It is a paper-based system, it is awkward, we can't get any kind of data out of it.

The Governor has put in a proposal, it's a two-year build. It will be an online portal. Parents, guardians, students, employers and schools all go through the same portal. It's on your phone.

ASSEMBLYMAN BORES: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Mattera.

SENATOR MATTERA: Thank you,

Madam Chair. And thank you for all being here today.

You know, I'm very disappointed, really, that we haven't heard from my colleagues on the other side much about what's happening with the CO issue that's been devastating to all the families. They were all up here the last couple of days.

And to Commissioner Reardon, you just stated that you're here and you're here to protect workers. What have you done so far to protect these workers?

DOL COMMISSIONER REARDON: I'm sorry, which --

SENATOR MATTERA: With the COs, the workers.

DOL COMMISSIONER REARDON: In the prisons.

SENATOR MATTERA: They're going to lose their insurance. Have you been in touch with the Governor?

DOL COMMISSIONER REARDON: This -- as I said before --

SENATOR MATTERA: No, not as you said

before. You are the Department of Labor.

DOL COMMISSIONER REARDON: Thank you.

SENATOR MATTERA: Yeah, thank you. And you're doing nothing for these workers and their families that are going to be losing their insurance.

It's a disgrace what New York State is doing right now, to sit there and put the blame on somebody else. It's you, Commissioner. It is you that needs to do something, and you're doing nothing to even console these people. To go there, to find out what they need.

Why haven't you been there? Why haven't you been there, Commissioner?

DOL COMMISSIONER REARDON: As I said before, this is a DOCCS issue. It's not a Department of Labor issue.

SENATOR MATTERA: It's about safety. You are the Department of Labor. Again, all those families. We have a commissioner that is passing along to something else. You need to do something, Commissioner, and you're not doing it.

DOL COMMISSIONER REARDON: What would you suggest we do?

SENATOR MATTERA: You answered the question, you're not doing it.

What has your office done to regulate the illegal migrants with green cards? Do you realize, in other words, my unions, all the unions, we can't hire any of these illegal migrants because they don't have a Social Security number. What are you doing about that?

DOL COMMISSIONER REARDON: So we have worked very closely with the asylum seekers who came through this state in the last couple of years, and our resources are available to everybody --

SENATOR MATTERA: No, do you realize that in other words that the unions cannot -- my contractors, with all the unions, cannot hire the illegal migrants -- that we're a sanctuary state and a sanctuary city. They cannot hire anybody without a Social Security card. They cannot do that.

DOL COMMISSIONER REARDON: That would

be a federal issue. I have no ability to change that law.

SENATOR MATTERA: Well, again, what are you doing as the Department of Labor to get these people to go to work, then? Because they can work in the nonunion fields, but they cannot -- yes. Oh, yeah, they're hiring them all over the place. But the union contractors cannot do this.

DOL COMMISSIONER REARDON: I have worked on --

SENATOR MATTERA: So do you realize that we have 4.5 percent unemployment? That equates to over 400,000 people that are New York State residents. We had the same conversation last year. It's still the same.

What are we doing to educate -- we have all these jobs. What are we doing to educate, Commissioner? What have you done since last year to get these people -- they're still the same amount of people.

DOL COMMISSIONER REARDON: We've done a lot. I work with everybody who's authorized to work in the State of New York.

That's the law. And we follow the law. And we've worked very closely --

SENATOR MATTERA: You know what, very disappointing here today. Very disappointing. And you need to go see the CO families and do something, do your job.

CHAIRWOMAN KRUEGER: Thank you very much.

Next -- excuse me -- Assemblymember Jacobson.

ASSEMBLYMAN JACOBSON: Thank you. Thank you, Madam Chair.

First I want to -- on a positive note, my office is cohosting with the Department of Labor a job fair based on -- focusing on civil service jobs, so I'm very happy about that. It's going to be tomorrow at the Newburgh Campus of Orange County Community College.

And your monthly webinars concerning complaints on unemployment, they're quite good for those that work here and in my office, and I would encourage you to continue.

One thing I want to bring up is concerning ghost jobs. The only thing worse than being turned down after an interview is finding out that you've applied for a job that doesn't exist. And Resume Builder, it's a career company, did a survey, and in 2024 over 40 percent of the jobs do not exist. Employers are just collecting resumes.

And I've submitted a bill -- it's not indexed yet -- that we need restrictions concerning when these jobs are posted, that we have to know whether or not they're going to be filled within 90 days or 120 days or whether or not the employer is just looking for resumes. So I want to work with you on that.

To the Workers' Compensation chair, I know I've -- I was a Workers' Comp judge and I practiced workers' compensation law for over 20 years, so I'm all too familiar with the Comp Board.

Some of your proposals make sense. I think they all make sense as far as the Article VII proposals. The problem we have

is doctors are not willing to do comp.

And the reason is is because it's a nightmare getting approval for treatment, for physical therapy, for surgery. And what is happening now is that doctors are putting in, they're automatically denied, they're not -- there's -- the insurance companies are not looking at what's going on. And then they have to do it again.

And so what's happening is cases are being prolonged. People want to get back to work, and this is the major problem.

And also, with all these new people that you want to bring in that can treat, you've got to make sure that they do. Because otherwise, if they have problems on this and getting paid, they're not going to be there.

So I have four seconds to say thank you. All right.

WCB CHAIR RODRIGUEZ: Thank you.

CHAIRWOMAN KRUEGER: My first example of someone choosing not to actually ask a question that can't get answered in time.

Sorry. Next is Senator Ryan.

SENATOR CHRIS RYAN: Good afternoon.

First, a comment. I want to go back to the stillborn question. You know, I understand there's limitations in collective bargaining agreements about days off and what they can be used for. But I'm hopeful that in that instance we're not telling people that they have to use their PTO, vacation day, the next day.

I'm not saying -- I understand there's limitations, but I just want to reinforce it and reiterate that there's -- I'm hopeful and optimistic we can get a better answer to that and we can do better on that scenario.

Second, I'll go back to wage-theft stuff for a quick second here. You said you will -- I think you said you'll take all the help you can get. Can you ballpark that?

Is there anything that we can do? It sounds to me, from Senator Ramos -- Chairwoman Ramos's question, we're getting a pretty good return on our investment. How can we help you?

DOL COMMISSIONER REARDON: So, you know, you have helped us in the past, and I really am very appreciative of it. And I really, honestly appreciate all the conversations I've had with all of you over the last year about the various issues. We've had office hours, I've been able to sit down with a lot of you and talk personally, and it's been really helpful.

We are at a place now where, you know, we are retraining, we are hopefully going to have some more digital support for the agency, bringing our methods more into the 21st century.

But the real thing that we need, honestly, is to get that legislation passed to give us the right to seize property and assess levies.

SENATOR CHRIS RYAN: Okay, so that's my next question.

You said you need a stick, right? So maybe it's my healthy cynicism or my background, right? If employers aren't going to pay, what can we do to make them pay? You

said, you know, you needed a stick. Like what do we need --

DOL COMMISSIONER REARDON: That is the stick.

SENATOR CHRIS RYAN: What are the enforcement issues? And then can they appeal that? Because you know that they're going to. And if these bad actors aren't paying their employees, then they need to be held accountable to the highest --

DOL COMMISSIONER REARDON: So the process is there's an investigation, they have their due process, there's a hearing. And if it's decided against them that they -- and decided that they owe these wages, then we pursue that.

But oftentimes employers are able to get away with not paying because we don't have an enforcement tool that's strong enough.

SENATOR CHRIS RYAN: Well, I only have 30 seconds; I've got one more question.

But if there's an enforcement tool that you need and we can help, I would be

open to that conversation.

DOL COMMISSIONER REARDON: That is the Governor's proposal, to give us --

SENATOR CHRIS RYAN: All right. Last question, for Civil Service. I think there may have been a year or two ago a study perhaps for wage competitiveness in civil service. Is that --

COMMISSIONER HOGUES: So you approved for us to get funding to do that, and we have --

SENATOR CHRIS RYAN: I only have 20 seconds. Has it been done?

COMMISSIONER HOGUES: It's in the process now.

SENATOR CHRIS RYAN: Where in the process? How far?

COMMISSIONER HOGUES: It was kicked off last month. So should complete close to a year from now.

SENATOR CHRIS RYAN: Okay, so can we get a progress update on this, where we are wage competitive? Because I think we need to pay our state employees more money.

COMMISSIONER HOGUES: Yes.

SENATOR CHRIS RYAN: Thanks.

CHAIRWOMAN KRUEGER: Excuse me. So actually the Senate's through our first run.

And so next we're going to call Assemblymember Carroll, followed by Assemblymember Simone, just for people to get ready.

ASSEMBLYMAN PATRICK CARROLL: Good morning, everyone. Thank you for coming today. We've certainly learned a lot, and I appreciate all your time.

My colleagues have touched upon this, but we certainly talked about new hires. As a former state -- well, now I guess I still am a state employee. But as a former state agency employee, I'm curious what you're doing to retain current hires -- and I guess this is for Director Hogues -- both in pay scale and, as I'm sitting here, I'm thinking even employees who are in one track, so to speak, is there an ability to have them seek a diverse track or seek a different track and pivot to another role within agencies?

DCS COMMISSIONER HOGUES: Yeah, that's a great question.

So New York State is built of many agencies, but it's still one employer. And that's one of the things that attracts the public to New York State. They have the opportunity to flow from agency to agency. Sometimes agency heads don't appreciate that, but we like the opportunity for individuals to have career paths and explore those inside the civil service parameters. So that is one of the things that keeps --

ASSEMBLYMAN PATRICK CARROLL: And could you touch upon -- I know you're doing a study on the pay grades. But both in getting them close to par with the private sector, but also are you looking for consistency between the pay grades within agencies and also between agencies?

So, for example, someone who is a Grade -- fill in the blank -- 20 in one agency is not doing higher-level work than someone who's a higher grade or a lesser grade in other agencies.

DCS COMMISSIONER HOGUES: That's awesome. Yes.

And so last year we celebrated 75 years of classification and compensation since they were created, and that's exactly what they do, to make sure that there's parity across.

ASSEMBLYMAN PATRICK CARROLL: And then finally, my district is down in Rockland County, which is just north -- well, you know where it is, north of the city. The location pay I think is $3,000. But I would say that it's pretty easy to know that it costs a lot more than $3,000 to live down in Rockland as opposed to somewhere far -- in a more rural area.

Is there any attempts to look at that, the location pay adjustments, and see if it's -- you know, make them a little bit more fair?

DCS COMMISSIONER HOGUES: And so, once again, this total compensation study is looking at all of that. That is total comp with cash pay, noncash pay, benefits,

location and all that.

The way we've done it in the past has been somewhat piecemeal. And so when we got here, we said, Hey, we really need to look at how do we do this thing on a universal schedule and basis. And so we're really looking at this compensation study to inform us.

But in the meantime we do have that tool in our --

ASSEMBLYMAN CARROLL: Great. Well, I thank you all for your time, and have a nice day.

DCS COMMISSIONER HOGUES: Thank you.

DOL COMMISSIONER REARDON: Thank you.

SENATOR O'MARA: Senator Rolison.

SENATOR ROLISON: Thank you, Senator O'Mara.

This is directed at Director Volforte. On Monday members of our conference met with I would say 30-plus family members from throughout the state of corrections officers -- their wives, partners, mothers. And I can tell you the stress that those

family members are under right now is real, and it is large.

And so this is going to play out how it's going to play out, but these are the folks that are dealing with stress in the home before this situation took place with our corrections officers that is going on today.

Is your department, your -- the Office of Employee Relations, are you agile enough to meet these demands that they have right now? And I don't know how they're going to seek it, but they need it. And that was what we took away from it.

But I'd just like to -- you know, I know there's collective bargaining agreements and EAP and whatnot, but this transcends all of that, what they're dealing with now with not having, you know, their loved ones home. And it's also -- obviously there were children there as well, and we know how they're affected.

GOER DIRECTOR VOLFORTE: So I think we are nimble enough to deal with it. Certainly

I think we need to -- the strike aside, as you said, it will play out. And we need to resolve that, and that's where we're focused now.

But in terms of collective bargaining and other resources available to us, including the State Health Insurance Plan, our collective bargaining agreements, our union partners for not just corrections officers but other employees in the jails -- I think that we have the ability to not only utilize current programs, expand them, change them, use funding to meet needs as we go forward. I think we're able to do that.

SENATOR ROLISON: And I think also, too -- and I just have about a minute left -- in spending a lot of time both prior to this, and I have two correctional facilities in the 39th District, Fishkill and Green Haven. I've been there a half-dozen times related to staffing issues and all the other things.

The stress also, too, on the civilian staff and our uniformed staff of DOCCS is real too. And having conversations outside

of these facilities with these members, you know, you can tell that they're not sure about their futures, which is impacting their mental health, along with their families.

And I would -- you know, certainly I know that's what you do. But I think also too, you know, you need to let us know if there pressures on what you need to provide to our state workforce, we need to know about it so you get the resources that you need to do that important work for all of our workers, but specifically right now DOCCS is the crisis.

Thank you.

GOER DIRECTOR VOLFORTE: Thank you.

SENATOR O'MARA: Assemblymember Simone.

ASSEMBLYMAN SIMONE: Good morning.

This question is for Commissioner Reardon.

If a company providing school bus transportation service pursuant to a contract containing EPPs stops performing some or all of its work for any reason, resulting in

drivers, attendants, dispatchers or mechanics being laid off, what is the process?

DOL COMMISSIONER REARDON: Wow, that is really detailed. So ask me again, because I'm not quite sure I'm following what the question is.

ASSEMBLYMAN SIMONE: It was about EPPs and bus --

DOL COMMISSIONER REARDON: EPPs are?

ASSEMBLYMAN SIMONE: Employee protection provisions.

DOL COMMISSIONER REARDON: Oh, got it, okay. What are their -- how do they lay their staff off, is that the question?

ASSEMBLYMAN SIMONE: Yes.

DOL COMMISSIONER REARDON: You stumped me. I don't know. I'd have to get back to you.

ASSEMBLYMAN SIMONE: Okay. I just have a follow-up. And how are they provided priority in hiring?

DOL COMMISSIONER REARDON: The bus drivers?

ASSEMBLYMAN SIMONE: Yes.

DOL COMMISSIONER REARDON: Again, I'd have to find out. I don't know.

ASSEMBLYMAN SIMONE: Okay. Thank you.

SENATOR O'MARA: Assemblymember Giglio.

ASSEMBLYWOMAN GIGLIO: Good morning. It's still morning.

So, Commissioner Reardon, would you please tell me what we're doing as far as workforce training for all the people that are collecting unemployment currently? I mean, Mohawk Valley Community College has a great technical school. And I really see that happening at all the community colleges throughout the state.

And I know that you're doing a great job as far as getting people into apprentice programs with unions. I sit on the executive board for Local 138 Operating Engineers, and we take students in all the time that graduate and become apprentices.

But, you know, Mohawk Valley Community College has a plumbing certificate program, carpentry, flooring, aircraft maintenance

installers, welding, medical radiology, HVAC, robotics, mechatronics, metal fabrication, machine shop, airline commercial maintenance.

And DOT is looking for mechanics. And I don't know if any of you have tried to call a plumber recently, but I did, and it was very expensive because it really is a dying industry.

So what are we doing to get these people off of unemployment and into trade schools? I attended, with many of my colleagues -- a trip to Denmark. And, you know, 95 percent of the population is working. And if they don't want to work, they don't want to be a mechanic or they don't want to be an electrician anymore, then they send them to school for two years to become a plumber. But everybody is working or going to school until they're the age of 70 years old, when they can retire.

So what are we doing to establish a workforce training program and certificate program, because the union schools just don't have the occupancy to take everybody in that

maybe wants to go into a trade.

DOL COMMISSIONER REARDON: So that's a great question.

And, you know, we don't train people, we direct people to training programs.

One of the things that we are very focused on is making sure that we can get people off the bench and back to work. And, you know, I want to congratulate the Governor for her proposals in this budget for the $10 million for the pre-apprenticeship and apprenticeship programs in the high-need areas. And those are great jobs of the future, so that will help a lot of people get into that area.

She's also proposed the free associate's degree for 25-to-55-year-old workers, to retrain and go into those areas. That's really significant. So you think of -- you know, to get out of school you need that training, but you can't afford it.

ASSEMBLYWOMAN GIGLIO: You need the schools. You need the community colleges to be able to provide these programs.

DOL COMMISSIONER REARDON: That is the community college.

ASSEMBLYWOMAN GIGLIO: And the BOCES are great programs in high school, but then, you know, they graduate and they need further education and experience.

DOL COMMISSIONER REARDON: Absolutely, yeah.

ASSEMBLYWOMAN GIGLIO: So can we work with the community colleges to bring some more of these programs? Suffolk Community College has a few of them, but we really need Department of Labor to fund some of these education programs in the colleges.

DOL COMMISSIONER REARDON: So we should have a conversation about the funding. Not right here.

But we are very, very focused on making sure that we can connect people to education. So I'd be happy to talk to you offline.

ASSEMBLYWOMAN GIGLIO: Thank you.

CHAIRWOMAN KRUEGER: Okay, we're going to go on to Assemblymember Simon.

ASSEMBLYWOMAN SIMON: Thank you.

So, Commissioner, I have a couple of questions for you. And I notice in your testimony you address the issue of wage theft and the Governor's plan to -- you know, the authority to levy liens and seize financial assets following an unpaid wage theft judgment.

And that's my concern, the following of the wage-theft judgment and the enforcement capabilities of the Department of Labor. You indicated before you don't know what percentage of total wage theft is actually being investigated, so I appreciate your following up on that. But I noticed last July there was like a press release about 63 million recovered for 65,000 workers, which is under a thousand dollars each. But it's also a very tiny percentage of wage theft.

You know, I guess my question is: Why are the levels of recovery so small in relation to the problem?

DOL COMMISSIONER REARDON: So I

wouldn't extrapolate that answer that way.

The recovery really ranges widely. We had one worker actually who was an unhoused security worker, and he had -- we got him $122,000 in back wages. He was able to buy housing for his family. And we had a long conversation with him about it.

So there are definitely -- some people miss, you know, a few hours of overtime. Some people don't get paid at all. So don't assume that they're all the same.

ASSEMBLYWOMAN SIMON: No, I'm not. It was an average, that's all.

DOL COMMISSIONER REARDON: Yeah, I mean, it's really -- it varies wildly.

But, you know, we are very focused on making sure that we can reach these people when they have their cases, and do them as quickly as possible.

Some of these investigations take a long time for a variety of reasons. If you came to me with a wage issue and you worked in a company of 20 people, we want to keep your identity as private as possible. We

don't want any retaliation. We'll go in and pull the wage records for all 20 employees. Because if they're stealing from you, they're stealing from everybody.

Those things take time. And being able to get the real wage records may also take time. Then they have to go to court.

Once there's a judgment against them, we want to have the authority, if they're not going to pony up what they owe, we want to be able to go after them with the levies of -- you know, seize their assets, make them pay.

And as I said earlier, in the UI space our UI people are able to do that very effectively.

ASSEMBLYWOMAN SIMON: So you've testified in the past that there are a number of these enforcement actions that you just don't have the staffing to do. And you've indicated that today as well.

So I would like to ask, what kind of staffing and resources would you need to tackle, you know, 25 percent, even, of the number of wage theft claims that you have?

And that's like not even including other enforcement actions that are also similarly complicated to do. I mean, that's obvious, right? So what percentage?

(Time clock sounds.)

DOL COMMISSIONER REARDON: To be continued.

ASSEMBLYWOMAN SIMON: Send me a number.

CHAIRWOMAN KRUEGER: Thank you very much.

Next is Assemblymember Lucas. Is there an Assemblymember Lucas here? Oh, I'm sorry. Excuse me.

ASSEMBLYWOMAN LUCAS: I just had to put on my glasses.

CHAIRWOMAN KRUEGER: No problem.

ASSEMBLYWOMAN LUCAS: Good morning to everyone. And thank you all, who's in the room, for participating.

My question is for you, Commissioner. It's regarding the levy liens and seizure of financial assets.

Will the theft judgment allow time for

an appeal period from the companies found guilty? And if so, how long before levy liens are enacted?

DOL COMMISSIONER REARDON: I don't know that we've gotten that detailed in the process. That is a really excellent question, but I don't think that part of it's been fleshed out yet. We can certainly take that back.

And, you know, this is the proposal in the Governor's budget. I don't know that those details are actually in there yet.

ASSEMBLYWOMAN LUCAS: Okay. I'm going to go through the rest of the questions and that may apply the same.

DOL COMMISSIONER REARDON: Okay.

ASSEMBLYWOMAN LUCAS: What percentage of these cases involve immigrant community members? And are these violations able to -- are we able to submit it without repercussions as to the legal status of the complainant?

DOL COMMISSIONER REARDON: So we know that a lot of wage theft happens in low-wage

jobs and often happens in immigrant worker conditions. And, you know, we protect them as much as possible. As I said earlier, we don't collect any information on your status, your legal status. That's not our job. So anybody who works in the State of New York is covered by New York labor law, and we execute it the same across the board.

The second part of the question was?

ASSEMBLYWOMAN LUCAS: Regarding -- well, you kind of answered it, regarding the repercussions.

DOL COMMISSIONER REARDON: Yeah. We do have retaliation forces as well.

ASSEMBLYWOMAN LUCAS: Okay. Now, the new Wage Theft Investigation Dashboard lists wage violation cases, wages returned to workers, and penalties waged against violators.

But can you speak to the percentage of violations relative to the most common crimes? For example, how many companies are being charged for not paying for all hours worked, versus paycheck bounced for

insufficient funds?

DOL COMMISSIONER REARDON: I don't think the dashboard is that granular. Although it's pretty granular -- it's zip codes, so you can hover over the zip code and it will tell you how many cases are in that area. There's a lot of information, I urge you to go look at it. But I don't think it talks that granularly about the kind of case.

ASSEMBLYWOMAN LUCAS: Okay. Is this something that you can consider updating?

DOL COMMISSIONER REARDON: We might. It depends on how much the dashboard could hold.

ASSEMBLYWOMAN LUCAS: Let me get this last question in. Do companies pay fines for cumulative citations? If so, how many citations are allowed before more dire consequences arise for repeat offenders?

DOL COMMISSIONER REARDON: There is a step-up, but I don't have the regulation right in front of me. But there is definitely an increase if you continually violate.

ASSEMBLYWOMAN LUCAS: Okay, and just a quick follow-up from my colleague Robert Jackson, Senator Jackson. He asks regarding the number of unemployed currently given to anticipated layoffs.

What numbers are anticipated for unemployment this year?

DOL COMMISSIONER REARDON: Oh. I'd have to get back to you.

ASSEMBLYWOMAN LUCAS: Okay, thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Tom O'Mara, five minutes.

SENATOR O'MARA: Thank you.

I just want to follow up a little bit on the correction officers situation. And I realize you don't want to get into questions about mediations and things going on. But, you know, there's been a documented increase since the institution of HALT in 2022, a documented increase in inmate-on-staff assaults of 50 percent; of inmate-on-inmate assaults, of over 80 percent. It's going on three years now.

I don't understand why the Department

of Labor or any of these other groups have not been engaged up to this point on the safety conditions in the prisons. Have you not been aware of it?

DOL COMMISSIONER REARDON: As I've said before, the conditions in the prison really fall under the supervision of another agency. It doesn't fall under the supervision of the Department of Labor. And I'm happy to look into whatever efforts we can make, but it's not something that we routinely cover.

SENATOR O'MARA: Well, don't you oversee the general enforcement of labor in the state and safety conditions and working conditions?

You know, in addition to these assaults on staff and on other inmates, there has been routinely required working of double shifts of up to 24 hours plus. Is that not in violation of some labor laws of New York State? That because they're within corrections, they're just allowed to hold workers over for 24, 36 hours? How is that

remotely safe? Regardless of the HALT implications in the assaults, but just those working conditions. Why has the Department of Labor not been engaged in those issues?

DOL COMMISSIONER REARDON: We have not received complaints on that. They are covered by a union, and I assume that the union bargains with the employer over those conditions.

SENATOR O'MARA: Well, and they have raised those issues. I've raised those issues over the past three years. The Executive has been aware of those issues. The commissioner of DOCCS has been aware of those issues.

And it's concerning to me that they haven't been elevated to any of your levels to try to help with this situation. And you're all just sitting there like, Well, not my job, it's DOCCS.

You need to get engaged and try to work on a resolution of these issues. This is not a standard situation where these officers are out because they want more

money. That's not what it's about. It's about the safety, the unsafe working conditions in there. And that should be something that should be of concern to every one of you there sitting at this table. And I see nothing other than saying nothing, passing the buck, saying it's up to the DOCCS commissioner.

Well, either the DOCCS commissioner's not doing his job or the Executive's not listening to him and information is not getting passed to you all. But it should be. And I'm calling upon you all to get engaged in this for the safety of the corrections officers working and doing an extremely dangerous job.

DCS COMMISSIONER HOGUES: So, Senator, from -- if I may, from the civil service standpoint, we work closely with DOCCS as far as their staffing situation. And the team has taken a number of actions to help them as far as reaching out to staff and removing barriers for them to bring on new staff.

And we would be happy to sit down and

talk about a bunch of the different things that are going on. So from our standpoint, we're always looking at how do we provide staffing for agencies so that they can adequately do their jobs. We know that -- sorry.

SENATOR O'MARA: No, go ahead.

COMMISSIONER HOGUES: We also know that, as I mentioned earlier, individuals are just not choosing to go into law enforcement and public safety jobs as they used to in the past. And so we're looking at how do we help with that as well.

So we all appreciate and understand the severity of the situation even before this point in time.

SENATOR O'MARA: No, I appreciate that. And I certainly do understand the difficulties that law enforcement at all levels is dealing with, based on, in large part, actions of this Legislature over the years on pro-criminal policies, criminal coddling policies. And the HALT is a prime example of that that has exacerbated

conditions.

And I'm aware that DOCCS has tried to improve recruiting efforts. There's one issue right now, and I'm not sure it's on your radar -- it just came to my attention -- that particularly in an area where I represent, Elmira, right on the Pennsylvania border, that they can't hire Pennsylvania residents to be correction officers in New York.

Is that something that we should be looking at changing?

CHAIRMAN PRETLOW: Well, maybe.

CHAIRWOMAN KRUEGER: Maybe.

Next?

CHAIRMAN PRETLOW: Assemblyman Santabarbara.

ASSEMBLYMAN SANTABARBARA: Thank you.

Thank you all for being here. Thank you, Commissioner, for being here.

I wanted to talk about the firefighters that serve on our air bases with the Division of Military and Naval Affairs. I had some conversations with them, and it

appears they're understaffed as well and it's having an impact on our communities.

One of the issues is they're not receiving the same benefits as other state firefighters as well.

Just your thoughts on recruiting more of these firefighters -- they are needed -- and what we can do to maybe see more parity amongst the firefighters in the state.

DOL COMMISSIONER REARDON: I'm not aware that there's no parity, so that's an interesting thing to look at.

ASSEMBLYMAN SANTABARBARA: I did introduce a bill that speaks to this, but it would be great to have some support or just to hear your thoughts on it as well.

DOL COMMISSIONER REARDON: Sure.

So we do as much recruitment as we -- we work a lot with Civil Service to recruit people. And we do -- as Assemblymember Jacobson said, we do job fairs strictly for civil service jobs.

And we'd be happy to talk to you about the locales, because it really is a very

local issue, and see, you know, if we can put together some job fairs and see what we can do to support you.

It is -- these are difficult jobs to fill, just like the prison jobs are difficult to fill. We do have -- we try to have state agencies at all of our big job fairs. The Martin Luther King job fair in April, we had a lot of state agencies there because we understand the need for better staffing. But they are difficult jobs to fill. I would love to have a conversation with you offline and maybe to support you.

ASSEMBLYMAN SANTABARBARA: Maybe we could take a look at the bill or I could send it over.

DOL COMMISSIONER REARDON: Sure.

ASSEMBLYMAN SANTABARBARA: Love to have the Governor's support on it as well.

With regards to understaffing, I just also wanted to ask about some of our agencies, particularly OPWDD, as I'm the chair of the committee on People with Disabilities, I have some interest in that.

And also with DOCCS, as we've been talking about today, what's being done to recruit more staff and retain staff as well. And maybe we could talk a little bit about that.

DOL COMMISSIONER REARDON: Yeah, I'd love to have that conversation.

You know, we do work with people with disabilities. We have disability resource coordinators across the state who work directly with the customers. It is everybody's desire to get people into the workforce at whatever capacity they can. And if they need adaptive technology or whatever, we're happy to have those conversations as well.

All of our career centers have adaptive technology for customers to come in or to talk to us by Zoom or communicate by Zoom, because it is an important part of our culture. And, you know, everybody needs to have the same opportunity.

ASSEMBLYMAN SANTABARBARA: I've just got a few seconds left. I want to talk about

the civil service exam, just modernizing it, what's being done to make it more accessible for people.

There are complaints that I hear about delays and inefficiencies. Maybe just with the time we have left, just talk -- maybe talk a little bit about that.

DCS COMMISSIONER HOGUES: Yeah. And so that is what our focus has been on over the past couple of years.

We are on that trajectory. We are creating testing centers throughout the state to make sure they're accessible, as well as looking at the forms that we're utilizing. But we can definitely talk more.

ASSEMBLYMAN SANTABARBARA: Thank you. Thank you for your answers.

CHAIR PRETLOW: Assemblyman Ra.

ASSEMBLYMAN RA: Thank you.

Good afternoon. Commissioner Reardon, I think we spoke about this last year, but I wanted to ask again what the department is doing and has been doing regarding unemployment, you know, modernization, having

additional tools to combat fraud and increase your speed when it comes to processing of benefits.

DOL COMMISSIONER REARDON: So the UI mod system is currently in the testing phase. And I am very excited about that. The development is done, it's finished, and now we have to test it to make sure it works the way we need it to work.

It is an exciting part of this journey, but we are getting there and I'm -- this will be the gold standard for the country when we, you know, make it go live. It's been a long time coming, but it's coming.

The fraud issue, we have a lot of technology that we now use for fraud detection. And we stopped -- I have a number here, and I'll find it for you. It's billions of dollars in fraud were stopped in the last several years.

And, you know, the pandemic alerted us to a very different kind of fraud in the system that we had never seen before. These

were international criminal gangs that stole people's ID, all of their ID, and used it to create a fake benefit account that looked real.

So we had to really change the way we do everything. That's why we have the tougher -- that's one of the reasons it's harder to get into UI sometimes because you have to be able to prove that you're you. But that's for the benefit of everybody.

And I can give you some numbers offline. It is a very, very rigorous program.

ASSEMBLYMAN RA: And I'd appreciate those -- I would appreciate those numbers.

Wage theft. I know we have some proposals to expand wage recovery tools, including the seizure of assets from employers. I know we had some proposals last year that didn't make it over the finish line.

ASSEMBLYWOMAN SIMON: This year.

(Laughter.)

ASSEMBLYMAN RA: Yes. Good.

So are there differences between last year's proposal and this one? And if you could just talk a little bit about what these new tools, if we were to get this over the finish line, are going to enable the department to do in terms of enforcing this issue.

DOL COMMISSIONER REARDON: I don't know specifically what -- there probably are some differences. I don't know specifically what they are right now.

But I do know that being able to go in and seize property and, you know, do the levies is really, really important. Because if an employer cheats their workers consistently, gets an administrative judgment against them, and we don't have the ability to force them to pay, they're going to continue to steal. That's just nature.

And what we need to do is cut it off at that first instance. If they know that we can seize their property if they're not paying up, that's a very different story. And the people on the UI side of my agency

are very adept at making sure that people pay their back UI debts. We do not have the same problem in UI collections at all.

So this is a really serious stick that we seriously need.

ASSEMBLYMAN RA: Thank you.

And then for GOERs, you know, I've heard some concerns from the workforce labor side regarding artificial intelligence and the increased use of artificial intelligence. So what specific measures or initiatives has your office undertaken to address some of these concerns regarding the impact of AI on workers?

GOER DIRECTOR VOLFORTE: Sure. So the Legislature passed and the Governor signed the LOADinG Act. I think that's the first -- so it's not -- I'm not taking credit for that, but just pointing out that that has certain protections and guide rails in that which protect the state workforce.

Also with our largest union that works in the technology area, we have a labor/management committee set up to

specifically talk about issues related to AI so that they're brought to the forefront of my agency and ITS as well, since they are the chief technology agency.

And so then if those two things don't impact or cover any subject, certainly any union is free to reach out to my office and engage us in a conversation, and we'll talk about specific issues related to AI.

ASSEMBLYMAN RA: Thank you.

CHAIRWOMAN KRUEGER: Hi, I'm going to take -- I don't have 10 minutes left. I think maybe I had seven minutes. Five minutes? Whatever you tell me I have left. Thank you. You keep track. Thank you.

So first I'll do what I tell people not to do, which is make a speech. But I feel like I need to.

We have done prison reform in this state. It is not incarcerated coddling. So just to go on the record in objection to some of the language being used today.

Yes, we are allowed to ask you hard questions. You all represent the Governor,

and so people are absolutely entitled to ask hard questions. But we know for a fact that the situation with the wildcat strikes at our prisons are both illegal and are getting a huge amount of attention from the Governor and the appropriate staff, which is not most of you at this table today.

And we hope that this is resolved as quickly as possible for the sake of the health and safety of everyone who works in the prisons -- not just the striking guards, but also the incarcerated people who didn't get to go and sit home watching TV while all of this is happening.

So I do hope that the Governor is successful in the negotiations that I believe are ongoing to resolve this as quickly as possible. So that's my speech.

Now to ask questions. And it was brought up very early, but I wanted to go back to that. We know that the federal government is laying off some of the best and brightest, and we want them to come work for us.

So I just want to also -- like I want to do TV commercials: You lost your job with the federal government and you're a New Yorker? Come talk to the state immediately. If you lost your job -- I watched a news show this morning about park rangers being laid off all over the country. We have a shortage of park rangers. I want us to like find those people individually and say, Come to New York. We need park rangers and park police. We need everybody.

So is there a model that we haven't thought of yet to be reaching out, not just to the unemployed, talented federal employees but also to even invite them to come here from other states. We're a great state to live in and work in.

So do we have new ideas about how we market ourselves? Because this is a whole new world out there.

COMMISSIONER HOGUES: Yeah, and so -- thank you for that. And that's exactly what the Governor has started with this new campaign in reaching out for individuals from

the federal government to come work for New York State.

Because we have done a couple of things, right? With the HELPS program, we have made it easier than ever for individuals that meet the minimum qualifications to apply and be hired, right? And so we have shortened the time that it takes and the process, temporarily, for individuals to come in.

So I think this is a perfect scenario. We have started marketing campaigns that the department had never done before on this type of scale because of the investments that your honorable body made to the Department of Civil Service for us to get out on social media, on the trains, on billboards and that type of stuff. And we've been able to utilize state employees in these marketing campaigns.

And so it really has been effective. We've been using LinkedIn even more than we had ever before, because we know that's where the market goes to find jobs. And so we're

looking at how do we do that better, how do we better explain the opportunities that are available for individuals to come be a part of New York State instead of using the old language that is very confusing.

And so those are a bunch of the things that we have been doing and that we will continue to do to market to individuals that will be a great fit for -- to become a New York State employee. And we're always willing to have conversations. As Commissioner Reardon said, we are doing more job fairs than we had ever done before, thanks to the Governor and this honorable body being able to lift the hiring freeze.

And so we're doing them both physically and virtually, which we had never done before, and we're getting thousands of individuals coming and participating in those job fairs and career fairs. And so I'm excited about the opportunity to fill a bunch of these vacancies.

CHAIRWOMAN KRUEGER: And I know that if you're a New York City employee who

becomes a state employee, or vice versa, there's some rights to transfer years and benefits, et cetera.

And I know these federal employees that are getting laid off, sometimes with an email notice, don't think they're going to be able to be eligible for their benefits. Is there some kind of mutual transition that also can possibly happen to encourage these federal workers to come to work for us?

GOER DIRECTOR VOLFORTE: We can -- I mean, the -- I would -- the Comptroller's kind of the expert in the retirement area.

But I would say I'm not aware of anything, because that would be an entirely different non-state pension system, to the extent that that employee had one. But it's certainly something we can explore and confirm that there isn't a way.

CHAIRWOMAN KRUEGER: Because sometimes we give special -- we give extra points on tests, based on previous experience, if you're a veteran, et cetera. Is there potentially a parallel extra points for

recognition if you were a federal employee? I'm just making this stuff up. This is what you guys do.

(Laughter.)

COMMISSIONER HOGUES: And so that is something that can be considered. But it would be a lengthy-type process, most likely.

And so I think the number-one tool -- and I don't want to keep saying it over and over, but I do -- is the NY HELPS. Because once again it temporarily eliminates the need for individuals, for jobs that are open to the public, for them to meet the minimum qualifications and apply, send in their resume. And they have the opportunity to get interviewed and hired.

And so that is the vehicle that we are telling individuals to reach out to. And so they can go to statejobs.ny.gov.

CHAIRWOMAN KRUEGER: And you were talking about job fairs, and I'm not against those, but when we're trying to reach out to federal employees who might have lost their jobs other places, I think being creative

with social media -- I know I've spent years now watching certain governors and other states put social media here saying, Oh, get out of New York and come to here. And I've always been like, Oh, please, are you kidding?

But I actually think we should do exactly the same thing --

(Laughter.)

CHAIRWOMAN KRUEGER: -- at this moment in history, because there's a lot of reasons nobody should want to live in those states anyway. So we're also using social media and more I guess modern models, even if the people aren't here to come to a job fair.

COMMISSIONER HOGUES: Definitely, yes.

CHAIRWOMAN KRUEGER: Okay, I'm going to give up the rest of my time and move it to the Assembly.

CHAIRMAN PRETLOW: All righty, Senator, I thank you.

And I agree with you on the statement that there's an availability of workers now, I'm assuming, in New York City that still

hasn't rebounded from pre-pandemic levels. The rest of the state has, but because of the influx of individuals into the city, the unemployment rate in New York City is a lot higher than anyplace else in the state.

I'm going to say I have two questions that were handed to me, both for Commissioner Reardon.

You had mentioned that the minimum wage is being increased steadily and by 2027 it will be tied into the rate of inflation.

DOL COMMISSIONER REARDON: Yes.

CHAIRMAN PRETLOW: And I'm told that the average starting wage for a wage inspector is between $47,000 and $49,000, and it hasn't changed since 2010. And the Consumer Price Index shows that since then the CPI has gone up 46 percent. So it seems that your employees aren't keeping up with inflation.

What if anything are you doing to alleviate that issue?

DOL COMMISSIONER REARDON: What gives?

So actually we worked with my friend

at Civil Service to do an audit of a number of lines at the agency and were able to increase -- because, you know, they were working well below what they should have been paid, so they've gotten increases, step increases.

And that's actually what it takes, because these are civil service jobs. And I don't set their wages. So we need to go to Civil Service and have them do an audit and determine if they deserve that increase. And they've done that for I think three lines now, something like that.

But it's a process. I wish I could just wave my magic wand, but it's not actually up to me. And that's true of all the state agencies. So we are -- you know, to Tim's point, when they're looking at this compensation study, that's a lot of it, making sure that we are being competitive.

I should say also, when you're talking about getting people into state service, we do a lot of work in our career centers to educate people who come in -- people on

unemployment, but also people looking for career help.

We give them a lot of information about working for the state, and we talk about forgiveness of student loans and the benefit package and being, as Tim said -- the state is an umbrella employer, and you can start in one agency and move to other agencies as you wish, or move to different parts of the state. And you still carry all of your benefits, all of your, you know, vacation time, all of that. So that's a real bonus in today's workplace. And we're very, very active in letting communities know that these things are there for them.

CHAIRMAN PRETLOW: Okay, thank you.

And my second question is paid family leave. We made a big deal of it, we in the state, the Governor did, the Legislature did. But it's my understanding that state employees don't qualify for this. Is that true?

DOL COMMISSIONER REARDON: That's a Michael question.

GOER DIRECTOR VOLFORTE: They qualify.

And we have rolled out paid family leave, the statutory benefit, with two unions. The primary issue that's arisen in discussions with them is the payment and contribution from the employees.

And on top of that, even though it doesn't cover all the categories that paid family leave does, we have in the last round of bargaining, which is almost completed, we've negotiated paid parental leave where we've given 12 weeks of leave for birth, adoption and foster-care placement, which are some of the paid family leave categories.

So now state employees can access those benefits without having to pay for them. And that's a full paid benefit.

So that's where we are with paid family leave, but that's been one of the primary reasons behind not having paid family leave for the state workforce at large.

CHAIRMAN PRETLOW: Thank you.

Senator?

CHAIRWOMAN KRUEGER: Thank you.

Senator Ramos for a follow-up, three minutes.

SENATOR RAMOS: All right. Very good. Thank you so much.

Ms. Rodriguez, thank you so much for being here. We've been longing for the Workers' Compensation Board to be included. By "we" I mean me.

(Laughter.)

SENATOR RAMOS: Longing for the Workers' Compensation Board to be included in these budget hearings. Because even though you're a special revenue agency, and you are, you know, incidentally this year in the Executive Budget there is hopefully going to be more money allocated so that services are provided much more effectively.

I want to talk about pharmacies today. So my understanding is that injured workers are having a great deal of trouble trying to access the medicine that's been prescribed to them so that they can get better and many times, hopefully, go back to work.

It's with this in mind that I passed

S4926. And the argument from the Workers' Compensation Board to oppose my bill is that it would increase litigation costs to allow workers to get medicine from the pharmacy of their choosing. Which in rural New York in particular might just be the pharmacy that's closest to them. I can only imagine how hard that is on an injured worker.

Can you tell me, you know, why it is that you don't think that your own proposed regulation would lead to a surge in court cases if carriers controvert claims to deliver medications? Wouldn't that create both an administrative burden and an additional bureaucracy with mandated prescribed forms?

WCB CHAIR RODRIGUEZ: Thank you, Senator. And also thank you for your interest in this issue that we feel is also a really important one and, quite frankly, an intractable issue because as you know, carriers do have outsized control about whether or not they're going to legally dispute the --

SENATOR RAMOS: I'm sorry, can you answer the question, in the interests of time.

WCB CHAIR RODRIGUEZ: Yes, absolutely.

I just wanted to also say that I think this -- we have proposed regs, as directed by the Governor, and they are right now out for public comment until March 1st. So we will accept all comments and we'll revisit the regulation.

We actually think that this gets more to the root of the issue, because what the regulation -- the proposed regulation would do is that it would require carriers to give notice when they are not going to pay for a medication for -- because of a legal dispute. If said notice is not provided, there's actually a penalty on the employer and the injured worker can then go out of network and try and fill that prescription that way --

SENATOR RAMOS: Why does the proposed regulation focus only on controverted claims?

WCB CHAIR RODRIGUEZ: It doesn't, actually. It's any claims.

So a carrier can say that they're not going to pay for a medication even when the case is not controverted. It could be -- you know, it could be established, they went ahead and accepted it, but for whatever reason they're going to dispute this medication at this time. So it applies to all cases even when they're not controverted.

SENATOR RAMOS: It just always seems to me that there's always hurdles for an injured worker to get better.

CHAIRMAN PRETLOW: Thank you, Senator.

SENATOR RAMOS: That's fine. I got it in.

CHAIRMAN PRETLOW: Assemblymember Stacey Pheffer Amato for a three-minute follow-up.

ASSEMBLYWOMAN PHEFFER AMATO: Thank you very much.

Mentioned earlier was that we have 8,000 vacancies, right? Prior to COVID -- let's just use that time frame -- do we have an average of what the vacancy rate was on the state workforce?

COMMISSIONER HOGUES: Well, there was also a hiring freeze. And so it's sort of --

ASSEMBLYWOMAN PHEFFER AMATO: So before that. Like what was the last -- what's our number? Like what's our average number?

COMMISSIONER HOGUES: So when I walked in in June of 2022, the Governor looked at me and said, "We have over 15,000 vacancies, and let's get to filling them."

ASSEMBLYWOMAN PHEFFER AMATO: And then our lowest number, like prior to your time? Do you have any of those records?

COMMISSIONER HOGUES: I don't have that, but I can get that.

ASSEMBLYWOMAN PHEFFER AMATO: Okay. I'd be interested to see what the looks like, because of the 8,000 vacancies -- I'm just going to go back to what we were talking about before. And again, I'm very proud to be part of the conversations with NY HELPS and getting folks hired, and talking about our federal brothers and sisters who might be coming here to work.

But I want to talk to the next possible person and go back to the competitiveness and those positions that we don't have exams, and what we could do to go forward. Because we're going to just lose those people when they don't have anywhere to go. You could take a lower-paying job, say. It's lower, but you know the hope is to get to the next level.

And so, again, what are you -- because I'm sure you were thinking about it after I said it. But what can we do, and how can we support you to help that process? I know we're going to have testing centers, but is it that you're having your own struggle having people who mark the exam, write the exam?

Like what could we do to partner to move that along? It's just -- it's very frustrating for the workforce.

COMMISSIONER HOGUES: No, that's a great question. And obviously after the pandemic, the workforce -- desire to work and all that has shifted.

And so when you talk about our testing centers that we had prior to COVID, those individuals that are test monitors, they left in mass droves as well. And they haven't returned to wanting to fill those positions. So we've struggled in that area.

And then when we talk about the availability of space -- and so that's why we proposed and it was in the budget for us to have civil service-controlled testing centers.

But the crux of the matter is we're really reimagining how we're doing our work and transforming that so we can be much quicker and faster and efficient and equitable in that work. And so that is the solution, and that's the investment that we appreciate that is allowing us to get to that point.

And so the HELPS program is a stopgap while we're working on the transformation of Civil Service.

ASSEMBLYWOMAN PHEFFER AMATO: And, Commissioner Reardon, you were mentioning

internships. Are they paid internships that you have in your house?

DOL COMMISSIONER REARDON: Yes. We would never have an unpaid internship.

ASSEMBLYWOMAN PHEFFER AMATO: Okay. Because I also save some of my yearly budget for paid internships in the summer.

DOL COMMISSIONER REARDON: Yeah. It's a great thing to do.

ASSEMBLYWOMAN PHEFFER AMATO: And is this something that we could do on the state level that's like the city, that has the Summer Youth Employment opportunity? Because as we were just saying before, it's early exposure for our high school seniors and then early college folks who come home and say, Is that a job to meet me?

Is there something that we could talk about in --

DOL COMMISSIONER REARDON: I think there are high school internships as well in the summertime.

But we could have that conversation.

ASSEMBLYWOMAN PHEFFER AMATO: Okay,

great, thank you.

DOL COMMISSIONER REARDON: Yeah, love it.

CHAIRWOMAN KRUEGER: Next is a three-minute follow-up from Senator Jackson.

SENATOR JACKSON: Thank you.

Well, thank you all for coming, as I've said.

Commissioner Hogues, I asked you to follow up on the details of NY CARES {sic} as far as, you know, people may be coming in but some may be leaving. But people want to see from a holistic point of view the impact on new employees coming into the system. So I don't know whether or not that's automatically what you're going to do or you may want to consider that.

I know that my union, PEF, has asked that question to be asked, and so I'm asking you, as the commissioner for New York Civil Service Commission, to look into that.

And as far as -- Director, I understand that in my information that I have there's two unions that may have been

discussed that have not come to an agreement on an expired contract. Is that correct?

GOER DIRECTOR VOLFORTE: That is correct.

SENATOR JACKSON: And what are those two unions? Who are they?

GOER DIRECTOR VOLFORTE: One is NYSPIA, which represents criminal investigators in the State Police, and the other one is the Graduate Students Union.

SENATOR JACKSON: And what was the second one?

GOER DIRECTOR VOLFORTE: Graduate Students Union.

SENATOR JACKSON: Okay. Well, I just -- I would encourage the State of New York to get it going so that you have agreements with those unions.

I am concerned, as my colleagues expressed, about the corrections officers' strike. I've listened to the news, I've read the newspapers. I'm hearing that there is a mediator trying to mediate it. But please express to your supervisors -- and I believe

that may be the Governor -- that this is a major impact on correction officers, their families, and incarcerated individuals and their families.

And as you know, at least one incarcerated individual has died as a result of medication, is my understanding in reading it, but as a result of the strike and not getting proper medication and what have you and so forth.

This is -- it's a mess. And we need to come to the table in order to come to agreement. And I ask all of the parties involved to come to the table and let's work it out for the betterment of all. And I say that as someone that has two family members that are currently correction officers. So -- but I'm concerned about everyone.

And I saw on the news this morning where the wife of an incarcerated individual was crying about the situation that her husband is in. So it is impacting everyone. And we just need to all work together to work it out.

So please pass that on.

GOER DIRECTOR VOLFORTE: Thank you.

SENATOR JACKSON: And thank you for your service.

GOER DIRECTOR VOLFORTE: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIR PRETLOW: Assemblyman Harry Bronson for a three-minute follow-up.

ASSEMBLYMAN BRONSON: Thank you.

So first of all, Chair Rodriguez, if you could just get to us your -- the intent of the language on the regulations that will cover not only -- will cover all claims and not just uncontroverted claims. Because the Workers' Comp Bar is saying it will only cover that.

So I don't need an answer today. Please provide your analysis on those regulations.

WCB CHAIR RODRIGUEZ: I'm happy to do so.

ASSEMBLYMAN BRONSON: I want to turn now to the crisis that we're seeing in our

correctional facilities. And, you know, I join the Senator in his comments.

This is about safety for everyone. It's about safety for the correctional officers. It's about safety for our brothers and sisters and siblings in PEF who are there, and all of the correctional employees. It's about safety for people who are residing in the facilities.

But it's not just the correctional facilities. We have this problem throughout the system with short-staffing and our workers being under threat of assaults. And I'm very disappointed the Governor vetoed our bill that would have included bullying and abusive behavior in a law that was passed by my predecessor and I worked on in 2006 that required public employers to develop a system to prevent violence in the workplace.

They needed to do -- and you should be doing -- a risk evaluation and determination. You need a written workplace violence prevention program. You need to have training when people are onboarded into the

worksite, and then every year.

So my question is for you, Director Volforte. What steps have been taken in connection with staff safety and security for folks in all of our facilities -- our DOCCS facilities, our OCFS facilities, our OPWDD facilities, our OMH facilities. Because this violence is happening in all of those facilities.

What have we done to follow the current law that was adopted in 2006?

GOER DIRECTOR VOLFORTE: So I can speak to my experience with it in terms of I'm confident that each of those entities has policies like they're supposed to, has engaged their employee organizations like they're supposed to, done their risk assessments, has initial policies in place, updates it, meets with them on a yearly basis.

I don't know what the experience is like if there are claims of violations of that. I believe DOL has oversight over things that don't get addressed at the agency

level.

So the agencies have that in place with respect to violence. And again, violence in one agency is not the same as others, and that's why it's an individualized determination and goes agency by agency.

ASSEMBLYMAN BRONSON: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

I believe we have now completed the questioning of you. I want to thank you all for your participation. I want to thank you for your work every day for the people of New York. Go and be effective. Thank you.

And people who want to still grab the commissioners, you only get to do that in the hallways, not in this room. We now want them to be removed as quickly as possible from the room so we can continue the hearing with the next panel, which I will call up.

Retired Public Employees Association; the Organization of New York State Management/Confidential Employees; CSEA Local 1000 -- this isn't time for everybody to talk -- and the New York State Public

Employees Federation.

If they would please come down as the first panel leaves the room.

(Pause off the record.)

CHAIRWOMAN KRUEGER: Okay, before we start, now we're at the part of the hearing where everybody gets three minutes. You get three minutes to testify; we only get three minutes to ask and answer questions.

We will ask you first to introduce yourselves, starting from the right, so the people in the booth know what name to put on what picture when you are testifying. Please.

MR. TERRY: Joshua Terry, CSEA.

MS. DiANTONIO: Randi DiAntonio, Public Employees Federation.

MS. ZARON: How do I get this on?

I'm Barbara Zaron, president of the Organization of Management/Confidential Employees.

MS. HINCHCLIFF: I'm Diana Hinchcliff, president of the Retired Public Employees Association.

CHAIRWOMAN KRUEGER: Great, thank you.

And now we'll start from the right. Each person gets three minutes.

MR. TERRY: Great. Thank you, Senator.

My name's Josh Terry from the Civil Service Employees Association, and I'm going to talk about a lot of what I've talked about last year and the year before, which is recruitment and retention of the public-sector workforce.

There are a lot of things in this budget that we're happy to see. The Governor proposes an extension of waiving civil service exam fees. We're supportive of the idea. Her proposal is only for six months. We don't have a six-month problem, we have a much-longer-term problem, so we think a longer-term renewal is warranted.

We do support extending NY HELPS. This is a Band-Aid, I've said this before. This is not a long-term solution to our staffing problems. But since we are still in crisis within the state and local government

workforce, we are supportive of this.

I want to thank Assemblyman Santabarbara for bringing up our firefighters at the Division of Military and Naval Affairs. These are firefighters that provide fire protection services at Air National Guard bases in Scotia, Newburgh and Westhampton.

They are trained professional firefighters, but they are not treated as such by the state. They cannot retire under Tier 6 until they're 63 years of age, which is shocking when you compare them to a municipal firefighter, who retires after 20 years -- rightfully so.

So we're asking in the budget to include legislation from Senator Skoufis and Assemblywoman Pheffer Amato to give them a more equitable pension.

We recruit employees into the public sector and we have an obligation to protect them and give them safe worksites. Stephen Ebling was a CSEA member at the Thruway Authority who was struck and killed while

working out in Silver Creek in November of 2024.

Not long after, we had a very disturbing incident with a member of our DOT unit in the Southern Tier who was nearly killed when a box truck failed to move over. If you scan the QR code in our testimony, you will see a dash cam video of that incident.

Because of this, we support increasing the number of work-zone cameras in the budget, increasing penalties for speeding and failing to move over, and then increasing penalties on habitual speeders in work zones.

We also support protecting our workers at DMV. I don't know if you remember when you got your driver's license -- I got 100 on mine. But we represent the license examiners who are usually by themselves in areas that are a little bit desolate. They are consistently assaulted and attacked when somebody fails an exam.

Fifty percent of our members, when surveyed between us and DMV, have experienced workplace violence in that role. They have

been kidnapped, they have guns pulled on them. This is an ongoing issue. And the Governor has a proposal in her budget that would increase the penalty for assaulting them, and we would ask that everybody support it.

So thank you so much.

MS. DiANTONIO: Good afternoon, chairpersons, distinguished members of the Legislature. I'm Randi DiAntonio, vice president and political action chair for PEF. We represent 54,000 public employees in professional, scientific and technical titles.

Like our brothers and sisters in CSEA, recruitment and retention is a serious issue. It's been an ongoing issue, but it's now a complete crisis. We appreciate all the efforts on Tier 6 reform, but with 8,000 vacancies, we need actions. Studies are great, but they're taking way too long.

Just last year, the state spent $1.2 billion on overtime. And all of that overtime has real people attached to it --

people with lives that they can't go home to. The agencies that work the majority of it will not come as a shock -- DOCCS, OCFS, OMH, and OPWDD. Seventy percent of all overtime work were out of those settings, and that trend continues.

And chronic short-staffing is unsustainable. Our members are at their breaking point. They're overworked, the morale is just overwhelming. Excessive overtime mandates are commonplace because they are doing the jobs of other people.

And frankly, what we're seeing in the DOCCS facilities right now is indicative of a broken system, not just one piece of legislation. It is a system that has been sort of hanging on by a thread.

You know, I've been here for many years talking about some of the legislation that we've discussed today -- HALT, Less is More, Raise the Age. And we support criminal justice reforms, but we support them coming with resources and guardrails. The implementation of some of these policies in

the facilities themselves came without input from our staff, the members who do the work. And it has led to situations in our facilities that we really need to look at, reevaluate, and work together to fix.

Our staff are facing dangerous conditions. That includes assaults, rapes, exposure to illegal drugs, bodily fluids. And no one comes into the state system or signs up for double and triple shifts, missing their families. And just like COVID, I give a shout-out to our members. They are stepping up, they are showing up.

But we've got to do better. Civil Service has promised us many changes, some coming to fruition, but we still have 12 regional testing sites that are not open yet. We still have a salary study that was funded three years ago that's just started a month ago.

We don't have promotional opportunities. We have people waiting 20 years for tests. And our hiring practices are undermining merit-based hiring.

And while we agreed that HELPS was a good Band-Aid, as we're seeing in Washington, just abandoning merit and fitness is not going to be in the best interests of New Yorkers on a long-term basis, or its taxpayers. And we do want to see HELPS come to an end with more sustainable approaches.

In this budget we would like to see -- I'm running out of time. Almost made it. I thought I was talking fast.

(Laughter.)

MS. ZARON: Hi, I'm Barbara Zaron, president of OMCE.

M/C employees are prohibited by law from joining a union or engaging in collective bargaining. So we're not protected by a negotiated contract. Most M/C employees are career civil servants: 7,000 of the 11,000 are in the competitive class. So they've already proved their -- oh, I'm so sorry. So they've proved themselves by taking a competitive exam of some sort, maybe not paper and pencil.

At any rate, whatever their status,

M/Cs frequently express their disappointment and feeling of being disrespected and undervalued because their compensation is not comparable with union-negotiated salaries of their subordinates or colleagues. In the written testimony, you'll find some examples of this.

We've worked for many years to obtain comparable salary and benefits. Because we don't collectively bargain, we're at the mercy of the executive branch and OER to determine M/C salary and benefits. Frequently the salary increases are at the same percentage as the union-represented folks get, but that's not the whole story.

So we've tried for years. Now, I want to quickly rush to the written -- our written testimony that has our comments on some of the Executive Budget proposals.

For example, a proposal to eliminate the state subsidy for IRMAA. We say unequivocally no, don't do that. And by the way, PEF is on the same track and the AFL-CIO is also on the same track.

The transformation of the merit system, we think that's a good idea but we are most concerned about what those specific proposals are and how they would be implemented. Because our folks are the ones, the management people are the ones who have to implement all of these things.

Optional payment for new hires? Sure. Why shouldn't they get paid two weeks after they come on-board? But we should be redesigning the payment system to accomplish that, not having to do a separate fix.

Continue the waiver of civil service exam fees? Yeah.

Extend the HELPS program? That's supposed to be temporary, and we find it problematic to keep continuing it.

We have several bills that are specific to our issues. I'll just thank the Senate which passed just yesterday Senate 1724, and it's Assembly 1979. And we have a hearing officer decision bill that is coming up for action as well.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Next.

MS. HINCHCLIFF: Yes, good afternoon, Senators and Assemblymembers.

I'm Diana Hinchcliff, president of the board of directors of the Retired Public Employees Association, which represents the interests of the almost 500,000 New York State and local government retirees. We advocate to protect the benefits they received from their years of public service.

Before I begin, I'm wearing this mask because I have a compromised immune system, so please let me know if you can't understand me.

You have my full testimony; here is a summary. We have three top legislative priorities.

First -- Barbara mentioned this -- restore the Medicare Part B income-related monthly adjustment amount reimbursement, which the Executive Budget eliminates. Retirees over a certain income level pay an additional Medicare premium. The Civil

Service Law provides for an offset to this premium so all retirees' health insurance premiums remain level.

The Legislature has restored the IRMAA reimbursement in the past. We urge you to restore it this year.

Second, enact an increase in the pension cost-of-living adjustment for state and local government retirees. The average pension for all New York State and local retirees is $28,000. Half of them receive a pension under $30,000, and 70 percent of all retirees receive a pension under $40,000.

The COLA was enacted in 2000 and has not been increased since then, while the cost of living has gone up every year. The COLA is applied to only the first $18,000 of the pension, and it's calculated at only half the annual rate of inflation, with a cap of 3 percent. The Consumer Price Index has increased a cumulative 87 percent over the past 24 years.

Even if retirees had received the 3 percent maximum each year -- which they

have not -- the increase would have been a cumulative 50 percent, not 87 percent.

RPEA will be submitting a bill for introduction and your consideration to increase the COLA for retirees. We urge you to support and enact it.

Third, require parity between Medicare-primary Empire Plan retirees and active employees for access to skilled nursing facilities. Medicare-primary enrollees in the Empire Plan do not receive any coverage for skilled nursing facility care, while non-Medicare enrollees are covered.

We will be submitting for introduction and your consideration two bills, one to ensure equal coverage for all Empire Plan enrollees, and another requiring a verified estimate of the cost of providing this coverage. We urge you to support and enact them.

We appreciate the opportunity to present this information, and I'll be happy to answer any questions.

CHAIRWOMAN KRUEGER: Thank you.

Our first questioner will be Robert Jackson.

SENATOR JACKSON: Well, thank you, and good afternoon. Good to see all the unions in the house communicating about what's important.

I ask you, understanding you were sitting and listening to the first panel of representatives -- the chairs of Civil Service and Labor, they were all there. But why, in your opinion, has not the State of New York hired more people instead of having multi-billion-dollars in overtime? Why?

MS. DiANTONIO: Well, I mean, I think to their credit they have brought in people into state service. What we're seeing a lot of is people not staying in state service. So there is a lot of efforts to get them on-boarded into the various agencies.

But I'll give you an example. We have OCFS facilities where they bring people in and their first week there, they're being mandated to 25, 30, 40 hours straight. And

after being trained and all the resources that go into it, they're like: See ya -- I can't do this, I have a family.

So I think that's one piece of it. The other things we're hearing is as much effort that's going into trying to recruit people, it's not hitting certain populations. I heard someone say earlier summer youth programs, camp counselors, student internships. We have gotten away from a lot of that, and we really need to look at that.

Because, you know, like some of us, we're ready to retire, and the workforce demographic has shifted. We're bringing people in. Tier 6 is another reason. I mean, pensions used to be what brought people and kept people. Not quite the same.

And I do think we need to do more with our presence online and social media, where younger folks are going to actually engage. It's just -- we're not there yet.

MR. TERRY: So in 2023, calendar year 2023, the state hired 17,000 new employees. Which was up from the previous year. We had

attritions via retirements and separations of 15,500. So, right, our net gain is in the couple of thousands.

And so I think the state is recruiting people, I think at this point. I think people are coming back. But it is -- I think we need a strategy of how to retain them. Which is what a lot of our testimony focused on, which is we can bring people in as a firefighter in DMNA, but when they see the 20-year pension hanging in the City of Albany, they're going to try to go to that.

So I think it's the retention piece that we need to focus on.

SENATOR JACKSON: Thank you.

MR. TERRY: Thank you.

CHAIRMAN PRETLOW: Assemblywoman Stacey Pheffer Amato.

ASSEMBLYWOMAN PHEFFER AMATO: Thank you for your testimony.

So to just finish up what you were saying, Josh, the retention part -- Randi, you said very quickly because you were trying to get your three minutes in, but you said

the word "rape." So if an employee's getting raped in a job while working for the state, how do we think we retain people?

And I was surprised to find out, working with Civil Service, that like the average was 12 years. Right? They stay 12 years. So people leave before getting to the end of their pension. Or starting later.

But can we talk about that, the part of retention of the worker safety part of it?

MS. DiANTONIO: Yeah. I mean, look, at least in PEF, in the settings we're referring to, most of us are helpers, right? We go in, we want to work with our patients, our clients, and make sure that they come out successful. But we know that there are some risks to the jobs. But it has never been the risks such as we're seeing today.

And we've had multiple sexual assaults in our -- not only in DOCCS but in our other OMH facilities and in other settings. I mean, I think the reality is there were shifts in how services were provided many years ago where we closed a lot of inpatient

beds. Some of that has shifted; we are reopening. But when we don't have proper environmental structure to serve people, when there aren't natural consequence, people end up engaging in behaviors that are difficult to manage.

And when you're severely short-staffed, people can't respond to crises as quickly.

So for example, in a sexual assault situation, one that comes to mind is the person was doing counseling with somebody, pulled her personal alarm, we're in old facilities. They couldn't find her. The cellphones or the phones that they were tied into were not the right ones. People were running around looking for her. But there's only like one security officer where there might have been five a few years ago.

And so those are the kinds of scenarios that lead to our members and others, you know, getting assaulted, not being -- intervention not happening timely. And we really have to deal with some of the

technology supports that we can utilize. If we don't have bodies, we've got to figure out another way to make people safe.

And a lot of our settings just don't have that capacity right now. We talk about body scanners in the budget, we talk about personal devices, we talk about making sure people have radios. But if they don't work when you're in parts of a facility, they're not very good. You know, they're not going to help.

And I do think a lot of our members -- you know, right now we try to encourage buddy systems as much as possible. But when you're short-staffed, those are the kinds of things that, you know, in reality don't work.

ASSEMBLYWOMAN PHEFFER AMATO: That's not welcoming, right. That's not going to say, oh, I'm a college graduate, let me just jump into that job -- even though that's what I want to do.

MS. DiANTONIO: No. No. And if you're --

ASSEMBLYWOMAN PHEFFER AMATO: I think

we have to address that for your members and future members and for the long state, because that's part of the retention problem. Because your intention to go in for the good work is going to go right out the door.

MS. DiANTONIO: Yeah, nobody signs up.

ASSEMBLYWOMAN PHEFFER AMATO: So thank you for just being open, and I'm looking forward to working with you on this.

MS. DiANTONIO: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Rhoads.

SENATOR RHOADS: Thank you. Thank you, Madam Chairwoman.

Randi, you've done such a fantastic job, speaking so eloquently about the issue going on with DOCCS.

I just wanted to -- I mean, our prison system is sort of a -- it's a powder keg. I mean, you're locked into a facility, it's not a normal work environment. You know, and some of the legislation that we've passed, while well-intentioned, seemed to hand the inmates, you know, books of matches.

And keeping our employees safe is incredibly difficult. You know, you were here earlier for the testimony of Commissioner Reardon. Has the Department of Labor reached out to you at all to try and address some of these significant issues of workplace safety that you're articulating today? We seemed to get a pass-off that this is all a DOCCS problem, but I really think that this is a Department of Labor problem since they are the ones that are responsible for enforcing workplace safety. And that shouldn't stop just because they're state employees.

MS. DiANTONIO: Yeah. So, I mean, we have been working really hard -- I mean, this week alone we're fielding hundreds of calls from members around workplace safety. And we are educating them on their rights under the law to refuse hazardous work. That's, you know, under certain standards.

We're also, where possible, putting in PESH complaints, which would initiate the Department of Labor coming in.

I don't know what DOCCS's position is on letting people into the facility, but they certainly would need to let them in to look at records and ask questions and things like that.

So those are things that are happening. You know, I can't speak to each situation, we have so many different facilities. And frankly every facility is different in terms of what's going on right now. Some have been able to really maintain better safety than others. You know, some of our medium-security ones with dorms are much more difficult.

But we do, where it's appropriate and where the standard allows us, we are reporting those things. So the Department of Labor does have a role, and we would expect them to fulfill that.

You know, our members are PESH inspectors. We represent them. They're PEF members. And we have had those conversations. We have an incredible health and safety team at PEF, and they have been

working very closely with their partners in PESH to see where and if we can make a difference. So that is something that we will continue to do.

I mean, I think that, you know, we're doing a lot of stuff outside of that in terms of negotiating memorandums with DOCCS and with OMH on safeguards, so our people aren't going in unescorted. But again, those are case by case, trying to figure out where there's dangers and what we can do to mitigate them.

SENATOR RHOADS: Do we feel as though the position that DOCCS has taken with respect to forcing employees back on the job regardless of their status is legal?

MS. DiANTONIO: I mean, I'm not an attorney, so I don't -- you know, in my instance, the members I've spoken to -- does that mean I stop?

CHAIRMAN PRETLOW: Assemblyman Harry Bronson.

SENATOR RHOADS: That's it.

ASSEMBLYMAN BRONSON: Randi, you were

just saved by the bell. Otherwise you'd be giving legal advice.

So let me -- to both you, Randi, and Josh. You know, we've talked a lot about workplace violence. You know, it's on everybody's mind because of what's happening in DOCCS. But, you know, I think we have to step back. We have to deal with that crisis, and again I -- we'll put on the record I think we deal with it from making sure that we have staff safety and make sure that we have resident safety for those people in those facilities.

But I think it's important for us to remember it's not just DOCCS. This is OPWDD, this is OMH, this is OCFS. And we visited the industry facility recently, and at that facility workers were being forced to do double shifts. You know, the residents were being forced to stay in their rooms, not getting instructional education programs and things of that nature because it wasn't safe. They didn't have enough bodies to get people out.

And I heard your point about we are recruiting people, NY HELPS is helping, waiving the civil service fee is helping, there's additional testing centers. But, you know, I just want you to -- both of you, Josh and Randi, because you have members in the DOCCS facilities, but you have members in these other facilities. Just make the direct connection between the problem we're having with staffing, with attrition and keeping staff people, and how that translates into the day-to-day safety of your members.

Josh, you want to start?

MR. TERRY: Yeah. So we are in every state agency and especially in direct care. In OPWDD when we have members hired, their first weekend -- and Randi brought this up -- they are mandated, right, to work a weekend, they're mandated on that first week to work a double shift.

And we have a chicken or the egg scenario, which is we need more staff to come in in order to alleviate this overtime crisis that we continue to have, but once people

come in and are mandated, right, they leave and then we are constantly trying to catch up.

And it goes even deeper. We had a member in a state psychiatric center in New York City who was raped, sexually assaulted and raped in the facility by a patient. She was by herself. It was an unsafe situation.

But at the end of the day, the members want to do the work. They want to do this stuff. And sometimes they'll -- rather than waiting, right, they wait an hour for somebody else to come in, they're going to go just try to get the work done.

And so we need to figure out this -- to get an influx of staff in order to alleviate all this from happening.

ASSEMBLYMAN BRONSON: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Weik.

SENATOR WEIK: Good afternoon, everyone. Thanks so much for being here. Thanks for your testimony.

I know that we've heard in the past Tier 6 sucks, but I have a different motto. I'd like to say "Let's fix Tier 6." And with that in mind, I heard you all had your opinions and stuff on different aspects of it. But if you could give me a real specific answer, which parts of Tier 6 seem to be the most unattractive?

MS. DiANTONIO: I'll start, because I know our members hate this.

We really need to standardize the contribution rates. We have members who are newer to the workforce, every time they get a raise or they are -- you know, they're paying more than the person they're sitting next to, who's often making more.

SENATOR WEIK: So I get that, that's the answer I was looking for. I don't mean to be rude, but thank you very much.

MS. DiANTONIO: That's okay.

SENATOR WEIK: Anyone else? Anyone else have an answer for that?

MR. TERRY: I mean, I fully agree about contribution rates. I think we also

have to look at the penalties of retiring before age 63. These are draconian penalties. And when you work on a job, maybe you're a laborer, maybe you're working as a direct care worker, and your body is just done when you hit 55, 60 years old -- to retire at that point, you're losing more than 50 percent of your pension in perpetuity.

SENATOR WEIK: I know, I'm 52, I already feel like I'm at that.

(Laughter.)

SENATOR WEIK: I also want to -- I have a bunch of questions, which is why I want to go quickly.

How do we retain employees? What's the best way to retain employees?

MR. TERRY: Increase wages and benefits.

SENATOR WEIK: Anyone else?

MS. DiANTONIO: Treat them with respect and listen to them.

SENATOR WEIK: That seems so simple.

MS. DiANTONIO: Yeah.

SENATOR WEIK: Okay. And then as far

as this budget goes, do you feel that it's properly funded in order to try to correct the things that are happening? And today we're talking about the sexual harassment, we're talking about abuse. Do you feel that there's funding within this budget that's allocated in order to correct these issues?

MR. TERRY: When you say issues, are you talking about staffing issues or --

SENATOR WEIK: Staffing issues is really the solution to fix, you know, the shortage which is the terrible situations we're listening to.

MR. TERRY: So, I mean, I will say to the state's credit, to the Governor's credit, if we could bring in tomorrow 5,000 new people to work in OPWDD, they would hire all of them. The FTEs are there, the funding's there. It's getting the bodies in place.

And if we could somehow surpass their top-line number, I think that they would be willing to go even further. So I think it's not a funding issue so much; I think it's becoming a -- it's a bodies issue that we

need to figure out.

SENATOR WEIK: Okay. And then I know -- Randi, I don't mean to put you on the spot, but you were saying that you were offering individuals legal advice on -- not necessarily as a lawyer, but how they can proceed legally and that kind of thing.

We're trying to find out --

MS. DiANTONIO: I was not offering legal -- I was saying I won't offer legal advice.

SENATOR WEIK: We're trying to figure out who is it who can tell us whether or not it's legal or illegal? Because everyone seems to be dodging the bullet on that one, whether or not DOCCS individuals can come back -- or if they're being called back in when they're out on workers' comp, if that's legal.

(Time clock sounds.)

SENATOR WEIK: I still am not going to get my answer, I guess.

CHAIRMAN PRETLOW: Assemblyman Durso.

ASSEMBLYMAN DURSO: Thank you,

Chairman Pretlow.

Thank you, everybody, for being here today.

So Josh and Randi, I'm going to continue with a couple of questions. I'll try and get them as quick as I can.

As a former CSEA member and someone that sat on the health and safety committee, we're actually talking about workplace safety here. So Josh, if you could quickly touch on the speed-zone camera initiative for this budget season. Could you just speak a little bit more about that?

MR. TERRY: Absolutely.

Our members that are in work zones on highways tell us people slow down for two reasons: One, they see a police officer up ahead, or two, there's a sign that says there's a speed camera coming up. They slow down. That gets them to drive safely through a work zone and makes our members' lives safer there.

So that's why we're pushing for an expansion of this program. We don't need a

report to come out to tell us that it works. We know they work.

ASSEMBLYMAN DURSO: Now, do you see those numbers in -- you know, since implementation of the speed-zone cameras, have you seen the number of incidents go down prior to that?

MR. TERRY: I mean in terms of -- yeah, I believe the number of people that are speeding through these work zones has decreased. And then I think there would be a corresponding decrease of injuries to our members as well as members from the building trades who are working on these highways as well, from injuries from that, yes.

ASSEMBLYMAN DURSO: Okay. And then a question for both of you. And obviously we've touched on Tier 6 a little bit. Listen, as someone who worked sanitation for 15 years, you can't be 63 years old and work on the back of a truck for 40 years. It's not going to work, it's not going to happen. They're not going to make it to that point.

So not only are you losing half your

pension, workmen comp's going to go up because people are going to be making those claims because they are getting injured. But when we talk about safety in general, whether we're talking about the PEF employees that work in prisons or any of our CSEA members, retention and recruitment is so important.

As we were just saying up here, keeping them safe and making them feel safe in their employment is what's going to keep them there. Getting someone to be hired for five, six, eight years is great, but if they're not safe, they don't feel safe.

And in no other industry, right, especially in New York State, are we going to allow someone to be sexually assaulted, right, and then put back in the same area where that sexual assault took place, or the person that assaulted them is working with them. No other industry. But when it comes especially to Department of Corrections or in the prisons, they're allowing that.

So whether it's sexual assault, physical assaults on the employees, do you

feel that the Governor's office is doing enough to address these things? Because again, these are employees that are being physical assaulted, sexually and otherwise. And then we're putting them right back to work to have the same things happen and put them in those same positions.

So are we as a Legislature and the Governor's office doing enough to protect these employees?

MS. DiANTONIO: Well, I mean, I think a lot of this is at the agency level. We are having conversations at OMH, OCFS. They have the ability to not put employees back into those same units. They have the ability to move patients.

ASSEMBLYMAN DURSO: But they don't.

MS. DiANTONIO: Most often not.

ASSEMBLYMAN DURSO: Right. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Mattera.

SENATOR MATTERA: Hello, everybody. Thank you, Madam Chair, and thank you for everybody's testimony here today.

And I just want to thank my brothers and sisters in the union movement. I appreciate you guys working hard for all the hardworking men and women of labor to make sure that we have a decent wage, decent healthcare and a decent pension.

And first of all I really want to thank, on Long Island, Sue Castle for doing a great job, and Darlene Devlin, that goes to all the -- she started with me with the job fairs and the career fairs in the public schools.

And, you know, one thing that's very, very important to me, and I'm an alum with the BOCES program, what have you -- looking into these -- the new workforce that's coming out of the BOCES program, are you guys involved at all working with our school districts for the BOCES when these talented young men and women graduate and, guess what, they want to go into the work field. So what are we doing with that, with the BOCES program?

MR. TERRY: So, I mean, we have been

involved in trying to work with BOCES and community colleges to create technical programs and job training programs, maybe to fast-track them into a CNA certificate so they could come into the state workforce and then start building their credentials into an LPN or an RN.

We've worked with them. We want to continue to work with them because that's the future of our workforce. And it's the fastest way to get people into the workforce.

SENATOR MATTERA: All right, so you are. Because us with the trades, we work exactly with the BOCES program with the plumbing, electrical and all that, and it's been working out wonderful. We have a direct connection with the coordinators and the instructors. So it's been working out really well.

MR. TERRY: Senator, can I just say, you did pass, I think it was two years ago, the Legislature and the Governor signed a bill that requires Civil Service to reach out to BOCES, high schools, college programs in a

frequent way in order to promote all these opportunities.

SENATOR MATTERA: And how has that been working? That's been working --

MR. TERRY: Well, I think it's only been a year since it's actually in place, so I don't think we have data. But I think we're excited that they're actually having to do it now.

SENATOR MATTERA: All right. Again, it's a great, great avenue.

In 2021, safe staffing passed, am I correct? What has been going on with that? And tell me -- yeah, it passed, but what is it doing? What is it doing to help?

MS. DiANTONIO: Do you want me to --

SENATOR MATTERA: That would be -- that would be you, Randi. That's good, thank you.

MS. DiANTONIO: Oh, no, that's fine.

I mean, the hospitals that have safe staffing committees have been meeting. You know, I think our members have had a role on them. You know, we're still struggling with

staffing and management has more cards on those committees than we do.

But I think the process itself has allowed people to come to the table to discuss the issues, to look at mandatory overtime issues. It's not the end-all, be-all, but it is a start and we -- you know, we appreciate having the forum to do those things.

SENATOR MATTERA: Okay. Well, we're all here to help, to make sure that that works. Okay? Because now -- frankly, it did get passed in 2021, so I just want to make sure that we do have that in place.

But I just want to thank you guys very, very much for doing your great work.

CHAIRMAN PRETLOW: Assemblymember DeStefano.

ASSEMBLYMAN DeSTEFANO: I'm assuming that's me, Mr. Pretlow? Okay, thank you.

As a proud union member myself, a 30-year member of the Suffolk County Association of Municipal Employees, I am very proud of that, and a 30-year retiree of that

organization.

My question is, to the previous panel I asked what is being done to maintain the people that were given the civil service test, they're free. Are we doing any exit interviews when any of the people who are leaving and saying why? I know salary, I know Tier 6, I get it all. What else is there that we're missing that we're not being able to assist with?

MR. TERRY: So, I mean, I don't know -- and I think it is agency by agency or, in local government, by each employer, of whether they're doing an exit interview.

I think that data would be very refreshing to see, in order to see what is driving people to the doors. But at the end of the day, I mean, I think we've kind of said what drives people -- or what would keep people in these jobs, and it's wages that are competitive, it's benefits that are competitive, but it is the -- it's the respect and the thought that they're actually doing work that's valuable and valued by

their bosses and their colleagues.

MS. DiANTONIO: And the only thing I would add to that is we know they send out exit interviews but often don't get them back. But historically we used to have affirmative action administrators in the agencies that managed a lot of that process, and they were moved under the Office of Employee Relations many years ago.

And when we lost that kind of personal touch to reach out to employees, I think we lost a lot of the ability to really get those back from people. That's just my observation and what I'm hearing, for what it's worth.

ASSEMBLYMAN DeSTEFANO: I'm going to move on to a different topic because it's near and dear to me. I know I stood with the nurses out on the patio, you know, demonstrating for, you know, equal pay, equal work, all that good stuff.

But my question is has anything changed? We sit and we do this every single year. This is my seventh year here. Recruitment and retention, we're always

singing the same song. We're not doing enough to recruit and keep these people. How are the nurses doing? Because my daughter's a nurse and I worry about her.

MS. DiANTONIO: So our nurses -- you know, we were very thankful that we were able to get increased salaries for our nurses, geographic pay differentials. But at the end of the day our nurses work really hard jobs and oftentimes are not able to get home when they need to get home.

You know, we appreciate that there were some changes to the mandatory overtime law, but enforcement is not where we would like to see it. We know there's some bad-actor managers who continue to mandate our members.

We have a ways to go, but I think, you know, we're moving in a good direction. There are a number of things we're looking at in terms of preceptor bills, tax credits, loan forgiveness, things like that.

ASSEMBLYMAN DeSTEFANO: Thank you.

CHAIRWOMAN KRUEGER: Senator Rolison.

SENATOR ROLISON: Thank you, Madam Chair.

I'd like to address my questions to our union friends, and it has to do with PESH. What is the current staffing in that agency for PESH?

MR. TERRY: I don't know the exact numbers, but I think that it -- based on speaking to our health and safety teams, it mirrors the problems we're having across public employers in general, which is they are not to the level that they should be at.

SENATOR ROLISON: And so when there is an issue within a facility, whether it's a problem with the building, whether it's working conditions in other ways, I guess it's safe to say that PESH isn't able to respond in a way that we'd like them to, to try to address and then help remediate these challenges, which are statewide.

I had experience with PESH when I was a police union president in early 2000, and back then they responded pretty quick. And that was an issue with the police building.

But, you know, when we're talking about all these different challenges that we have in the various state agencies that are equipped -- or not equipped -- to address these challenges, especially how acute they are now, that's a challenge that needs to be addressed, I would say, first. Because they are the responders to these issues.

MS. DiANTONIO: I think the staffing is certainly an issue everywhere. But I also think some of the standards need to be looked at again, because some of them have language that are pretty big loopholes that, you know, they can't cite on or that management doesn't get held accountable on.

So I think there certainly needs to be a look at that.

SENATOR ROLISON: When we're talking about recruitment -- and I know recently DOCCS actually put into place, which has been successful, because I know the Green Haven facility in my legislative district has been the beneficiary of the classes that are the recruitment classes they're giving, to work

where you -- somewhat near where you live.

Do you have any of those types of -- and I know there's, you know, location pay and things. But what about like recruiting to the areas and giving them preference to the communities in which -- or the regions in which they live?

MR. TERRY: In DOCCS specifically or --

SENATOR ROLISON: No, just generally within your organizations and who you represent.

MR. TERRY: So, I mean, I think most of our members, when they apply, they don't go through an academy and then get deployed out. Right? So they're applying to go work at Buffalo Psych or -- they're making their pick and they hopefully get a job there.

So that's not necessarily an issue for -- at least on our side.

SENATOR ROLISON: Randi?

MS. DiANTONIO: I mean, I think that, you know, we're hoping that with the regional centers, where people could go in in their

home communities, that would improve some of the local community coming into state service. Which we think is great to get into the middle -- a middle-class civil service job.

As far as similar to what Josh is saying, most of our people apply right directly at the facility on the agency's website, so they're not -- they don't go to a centralized location.

SENATOR ROLISON: Thank you both.

MR. TERRY: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblymember Bores.

ASSEMBLYMAN BORES: Thank you all for being here.

I want to start with CSEA and the firefighters. Because yeah, I'm 34, I couldn't do that job. I can't imagine waiting to 63.

Does DMNA support that proposal? Are they on the record for shortening the pension

time?

MR. TERRY: So that's a great question.

We have -- this bill has passed as a standalone bill I think three or four times. And every veto, it's been outside of budget. Every veto has been: It should be in the budget. It was never on the merits of the bill.

There is a bill jacket that has a note in it that says DMNA supported the position. But we think it's time. And we think it's time to do this now.

ASSEMBLYMAN BORES: Agreed.

I would love it even more if DMNA ever came before us to testify so we could ask them questions. But glad to see they at least put in the jacket there.

I want to ask you and as well our friends from PEF about the part of the Governor's proposal for AI training from ITS. I want to make sure that when we're implementing AI that it's done in a way that's supportive of our employees and using

their knowledge.

I know it hasn't been rolled out yet, obviously. But if you have any thoughts on that proposal or that piece of it.

MS. DiANTONIO: So as you know, PEF is very supportive of the bill that was passed. You know, we worked really hard to make sure our members in ITS were part of those discussions. And I think, you know, we're looking forward to not only the training but the guardrails that will be put in place for inventory so people know what they're using and what their data -- where their data's going and that their privacy is protected and all those things that that law would do.

And so we're excited to see it rolled out. I think our members are looking forward to, you know, the trainings and all the resources that come with it.

ASSEMBLYMAN BORES: Great.

MR. TERRY: She said it.

(Laughter.)

ASSEMBLYMAN BORES: Cool.

And then following up on my colleague

DeStefano's question about exit interviews -- and that was really interesting context about the follow-up and the individual feedback of it -- anything you see that the Legislature could do to help encourage that?

Is this just like a change in practices that are needed in the administrations? I'd love to be actually capturing the data as to why people leave so we could fix it and help with that retention.

MS. DiANTONIO: I mean, if there's a way to make it easier for people to do it. A lot of times they send them the form, they have to bring the form to human resources. We have a lot of places where they may work a hundred miles from the main office. They're not going to drive and drop it off, scan it in.

If we make it easier and potentially make it confidential, so that it's not going back to their supervisor -- there are things that I think can be done differently, whether it's done legislatively or, you know, at the agency --

ASSEMBLYMAN BORES: It's usually better when it's not legislatively, but yeah.

MS. DiANTONIO: Usually that makes it so the agency will do it.

ASSEMBLYMAN BORES: Okay. Perfect. Thanks so much.

CHAIRWOMAN KRUEGER: I think we have no more Senators.

Assembly?

CHAIRMAN PRETLOW: You've run out of Senators?

Assemblyman Santabarbara.

ASSEMBLYMAN SANTABARBARA: Okay, great, thank you. Thank you all for being here.

Josh, just to circle back on the firefighter issue for the Division of Military and Naval Affairs, the understaffing, if you could just talk about the impact on the community and the work, the specialized work that they do as well.

And also, you know, we're talking about just the fire -- these individuals serve on air bases, what that looks like in

terms of numbers.

MR. TERRY: Great, yeah. So across these three bases in Scotia, Newburgh and Westhampton, there's 60 to 70 of them.

So their main mission is to support the military mission of these bases. However, I think all of these Air National Guard bases, there is a civilian side, so there are civilian planes that fly in in Schenectady, in Scotia. Obviously Newburgh has a large civilian side, as does Westhampton. So they provide fire protection for them as well. But really importantly is they provide municipal assistance, municipal aid in the surrounding communities.

So if you take Scotia, for instance, to the north of them is Glenville, which is all volunteer departments. There are no paid departments in Glenville. So when there is a fire and they need more engines, they send out the fire trucks from the base.

The City of Newburgh, which has a professional department, paid firefighters, they are understaffed. We've been told, on

nearly every bigger fire in the City of Newburgh, "We will send a truck out to offer support."

And the same goes in Suffolk County as well. In Suffolk County I think that they are the only paid department on that end of the island.

So they provide a very important role in terms of offering the assistance to these municipalities that may not be able to fight a bigger fire on their own only with a volunteer force.

But the problem is we have -- it's very difficult to recruit into these roles when they see the pension and when they see the salary, compared to what a municipality is paying.

ASSEMBLYMAN SANTABARBARA: And could you just make a comparison what that looks like?

MR. TERRY: So I would have to get back to you, because -- so they come in on our contract starting in like around $45,000 to $50,000, moving up. They make a lot more

than that because they worked, across the three bases, $3 million in overtime last year.

But in the municipalities you're easily making probably into the sixties, the seventies, just to start.

ASSEMBLYMAN SANTABARBARA: Okay, thank you.

MR. TERRY: Thank you.

ASSEMBLYMAN SANTABARBARA: Thank you for your answer.

CHAIRMAN PRETLOW: Assemblywoman Griffin.

ASSEMBLYWOMAN GRIFFIN: Thank you, Chair. And thank you to all of you for your testimony.

First I just want to start with you, Randi. I just think it's incredible that we have workers at all of these state facilities -- DOCCS, OMH, OPWDD -- and the story you told before about a woman pressing her like personal alarm thinking she was in a place where she could get help and then found out there was no help.

I just wonder, is there knowledge of what facilities are so -- don't have the technology, that there is no protection even though they give people a personal alarm. Is there knowledge of what facilities don't have the technology? Is this tested, or do we just find out on a case-by-case basis?

MS. DiANTONIO: So most of the time we find out, unfortunately, after a problem occurs.

We do know that there are places where the systems are working properly. In the case I was referring to, we actually had to go to the vendor who runs the alarm system and have them come in and analyze it for the agency to know where the problems were, and they were able to correct it.

But there are many facilities, because of the age of the facilities, that the technology just doesn't work. There's too much, you know, concrete, buildings are so large, you know, they're behind walls, things like that. And for them to do it would cost millions and millions of dollars because

they'd have to rewire everything.

I know that places like Collins is a good example. They've been asking for changes in their alarm systems for several years, and they found -- they were doing it, and they ran into complications because of the actual structure.

So we know that there's a lot of facilities primarily in our O agencies and Corrections, where these need to be evaluated regularly because something might work in one location of the facility but not in another. And unfortunately there's no way to know unless there's a problem.

But it's definitely something that really has to be looked at.

ASSEMBLYWOMAN GRIFFIN: And I agree completely. It's paramount to keep workers, residents, inmates, whoever is there, safe.

And I saw that there's body scanners. Is there a need for body scanners at the other facilities as well?

MS. DiANTONIO: Yeah. I mean, I'll give you an example. Obviously we want to

see them used where they were put in at DOCCS, so I'll start with that. Because they're not being used consistently. They're optional in many places.

But in OCFS, OMH, we had a stabbing at the Buffalo Psychiatric Center and we believe that some of that technology would have kept that individual from being able to come in with a knife.

And it's not to -- you know, we walk through -- a lot of buildings you go through a metal detector, you go through this -- libraries, whatever. It's not to try to take away rights from people, it's to keep everyone safe. And so we want to see that technology utilized in a way that is consistent for all.

ASSEMBLYWOMAN GRIFFIN: Right, agree completely. Thank you.

CHAIRMAN PRETLOW: I believe that's the end of the Assembly. No, no, I'm sorry. Ms. Lucas? And Giglio, okay.

Assemblywoman Nikki Lucas.

ASSEMBLYWOMAN LUCAS: Good afternoon.

Ms. Hinchcliff, according to the Office of the State Comptroller --

MS. HINCHCLIFF: We can't hear you, I'm sorry.

ASSEMBLYWOMAN LUCAS: Oh, I'm sorry. Can I start my time over, please? My time, can you start my time over, please? Thank you.

Ms. Hinchcliff, according to the Office of the State Comptroller, the average pension for all New York State and local retirement systems' retirees and beneficiaries is 28,000.

MS. HINCHCLIFF: Correct.

ASSEMBLYWOMAN LUCAS: New York is the most expensive state in the union. According to the finance company SmartAsset, the average individual nationally has to make 96,000 or, for a family of four, 235,000 to live comfortably.

How are you working to support retirement funds through matched savings programs that more aggressively assist retirees to actually retire?

MS. HINCHCLIFF: Thank you for that question.

We are always -- one of the things we're advocating for, which I said in my testimony, is to increase the cost-of-living adjustment. Because if a retiree only gets $40,000 in pension, they're not getting very much in Social Security either. So you add that up, and they don't even come near to the amount you mentioned for a single person, let alone for a family.

So it's really important that we raise that COLA, that we give these folks an increase so they can pay for their daily living expenses. Every year healthcare goes up, Medicare goes up, and yet the increases that they're getting in their COLA, because of the current formula, they eat that right up. So basically they're not getting a COLA at all because they have to pay for higher health insurance and they have to pay for higher Medicare.

So that's why we need to raise that COLA to give them -- some seniors have gone

back to work so that they can just pay their bills. And they shouldn't have to do that after many years of dedicated public service.

ASSEMBLYWOMAN LUCAS: I'm seeing a lot of that in my district.

Mr. Terry, just want to quickly ask you three questions. What measures are you requesting to offset the loss of employees or retainment of employees? What measures have you personally, internally, enacted for that?

The second question is: What are you doing to address the illegal DOCCS strike, and how have different state agencies reached out?

And the third, you mentioned an incident of sexual assault within your facility, which is very -- it's extremely disturbing and sad to hear. In general regarding incidents of workplace violence, what measures are you currently asking for to kind of put in place?

MR. TERRY: Okay, I'll go as fast as I can.

So measures to retain -- what are we

doing to retain employees? I think it goes back to what we've been saying: Tier 6 reform, increasing wages at the bargaining table, and benefits.

For an illegal DOCCS strike, our members are still going to work inside the DOCCS facilities --

CHAIRMAN PRETLOW: Thank you, Josh. That wasn't fast enough.

(Laughter.)

CHAIRMAN PRETLOW: Assemblywoman Giglio.

ASSEMBLYWOMAN GIGLIO: Yes, thank you.

So Randi, my question's for you, and it has to do with nurse educators. So nurse educators are required to have a master's degree in order to teach and I'm told that they're getting a little frustrated because they're making less than what actual nurses are when they're going into the hospitals and into the nursing field.

So my question for you is, Do you think that it is necessary for nurse educators, who may be making $85,000 a year,

to have a master's degree in order to teach certain segments of the clinical program and the other programs?

MS. DiANTONIO: So I'm not familiar with -- I know that when the nurses' reallocation went forward, some titles within the nursing structure did not get raised. I don't -- I believe nurse educators may have been in that category.

You know, I would have to look a little bit more deeply into that issue as far as the roles, the duties, the qualifications.

But here's what I'll say, is we believe all of our nurses and most of our professionals should make more money. We believe that in many instances they can make more in the private sector and that they have benefits that are commensurate at this point with state service, and typically their jobs are harder. Not that the folks in the private sector don't work hard, but we tend to work with the most challenging and difficult patients.

So I can look into that title series

and see. I don't have it off the top of my head. Unfortunately, we only control certain aspects of the advocacy. What Civil Service, the Department of Budget, and the agencies ask for is not something we get to control, although we wish we did.

ASSEMBLYWOMAN GIGLIO: Okay. And do you also -- I mean, my two nieces were pinned a couple of years ago, but it took several months to get their license after they had passed all of the tests and the clinicals and everything that was necessary in order for them to become nurses. And it took like six months for them to be able to get a job as a nurse.

Do you think that the Department of State needs help in issuing these licenses?

MS. DiANTONIO: I mean, I think all of our agencies are short-staffed, so I certainly would imagine that the State Education Department Office of the Professions are probably in the same boat as most other agencies.

We hate it when it takes that long,

because we want them on the job and working. But I do know that, just like everywhere else, they are struggling with recruitment and retention issues as well as retirements.

ASSEMBLYWOMAN GIGLIO: Right. And one more question for you.

When it comes to the clinicals, do you think that nurses that are where they're performing their clinicals, that that should be an on-boarding, they should be on-boarded into that hospital? Because I know that on-boarding takes a long time and sometimes restricts nurses from actually getting jobs, so ...

MS. DiANTONIO: I mean, right now we're looking at making it as easy as possible to get nurses on-board and to get them trained. I think we have language in the budget asking around preceptor programs, things like that, to make that transition as quick and as seamless as possible.

ASSEMBLYWOMAN GIGLIO: Thank you.

CHAIRWOMAN KRUEGER: Okay, I'm going to end this panel. Thank you very much for

your time here with us answering questions. Thank you for your work on behalf of state employees and state retirees.

And we're going to excuse you and call up the next panel: Popular Democracy in Action, a replacement person, Jaron Benjamin; National Employment Lawyers Association New York, Hugh Baran; and the Manufacturers Association of New York, Michael Frame.

And legislators, take your conversations outside so we can continue.

(Pause off the record.)

CHAIRWOMAN KRUEGER: Good afternoon, everyone. I think the Assembly just called a committee meeting; I know the Senate I think is in chambers. So please don't take the shortage of legislators in front of you as any kind of diss.

I'm going to ask you each to first introduce yourselves so the people in the booth know who's who when they're putting your name and picture up. Please.

Press until it turns green. There's a sweet spot, yes.

MR. BENJAMIN: All right. Jaron Benjamin, Popular Democracy in Action.

MR. FRAME: Mike Frame from MACNY, the Manufacturers Association.

MR. BARAN: Hugh Baran, from the National Employment Lawyers Association of New York.

CHAIRWOMAN KRUEGER: Thank you.

Jaron, why don't we start with you.

MR. BENJAMIN: All right. Thank you, Senator Krueger and Assemblymember Pretlow. Jaron Benjamin, deputy chief of campaigns at popular democracy in action.

And I'm testifying because the EmPIRE Worker Protection Act must be included in the budget as a revenue raiser, to contribute $103 million annually to the DOL's budget. It can improve retention by increasing wages and benefits for staff and pay for new hires.

New York has taken the lead on worker protections by increasing and indexing the minimum wage, improving standards on health and safety, and addressing paid leave.

However, constraints on enforcement and underresourcing the DOL has blocked many workers from experiencing the real benefits of these policies.

Following Governor Hochul's major crackdown on wage theft, the DOL investigated and recovered more than $63 million in stolen wages for nearly 65,000 workers across the state over a two-year period. But that represents just a drop in the bucket for the billions in New Yorkers' wages stolen annually. We deserve better.

The EmPIRE Act would extend the reach of the Department of Labor and the Attorney General by allowing affected workers and labor unions to file public enforcement actions for violations of the Labor Law. After providing notice to the state, these plaintiffs will be able to bring the case directly to court.

If EmPIRE Act litigation results in a victory against law-breaking employers, the majority of the penalties will go to the state to fund further labor enforcement,

while the remaining portion is divided equitably among impacted workers.

New York's underresourcing of the DOL has worsened while investigator caseloads have risen. In 1966, the DOL had over 300 labor inspectors. By 2017, 50 years later, it had only 115.

Meanwhile, worker fear of retaliation and forced arbitration create barriers to enforcement. And Trump's return to the White House has resulted in unprecedented assaults on workers' rights, firing USDOL staff, gutting the NLRB, and rolling back workplace protections.

We must ensure the enforcement of basic protections in New York and defend workers and unions against these attacks by the lawbreakers that they embolden, and we must do it now.

The EmPIRE Act was inspired by a California law that's generated an average of $98 million every year from 2016 to 2022 -- $209 million in 2022 alone. These revenues have contributed substantially to

California's best ratio of labor enforcement staff to workforce size in the county: Nearly 32,000 workers per staff investigator, compared to New York's nearly 73,000 per staff investigator.

And finally, we strongly oppose ELFA Article VII Part U, which would deprive manual workers of liquidated damages when employers violate the weekly pay requirement. The Legislature must pass a budget including the EmPIRE Worker Protection Act strengthen workers' existing rights, expand public enforcement and staffing, and create a dedicated revenue stream that funds labor protections for years to come.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Next?

MR. FRAME: Thank you for the opportunity to speak with you today. On behalf of MACNY, the Manufacturers Association, and our eight partners in the Manufacturers Alliance of New York, we appreciate the continued support of the

New York State Legislature for workforce strategies in manufacturing in both registered apprenticeship and pre-apprenticeship programs.

Since 2016, the Manufacturers Intermediary Apprenticeship Program, MIAP, supports the recruitment, upskilling and retention of workers through group sponsorship of New York State registered apprenticeships. This earn-and-learn model provides equitable upward mobility for employees through career-related education with on-the-job training.

Thanks to the Legislature's leadership, the FY25 State Budget recognized the value of registered apprenticeships by providing 1.75 million to fund MIAP. With this funding we are able to grow apprenticeships in high-demand fields by adding new trades and expanding into new populations and regions. Of the nearly 200 apprentices served last year, 60 percent were from underrepresented populations.

In addition to MIAP funding, many of

our participating companies utilized the Empire State Apprenticeship Tax Credit. This tax credit is a valuable tool for manufacturers, and we are thankful for its extension to 2026.

As Micron, Global Foundries and other semiconductor companies build and expand in New York, MIAP will continue to connect individuals looking for employment with the high-paying jobs in emerging industries of the future.

With the support of ESD's Office of Strategic Workforce Development, MACNY launched Real Life Rosies, a pre-apprenticeship program focused on women in advanced manufacturing, in partnership with Mohawk Valley Community College and Working Solutions, the Workforce Investment Board.

This program provides women with three months of free training in advanced manufacturing, work readiness skills, and wraparound supports, including transportation and childcare, to ensure success. Successful

participants receive up to six job interviews with companies that offer registered apprenticeships.

To date, 40 percent of program participants are new Americans, speaking English as a second language. The program has enrolled over 150 participants, with an 80 percent completion rate and, in 2024, an overall employment rate of 79 percent.

MIAP and Real Life Rosies bolster New York's ability to meet the growing workforce needs of not only new companies investing in our state, but our legacy manufacturers as well.

Conservative estimates by the New York State Department of Labor forecast over 71,000 new manufacturing jobs by 2030. When combined with retirements and career shifts, it is possible New York could see well over 100,000 unfilled positions due to the skills gap. The solution to this challenge is programs like MIAP and Real Life Rosies to train and upskill workers, providing a solid solution to the challenge of a growing

skilled-worker shortage, while creating good jobs for New Yorkers.

Therefore, it is MACNY's request to level-fund MIAP, and $1 million to expand the Real Life Rosies program.

Thank you for your consideration.

MR. BARAN: Thank you for the opportunity to testify today. My name is Hugh Baran, and I am a board member of the National Employment Lawyers Association of New York, and a partner at workers' rights law firm Katz Banks Kumin.

New York workers are facing a triple threat to their workplace rights. First, our federal labor enforcement agencies are being stripped for parts. Elon Musk and Donald Trump are slashing enforcement staff at the U.S. Department of Labor and imposing new limits on the ability of USDOL, the National Labor Relations Board, and the Equal Employment Opportunity Commission to efficient worker protections.

Second, the current anti-immigrant climate being stoked by Trump and Musk is

driving immigrant workers back into the shadows, deterring these workers from asserting their rights at work.

Finally, a practice that is a favorite of Elon Musk's corporations has exploded over the past decade and is privatizing our justice system: Forced arbitration provisions with class-action waivers, which require workers to bring any claims individually in secret, private arbitrations.

Because of corporations' adoption of forced arbitration, more than 80 percent of private-sector non-union workers are now denied their right to collectively enforce their rights before judges and juries.

The New York State DOL lacks the resources to meet this triple threat. The agency has historically high caseloads and low staffing levels, which leave workers waiting years for even the most basic wage theft cases to be adjudicated. What Commissioner Reardon didn't tell you earlier is that as of 2023, New York DOL has only 129 labor standards investigators. That's

fewer than half the investigators DOL had in the 1960s.

A temporary increase in DOL's budget would not change this. As Commissioner Reardon acknowledged at last year's budget hearing, the agency will simply never have the resources to address the wage theft that is facing New Yorkers, to the tune of $3 billion a year.

But the Legislature has a solution, one that 61 Assemblymembers and 29 Senators support: The EmPIRE Worker Protection Act, cosponsored by Assemblymember Simon and Senator Hoylman-Sigal.

It is high time that EmPIRE be included in the state budget. It addresses the state's lack of public enforcement capacity by allowing workers, whistleblowers and labor organizations to stand in the shoes of the state and bring public enforcement actions to enforce the Labor Law.

EmPIRE does not create any new requirements for employers, it simply expands public enforcement of laws that are already

on the books. EmPIRE actions would also not be subject to forced arbitration or class-action waivers. And EmPIRE would generate over $100 million per year for New York DOL, a permanent revenue stream for DOL enforcement efforts and expanded staffing levels. That's a win/win/win for workers, law-abiding employers and New York DOL and its employees.

Finally, I want to say a word about two items in the Executive Budget. We strongly urge the Legislature to reject the Governor's proposal to gut manual laborers' weekly pay protections in Labor Law 191. We on the flip side applaud the Governor's historic proposed increase of $11 million for the State Division of Human Rights. Because of the EEOC's sudden reversal of enforcing anti-discrimination laws for LGBTQ people, we urge the Legislature to actually double this proposed increase.

Thank you.

CHAIRWOMAN KRUEGER: (Mic off; inaudible.)

ASSEMBLYMAN BRONSON: Look at you promoting me, Liz. If becoming a Senator is a promotion, which is an open-ended question.

All right. So I'm going to leave the wage theft and the enforcement stuff to my skilled colleague Jo Anne Simon, since she's the lead on that issue.

But I wanted to talk to MACNY a little bit about your programs. First of all, you know I love your programs, I love what you do. And the MIAP approach is really beneficial for lots of employers. But I want to talk from what you've heard me talk about a lot. And, you know, we're in a moment of opportunity right now with Micron happening, our area being designated as one of the tech hubs in the area, with us making the transition to the green economy and the new industries and manufacturing that will be involved in that.

But I want you to talk a little bit about -- and you've mentioned a little with the new program, the Real Life Rosies. But what's your strategies to make sure that we

are recruiting folks from underrepresented populations? Because this is our opportunity, as these economies are growing, to bring people into the economy, into the workforce who have been on the sidelines for decades. So that's number one.

And then the second is, you know, how do you see the necessity and the advantages of wraparound services to remove barriers to success in the apprenticeship program, as well as ongoing success once people graduate out of the apprenticeship program?

MR. FRAME: So, Assemblyman, if I could answer maybe the second question first. So one of the things we've seen, and because the pre-apprenticeship program allows the opportunity to be able to provide the wraparound services, the population -- as the pilot program was run in the Mohawk Valley, we saw that actually transportation by far was the largest barrier to participation.

And so being able to fund the ability for the individuals to attend the courses at Mohawk Valley Community College, that was a

big -- that was a big difference for us.

So I do think it's absolutely important to be able to bring people in, for example, that are not served by -- either they don't have access to a vehicle or they're not being served by public transportation to be able to do that, that's been already -- we've seen that, and we're going to need to be able to continue that. And we had one individual in the Real Life Rosies program who was coming from a very rural county. She needed additional transportation support in order to be able to actually move into that registered apprenticeship.

Back to the necessity for recruiting these populations. That's the reason why we created Real Life Rosies to begin with. We saw that while our numbers are good for overall participation in the Manufacturers Intermediary Apprenticeship Program, we have a lot more to do, specifically with women. Women make up only 20 percent at max of the production labor force, and yet they're over

50 percent of the population.

And so we had to do something, but we're doing that now and trying to create programs in other areas as well.

ASSEMBLYMAN BRONSON: Thank you.

MR. FRAME: Thank you.

CHAIRWOMAN KRUEGER: Assemblywoman Pheffer Amato.

ASSEMBLYWOMAN PHEFFER AMATO: Thank you.

To Francisco {sic}, what specific measures can be taken to address the underutilization of anti-retaliation laws, ensuring that workers feel safe and supported while filing complaints about labor violations without fear of retaliation?

MR. BENJAMIN: Yeah, I'm Jaron. That's for me, right?

ASSEMBLYWOMAN PHEFFER AMATO: Yeah.

MR. BENJAMIN: Well, I think, number one, we should include the EmPIRE Act in the state budget. I'm just going to say that that's first and foremost.

This would -- and I think Hugh, who

has helped craft some of the legislation, can provide more information.

MR. BARAN: Yeah, and one of the great things that EmPIRE does is it allows whistleblowers and labor unions to bring actions on behalf of affected workers and the state.

And that's really important, because oftentimes as attorneys one of the things we see, especially for immigrant workers, is that putting your name on the complaint, putting your neck out there exposes workers to really terrible retaliation -- especially current employees, but also former employees who get blacklisted and are in various ways kind of punished for having brought labor complaints.

Especially now, you can Google pretty much any case that's filed; those things come right up any time you look for future jobs. So having a union or a whistleblower be able to put their name on the EmPIRE action makes a huge difference in protecting workers from retaliation.

ASSEMBLYWOMAN PHEFFER AMATO: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assemblywoman Jo Anne Simon.

ASSEMBLYWOMAN SIMON: These are all new. So thank you. Thank you for your testimony here today, all of you.

One question, Hugh, I wanted to just follow up with you on the notion of EmPIRE Act and wage theft. And which industries are most affected by that? Number one.

And number two, are public employees having their wages stolen in any case?

MR. BARAN: So to answer your second question first, this bill does not address the public sector. It addresses private-sector employees, and particularly in non-union spaces, right, who don't have really the protection of a union at work.

In terms of the industries that we see this most in, obviously there's wage theft in every sector, but we see a lot of it in construction, we see a lot of it in restaurants, food service, hospitality. We

see it really in industries that tend to employ large numbers of immigrants and people of color and women in particular. We see more wage theft go hand in hand with that.

ASSEMBLYWOMAN SIMON: Home care, would that be one of them as well?

MR. BARAN: Home care also, very widespread, yes.

ASSEMBLYWOMAN SIMON: Okay.

And Jaron, you spoke about PAGA. And I noticed that you talked about increasing public labor law enforcement and increasing the amount of money recovered and really expanding the state's law enforcement bureau.

Who has been harmed at all by PAGA?

MR. BENJAMIN: Nobody that we're aware of. And we, even when crafting this bill, decided that we -- you know, after talking to other stakeholders, that we would adjust and make sure that the Department of Labor and Attorney General have say-so in saying who can bring forth claims.

But the people who might be harmed by PAGA, for example, are wage thieves.

ASSEMBLYWOMAN SIMON: I'm sorry?

MR. BENJAMIN: The people who would be harmed by PAGA are wage thieves.

ASSEMBLYWOMAN SIMON: The wage thieves, okay.

MR. BENJAMIN: That's right. So we anticipate that that would be the only people harmed in New York State as well.

ASSEMBLYWOMAN SIMON: And how long has PAGA been in existence?

MR. BENJAMIN: Since 2016?

MR. BARAN: Actually since 2004.

ASSEMBLYWOMAN SIMON: 2004, okay. So it's not new. So you have a good track record there.

MR. BENJAMIN: Yes, that's right.

ASSEMBLYWOMAN SIMON: Okay. Thank you very much. I appreciate your testimony.

MR. BENJAMIN: Thanks for those questions.

CHAIRWOMAN KRUEGER: Thank you, all three of you, for testifying today.

Oh. Okay, one last Senator, Senator Rhoads.

SENATOR RHOADS: Yeah, hi.

First off, thank you for your testimony.

I know two of you gave your laundry list of grievances against the current federal administration. I don't know if you were here earlier during some of the testimony, particularly during the first round, that we have an ongoing crisis with respect to workers in our correctional facilities.

You have corrections officers which are being asked to work two or three shifts involuntarily, remaining for up to 24 to 36 hours. You have safety concerns since the enaction of the HALT Act. We have seen an increase in inmate-on-worker violence of over 50 percent. We've seen an increase in inmate versus inmate violence of over 80 percent. The Department of Labor, the testimony of Commissioner Reardon, essentially was that the DOL has taken no action with respect to that, despite the ongoing safety and security concerns for those workers, not just

correction officers, but for therapists, for other consulting staff, which was testified to by PEF.

What actions have your organizations taken or what steps have your organizations taken to protect those workers? And will you call on the Governor to stop some of what we believe to be her illegal actions in docking individuals who do not come back to work who were out on FMLA, who were out on workers' compensation where they're actually injured, forcing them to come back into work even though -- under threat of losing their health insurance or being docked AWOL days, absent without leave days.

What steps will your organizations take, if any, to protect those workers?

MR. BARAN: So I would say in terms of NELA New York, we're a bar association of over 400 attorneys who represent individual employees. And, you know, given the conditions you're describing, I certainly would encourage workers to contact our members. And we have a referral service that

people can call into and then get some free legal advice, and then also referrals to private counsel who can take their cases.

With respect to the Department of Labor, I would just add there's simply no way right now, with the resources that the Department of Labor has, that they can address all of the crises that are facing workers in every industry. That is why we're so insistent that the Legislature include the EmPIRE Worker Protection Act in the budget.

SENATOR RHOADS: Thank you. Since we're running out of time, just anything?

MR. BENJAMIN: I'm going to ditto Hugh. Thank you.

SENATOR RHOADS: Okay. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

And Assemblywoman Judy Griffin.

ASSEMBLYWOMAN GRIFFIN: Thank you, Chair.

This question's for Michael Frame. I appreciate, you know, all of the interesting programs that you have. And being that I represent a district on Long Island, I was

wondering if you could elaborate on the highlights of Ignite Long Island.

MR. FRAME: So the work that we're doing with Ignite Long Island?

ASSEMBLYWOMAN GRIFFIN: Yes.

MR. FRAME: So we do have I believe four signatories as a part of our registered apprenticeship program on Long Island. And, Assemblymember, I'd be happy to send those to you afterwards so that you know who we're working with in particular, which companies that we're working with.

In addition, though, I just would add that we are also looking -- Long Island has an incredibly strong background in the maritime industrial base, and so we're working closely with that group as well to try to grow opportunities in manufacturing for the maritime industrial base and supply chain.

ASSEMBLYWOMAN GRIFFIN: Okay, terrific. And I like to see the women-focused pre-apprenticeship program, and I wondered if there's any plan to bring that

to different regions of New York State.

MR. FRAME: With the funding that we're requesting, that would allow us the ability to go to five additional regions, with the hope of then continuing it on so that the entire state would be able to benefit from that program.

ASSEMBLYWOMAN GRIFFIN: Okay, terrific. That's good, thank you.

And now I just want to move on to a question about the -- it's about the manual workers' pay. I do have a constituent that has often written to me about that, and I just wondered if you could add any more information on that.

MR. BARAN: Sure. So the Labor Law -- Labor Law Section 191 has required manual laborers to be paid weekly for almost a century, I believe. And the reason is because, in particular, manual laborers are often faced with overtime work and issues of time-tracking and timekeeping, and face a lot of time-shaving violations on the job.

And so when you get your paycheck

every week you can actually look at and compare the hours on that paycheck with what your recollection is and audit it in realtime. When there's a delay of two weeks, you lose some of the ability to effectively audit that pay.

And so it's been historically a really important protection for manual laborers. And in addition, it's a really easy law to comply with. You just pay your workers every week. It's just an instruction to your payroll service.

And unfortunately the Governor's proposal would gut these protections and replace liquidated damages that are available currently with lost interest, which would amount to really minuscule amounts that don't deter violations. And that's why we so strongly oppose it.

It would also retroactively immunize employers from violations of the law, which we think is reprehensible.

ASSEMBLYWOMAN GRIFFIN: Okay, thank you.

CHAIRWOMAN KRUEGER: Thank you.

So now we have completed our questioning of you, and thank you very much for testifying today and for your work every day on behalf of New Yorkers. Take care.

I'm going to call up the last panel of this hearing -- but no one panic, because then we quickly move into another hearing.

The Association of Community Employment Programs for the Homeless; CanCode Communities; TEACHMEducation -- someone will tell me if I've pronounced that badly. Oh, "Teach Me Education." Okay, thank you. They're missing an E -- and The New School Center for New York City Affairs.

Okay, great. And we're going to start with the right, and you're just going to introduce yourselves so the people in the tech booth know who you are when you are up doing your presentation.

Please. You have to hit a sweet spot to get the green.

MR. MARTIN: My name is Jim Martin. I'm the executive director of ACE,

Association of Community Employment Programs for the Homeless in New York City.

CHAIRWOMAN KRUEGER: Thank you.

MS. LANESY: Annmarie Lanesy, CanCode Communities.

MS. FITZGERALD: Ellie Fitzgerald, TEACHMEducation Services.

MR. PARROTT: James Parrott, the Center for New York City affairs at The New School.

CHAIRWOMAN KRUEGER: Thank you. Welcome to you all. So let's go back and start with Jim.

MR. MARTIN: Hi, good afternoon, Chairs Krueger, Pretlow, Ramos and Bronson, and members of the Legislature. Thank you for the opportunity to testify on the fiscal year '26 Executive Budget.

My name is Jim Martin. I'm the executive director of ACE, ACE New York. ACE serves New Yorkers with histories of homelessness, addiction and incarceration who are ready to reenter the workforce and achieve long-term economic independence.

Each year we provide services to 200 new participants in Project Comeback, our workforce development program; 600 program graduates in Project Stay, our employment retention program; and employ over 150 program graduates full-time in our supported employment program.

Project Comeback provides adult education, industry-specific certifications, job placement assistance, individualized counseling, and work experience opportunities.

ACE is requesting the inclusion of $500,000 in the fiscal year '26 state budget to support Project Comeback services: $400,000 will support paid work experience initiatives, providing participants with structured opportunities to gain hands-on work experience while earning a paycheck, and $100,000 will fund legal services for justice-involved individuals to overcome systemic barriers to employment.

The New Yorkers that ACE serves have fallen through the cracks, and this is an

opportunity to get them the help that they so richly deserve. Of the Project Comeback 2024 cohort, 85 percent had a history of addiction, 62 percent had co-occurring mental health conditions, 58 percent were chronically homeless, and 95 percent were justice-involved. All were unemployed.

For individuals reentering the workforce after incarceration, two aspects of Project Comeback are particularly critical: Work experience training and legal assistance.

During work experience training, participants learn the expectations of the workplace while adding recent work experience to their limited resumes. Work experience opportunities consist of providing sanitation and beautification services throughout New York City. Participants receive an hourly stipend for this training.

ACE legal services, led by an on-site attorney, are a critical component in removing institutional barriers to employment. These services include "Know

Your Rights" workshops about the participants' rights under New York's Fair Chance Act, as well as one-on-one services including rap sheet repair and review and assistance with navigating legal proceedings.

The continued success of ACE's programs relies on our ability to sustain and expand services that empower individuals facing significant barriers to employment. Over the past five years, 72 percent of participants have secured full-time employment, and 66 percent were employed one year after securing employment. However, our waitlist for program entry is at an all-time high, and support is needed to allow us to serve more New Yorkers in 2025.

With $500,000 in funding from New York State, ACE will expand work experience opportunities, provide essential legal services that address systemic barriers to employment, and sustain and enhance program delivery.

I urge you to continue to fund all workforce programs in New York State in 2026

and beyond. Our work is vital to the health and well-being of millions of New Yorkers across the state.

I thank you all very much for this opportunity.

CHAIRWOMAN KRUEGER: Thank you.

Next?

MS. LANESY: Thank you. Good afternoon, Chairperson Krueger and Chairperson Pretlow, as well as the members of your representative committees.

My name is Annmarie Lanesy. I'm the founder and CEO of CanCode Communities. CanCode's mission is to help individuals bridge the digital divide, which can significantly enhance economic mobility in our communities. Our goal is to create a vibrant, inclusive, talent-driven workforce across New York State.

We work locally with talent, educators and businesses to bridge the gap between three key points: Employers who need skills, non-traditional talent who can develop those skills, and local educators who can teach

those skills. We focus on digital literacy as a bridge into our workforce development software and IT sector training programs and help individuals gain the tech skills necessary for a wide range of jobs.

I would like to make sure to address the issue of digital equity in workforce development, as it is often overlooked. In today's digital economy, digital equity is not a luxury, it's a necessity to be a productive member of the workforce. A national skills coalition study highlights that 92 percent of all jobs require digital skills.

Digital skills organizations cannot wait for federal investments to address these critical workforce challenges and provide economic mobility for our neighbors across the state.

Digital equity touches every area of life in New York State, from healthcare and civic engagement to education and beyond, underscoring the urgency of closing the digital divide. In order to create digital

equity in New York State, you need three key things -- access to broadband, training for skills, and access to devices.

New York State's Empire State Development's ConnectAll office is expecting to receive $36 million from the National Telecommunications and Information Administration through the Department of Commerce. It will not be sufficient to achieve digital equity in our state.

We have two main concerns with this funding. It will not be sufficient, and the delays in funding distribution through ESD's reimbursement-based structure will hinder the ability to programs across the state to execute this work.

We recommend the release of already secured federal funds to provide digital inclusion grants to local providers. The state has already secured two sources of funding for digital equity inclusion programs. We ask that the state distribute the digital inclusion program funding. In the 2021 budget, $15 million was included in

the Aid to Localities through the New York State Education Department. This funding was specifically for digital inclusion programs. It has not yet reached our communities.

There's also been $10 million secured through capital projects funds in 2022; we also have not seen dollars roll out to our communities for those programs.

Over the past two years the Department of Labor's surveys for jobseekers and employers state that the most in-demand needs for both jobseekers and employers is digital skills. This is something that our state cannot fall behind on.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Next.

MS. FITZGERALD: Thank you. Good afternoon. My name is Ellie Fitzgerald from TEACHMEducation Services. Thank you for the opportunity to offer testimony to you today about an essential solution to address the educator workforce crisis.

The economic health of New York State

is dependent upon a well-educated workforce. Education undergirds all career paths by equipping students to become the workforce of tomorrow. That can't happen without well-trained educators. This is a crisis, with New York State officials estimating the need of over 180,000 new teachers in the next decade.

Why the shortage? In New York State becoming a certified educator is expensive. The prohibitive cost is evidenced by a 53 percent drop in program enrollment over the last decade. Student debt is compounded by unpaid placements in traditional programs. Most people can't afford to quit a paying job in order to complete degree requirements.

Retention is also a serious problem. Over 50 percent of those traditionally trained exit within the first few years, which comes with a very high price tag for New York State taxpayers.

So what can be done? Apprenticeships are the gold standard of workforce development. The Legislature can leverage

the "Earn to Learn" apprenticeship model with state funding embedded alongside the local district investment at the heart of this educator workforce initiative.

What steps are we asking you to take? First, create a new categorical state aid of up to $5 million in the pilot year to offset district costs for training educators in registered apprenticeship programs. This makes sense because categorical aid provides stability across all New York State zip codes.

New York State educators are certified to serve the entire state, and an effective teacher is the most important factor in student success.

Next, target the high-need area of special education teachers by expanding existing funding for Part 853 and 4410 schools by $2 million during the pilot year in order for them to also train educators through RAPs. This too makes sense because apprentices trained in these special ed schools develop an expansive knowledge of the

complex needs of students with disabilities. That benefits public school students statewide.

Third, provide $1 million in yearly funding to continue the work of the New York State Educator Workforce Development HUB, and allow them to expand, acting as an intermediary sponsoring programs for educational agencies without the capacity so that all schools can participate in this highly effective training model.

We urge the Legislature to support this $8 million set of appropriations so every student in New York State has a well-trained educator. Education is New York State's largest public spending program. By investing in registered apprenticeships for educators, you'll ensure that funding is well-spent. It is the smartest investment this Legislature can make to serve the students, taxpayers and economic prosperity of New York State.

Thank you.

CHAIRWOMAN KRUEGER: Hello, my old

friend Mr. Parrott. You come last.

MR. PARROTT: Thank you, Senator Krueger.

Good afternoon to members of these various committees. Thanks for the opportunity to testify this afternoon.

I'd like to focus on the state's Unemployment Insurance Program. As you know, Governor Hochul's FY '26 budget proposal proposes to use $165 million of taxpayer dollars to pay interest payments that employers would otherwise be charged in 2025 for the New York State Unemployment Insurance Trust Fund debt owed to the U.S. Treasury.

The Governor's proposal is not even a Band-Aid. It's more like blowing a kiss at a serious wound. It might be a nice gesture for a fleeting moment, but it won't heal anything. Our UI system desperately needs three things: Solvency, tax fairness, and benefit adequacy.

The trust fund debt was $6.4 billion as of last week. It has declined by only $2 billion over the past two years. In 2024

New York employers paid $3 billion in UI taxes, but that was only $800 million more than the cost of UI benefits paid. At this rate, it will take until 2030 to pay off the pandemic era-related debt.

I heard the commissioner say that the debt would be paid off in 2027. If we paid down $2 billion over the last two years, I don't see how we're going to pay $6 billion in the next three years. The math just doesn't work.

The additional interest over the next five years will total an estimated $400 million, assuming no recession. If the Governor's proposed 2025 bailout goes through this year, taxpayers likely would be on the hook for this additional $400 million in subsequent years.

Comprehensive UI financing reform is long overdue. New York should address the outgoing UI trust fund debt problem immediately, and this would open the door for benefit improvements. And we need to restructure regular UI financing to ensure

solvency and tax fairness going forward.

I suggest a temporary UI debt pay-down surcharge. With a $100,000 taxable wage base and a 0.5 percent tax rate, the trust fund debt could be paid off in two and a half years while providing a 100 percent surtax exemption or credit to all small and medium-sized employers of workers with wages below $60,000. The temporary surtax would raise a net of $2 billion annually, which would completely pay down the UI debt by September of 2028.

Enacting the surcharge would open the door to improving the adequacy of the state's UI benefits. Our maximum benefit has been frozen since 2019. Our benefit structure lags all other states.

(Time clock sounds.)

MR. PARROTT: If I could just take 10 more seconds.

The current UI tax structure unfairly burdens small businesses and low-wage employers with much higher effective tax rates than highly profitable large businesses

in finance, tech, media and professional services. A much higher taxable wage base and revamped tax structure that lessens the impact of the reserve ratio experience rating method will provide small business relief and advance solvency and benefit adequacy goals while achieving UI tax fairness.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly Chair Harry Bronson.

ASSEMBLYMAN BRONSON: Thank you, Madam Chair. You could tell I was anxious to follow up on this UI situation.

A couple of things. So you answered the one question, because I was shocked when the commissioner said we'll pay it off by 2027. The math doesn't work. And we really need to take care of this. We need to take care of this for our employers, who are burdened with the assessments, and we need to get the fund solvent again so that -- you know, we already have a statutory structured increase that we can't do because of the debt, right?

MR. PARROTT: Right.

ASSEMBLYMAN BRONSON: What I don't fully understand about your proposal -- I like the concept, solvency, tax fairness and funding reform so that we have a better funding system.

I'd like you to talk a little bit about the wage base under your proposal, what that would be, and then also how this will help small businesses. And could you expand a little bit on how you're defining small businesses and medium, employee earnings and things of that nature? Because I don't quite get it.

MR. PARROTT: Sure. Yeah. New York State currently has a taxable wage base of $12,800. Under the 2013 reform, that will be phased up to $13,000 in 2026. That's much lower than many states.

And the impact of that is that small businesses pay a much higher effective tax rate because the average wage of their employees is a lot less than at big tech or finance companies. So they're paying a very

high effective tax rate relative to the total payroll, much higher than what large businesses are.

So my proposal is to raise the taxable wage base to $100,000. That's still a lot less than the Social Security or the Medicare tax base. But that would then make it possible for large employers, very high wage workers -- we have many industries like finance and tech and media and professional services in New York State that are highly profitable that actually profited during the pandemic -- so it's asking them to pay a little bit more in UI taxes and lighten the burden on small employers.

You know, the precise definition of small employers should be a subject for the Legislature to discuss, so I don't have a hard-and-fast proposal there.

What I have in mind, though, is I look at industries with a lot of -- the low-wage employers. You know, and that's hospitality, retail trade, restaurants. And so they're paying very high effective UI tax rates.

Other industries with very high average wages that I've mentioned, you're paying very low tax rates.

So this would restructure that tax burden to shift more of it onto larger businesses that are much more able to afford that.

ASSEMBLYMAN BRONSON: Thank you very much.

CHAIRWOMAN KRUEGER: Thank you.

Assemblymember Pheffer Amato.

ASSEMBLYWOMAN PHEFFER AMATO: Hi, yes. I have it -- Ellie, right? So when you're talking about the apprenticeships and talking about how to help with the teachers, I remember when my aunt was in school in Queens College and they said if you want to get a master's degree in special education, it was free.

I mean, is that what we're -- how do we bring that back, or those kind of programs where the college is free in those type of jobs?

MS. FITZGERALD: Thank you. Yeah,

that's a great question.

So yeah, apprenticeships offer -- we're in partnership, the DOL is in partnership with SUNY and the higher eds to establish these programs. All of the educator apprenticeships in New York State are certified through the DOE, so they have to be an accredited teacher program.

So there is a lot of funding around if they are a candidate in these programs -- for example, SUNY offers $6,000 per year for those candidates. So there is additional funding available to the candidates if they are in a registered apprenticeship program in the state. So similar to what you're saying, they would be able to pay for their actual degree.

ASSEMBLYWOMAN PHEFFER AMATO: So this is to expand those programs in the underserved communities to, say, like get that opportunity, because you're working three jobs to -- at the same time you're going to school.

I'd appreciate after this if you could

just reach out to my office to understand this more, as we talk about a teacher shortage. And as a former paraprofessional, you know, working on the city level to just make that path as you become a paraprofessional to a teacher -- but again, it goes to -- it's cost in that way.

MS. FITZGERALD: Absolutely.

ASSEMBLYWOMAN PHEFFER AMATO: So thank you for this work in this space.

But James, if you could just go -- I'm a small business owner and -- I was, and you're hitting it right there. Restaurants, you know, 15 employees, enormous bills of unemployment.

Can you just continue, after my colleague was talking, kind of your points on this. Like where -- what small business, where? Because you go from 18, and then the next business is 150 employees, and we're not equal. And I think people don't understand that in the small business world, especially a small, locally owned business.

MR. PARROTT: Yeah. So the reason the

effective tax rates are so high on what I generally call small businesses and businesses in these predominantly lower-wage industries -- and I include construction in there also, because they're paying very high effective tax rates.

You know, part of the problem is we have an undue reliance on a particularly antiquated experience rating method. You know, it's a little -- it's a wonkish concept, but it was rooted in the 1935 unemployment insurance law. New York basically has it modernized and gotten away from that -- what's called the reserve ratio experience rating method, which really penalizes small employers in particular.

I could go into more detail on that, but -- so to change the reliance on experience rating and raise the taxable wage base, we would then in effect, you know, open the door to shifting the tax burden to larger employers.

CHAIRWOMAN KRUEGER: I'm sorry, I have to cut you off, Jim.

ASSEMBLYWOMAN PHEFFER AMATO: I want to just say thank you for bringing this --

CHAIRWOMAN KRUEGER: Thank you.

Assemblymember Durso.

ASSEMBLYMAN DURSO: Thank you, Chair.

So my question is for Mr. Martin. When you were speaking before about reintroducing people into the workforce, especially after addiction, what do you feel are the biggest hurdles that they have to go over? Is it the ability to get the licensing? Is it the training? Is it education? What do you see as the biggest -- obviously other than the addiction issue, right, and then working through that.

But once they're at a level that they can -- they feel they can go back to work, they've dealt with the addiction issue to a degree, is it the education, the training, the ability to get those licenses? And have you teamed up with other adult education groups like, you know, on Long Island? I'm big with the BOCES program.

MR. MARTIN: I'm from Long Island, so

I know it well.

ASSEMBLYMAN DURSO: Yeah, so the adult education programs, especially at night.

Do you see those as the biggest hurdles, and have you teamed up with any education groups like that?

MR. MARTIN: So yeah, sobriety is key. Nothing -- we like to say nothing goes forward unless you're clean in our program.

So once we feel that we have that issue licked, I think what you're trying to do is add employment tools to the toolbox. So certifications in any number of employment pipelines are key.

I think, in our experience as an organization that does workforce development, it's support. Once the individual identifies a career path and is going after a certain certification, there has to be support along the way. This journey can take years. And when you are living paycheck to paycheck or, you know, maybe living on welfare, maybe working poor, maybe living in a shelter and you're trying to go to school and go to work

at the same time, that's a journey, and it's a difficult one.

And I think what organizations work for us -- development organizations -- do well is to provide that assistance to individuals that are on those career paths and help them manage the hurdles that they're going to encounter so that they can increase their wage over time.

ASSEMBLYMAN DURSO: Okay. And then just -- I really don't expect you to have the numbers, but those that are getting into -- especially those with addiction issues, right, and once they get into that workspace, especially -- and I'm being specific about trades -- do you feel that or do you have any specific numbers or an idea off the top of your head of those that are able to stay in the workforce, be able to -- really what I'm saying is the work that they're doing, is it helping them battle those addiction issues and keep on the straight and narrow for themselves and their families?

MR. MARTIN: Absolutely a hundred

percent. Employment, stable employment and stable housing is key to sobriety.

I also wanted to add that, you know, as far as the trades go, we are -- like many workforce providers, you know, the trades are the gold standard. You make a living.

I grew up, my best friend or one of my best friends in the world is a plumber, he makes a very good living. He learned it from his dad.

The issue that we have is math and the ability to do math for a trade. We're seeing folks come in who are desperate to become electricians, desperate to become plumbers. They don't have the educational foundation to be able to do that work, and that goes back to high school.

ASSEMBLYMAN DURSO: Thank you, sir.

CHAIRWOMAN KRUEGER: Assemblymember Judy Griffin.

ASSEMBLYWOMAN GRIFFIN: Thank you, Chair.

James, this is for you. I wonder if you can expand on the -- you know,

Assemblyman Bronson and Assemblywoman Pheffer talked about this. Increasing the taxable wage base, what does that look like specifically? Like how much are you suggesting we raise the bigger companies? And are there -- is there some level of small businesses that we would not be giving -- we would give a substantial decrease to?

MR. PARROTT: So taxable wage base is the portion of your payroll that you're paying UI taxes on, right?

But right now it's $12,800. So I'm proposing to substantially raise that to $100,000 so that bigger companies would then pay a bigger share of the total revenues.

You need to couple that, though, with a change in the experience rating method which will put less emphasis on, you know, volatile unemployment changes in small companies -- because it affects them more relative to their payroll. Reserve ratio experience rating method now hinges a lot on what the size of your payroll is. The smaller you are, the bigger impact it has.

So we need to change that and get away from that. And, you know, right now we have a lot of small businesses that are paying unemployment rates of 10 percent or more. Half of that is just due to the fact that the trust fund is in debt. That's not a result of the small companies, that's because the big companies haven't been paying enough into the system.

ASSEMBLYWOMAN GRIFFIN: Right. It makes a lot of sense. And, you know, small businesses -- it's such a struggle to have a small business, the mom-and-pop businesses we all have in our towns and villages.

So yeah, I would appreciate more information in looking at that.

And to Jim, Annmarie and Ellie, we don't really have that much time. Appreciate all of your efforts. If each of you want to take a short time just to highlight something that you are doing, that would be great.

MR. MARTIN: I pass my time.

MS. LANESY: Thank you.

I would love the opportunity to tell

all of you about a program that we have in partnership with the Office for New Americans. Any immigrant or refugee in the State of New York, regardless of their immigration status, can take our training for free, from home. We send them laptops, hotspot internet access, and they're training from the comfort of their home.

So please spread the word. Thank you.

ASSEMBLYWOMAN GRIFFIN: Well, that's amazing.

MS. LANESY: Thank you.

MS. FITZGERALD: Thank you.

Yeah, if you're not familiar with the educator registered apprenticeships, we'd love to talk with anyone a little bit more.

But some of the cool work in the space is happening around the state. So we do have 15 programs around the state. There's over 50 registered educator apprentices.

There's also three titles in New York State. There's a TA title, a teacher, and a school building leader title. So it is providing a ladder of growth through the

profession.

The other piece I wanted to mention -- oh, I'm running out of time. We'll follow up with you.

ASSEMBLYWOMAN GRIFFIN: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

And I believe we've completed the list of questioners. So I want to thank this panel for your work, for your participation today.

And I actually want to officially close this hearing and let everyone know that in theory the next hearing is starting at 2:30, which is now, but some of us are going to take a quick personal hygiene break.

So thank you very much.

(Whereupon, the budget hearing concluded at 1:28 p.m.)