§ 534-k. Regularization of longshore workers' employment. 1. The commission shall, at regular intervals, remove from the longshore workers' register any person who shall have been registered for at least nine months and who shall have failed during the preceding six calendar months either to have worked as a longshore worker in the port of New York district or to have applied for employment as a longshore worker at an employment information center in the port of New York district for such minimum number of days as shall have been established by the commission pursuant to subdivision two of this section.

2. On or before each succeeding first day of June or December, the commission shall, for the purposes of subdivision one of this section, establish for the six-month period beginning on each such date a minimum number of days and the distribution of such days during such period.

3. In establishing any such minimum number of days or period, the commission shall observe the following standards:

(a) To encourage as far as practicable the regularization of the employment of longshore workers;

(b) To bring the number of eligible longshore workers more closely into balance with the demand for longshore workers' services within the port of New York district in this state without reducing the number of eligible longshore workers below that necessary to meet the requirements of longshore workers in the port of New York district in this state;

(c) To eliminate oppressive, unlawful, discriminatory, and corrupt hiring practices affecting longshore workers and waterborne commerce in the port of New York district in this state; and

(d) To eliminate unlawful practices injurious to waterfront labor.

4. A longshore worker who has been removed from the longshore workers' register pursuant to this section may seek reinstatement upon fulfilling the same requirements as for initial inclusion in the longshore workers' register, but not before the expiration of one year from the date of removal, except that immediate reinstatement shall be made upon proper showing that the registrant's failure to work or apply for work the minimum number of days above described was caused by the fact that the registrant was engaged in the military service of the United States or

was incapacitated by ill health, physical injury, or other good cause.

5. Notwithstanding any other provision of this article, the commission shall at any time have the power to register longshore workers on a temporary basis to meet special or emergency needs.

6. Notwithstanding any other provisions of this section, the commission shall have the power to remove from the longshore workers' register any person (including those persons registered as longshore workers for less than nine months) who shall have failed to have worked as a longshore worker in the port of New York district for such minimum number of days during a period of time as shall have been established by the commission. In administering this section, the commission, in its discretion, may count applications for employment as a longshore worker at an employment information center established under section five hundred thirty-four-o of this article as constituting actual work as a longshore worker, provided, however, that the commission shall count as actual work the compensation received by any longshore worker pursuant to the guaranteed wage provisions of any collective bargaining agreement relating to longshore workers. Prior to the commencement of any period of time established by the commission pursuant to this section, the commission shall establish for such period the minimum number of days of work required and the distribution of such days during such period and shall also determine whether or not application for employment as a longshore worker shall be counted as constituting actual work as a longshore worker. The commission may classify longshore workers according to length of service as a longshore worker and such other criteria as may be reasonable and necessary to carry out the provisions of this act. The commission shall have the power to vary the requirements of this section with respect to their application to the various classifications of longshore workers. In administering this section, the commission shall observe the standards set forth in section five hundred thirty-four-l of this article. Nothing in this section shall be construed to modify, limit or restrict in any way any of the rights protected by section five hundred thirty-four-q of this article.