



Mario Cilentto
President

Terrence L. Melvin
Secretary-Treasurer

Mike Neidl
Legislative Director

NYS AFL-CIO 2022-2023 Final State Budget Breakdown

This is an initial breakdown of the final state budget. It will be updated as we continue our review.

Pension Reform / Tier 5 & 6 – Amends retirement and social security law to remove overtime and payment for extracurricular activities for the purposes of calculating members’ contribution rate for contributions to be made in FYs 2022-23, 2023-24; and to reduce vesting time for Tiers 5 & 6 from ten years to five years.

Bond Act – Amends environmental conservation law to apply labor standards to Bond Act projects. These standards include prevailing rate, PLA on projects receiving over \$25 million, apprenticeships on projects of over \$50 million that receive at least \$25 million in bond act funds, allowing the state or municipalities to require contractors execute labor peace agreements, and Buy American for structural iron and steel.

Design-Build – Amends the infrastructure investment act to extend authorization of design-build by five years to December 31, 2027, to require PLAs on projects of \$25 million or more, and to expand the entities authorized to use design-build to include the New York City Department of Citywide Administrative Services.

Zero Emission School Buses –Amends various chapters of law to require all newly purchased school buses be zero emissions in 2027 and require that all operating school buses be zero emissions by 2035. Includes employee protections for all workers employed at the time of procurement, Buy American provisions for the buses and charging/hydrogen fueling infrastructure, including components and final assembly, and prevailing rate for all charging and fueling infrastructure.

Universal Child Care - This dedicates \$7 billion in funding over four years to expand eligibility for child care subsidies to families earning up to 300% of the federal poverty level, for wage enhancements to recruit and retain providers and to expand coverage through SUNY, CUNY and Universal Pre-K.

Health Care & Mental Health

Homecare Worker Minimum Wage – Amends public health law to implement a home care worker minimum wage increase of three dollars above the applicable minimum wage, to be implemented in two installments, two dollars in October 2022; and one dollar in October 2023.

Healthcare and Mental Hygiene Worker Bonuses –Amends the social services law, subject to federal financial participation, to provide frontline healthcare and mental hygiene workers who earn an annual base pay of \$125,000 or less with up to two bonuses of up to \$1,500 each, up to a total of \$3,000. The bonus is calculated based on the number of hours per week they have worked during vesting periods to be determined by the commissioner of health.

- \$10 million mental health funding increase to fund 100 beds.

Nurses Across NY Loan Program –Amends the public health law to establish a nurse loan repayment program for RNs and LPNs who work in underserved communities in New York State for three consecutive years.

Scope of Practice – Amends the public health law and education law to permit pharmacists to order and administer COVID and flu tests and direct limited laboratories; remove certain limitations from the scope of practice of nurse practitioners; make the nurse practitioners modernization act permanent; eases limitations on RNs’ ability to order and administer COVID and flu tests with authorization of a physician or nurse practitioner.

Education

211 waiver – Amends retirement and social security law to permit public retirees to work for school districts or BOCES without diminution in their pensions. Expires June 30, 2023.

SUNY and CUNY Hiring Report – Requires SUNY and CUNY to submit reports on faculty hiring at their respective institutions to the governor, majority leader, and speaker.

Economic Development

Casinos – Authorizes up to three additional casinos and removes the prohibition on siting casinos in New York City.

Buffalo Bills Stadium – Authorizes contract for new stadium and requires a 30-year commitment as a term of the agreement.

Entertainment Workers

COBRA – Amends insurance law and public health law to extend and expand the COBRA subsidy for displaced entertainment industry employees. This program is extended for one year to July 1, 2023. The eligibility threshold is increased from 208% of federal poverty level to 400% of federal poverty level and the subsidy is increased from 50% to 75% of the premium.

Film Tax Credit – Amends the tax law to extend the film and post production tax credit by three years, through 2029, requires applicants to adopt diversity plans with specific goals for hiring a diverse workforce, and reduces the credit by one half of one percent.

Broadway Credit – Amends the tax law to extend the musical and theatrical tax credit by six months to June 30, 2023 and removes restrictions on applicability.

Independent Arts Contractors Eligible for Grants – The budget includes ‘independent arts contractors’ as eligible for covid recovery grants to assist with eligible costs of maintaining employment and operations.

Transportation

Basic funding of 5-year capital program / MTA/upstate transit

Labor Issues

PERB Funding – \$2.5 million capital funding for technology improvements.

Partial UI Delay – Delays effective date of partial UI from April 1, 2022 to April 1, 2023.

Farmworker Overtime Tax Credit – Amends the Tax Law to create a new section 42-a that establishes a farm employer overtime refundable tax credit. Farm employers with certain minimum gross income from farming are eligible to receive a refundable tax credit equal to the overtime premium paid for hours worked in excess of the threshold set by the commissioner of labor pursuant to the recommendation of the farm labor overtime wage board. Farm employers are not eligible for a tax credit for the overtime premium paid for hours worked in excess of 60 hours per week. There appears to be no expiration date and no dollar limit on this credit.

DOL Funding – \$25 million – Increase in employment and training hereof.

Cannabis Social Equity – \$2.5 million – This is an increase of 2.25 million over last year’s appropriation for the Cannabis Workforce Initiative.

WDI – Workforce Development Institute operations were funded at \$4 million and the manufacturing program at \$2.5 million. A new program for a statewide apprenticeship program was funded at \$500,000.

Child Care Facilitated Enrollment

Capital Region/Oneida - \$2.549 million
Monroe County - \$2.185 million
Brooklyn/Queens/Bronx - \$3.754 million
34th Street Corridor/Citywide - \$500,000
Erie, Onondaga - \$500,000 each
Suffolk - \$1.5 million
Nassau- \$1.5 million

Cornell ILR – The following Cornell ILR programs with NYS AFL-CIO support were funded as follows:

Worker Institute - \$300,000;
NYS AFL-CIO Union Leadership Program - \$150,000;
The Workplace Sexual Harassment / Gender-based Violence Awareness Program - \$150,000; &
Criminal Justice and Employment Initiative - \$50,000.

Broadband – Amends the urban development corporation act to establish a Division of Broadband Access to expand access to affordable broadband through use of various grant and funding programs. This legislation also amends the labor law to apply prevailing rate requirements to broadband expansion under these programs.