



LEGISLATIVE UPDATE JUNE 2021

2021 NYS Legislative Session Bills Relating to Electrical Construction

The 2021 Legislative Session concluded on June 14. The following bills of interest passed both houses. In some cases the bills have yet to be sent to the Governor for consideration, in others, the bills have been signed into law as noted.

A430 Rosenthal -- Requires prior written notice upon hiring and once annually to all employees, informing them of the types of electronic monitoring which may occur
SUMM : Add §52-c, Civ Rts L Requires prior written notice upon hiring to all employees, informing them of the types of electronic monitoring which may occur; provides employers shall also post the notice of electronic monitoring.

Significant Act: 06/09/21 Passed Both Houses

A2202 Barnwell -- Relates to requiring contractors and subcontractors to disclose the existence of property and casualty insurance

SUMM : Amd §771, Gen Bus L Requires contractors and subcontractors to disclose the existence of property and casualty insurance before they begin work on a home.

Significant Act: 06/09/21 Passed Both Houses

A2681B Reyes -- Prevents occupational exposure to an airborne infectious disease
SUMM : Add §§218-b & 27-d, Lab L Prevents occupational exposure to an airborne infectious disease by implementing a model infectious disease exposure prevention standard and requiring employers to implement such model or a similar plan; provides that where an action brought by an employee under the provisions of this section, or a defense, counterclaim, or crossclaim brought by an employer in response thereto, is found upon judgment to be completely without merit in law and undertaken primarily to harass or maliciously injure another, the court may in its discretion impose sanctions against the attorney or party who brought such action, defense, counterclaim or crossclaim; makes related provisions.

Eff. Date 06/04/2021

Significant Act: 05/05/21 Chaptered 105

A3350A Joyner -- Relates to actions for non-payment of wages

SUMM : Add §198-e, Lab L; add §756-f, Gen Bus L Provides that a contractor making or taking a construction contract shall assume liability for any debt resulting from making a wage claim, owed to a wage claimant or third party on the wage claimant's behalf, incurred by a subcontractor at any tier acting under, by, or for the contractor for the wage claimant's performance of labor; provides for wage theft prevention and enforcement.

Significant Act: 06/02/21 Passed Both Houses

A3354B Fall -- Relates to granting time off for public employees to receive a COVID 19 vaccination

SUMM : Add §159-c, Civ Serv L; add §196-c, Lab L Grants time off for public employees to receive a COVID-19 vaccination.

Eff. Date 03/12/2021

Significant Act: 03/12/21 Chaptered 77

A4913A Zebrowski -- Relates to including the name of the individual or business enterprise that has been awarded an identical or substantially similar procurement contract in certain notices of procurement contract opportunities

SUMM : Amd §142, Ec Dev L Relates to including the name of the individual or business enterprise that has been awarded an identical or substantially similar procurement contract in certain notices of procurement contract opportunities.

Significant Act: 06/09/21 Passed Both Houses

S858 GOUNARDES -- Relates to wage theft

SUMM : Amd §§193 & 198, Lab L Relates to clarifying provisions prohibiting wage theft; provides that there are no exceptions to liability for failure to pay wages.

Significant Act: 06/02/21 Passed Both Houses

S880 BRESLIN -- Relates to payment in construction contracts

Same as A 967 Cusick

SUMM : Amd §139-f, St Fin L; amd §106-b, Gen Muni L (as proposed in S.7664 & A.9117) Relates to payment in construction contracts; specifies the meaning of "substantial completion" for the purposes of requisition payments in construction contracts.

Eff. Date 12/15/2020

Significant Act: 06/11/21 Chaptered 128

S1042A RAMOS -- Relates to the calculation of weekly unemployment insurance and the repeal of certain provisions relating thereto

SUMM : Rpld & add §523, §591 sub 3 ¶(a), amd Lab L, generally Relates to the calculation of weekly unemployment insurance and the repeal of certain provisions relating thereto.

Significant Act: 01/26/21 Passed Both Houses

S1215 BENJAMIN -- Relates to assisting contractors to identify minority group members and women for hiring opportunities

SUMM : Amd §311, Exec L; amd §811, Lab L Assists contractors in identifying minority group members and women who are participating in apprenticeship agreements.

Significant Act: 06/03/21 Passed Both Houses

S4323C COMRIE -- Establishes a construction industry advisory council on public contracting reform

SUMM : Establishes a construction industry advisory council on public contracting reform to consider and advise on matters concerning the improvement of the current public works contracting process.

Significant Act: 06/10/21 Passed Both Houses
