



NYS AFL-CIO 2024 LEGISLATIVE AGENDA

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Combating Institutional Poverty

The New York State AFL-CIO is joining with our affiliates to end state policies that perpetuate and institutionalize poverty. For decades, the state's decision-making process and resulting policies in health care, education, housing, taxation, transportation, economic development, and many other areas have yielded profits and tax incentives for investors and developers while too many communities and individuals are left behind.

Glaring disparities have existed for decades between wealthy and poor communities. Unfortunately, these disparities continue to worsen while basic needs like food security and housing go unmet. Unfortunately, the state's policies too often exacerbate these problems instead of helping.

The New York State AFL-CIO has already begun this fight by supporting a just transition in our state's energy infrastructure so that all communities benefit, and so that both working families and investors see the rewards. This has included putting all stakeholders at the table as decisions are made, establishing strong labor standards, and ensuring there is fairness in siting, development, and access to clean energy.

We must apply these same standards to other critical policy areas. Key among them are the establishment of strong labor standards in all state and local economic development programs, starting with a robust, statewide housing program; we must establish fairness in taxation and spending formulas so that the burden of paying for public services is shared fairly and all communities will benefit; and we must work together to ensure access to health care, food security, educational opportunities and social and economic justice.

Reduce Child Poverty

The New York State AFL-CIO supports initiatives to address food and housing insecurity along with other social and health needs that impact our most vulnerable communities. Providing families with support for food, housing, and health care will improve children's health and mental well-being, which ultimately bolsters their ability to learn and thrive.



Combating Institutional Poverty

Create a Housing Policy that Works for All New Yorkers

We support an affordable housing solution that requires middle class sustaining wages be paid to all workers associated with a project, regardless of its location. The State's housing policies, including the use of taxpayer funds to support housing, must not be utilized to exploit workers and should ensure that wages are sufficient to allow them to live in the affordable housing with which they are tasked to build. Any housing program must also account for the significant need of New York's workforce to have affordable options for middle class families. Our City and State cannot thrive without a working-class population of teachers, police, firefighters, sanitation workers, nurses, and construction workers and we'll ultimately lose that entire population if we do not build adequate housing and pay wages that allow such individuals to live here. Without these critical pieces, we would simply be using taxpayer dollars to proliferate the affordability crisis that has resulted from year-after-year of likeminded policies and continue to see the State's population decline.

Strengthen Medicaid

Medicaid is a lifeline for more than 7 million of New York's most vulnerable residents and a critical support system for our State's safety net hospitals, indigent care, and long-term nursing and home care. Lingering instability in the system caused by the pandemic coupled with a growing staffing crisis and increasingly difficult working conditions have driven many healthcare workers away. The State took an initial step to increase Medicaid rates last year. However, Medicaid still pays 30% less than the actual cost of hospital care. Medicaid rates must be raised to cover 100% of the cost of care. The New York State AFL-CIO will work with its affiliates to advocate for increased funding to address disparate health access and outcomes for Medicaid beneficiaries and to secure sufficient resources for the facilities that provide vital health care in our communities.

Require IDAs and LDCs to Raise Living Standards in Local Communities

The New York State AFL-CIO will work on legislation to apply more effective oversight, transparency and claw back provisions that apply to Industrial Development Agencies (IDAs) and Local Development Corporations (LDCs). The state must require prevailing rate on all construction projects as well as labor standards for all permanent jobs created. The State must also ensure that there is local approval of IDA and LDC tax giveaways; that lost revenue is not counted against the local and school property tax cap; and that any tax breaks are eventually replenished by creating good jobs that lead to home ownership and new business taxes.



Support Staffing and Funding for the State's Health Care System

Reinvest in NY Healthcare Act

The New York State AFL-CIO strongly supports this bill which will tax the profits that healthcare insurance companies send out of state and dedicate those funds to fiscally distressed hospitals.

Support Fee-for-Service Home Care

Medicaid-funded home care and direct support workers risked their lives during the pandemic and continue to provide vital care to an ever-increasing number of our State's most vulnerable citizens. Many of them are unable to support their families on the poverty wages they receive. Simultaneously, the managed care system allows for billions of dollars to be wasted on unnecessary administrative costs and profit while underfunding necessary services. With a growing aging population and a continuing workforce crisis caused by poor-quality jobs, now is the time to transition to a managed fee-for-service system and reinvest the billions in savings to make these services and jobs sustainable. We must value the workers who provide vital services that enable seniors and people with disabilities to remain in their communities.

Establish Universal Health Insurance Coverage in New York and Require All Employers to Pay Their Fair Share

Employers that do not provide health insurance should be required to pay the equivalent cost of health insurance. The revenue generated should be used to establish a new public option for those without coverage and who do not qualify for other public healthcare programs.

The New York State AFL-CIO will fight to protect collectively-bargained health insurance benefits and to ensure that the exorbitant profits of health insurance companies are used to pay for expanding access to coverage, increasing the number of health care providers, and improving the quality of care.



Support Recruitment and Retention of Workers

Tier 6 Pension Reform

Tier 6 in the state and local public pension systems drastically increased pension contributions of public sector employees while increasing the retirement age, decreasing benefit amounts, and diminishing or eliminating various other benefits that address the unique needs of teachers, law enforcement, firefighters, and other special-plan members. These benefit reductions have contributed to recruitment and retention problems in the public sector and have plagued staffing at all levels of government, placing vital public services in jeopardy.

The New York State AFL-CIO and its affiliates were able to pass several Tier 6 reforms in 2022 and we will continue to push for legislation that reduces and standardizes employee contributions, eliminates penalties on pension benefits of longer-tenured employees, reduces the length of service and age for retirement eligibility, and permanently eliminates caps on the inclusion of wage growth, overtime, and other pay in the calculation of pension benefits.

Childcare Funding and Access

Funding and programmatic changes are needed to ensure essential workers and all working families have access to childcare. The New York State AFL-CIO strongly supports efforts to eliminate unnecessary red tape that makes it difficult for providers to access federal funding and certification from OCFS. Providers need the funding to help ensure their facilities follow federal and state regulations.

The New York State AFL-CIO is advocating for more State investment and regulatory intervention to increase the number of childcare providers and slots across the State, as well as continued investment in the childcare-facilitated enrollment program to make childcare more affordable and more accessible.



Address Climate Change

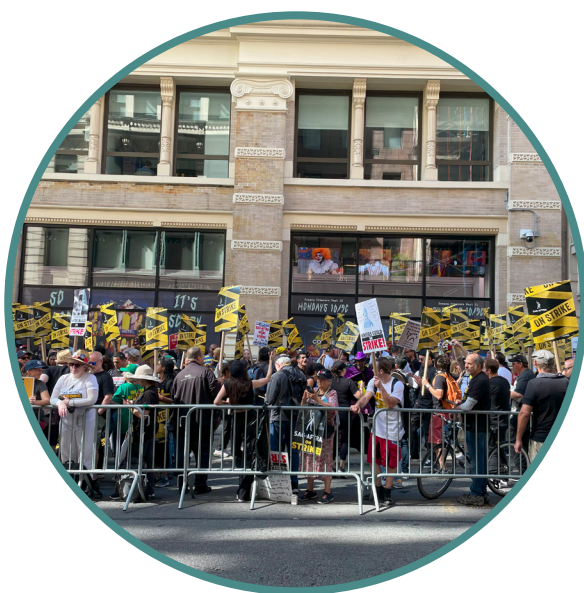
The New York State AFL-CIO supports our affiliates, including those in the energy sector, in addressing climate change and supporting the use of cleaner, more affordable, and renewable energy in a responsible way. Our work includes supporting measures to protect current jobs and to ensure that newly-created jobs are good union jobs.

- Establish a subsidy program for non-renewable energy systems to help the State achieve its goal of net zero-emission energy production by 2040 and require comprehensive labor standards and protections, including prevailing rate, PLA, Buy American, and labor peace.*
- Invest in zero-emission vehicles (ZEVs) infrastructure and charging stations across New York State with comprehensive labor standards and protections, including prevailing rate, PLA, Buy American, and labor peace. We must also ensure that no workers are displaced as public and private school bus and vehicle fleets are transitioned to ZEVs. Finally, we must enact strong Buy American provisions for the purchase of new ZEVs and associated equipment.*
- Secure just transition funding and support for workers and communities impacted by the Climate Leadership and Community Protection Act. Just transition should include extended unemployment insurance payments, COBRA subsidies, educational grants, and a bridge to retirement where appropriate.*
- Prohibit displacement of public sector employees and require the prompt rehire of displaced private sector employees with the same or better pay and benefits while maintaining their choice of collective bargaining representative.*
- Support the development of solar, wind, and other forms of renewable and net zero-emission energy. This development must adhere to comprehensive labor standards and protections, including prevailing rate, PLA, Buy American, and labor peace for workers who generate and transmit renewable energy, and those who manufacture, operate, maintain, repair, construct, and install renewable and net zero-emission energy infrastructure components.*



Address Climate Change

- Support the efforts of impacted affiliates and their members who work at generation, transmission, manufacturing, and smelting facilities, and utilities to make those facilities more efficient and keep them operational.
- Oppose importing power from out-of-state sources that provide cheap power because they do not adhere to climate and emissions requirements that in-state power producers do.
- Oppose granting government subsidies or development rights to employers that do not commit to creating good jobs with comprehensive labor standards and protections, including prevailing rate, PLA, Buy American, labor peace and, bona fide apprenticeship programs, or do not contribute the same revenues that existing utilities and power producers pay at the state and local level.
- Support funding for resiliency projects, dams, drinking water, sewer systems, storm preparedness, and other climate-related infrastructure improvements with comprehensive labor standards and protections, including prevailing rate, PLA, Buy American, and labor peace.
- Support establishing thermal energy networks at public buildings including state office campuses, SUNY campuses, state correctional facilities, and county, municipal, and school district buildings with comprehensive labor standards and protections, including prevailing rate, PLA, Buy American, and labor peace.





Budget Priority-Restore Vital Public Services and Staffing

Fight for a Fair, Progressive, and Sustainable Revenue Policy

As the infusion of pandemic assistance and other federal support dwindles, the State's structural budget issues, stemming from long-term disinvestment and lack of progressive revenue policy, have again become apparent. In addition to establishing a sustainable progressive revenue structure, the State should expedite the rollout of new revenue-generating industries, including recreational cannabis retail operations and currently-authorized casinos.

A More Progressive Personal Income Tax

New York's personal income tax (PIT) is relatively flat, imposing the same tax rate on married households making \$323,000 to \$2.2 million. More brackets should be created to raise taxes on the top 1 percent of households (those earning over \$800,000). Tax rates on multi-million-dollar income earners should rise by 1-3 percentage points.

Investment Income Tax

The wealthy earn most of their income from investments and corporate dividends, which receive a substantial federal tax benefit. New York should impose a small surtax of 2-4% on these types of income for the highest earners, following in Minnesota's footsteps.

Raise the Corporate Tax Rate

Corporations received a historic tax cut under the 2017 "Tax Cuts and Jobs Act" which reduced the federal corporate tax rate from 35% to 21%. New York should raise its state corporate tax rate by up to 4 percentage points to align with states such as Illinois and New Jersey.

Corporate Tax Reform

In recent decades, multinational corporations have developed sophisticated techniques for avoiding corporate taxes, such as by shifting their profits to foreign countries. New York should combat these tax avoidance strategies by either conforming to the federal rules for Global Intangible Low-Taxed Income, conforming to the Corporate Alternative Minimum Tax, or shifting to Worldwide Combined Reporting.

Tax LLCs and Partnerships

Most businesses are no longer organized as corporations and therefore do not pay the State's corporate tax. New York should equalize the tax treatment of different businesses by imposing a business profits tax on pass-through businesses including partnerships and LLCs.



Budget Priority-Restore Vital Public Services and Staffing

Inheritance Tax

New York should eliminate the income tax exemption for inheritances over \$2 million and end the “step up in basis” rule that allows accumulated wealth to escape taxation.

Properly Fund Staffing of Tax Enforcement

Low staffing levels of auditors, State enforcement, and support staff at the Department of Taxation and Finance has limited the ability of the State to ensure compliance with tax law and exacerbates the State’s revenue problems. Maintaining adequate and properly trained staff will help raise needed revenue and ensure fairness in the tax system.

Properly Fund State Agencies

The role of state government is to care for and provide critical services to the residents of New York. For years, due to the imposition of an arbitrary 2% state budget cap, state agencies have been deprived of adequate funding to meet the needs of the residents of our State. While not-for-profit agencies provide many important services to state residents, they have no duty or obligation to provide services to the State’s most at-risk or neediest residents. Staffing levels at state agencies are dangerously low, making it almost impossible for clients and customers to get access to the programs and services they need in a timely manner. The State should fully fund agencies to provide the programs and direct services residents expect and demand without the significant delay many people now face.

Increase Aid to Localities

The State needs to provide more funding and assistance to local governments and communities statewide to improve our health and safety programs, schools, and quality of life programs, and to strengthen the services working families rely on. Among the hardest hit by the lack of local government funding are social services workers, including child protective services. The state should ensure its most vulnerable citizens are protected, especially children.

Improve Public Transportation

Adequate funding for the MTA and mass transit operations across the state will remain a priority as will capital investment in mass transit and the State’s roads and bridges. The New York State AFL-CIO will oppose the closure, downsizing, or privatization of stations or services in transportation and support the expansion of bus lanes and commuter options.



Budget Priority-Restore Vital Public Services and Staffing

New Deal for Public Higher Education

Institutions of public higher education in New York provide a world-class education and serve as economic engines for the communities where they are located. However, for too long they have achieved their missions on austerity budgets. To increase student retention and completion rates, it is imperative that the State provide our institutions of public higher education with substantially more operating aid to enable them to increase the number of full-time faculty, better compensate adjunct faculty, and increase student support. Furthermore, SUNY's three teaching hospitals at Stony Brook, Downstate and Upstate must also be prioritized in this year's budget, given their critical role in health care and educating the next generation of medical professionals.

Adequately Staff and Fund the Department of Labor (DOL)

The New York State DOL is responsible for the enforcement and oversight of labor laws including wage and hour violations, enforcement of important safety programs such as the NY HERO Act, and implementation of worker benefit programs such as paid sick days. Labor standards are only as good as the enforcement capacity of the DOL. The effectiveness of the DOL has been stressed beyond its limits due to years of budgetary constraints and understaffing. The New York State AFL-CIO will fight for increased resources and staff in the budget process for the DOL to better protect workers.





Responsible Contracting and Creating Good Jobs

PLAs on SUNY Construction

The State University of New York (SUNY) leverages public taxpayer dollars to advance construction on campuses throughout the State with little to no labor standards to ensure New York's construction workers and contractors benefit from these subsidized projects. The New York State AFL-CIO supports legislation to ensure SUNY prioritizes responsible contractors and good jobs for local residents by establishing a project labor agreement (PLA) for all SUNY construction projects over \$3 million.

Public Works on Brownfield Development

New York State taxpayers subsidize much of the clean-up and development of brownfield sites across the State through tax credits and incentives, but projects have been exempted from the labor standards that apply to other public works projects, including prevailing rate and apprenticeship requirements. The New York State AFL-CIO will work with its affiliates to support brownfield remediation and development with the same labor and safety protections that all public works projects adhere to.

Local Journalism Sustainability Act

Local print media and newspapers are the source of thousands of union jobs across the State as well as the main conduit for free, independent, and reliable press and news. The rise of digital media and other market developments have made it extremely difficult for print and other traditional media to remain competitive and have drastically reduced advertising revenue. This, combined with increased costs, inflation, and supply chain constraints has led to the elimination of thousands of jobs in journalism, editorial, and other media services that are critical to local economies and a free, unbiased press. The New York State AFL-CIO supports creating a tax credit narrowly targeted to encourage the hiring and retaining of jobs in the local print and other media for employers struggling to maintain operations.

Prevailing Rate & Permanent Jobs for Industrial Development Agencies (IDA) & Local Development Corporations (LDC)

The New York State AFL-CIO will work on legislation to apply oversight, transparency, and claw back provisions that apply to IDAs and LDCs and require prevailing rate on construction projects. The State must also establish better standards for permanent jobs created by employers who accept IDA and LDC assistance.



Responsible Contracting and Creating Good Jobs

Design/Build and Alternative Contracting

The New York State AFL-CIO will oppose attempts to bypass competitive bidding on public works projects without adequate protections ensuring prevailing rate, the use of PLAs, and protections for all impacted public employees and the services they provide; including design, inspection, and ongoing operation and maintenance services. Taxpayers have a right to representation by civil service employees, including state-employed engineers and inspectors, on all job sites funded with taxpayer dollars.

Engage in Responsible Targeted Economic Development

We must focus on tax breaks and economic assistance to industries and companies that create good jobs and steer government funding away from low-wage jobs. Greater transparency and oversight are needed. We must also support prevailing wage and PLAs on construction projects to establish meaningful job standards for permanent positions.

Extend the Empire State Film and Television Tax Credit Program

The film and television production industry employs approximately 50,000 workers in New York State. This tax credit program supports an overwhelmingly unionized industry in which workers have excellent wages and benefits. If the credit lapses or becomes unfunded, the successes gained will be lost as projects will shift to other states and nations with secure incentives.





Better Public Services

Properly Fund Public Schools

The New York State AFL-CIO supports fully funding the Foundation Aid Formula in the 2024-25 budget. The State should also update the Foundation Aid Formula, ensuring expense-based aids are fully funded and provide \$100 million in categorical aid for community schools.

Amend the Property Tax Cap

The property tax cap ties the hands of voters and local officials by imposing a rigid cap on spending of cities, towns, villages, and school districts, without consideration of the many variables that affect the finances of those communities. The cap should be amended to allow additional flexibility for enrollment and population growth; for growth attributable to necessary capital improvements and infrastructure investment; and spending necessitated by emergencies and/or natural disasters. In addition, the cap should be amended to allow voters to override it with a simple majority vote, rather than the existing 60 percent majority currently required in law.

Oppose Corporate Charter School Expansion and Fix the Current Law

The New York State AFL-CIO opposes the further dilution of school district funding by the unfair diversion of taxpayer dollars to corporate charter schools. The New York State AFL-CIO supports the critical reforms to existing law that will make charter school operators more accountable and transparent to the public. We oppose the lifting of the cap until these reforms are in place. In addition, the New York State AFL-CIO will fight to ensure charter schools adhere to Article 8 of the labor law when building construction or conversion is required.

Repeal the NYS School Receivership Law

The New York State AFL-CIO calls for a repeal of the punitive receivership law. The enacted law on receivership attempts to privatize public education and strip away local control from parents and their democratically elected school boards. The law mislabels schools, students and educators based on a flawed focus on state standardized test scores, without considering the progress made in existing local turnaround programs. This law blames educators, rather than addressing the real fundamental problems – chronic underfunding and high concentrations of students living in poverty. The New York State AFL-CIO will support the enactment of policies that provide a realistic, research-based time frame to turn around these schools as well as research-based solutions and tools that have proven to close the achievement gap and accelerate student learning.



Better Public Services

Fix the Annual Professional Performance Review

The New York State AFL-CIO calls for an Annual Professional Performance Review (APPR) process for public school educators that will replace the current burdensome system with one that restores local control for school districts throughout the State. School districts should be able to negotiate their own evaluation systems for educators and administrators to ensure academic excellence for students and school communities.

Reform the SUNY Research Foundation and Campus Foundations

Both the SUNY Research Foundation and individual campus foundations operate with virtually no public oversight and have done so for decades. These institutions must be brought in line with other state agencies in terms of budget oversight, accountability, and transparency. Additionally, employees hired at these foundations must be part of the civil service system.





Strengthen Support for Workers and Their Families On and Off the Job

Protect Workers from Negative Job Impact and Labor Relations Effects of Artificial Intelligence and other Technology

The proliferation of unregulated artificial intelligence (AI) in the workplace has created unprecedented challenges for workers and the future of work. The use of AI has changed the way work is performed in every sector of the economy, has reduced or eliminated countless jobs, has disrupted labor relations on a number of fronts, and has affected personal and professional privacy. Additionally, the use of AI in the workplace presents myriad data security threats. The New York State AFL-CIO will work with its affiliates to prevent job loss and minimize other negative workforce impacts of AI; require studies and workforce impact assessments before AI can be used; create protections against bias in AI-generated assignments or employment recommendations; where appropriate, require that workforce impacts be negotiated; and, make sure the use and application of AI is done in a transparent and responsible manner so workers and the general public are informed about its effects.

AI and Autonomous Vehicles

The New York State AFL-CIO opposes proposals to expand and allow the use of autonomous vehicles and opposes eliminating a law that requires a live operator in control of motor vehicles.

Strengthen the Unemployment System

Restore the maximum benefit increase schedule. The unemployment trust fund deficit reached historic levels during the pandemic and remains an obstacle to increasing the maximum weekly benefit for workers. The deficit has shrunk since that time and along with a legal settlement that will sizably reduce the deficit further, the New York State AFL-CIO is advocating that the state adopt a new trust fund revenue plan to expedite solvency of the fund and restore the maximum benefit increases scheduled in law.

Equalize Benefits for Workers on Strike

In 2019 the New York State AFL-CIO reduced the suspension period for unemployment benefits for workers that are on strike, reducing the total waiting period from 7 weeks to 3 weeks. We will work to eliminate this suspension period entirely so that striking workers will have the same 1 week waiting period as all other employees.



Strengthen Support for Workers and Their Families On and Off the Job

Warehouse Worker Injury Reduction Act

The New York State AFL-CIO supports legislation that will build on progress made last year to regulate quotas and work pace standards for workers at massive warehouses that serve big box and online retailers. The bill will establish an ergonomics program for warehouses and distribution centers, protecting warehouse workers from the hazards of badly-designed equipment and tasks. This is important as the warehouse industry's rate of serious work-related injuries is more than four times the average injury rates for all other private industries, and twice as dangerous as construction and manufacturing. These are primarily back, shoulder, and wrist injuries, often caused by poor ergonomics. Ergonomics analyses, including analysis of risk and recommended controls, would be conducted by Certified Ergonomists. Companies would be required to comply with the recommended ergonomics controls in a reasonable time frame. Enforcement would be conducted by the Department of Labor.

Protect the Rights of Workers in the Gig Economy

The proliferation of app-based employment and internet/technological employment has resulted in the misclassification of thousands of workers as independent contractors. Although gig workers have won numerous administrative and court decisions finding that they are employees, there has been a lack of enforcement and compliance resulting in workers being denied basic rights and protections.

Among the rights being denied are minimum wage, workers' compensation, unemployment insurance, and the right to organize. At the same time, traditional employers' costs are rising because gig employers avoid paying into these systems, and taxpayers are footing the bill for low-income gig workers who need to access public health and other services that their employers should provide.

The New York State AFL-CIO will work to pass legislation that will require gig employers to meet the same obligations as all other employers and clarify that existing rights, including, but not limited to, minimum wage, workers' compensation, unemployment insurance, and the right to join a union, will apply to gig and all misclassified workers.

Workers' Compensation

The New York State AFL-CIO will continue its work to ensure injured and ill workers receive timely, high-quality healthcare, effective medication, and benefits adequate for those workers and their families to maintain a dignified standard of living during their illness, injury, or upon their death. The New York State AFL-CIO will support legislation that enhances benefits, improves care, and facilitates access to both.



Strengthen Support for Workers and Their Families On and Off the Job

Workers' Compensation

We will strongly oppose corporate attempts to roll back benefits or impede access to care or medication. We will also continue to support initiatives that prevent the insurance industry from exploiting union employers and from unfairly shifting the responsibility for excess losses incurred by low-road employers who operate dangerous workplaces onto union employers.

Workers' Compensation/COVID Presumption

The New York State AFL-CIO will advocate for legislation and administrative action to expedite payment of medical care, wage replacement, and death benefits for workers and/or their survivors who become ill and/or die because of exposure to COVID while working.

Workers Compensation/Extreme Stress

Because of outdated and regressive administrative agency and judicial decisions, extreme stress claims are treated differently from all other workplace illness and injury claims. Workers with extreme stress claims must prove that the traumatic events they experienced resulted in stress greater than they should have expected based on their jobs. This additional requirement is antithetical to all other aspects of the system that do not consider an injured worker's expectation of harm, danger, injury, or illness. The New York State AFL-CIO supports legislation that would treat extreme stress like all other injuries and illnesses caused by work.

Raise the Temporary Disability Insurance (TDI) Benefit

New York State requires private sector employers to provide TDI benefits for workers in the event they are injured while off the job, with the cost being passed on to employees. For decades, the benefit has been capped at \$170 per week, making it so low that very few workers are able to make ends meet in the event of an injury. The New York State AFL-CIO is working to increase the TDI benefit and index it at 2/3 of the State's average weekly wage.

Protect the Scaffold Safety Law

This vital safety provision in the Labor Law helps save lives by ensuring that workers who are injured because of fall-related incidents have access to legal recourse. The New York State AFL-CIO will vigorously defend this important safety provision.

Oppose Attempts to Rollback Triborough, Wicks, and other Labor Protections

The New York State AFL-CIO will oppose attempts to undo important labor protections and worker rights.



Empower Working People

Protect Employee Rights in the Wake of the Janus Decision

In response to ongoing and repeated court, legislative, and public relations challenges to the unionization rights of public employees, the New York State AFL-CIO will stand with our affiliates to defeat those challenges, protect access to union representation and a fair labor relations process, and ensure that the voices of public employees in the workplace are strong.

Establish Fairness for Management/Confidential (MC) Employees

The New York State AFL-CIO will work to make sure management and confidential employees of the state receive past pay increases that they have been denied, and work to establish a more methodical and fair system of pay increases moving forward.

