



LEGISLATIVE RECAP 2024 SESSION

Priority Bills

A.373-B (Bronson)/S.5475-B (Jackson) - **Relates to the inclusion of certain off-site custom fabrication as public work for the purposes of payment of prevailing wage**

- Status: **Passed Assembly, died in Senate Finance Committee**
- Position: Oppose
- Context: This decades old bill received new attention this year because the Assembly bill sponsor was appointed as Chair of the Labor Committee. Since it passed the Assembly, we expect this bill to come back again next year. Senate staff is generally reluctant to pass the bill and the Senate sponsor is weak.

A.1194-A (Braunstein)/S.6855-A (Martinez) - **Prohibits the retention of any amount of payment due and owing for materials delivered and accepted for a public or private construction project**

- Status: **Passed Assembly, died in Senate Procurement and Contracts Committee**
- Position: Support
- Context: This bill has been around for a number of years, but has never seen significant movement. This year, it was passed by the Assembly for the first time, but did not move in the Senate. With a strong push next year, it would be possible to see movement in the Senate, although property developers and DASNY are likely strongly opposed.

A.10561 (Solages)/S.9840 (Ramos) - **Relates to increasing short-term disability benefits**

- Status: **Passed Senate, died in Assembly Ways and Means Committee**
- Position: Oppose
- Context: As part of the State Budget, the Governor proposed an increase in TDI benefits, primarily indexing benefits to increasing percentage of state AWW. Both houses of the legislature wanted to go further than the Governor, and the proposal was not included in the Enacted Budget. The

Solages/Ramos bill was subject of extensive negotiations at the end of session between the houses and the Executive. In the end, the Assembly did not pass the bill. This will be followed closely as it is expected to be revisited in 2025.

A.9265-A (Bronson)/S.8608-A (Ramos) - Requires contractors and subcontractors working on covered projects submit their payrolls or transcripts to the fiscal officer

- Status: **Passed both houses, awaiting Governor's action**
- Position: No position
- Context: This bill creates an electronic certified payroll system applicable to all prevailing wage projects. Contractors will all have to register electronically at the end of 2024.

A.8935-C (Bronson)/S.1604-F (Ramos) Provides for the regulation of indoor and outdoor worksites with temperature protection standards and education, training and reporting requirements to ensure that employers provide safe conditions for their employees.

- Status: **died in Assembly Ways and Means, died in Senate Finance Committee**
- Context: The bill was revised to put in exemptions for CBA and PLAs:

(b) Construction, unless the employer is party to a: (i) collective bargaining agreement or (ii) project labor agreement with a bona fide building and construction trades council.

Minority and Women Owned Business 15-A Extension

Executive Law Article 15-A governs requirements for the participation of minority and women-owned business enterprises (MWBEs) in New York State contracting. The Division of Minority and Women's Business Development (DMWBD) oversees the statewide MWBE program operated by state agencies as defined by Article 15-A. The Division is charged with three primary functions: (1) to encourage and assist state agencies that are engaged in contracting activities to award a fair share of state contracts to MWBEs; (2) to review applications by businesses seeking certification as a MWBE and to maintain a directory of certified MWBEs; and (3) to promote the business development of MWBEs through education and outreach to agencies and MWBEs. The MWBE program was reauthorized in 2019 for five years and is set to expire on December 31, 2024.

In this year's final budget, the current MWBE program was extended for six months and now expires on July 1, 2025. A disparity study is being conducted by Empire State Development and is expected to be released in August 2024. The disparity study will give lawmakers the data needed to make adjustments to the program (or not). A new proposal from the Governor is expected next year, likely in the budget, to address the data and findings of the disparity study.

Sunset the State's COVID-19 Sick Leave Law

Chapter 25 of the Laws of 2020 enacted the State's COVID-19 Sick Leave Law, which required employers to provide sick leave benefits, paid family leave, and benefits due to disability for employees subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19. New York's nation-leading paid sick leave laws provide all New Yorkers with sick leave protections, regardless of which

illness they are experiencing. As the federal COVID-19 state of emergency has concluded, it would be prudent for this COVID-19 sick leave initiative to conclude as well.

Governor Hochul proposed a sunset date of July 31, 2024, the final budget agreement added a year to July 31, 2025.