

Labor & Human Rights Meeting Agenda



800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Committee Chair: Emiljana Ulaj

Monday, June 10, 2024

1:00 PM

Committee Room

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Joint w/ Legislation

MINUTES APPROVAL

March 26th, 2024 Minutes
April 2nd, 2024 Minutes
April 9th, 2024 Minutes
April 29th, 2024 Minutes
May 7th, 2024 Minutes
May 15th, 2024 Minutes

I. ITEMS FOR DISCUSSION

[2024-325](#)

Legislators Imamura, Ulaj, Smith, Pierce, Cunzio, Gashi, Boykin, Barr, Parker, Williams Johnson, Holstein, Clements, Woodson-Samuels, Tubiolo, Nolan, Williams, Alvarado - Safety Measures for Survivors of Domestic Violence

AN ACT to establish a program to assist with dwelling safety measures for survivors of domestic and gender-based violence.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND LABOR & HUMAN RIGHTS

II. OTHER BUSINESS

III. RECEIVE & FILE

[2024-305](#)

**Legislators Tubiolo, Smith and Ulaj - Memo of Legislation -
Mandating Apprenticeship Opportunities on Certain County
Construction Projects**

A Memo of Legislation to require all contractors and approved subcontractors seeking to contract with the County have a NYS DOL approved apprenticeship program in place prior to the award of any construction contract in excess of \$250,000.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND LABOR & HUMAN RIGHTS

ADJOURNMENT



TO: Sunday Vanderberg, Clerk of the Board of Legislators

FROM: David Imamura , Legislator, 12th District
Emiljana Ulaj, Legislator, 9th District
Vedat, Gashi, Chair of the Board of Legislators, 4th District
Jose Alvarado, Vice-Chair of the Board of Legislators, 17th District
Tyrae Woodson-Samuels, Majority Leader, 13th District
Terry Clements, Majority Whip, 11th District
Margaret Cunzio, Minority Leader, 3rd District
James Nolan, Minority Whip, 15th District
Colin Smith, Legislator, 1st District
Erika Pierce, Legislator, 2nd District
Benjamin Boykin, II, Legislator, 5th District
Nancy Barr, Legislator, 6th District
Catherine Parker, Legislator, 7th District.
Jewel Williams Johnson, Legislator, 8th District
Judah Holstein, Legislator, 10th District
David Tubiolo, Legislator, 14th District
Shanae Williams, Legislator, 16th District

DATE: June 03, 2024

RE: An Act establishing a program to assist with dwelling safety measures
for survivors of domestic violence

Please place the attached proposal, an Act establishing a program to assist with dwelling safety measures for survivors of domestic violence, on the agenda for the June, 03, 2024 meeting of the Westchester County Board of Legislators so that it may be referred to the appropriate committees.

Thank you.

cc: Marcello Figueroa, Legislative Director
Dylan Traghi, Chief of Staff

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee recommends passage of “An Act establishing a program to assist with dwelling safety measures for survivors of domestic violence.”

Your Committee recognizes that survivors of domestic and gender-based violence may face situations where they are unable to secure their homes. As such, survivors of domestic and gender-based violence are often driven from their homes when their abusers have keys or access to their dwellings. These situations are extremely dangerous, not only for the survivors, but also for any children in their care.

Your Committee acknowledges that domestic violence has been found to be one of the top drivers of homelessness. According to the U.S. Department of Health and Human Services, during just one day in 2015, over 31,500 adults and children fleeing domestic violence found refuge in domestic violence emergency shelters or transitional housing programs, and on that same day, domestic violence programs were unable to meet over 12,197 requests for services because of a lack of funding, staffing, or other resources. Sixty-three percent (7,728) of unmet requests were for housing. Survivors of domestic and gender-based violence should not be put into positions where a lack of security and safety is forcing them to leave their home. Instead, survivors of domestic and gender-based violence should be given the ability to stay in their homes and rebuild their lives in their own communities.

Your Committee has been advised that the goal of this proposed Act is to enable survivors of domestic and gender-based violence to stay in their homes and communities, if they so choose. To

ensure the choice to remain in one's home is available to survivors of domestic and gender-based violence, this Act will establish a program that offers free lock changes and installation of a home security camera at a survivor's dwelling. Under the program, the Westchester County Office for Women will contract and work with designated community-based organizations to administer the program. One or more designated organizations will, among other things: conduct intake with survivors to determine program eligibility, coordinate with licensed vendors regarding the installation of dwelling safety measures, and conduct education and outreach about the program, as outlined in the Act.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The proposed Act does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators.

Your Committee, after careful consideration, recommends the adoption of this Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

SCM 6/3/2024

An Act establishing a program to assist with dwelling safety measures for survivors of domestic and gender-based violence.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. This Act institutes a program to assist survivors of domestic and gender-based violence with dwelling safety measures, such as new locks and security camera installation.

Section 2. Definitions.

For the purposes of this Act, the following terms have the following meanings:

1. **Community-based Organization.** A nonprofit organization that provides services to Survivors regardless of language spoken, gender identity, sexual orientation, criminal history, income, or immigration status.
2. **Designated Organization.** A Community-based Organization designated by the Director, pursuant to Section 3 of this Act, to administer the Program.
3. **Director.** The Director of the Westchester County Office for Women, or the Director's designee.
4. **Dwelling.** Any building or structure, or portion thereof, which is occupied in whole or in part as the home, residence, or sleeping place of one or more individuals, and which is occupied by an Eligible Household.
5. **Dwelling Safety Measures.** The provision of Lock Changes and/or Home Security Camera Installation.
6. **Eligible Household.** A household that meets the following criteria:
 - a. Includes a Survivor;

- b. Such Survivor resides in the County; and
 - c. Any other criteria deemed appropriate by the Director to further the purposes of the Program, except that, to the extent allowed under applicable law, such criteria shall not relate to the consumer credit history, criminal history, or immigration status of such Survivor or of any other member of such Survivor's household.
7. **Home Security Camera Installation.** One or more home security cameras provided to a Program Participant, including the installation of the camera(s) on the exterior of, or in, the Dwelling of a Program Participant.
 8. **Locks.** Any lock on an exterior or interior door that provides access to the Dwelling.
 9. **Lock Changes.** The provision of new Locks and keys for a Dwelling.
 10. **Office.** The Westchester County Office for Women.
 11. **Program.** The program required by Section 3 of this Act.
 12. **Program Participant.** Any Survivor who is a member of an Eligible Household that a Designated Organization selects, following its intake process, to participate in the Program.
 13. **Survivor.** A person who has experienced or reported domestic violence or gender-based violence. For the purposes of this definition, status as a Survivor is established by self-identification, documentation from an agency or Community-based Organization, or an order of a court of competent jurisdiction.

Section 3. Program Established.

1. The Office shall administer contracts with Designated Organizations to provide, where permitted by applicable law, Dwelling Safety Measures for the Dwelling of each Program Participant.
2. The Director shall:

- a. Develop and monitor policies, standards, and operational procedures for the Program.
 - b. Establish a list of qualified Community-based Organizations, from which the Director shall select one or more Designated Organizations, in accordance with County procurement procedures, to implement and administer the Program; and
 - c. Provide an application for such Program for potential Program Participants to be kept on record by each Designated Organization.
3. After contracting with the Office to implement and administer the Program, a Designated Organization shall make a reasonable effort to ensure compliance with each of the following:
- a. Conduct appropriate intake to determine whether Survivors will become Program Participants. Intake shall include consideration of prior use of the Program by a Survivor;
 - b. Any Lock Changes or Home Security Camera Installation made as part of the Program may only be performed by a vendor licensed as required by local, state, or federal law. Lock Changes must be performed in compliance with applicable federal, state, and local laws;
 - c. Prior to commencing Lock Changes under the Program, such Lock Changes shall not result in illegally locking out a lawful occupant of the Dwelling. Such reasonable efforts to ensure this may include one or all of the following:
 - i. If the Program Participant is a tenant of a rented Dwelling, the Program Participant shall provide the Designated Organization with a copy of the applicable lease, sublease, or rental agreement, identifying the Program Participant as a tenant.

- ii. If the Program Participant is the owner of a Dwelling, the Program Participant shall provide the Designated Organization with a copy of the deed to the property, identifying the Program Participant as the owner or grantee.
 - iii. If a perpetrator of domestic or gender-based violence resides in the Eligible Household and/or the perpetrator's name is on the lease or deed for the Dwelling, the Survivor shall provide the Designated Organization with a copy of a court order then in effect, which vacates the perpetrator from the Dwelling and identifies the Survivor as the protected party.
 - d. Coordinate with any such Program Participant, prioritizing the safety and privacy of such Program Participant, to notify the owner, leaseholder, or landlord of a Dwelling of the Lock Changes and/or Home Security Camera Installation, as appropriate and/or required by the terms of the Program Participant's lease, sublease, or rental agreement. This may include entering into a license agreement to gain access to the Dwelling, including any premises in which such Dwelling is located, for the purposes described in this Act. Such license agreement may include insurance, liability, and/or indemnity provisions.
- 4. Lock Changes and/or Home Security Camera Installation shall be provided to Program Participants as soon as possible after a determination of the Program Participants' eligibility and selection for such Program and, to the extent practicable, within seven (7) days after such determination.

Section 4. Education and Outreach.

Each Designated Organization shall conduct outreach and education, including written materials, to educate the public about the Program. The Designated Organization shall distribute such

materials to shelters (including domestic violence shelters), appropriate facilities operated by County departments, law enforcement agencies, appropriate courts within the County, Community-based Organizations, and other organizations as deemed appropriate. Such materials shall also be made available on the Designated Organization’s website. Such materials shall include:

1. A detailed explanation of the Program, including an indication that there is no cost to Survivors or Program Participants associated with the Program, and that immigration status does not need to be revealed;
2. Information on how the Program will be implemented and instructions for how to apply or make an appointment; and
3. Any other information as determined by the Director.

Section 5. Effective Date.

This Act shall take effect 180 days after enactment.



MEMORANDUM OF LEGISLATION

DATE: May 20th, 2024

TITLE: Mandating Apprenticeship Opportunities on Certain County Construction Projects

SPONSOR: Legislator David Tubiolo, Legislator Colin Smith, Legislator Emiljana Ulaj

PURPOSE OR GENERAL IDEA OF BILL: To require all contractors and approved subcontractors seeking to contract with the County have a NYS DOL approved apprenticeship program in place prior to the award of any construction contract in excess of \$250,000. This Local Law would further authorize the County to consider to which career opportunities in apprenticeship training programs may be provided. Additionally, lessees of County-owned property would be subject to the apprenticeship agreement requirements when entering into construction contracts respecting County-owned property, if the total construction contract cost exceeds \$250,000.

A prospective contractor should be required to submit proof of a DOL approved apprenticeship agreement and certify all subcontractors shall comply with such apprenticeship agreement within 60 days of being awarded a contract. A prospective contractor who fails to submit such proof within the time specified should result in the determination that such bid is non-responsive and therefore invalid. In the event that a selected contractor fails to comply with the requirements of this law, the County should have the power to withhold payments, cancel, terminate, or suspend the contract. The same shall apply to a lessee that fails to provide proof of an apprenticeship agreement for any construction contract with respect to county owned property.

INTENT: To maximize the availability of apprenticeship opportunities by leveraging the county's contracting authority.

JUSTIFICATION: Apprenticeship programs provide meaningful workforce development opportunities, training workers in recognized occupations through on-the-job training and related instruction. Individual apprenticeship programs are administered by a sponsor, which can be an employer, a labor management organization, or another entity. The county can foster the creation of new local jobs while also developing a skilled workforce by leveraging its contracting authority to require apprenticeship offerings on construction projects in excess of 250,000. Additionally, this will provide a new avenue for unions which already offer NYS DOL approved apprenticeship programs to engage with contractors directly. Rather than developing their own apprenticeship programs, contractors can turn to unions and develop a collaborative approach to meet the requirements imposed by this law.

This law would only apply to county construction contracts in excess of \$250,000. The \$250,000 threshold is the same for consideration of PLA's under existing county law. Notably, this threshold is much lower than what is required by Peekskill's apprenticeship law (\$1,500,000) and Ulster County's apprenticeship law (\$750,000).

PRESENT LAW: NONE.

cc: Marcello Figueroa, Legislative Director
Dylan Tragni, Chief of Staff