

ABC Empire State

Associated Builders and Contractors 2023 Legislative Agenda

The 2022 legislative session was one of the most destructive in recent memory. The legislature passed and the governor signed a number of bills that needlessly increased the cost of construction. They include mandating Project Labor Agreements (PLAs) on modular construction, applying prevailing wage or PLAs to renewable energy projects, creating a duplicative contractor registration system, Carlos Law, and countless other pointless bills.

New York was already one of the most expensive states to build and elected officials in Albany have only worsened that problem. Contractors and taxpayers across the state are feeling the adverse effects of bad policy decisions. Developers are looking to other states to invest in because if they don't receive massive incentives from New York it's more affordable for them to build somewhere else. People are being forced out of New York as the cost of living continues to skyrocket while at the same time our infrastructure continues to crumble. The damage emanating from Albany must stop.

In 2023, Governor Hochul and the legislature must take action to reduce the cost of construction.

They should start with the following:

- **Stop the Call for Union-Only Labor**
- **Eliminate Project Labor Agreements**
- **Repeal the Scaffold Law**
- **Neutralize the Public Subsidy Board**
- **Eliminate Annualization**
- **Reform Workers Compensation**
- **Cut the Red Tape**



Albany doesn't only need to reduce the cost of construction. They must also pass policies that improve the overall construction climate in New York. That includes:

Minority and Women-Owned Business Enterprise Reform

We support New York's M/WBE program and it's essential for the industry, however, comprehensive changes are needed to strengthen the program. The goals mandated by the 2016 Disparity Study are unattainable in many regions, especially in rural communities. As a result, contractors must obtain waivers, which is a slow and inconsistently applied process. The law must be amended by creating more attainable goals, requiring project-specific goal analysis to be made available to bidders, as well as pre-bid, ensuring that project goal are set according to law and will protect both M/WBE and non-M/WBE firms. These changes will strengthen New York's M/WBE program.

Crane Licensing Reform

New York is facing a serious skilled labor crisis for licensed crane operators. Other states facing this problem have adopted a federally compliant license or certification. New York, on the other hand, forces crane operators wanting to be compliant to hold two certifications: one state and one federal. The process to become a licensed crane operator in New York is extremely cumbersome. An individual must meet federal requirements by passing an OSHA test, in addition to passing New York's practical test at one of three facilities operated by the Union of Operating Engineers. This deters people from pursuing this as a career, contributing to the skilled labor crisis. Albany must fix the crane licensing process by passing legislation to accept a federal OSHA crane certification. The National Commission for the Certification of Crane Operators license is currently accepted in New York City and all surrounding states. Accepting this will create more opportunities for individuals to obtain a license in New York.

Apprenticeship Ratio Requirement Reform

Contractors that have a state-registered apprenticeship program must follow strict ratios of apprentices to journeymen on their job sites. Depending on the type of work you perform, the ratio can be as little as three journeymen for each apprentice to as much as seven or eight to one. This forces smaller contractors to limit the number of people they can put into their apprenticeship program because they don't have enough journeymen to comply with the ratio. If the state wants to increase participation in apprenticeship programs, then it must fix the ratios. Doing so will allow contractors to employ more apprentices and begin to address the workforce issue that threatens to cripple the industry.