§ 696-a. Definitions. As used in this article: 1. "Covered airport location" means John F. Kennedy International Airport and LaGuardia Airport or any location used to perform work related to the preparation or delivery of food for consumption on airplanes departing from John F. Kennedy International Airport or LaGuardia Airport.

2. (a) "Covered airport worker" means any person employed to perform work at a covered airport location.

(b) "Covered airport worker" shall include any person employed to perform work at a covered airport location, provided at least half of the employee's time during any workweek is performed at a covered airport location.

(c) "Covered airport worker" shall not include persons employed in an executive, administrative, or professional capacity as defined in subparagraph one of paragraph (a) of section thirteen of the Fair Labor Standards Act of 1938 (29 U.S.C. s.213 et seq.), or persons employed by the Port Authority of New York and New Jersey or any other governmental agency.

3. "Successor airport employer" means any employer that employs covered airport workers who provide services at a covered airport location that are substantially similar to those that were provided by covered airport workers previously employed by another employer at such covered airport location.

4. "Employer" means any person, corporation, limited liability company, or association employing any individual in an occupation, industry, trade, business or service. The term "employer" shall not include a governmental agency or employers with ten or fewer employees.

5. The "applicable standard rate" means the wage and benefit rates designated by the commissioner based on the determinations made by the General Services Administration pursuant to the federal McNamara-O'Hara Service Contract Act of 1965 (41 U.S.C. 6701 et seq.), for the appropriate localities and classifications of building service employees; provided, however, that in no event shall the prevailing wage rate applicable to a covered airport worker on and after January first,

two thousand twenty-five and every year thereafter be less than the following:

(a) any otherwise applicable minimum wage rate established through a regulation of the Port Authority of New York and New Jersey; and

(b) an amount of supplemental wages or a supplemental healthcare contribution equal to the rate for health and welfare for all occupations, designated by the commissioner based on the determinations made by the federal department of labor pursuant to the McNamara-O'Hara Service Contract Act of 1965 (41 U.S.C. 6701 et seq.) for the geographic region in which the covered airport location is situated and in effect on the date of the designation by the commissioner; and

(c) paid leave equal to the paid leave requirements designated by the commissioner the immediately preceding January first, based on the determinations made by the General Services Administration pursuant to the McNamara-O'Hara Service Contract Act of 1965 (41 U.S.C. 6701 et seq.).

6. "Commissioner" means the commissioner of labor of the state of New York.