

7107

I N S E N A T E

March 29, 2016

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to meal and rest breaks for employees who work a certain amount of hours in a day

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

- 1 Section 1. Section 162 of the labor law is amended by adding two new
2 subdivisions 6 and 7 to read as follows:
3 6. EVERY PERSON EMPLOYED IN OR IN CONNECTION WITH A MERCANTILE OR
4 OTHER ESTABLISHMENT OR OCCUPATION COMING UNDER THE PROVISIONS OF THIS
5 CHAPTER THAT WORKS FOUR OR MORE CONSECUTIVE HOURS SHALL BE ENTITLED TO A
6 TEN MINUTE REST BREAK. THE TIME SPENT BY THE EMPLOYEE ON THE REST BREAK
7 SHALL BE COUNTED AS HOURS WORKED.
8 7. EVERY PERSON EMPLOYED IN OR IN CONNECTION WITH A MERCANTILE OR
9 OTHER ESTABLISHMENT OR OCCUPATION COMING UNDER THE PROVISIONS OF THIS
10 CHAPTER THAT WORKS FIVE OR MORE CONSECUTIVE HOURS SHALL BE ENTITLED TO A
11 MEAL BREAK OF AT LEAST THIRTY MINUTES, EXCEPT IF THE WORK PERIOD FOR THE
12 DAY IS SIX CONSECUTIVE HOURS OR LESS, THE EMPLOYEE AND EMPLOYER MAY
13 WAIVE THE MEAL BREAK BY MUTUAL CONSENT.
14 S 2. This act shall take effect immediately.

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

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