

Local Labor Verified Exemption Policy

The local labor market is defined as laborers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Wayne, Wyoming and Yates.

All COMIDA projects are subject to local monitoring by a COMIDA appointed entity. Reports will be generated by the monitoring group which details the number of workers on the job and the counties in which the laborers reside. The monitoring group shall notify the Executive Director if the laborers on the job do not reside in the approved 9 county area. The Executive Director will share information with the Board of Directors via email.

The Executive Director will notify the applicant (as listed on the COMIDA approved application) of the violation and give the applicant a warning regarding the local labor violation. The monitoring group shall follow up with another visit to the site. Should there be subsequent violation, the Executive Director will take action to revoke benefits and inform the COMIDA Board of Directors at the next meeting.

In some instances, use of 100% local labor may not be possible for any of the following reasons:

- Warranty issues related to installation of specialize equipment whereby the manufacturer requires installation by only approved installers;
- Specialized construction in which a local contractor is not available;
- Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. A cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted.
- No local labor available for the project.

The request to secure a verified exemption for use of non local labor must be received in writing from the applicant. The request will be reviewed by an independent third party. Qualifying submissions will be designated as a “Verified Exemption” by the third party reviewer and each month will be reported to the Board of Directors.

Adopted March 16, 2004
Adopted and Amended September 16, 2008
Amended April 14, 2014
Amended October 21, 2014