



2021 ANNUAL
REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON LABOR



**SENATOR
JESSICA RAMOS**
CHAIR

CHAIR
Labor

COMMITTEES

Agriculture
Commerce, Economic Development
and Small Business
Corporations, Authorities and
Commissions
Internet and Technology
New York City Education
Transportation

NEW YORK
STATE
SENATE



JESSICA RAMOS
SENATOR, 13TH DISTRICT

□ **ALBANY OFFICE:**
946 Legislative Office Bldg.
Albany, NY 12247
Phone: (518) 455-2529

□ **DISTRICT OFFICE:**
74-09 37th Ave., Ste. 302
Jackson Heights, NY 11372
Phone: (718) 205-3881

January 5th, 2022

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Labor for the 2021 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction, and legislate in the interest of workers in New York State.

During the 2021 session, this committee met six times in session and reported 49 bills. The Committee also held two public hearings this past year. One with the Department of Transportation to hear about the difficulties of taxi drivers and livery drivers across New York State and one on the 2021 Executive Budget Proposal. Ultimately, we set out to ensure that our state's labor laws and worker protections were able to facilitate a just recovery that left workers in a better position than they were before the pandemic.

On a personal level, I am proud of the work we have done together to pass a \$2.1 Billion Excluded Worker Fund for the undocumented who are denied the right to unemployment relief; increasing people's part time unemployment benefits during the pandemic when we needed to encourage as many people to go back to work as possible; and a slew of other bills including ending construction wage theft to expanding language access in the workers' compensation process, and protecting whistleblowers in the private sector to ensure safety and health in the workplace during the pandemic.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in black ink that reads 'Jessica Ramos' in a cursive, flowing script.

Jessica Ramos
New York State Senator, 13th District

2021 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON LABOR

Senator Jessica Ramos, Chairperson

COMMITTEE MEMBERS

Andrew Gounardes	Fred Akshar
Robert Jackson	Patrick M. Gallivan
Shelly B. Mayer	Mario R. Mattera
Roxanne J. Persaud	Edward A. Rath III
Sean M. Ryan	
James Sanders Jr.	
Diane J. Savino	
James Skoufis	

COMMITTEE STAFF

Elizabeth Robins, Senate Counsel
Samantha Acevedo, Senator Jessica Ramos's Albany Deputy Chief of Staff

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Labor has legislative oversight responsibilities for issues concerning the safety and health, labor standards and dignity of all workers in New York State.

During the 2021 Legislative Session, 214 bills were referred to the Committee for its review. Of these bills, 49 were reported from the Committee. 40 were passed by the Senate, and 18 passed in both houses. This work was conducted through a series of 6 committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee held 2 hearings and/or roundtable meetings. Topics of these hearings included: “To hear about the difficulties of taxi drivers and livery drivers across New York State” and “2021 Executive Budget Proposal: Topic Workforce Development.”

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2021:

- S18A **MAYER**- Requires the Department of Labor to provide information to employers about shared work program eligibility and benefits.
- S1043B **GIANARIS**- Prevents occupational exposure to an airborne infectious disease.
- S3946 **MAYER**- Provides employers with the opportunity to register for emergency alerts from the State of New York Public Safety Alert Mass Notification System.
- S2766C **RAMOS**- Relates to actions for non-payment of wages.
- S2802 **BAILEY**- Relates to workforce opportunity data transparency.
- S5065 **PERSAUD**- Relates to flexible working arrangements for parents and legal guardians when day care centers and schools are closed during a state or local disaster emergency.
- S4049 **RAMOS**- Relates to benefits of shared work programs.
- S1042A **RAMOS**- Relates to the calculation of weekly unemployment insurance and the repeal of certain provisions relating thereto.
- S4394A **RAMOS**- Relates to retaliatory actions by employers.

TWO HOUSE BILLS

In 2021, 18 of the 49 bills referred to the Standing Committee on Labor passed both houses of the Legislature. Of these bills, the Governor has signed 15, vetoed 0, and has yet to act on 3.

Bill	Sponsor	Summary	Action
S17A	Mayer	Authorizes employees to petition an employer to apply to participate in a shared work program for purposes of avoiding a reduction in workforce or for purposes of re-hiring	Chapter 493 of 2021
S18A	Mayer	Requires the department of labor to provide information to employers about shared work program eligibility and benefits	Chapter 458 of 2021
S255B	Mayer	Requires payment of prevailing wage on public works projects for work involving the hauling and delivery of aggregate supply construction materials	Returned to Senate
S661	Sanders	Provides a claim filing opportunity for the widows and dependents of workers who died as a result of cancer caused by exposure to diesel exhaust	Chapter 526 of 2021
S858	Gounardes	Relates to wage theft	Chapter 397 of 2021
S946B	Gaughran	Relates to attorney's fees	Returned to Senate
S1022A	Ramos	Relates to providing language access services	Chapter 622 of 2021
S1042A	Ramos	Relates to the calculation of weekly unemployment insurance and the repeal of certain provisions relating thereto	Chapter 277 of 2021
S1197	Persaud	Prohibits the inclusion of claims for unemployment insurance arising from the closure of an employer due to COVID-19 from being included in such employer's experience rating charges	Chapter 21 of 2021
S2623	Jackson	Relates to compelling family reasons and the continuance of unemployment benefits	Delivered to Governor
S2802	Bailey	Relates to workforce opportunity data transparency	Chapter 647 of 2021

Bill	Sponsor	Summary	Action
S2928A	Addabbo	Relates to paid family leave and siblings	Chapter 550 of 2021
S3293	Ramos	Relates to extending the effectiveness of certain provisions relating to the reciprocity of debarments	Chapter 79 of 2021
S3623	Ortt	Relates to providing that spouses who voluntarily separate from employment to accompany a spouse who is the subject of a military transfer shall be eligible for unemployment benefits	Chapter 610 of 2021
S4049	Ramos	Relates to benefits of shared work programs	Chapter 420 of 2021
S4394A	Ramos	Relates to retaliatory actions by employers	Chapter 522 of 2021
S6196	Krueger	Allows the New York state insurance fund to enter into agreements with private insurance providers to cover out-of-state work	Chapter 636 of 2021
S6697	Ramos	Extends provisions relating to self-employment assistance programs and other matters	Chapter 653 of 2021

SUMMARY OF COMMITTEE ACTIVITY

Bill No.	Sponsor	Summary	Action
S17A	Mayer	Authorizes employees to petition an employer to apply to participate in a shared work program for purposes of avoiding a reduction in workforce or for purposes of re	Chapter 493 of 2021
S18A	Mayer	Requires the department of labor to provide information to employers about shared work program eligibility and benefits	Chapter 458 of 2021
S255B	Mayer	Requires payment of prevailing wage on public works projects for work involving the hauling and delivery of aggregate supply construction materials	Returned to Senate
S615A	Ramos	Prohibits an employer from requesting that an employee or applicant disclose any means for accessing an electronic personal account	Passed Senate
S661	Sanders	Provides a claim	Chapter 526 of 2021
S829	Ramos	Relates to irregularities in a cover sheet accompanying an application for administrative review or full board review of a rebuttal to such applications, and provides for the correction of such irregularities	Delivered to Governor
S858	Gounardes	Relates to wage theft	Chapter 397 of 2021
S859A	Gounardes	Relates to requiring new employees to be provided certain information relating to student loan repayment information	Passed Senate
S946B	Gaughran	Relates to attorney's fees	Returned to Senate
S975	Gaughran	Relates to the definition of a day student for the purposes of employment	Passed Senate
S1022A	Ramos	Relates to providing language access services	Chapter 622 of 2021
S1026	Ramos	Relates to contracted network pharmacy use	Passed Senate
S1034B	Gianaris	Prevents occupational exposure to an airborne infectious disease	Chapter 105 of 2021

Bill No.	Sponsor	Summary	Action
S1042A	Ramos	Relates to the calculation of weekly unemployment insurance and the repeal of certain provisions relating thereto	Chapter 227 of 2021
S1045	Ramos	Permits minors to be employed as a referee, umpire or official at a youth sporting event	Passed Senate
S1197	Persaud	Prohibits the inclusion of claims for unemployment insurance arising from the closure of an employer due to COVID-19 from being included in such employer's experience rating charges	Chapter 21 of 2021
S1252A	Gianaris	Enacts the "roadway excavation quality assurance act"	Committed to Rules
S1997	Jackson	Relates to the restrictions on consecutive hours of work for nurses	Passed Senate
S2623	Jackson	Relates to compelling family reasons and the continuance of unemployment benefits	Delivered to Governor
S2766C	Ramos	Relates to actions for non-payment of wages	Chapter 419 of 2021
S2802	Bailey	Relates to workforce opportunity data transparency	Chapter 647 of 2021
S2928A	Addabbo	Relates to paid family leave and siblings	Chapter 550 of 2021
S3291A	Salazar	Relates to covered employment as a domestic worker for temporary disability benefits	Delivered to Governor
S3293	Ramos	Relates to extending the effectiveness of certain provisions relating to the reciprocity of debarments	Chapter 79 of 2021
S3469A	Kennedy	Relates to establishing the industry targeted unemployment task force	Passed Senate
S3470	Kennedy	Relates to establishing a program to incentivize unemployed individuals to enter jobs in healthcare	Passed Senate
S3623	Ortt	Relates to providing that spouses who voluntarily separate from employment to accompany a spouse who is the subject of a military transfer shall be eligible for unemployment benefits	Chapter 610 of 2021
S3946	Mayer	Provides employers with the opportunity to register for emergency alerts from the state of New York public safety alert mass notification system	Passed Senate

Bill No.	Sponsor	Summary	Action
S4049	Ramos	Relates to benefits of shared work programs	Chapter 420 of 2021
S4394A	Ramos	Relates to retaliatory actions by employers	Chapter 522 of 2021
S4738	Ramos	Relates to modular construction work	Passed Senate
S4844A	Biaggi	Expands the rights of nursing mothers to express breast milk	Passed Senate
S4885A	Savino	Relates to the hours worked by nurses	Passed Assembly
S5055A	Kennedy	Establishes a model racial equity, social justice, and implicit bias training program	Passed Senate
S5065	Persaud	Relates to flexible working arrangements for parents and legal guardians when day care centers and schools are closed during a state or local disaster emergency	Passed Senate
S5129	Kennedy	Authorizes treatment of workers' compensation injuries by an occupational therapy assistant and a physical therapist assistant	Committed to Rules
S5397	Benjamin	Enacts the "New York state Youth Build act"	Passed Senate
S5488A	Biaggi	Establishes the Marshall plan for moms interagency task force	Passed Senate
S5490B	Hinchey	Requires the commissioner of labor to provide notice to unemployment applicants of rental, mortgage, food and utility assistance programs available	Chapter 251 of 2021
S5734	Ryan	Requires a study of the issues impacting the continuum of caregiving in the state	Passed Senate
S5933A	Parker	Directs the department of labor to conduct a study on the employment rate of transgender persons in New York state	Passed Senate
S6196	Krueger	Allows the New York state insurance fund to enter into agreements with private insurance providers to cover out	Chapter 363 of 2021
S6244A	Krueger	Waives pandemic unemployment assistance repayments under certain circumstances	Passed Senate
S6266	Ramos	Specifies methods of calculating deposits and reserves for the aggregate trust fund and reserves of the state insurance fund	Passed Senate

Bill No.	Sponsor	Summary	Action
S6373B	Savino	Relates to claims for mental injury premised upon extraordinary work	Passed Senate
S6628A	Skoufis	Requires the workers' compensation board to appoint the uninsured employers' fund as the insurance carrier in cases when the identity of the responsible insurance carrier for the employer cannot be determined	Delivered to Governor
S6697	Ramos	Extends provisions relating to self-employment assistance programs and other matters	Chapter 653 of 2021
S6708	Parker	Requires employers to provide up to ten additional days of unpaid leave for absences due to domestic violence, a family offense, sexual offense, stalking or human trafficking	Passed Senate
S6828A	Mayer	Requires that notice of initial determination for unemployment benefits be provided	Passed Senate



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