

9488

I N A S S E M B L Y

March 10, 2016

Introduced by M. of A. SEPULVEDA -- read once and referred to the
Committee on Labor

AN ACT to amend the labor law, in relation to requiring retailers to pay
holiday premium pay on certain federal holidays

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 190 of the labor law is amended by adding a new
2 subdivision 10 to read as follows:
3 10. "HOLIDAY PREMIUM PAY" MEANS A RATE OF BASIC PAY PLUS PREMIUM PAY
4 AT A RATE EQUAL TO ONE-HALF HIS OR HER RATE OF BASIC PAY FOR NON-OVER-
5 TIME HOURS WORKED UP TO EIGHT ON CERTAIN FEDERAL HOLIDAYS.
6 S 2. The labor law is amended by adding a new section 191-d to read as
7 follows:
8 S 191-D. HOLIDAY PREMIUM PAY. 1. FOR PURPOSES OF THIS SECTION,
9 "RETAILER" SHALL MEAN ANY PERSON WHO AS A BUSINESS OR FOR-PROFIT VENTURE
10 SELLS OF LEASES PRODUCTS FOR-PROFIT TO INITIAL CUSTOMERS.
11 2. ALL RETAILERS SHALL PAY HOLIDAY PREMIUM PAY, AS DEFINED IN SUBDIVI-
12 SION TEN OF SECTION ONE HUNDRED NINETY OF THIS ARTICLE, ON THE FOLLOWING
13 HOLIDAYS:
14 A. NEW YEAR'S DAY;
15 B. LABOR DAY;
16 C. MEMORIAL DAY;
17 D. COLUMBUS DAY, AFTER NOON;
18 E. INDEPENDENCE DAY; AND
19 F. VETERAN'S DAY AFTER 1:00 P.M.
20 S 3. This act shall take effect on the one hundred twentieth day after
21 it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD13681-02-6