

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee recommends passage of “A Local Law adding a new Chapter 309 to the Laws of Westchester County to require that County contractors and subcontractors have in place apprenticeship agreements appropriate for the type and scope of work to be performed, that have been registered with the New York State Commissioner of Labor.”

Your Committee is advised that the New York State Legislature has declared it the public policy of the State of New York to develop sound apprenticeship training standards and to encourage labor and industry to participate in such programs. The State Legislature, in declaring this public policy, noted that apprenticeship programs, through supervised training and education, develop skilled craftsmen and help meet the increasing needs for such workers in the state's labor force. To implement this public policy, Article 23 was added to the New York State Labor Law (hereinafter “Labor Law”) in 1961, authorizing the New York State Commissioner of Labor to develop standards for apprenticeship training programs and a process for certifying programs which meet these standards.

Your Committee is additionally advised that in December 2001, the New York State Legislature, in furtherance of this stated public policy, enacted Labor Law section 816-b. Section 816-b authorizes a governmental entity, like the County of Westchester, which is a direct or indirect party to a construction contract to require contractors and subcontractors to have, prior to entering into such a contract, apprenticeship agreements appropriate for the type and scope of work to be performed, which programs have been registered with and approved by the New York State Commissioner of Labor pursuant to Article 23 of the Labor Law. *See* Labor Law § 816-b. Additionally,

Section 816-b provides that a governmental entity, whenever utilizing this requirement, may, in addition to whatever considerations are required by law, consider the degree to which career opportunities in apprenticeship training programs, approved by the New York State Commissioner of Labor, may be provided. *See* Labor Law § 816-b(2).

Your Committee understands that New York State registered apprenticeship programs provide valuable educational and training tools for County residents, and may facilitate the ability of County residents to obtain skilled jobs. Your Committee has also been informed that New York State–approved apprenticeship programs also encourage equal opportunity for apprentices and applicants for apprenticeship, consistent with state and federal regulations, in order to enhance workforce development and diversification, and to prevent exclusionary practices.

Your Committee is informed that New York State law does not *require* that governmental entities impose the obligation upon contractors and subcontractors to participate in apprenticeship programs sanctioned by the New York State Department of Labor, as a condition to the award of a contract for the performance of construction work. Governmental entities are simply authorized to implement this obligation should they so choose.

Your Committee is advised that this Local Law would allow the County to implement the State’s grant of authority. This Local Law would impose the requirement that all contractors seeking a County Construction Contract have an apprenticeship agreement in place when submitting a bid. A subcontractor must have an apprenticeship agreement in place within 90 days of the Construction Contract’s award. A Construction Contract is any contract to which the County or any of its departments or agencies may be a direct or indirect party which involves construction work in excess

of \$250,000. This Local Law would further authorize the County to consider the degree to which career opportunities in apprenticeship training programs may be provided. The provisions of this Local Law requiring that apprenticeship agreements be in place shall not apply to contractors and subcontractors with 14 or fewer employees.

Your Committee is further advised that the required registered apprenticeship programs under this Local Law must have an apprentice completion rate of at least thirty percent, as determined by the New York State Department of Labor. This Local Law also requires that any contractor that has been awarded a Construction Contract must adhere to a certified payroll requirement.

This Local Law shall apply only to construction contracts and subcontracts entered on or after the effective date of the law. This Local Law shall not impair existing construction contracts or subcontracts. Notably, this Local Law will not apply to emergency contracts entered into pursuant to Section 103 of the New York State General Municipal Law and Section 167.171 of the Laws of Westchester County.

Your Committee has been advised that the attached Local Law shall take effect ninety (90) days after its adoption, subject to the provisions of Section 209.181 of the Laws of Westchester County. This Local Law is subject to a permissive referendum pursuant to Section 209.171(2) because it changes a provision of law relating to public bidding and/or contracts. Consequently, pursuant to Section 209.181 of the Laws of Westchester County, the attached Local Law, if adopted, may not take effect until sixty (60) days after its adoption in any event (and here, will take effect ninety (90) days after adoption), assuming that within that time a petition protesting its adoption is not filed by the statutorily required number of qualified electors.

Finally, your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 9, 2026, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

An affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of this Local Law.

Your Committee, after careful consideration, recommends adoption of this Local Law.

Dated: _____, 2026
White Plains, New York

COMMITTEE ON

RESOLUTION NO. _____-2026

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. _____ 2026, “A Local Law adding a new Chapter 309 to the Laws of Westchester County to require that County contractors and subcontractors have in place apprenticeship agreements appropriate for the type and scope of work to be performed, that have been registered with the New York State Commissioner of Labor.” The public hearing will be held at _____ .m. on the _____ day of _____, 2026, in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law. Copies of the proposed legislation are on file in the office of the Clerk of the Board of Legislators and may be inspected there by any interested party during regular business hours.

FISCAL IMPACT STATEMENT

SUBJECT: Chapter 309- Apprenticeship Bill

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ _____ -

Total Current Year Revenue \$ _____ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount - _____

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount 0 _____

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

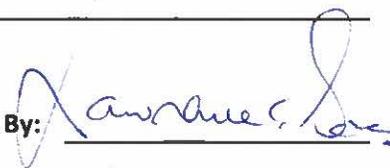
Next Four Years: _____

Prepared by: Ugochukwu Chibuikem

Title: Asst. Budget Analyst

Department: Budget

Date: March 23, 2026

Reviewed By: 

Budget Director

Date: 3/24/26