

STATE OF NEW YORK

9598

IN SENATE

November 18, 2022

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

AN ACT in relation to directing the department of labor to study the impact of long COVID on employees and on the labor market

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. 1. As used in this section, the following terms shall have
2 the following definitions:

3 a. "long COVID" means symptoms that persist after the acute COVID-19
4 infection has resolved.

5 b. "labor organizations" means any labor union or any organization of
6 any kind, or any agency or employee representation committee, associ-
7 ation, group or plan, in which employees participate and which exists
8 for the purpose, in whole or in part, of dealing with employers concern-
9 ing grievances, labor disputes, wages, rates of pay, hours of employment
10 or conditions of work.

11 2. The department of labor, in consultation with the division of human
12 rights, the state comptroller and the department of taxation and finance
13 is hereby authorized and directed to conduct a comprehensive study for
14 the purpose of monitoring the long-term labor impacts of the COVID-19
15 virus. The purpose of the study shall be to:

16 a. identify the number of full-time equivalent workers currently not
17 working due to long COVID, including those working at reduced hours and
18 the cost to the state of these absences;

19 b. identify the average amount of time off or reduced hours for people
20 with long COVID;

21 c. identify whether and to what extent discrimination and other barri-
22 ers affect the employment rate for persons with long COVID;

23 d. provide specific data and analysis on the findings from paragraphs
24 a, b and c of this subdivision as such findings relate to racial,
25 gender, ethnic and sexual orientation characteristics;

26 e. review current protocols for workplace accommodations for long
27 COVID;

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

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1 f. review applications, approvals, and rejections for any disability
2 or health related public benefits administered by the state among long
3 COVID patients;

4 g. determine what changes, if any, should be made to state policies
5 affecting the employment of people with long COVID; and

6 h. recommend any legislation, rules or regulations it deems necessary
7 to improve the employment rate and expand employment opportunities for
8 people with long COVID.

9 3. The department of labor shall consult with multidisciplinary
10 experts in the fields of virology, immunology, COVID-19 and labor, disa-
11 bility access, labor organizations, and health care professionals or
12 other experts who serve and are representative of the diversity of New
13 Yorkers in medically underserved areas of the state or areas of the
14 state with disproportionately high occurrences of COVID-19.

15 4. The department of labor shall issue a report of its findings and
16 recommendations to the governor, the speaker of the assembly and the
17 temporary president of the senate and shall publish such report on its
18 website within one year after the effective date of this act. The
19 commissioner of labor, within their legal authority, may use the recom-
20 mendations and findings to develop guidance and other actions relating
21 to best practices, and shall disseminate information relating to that
22 guidance and other actions to employers.

23 § 2. This act shall take effect immediately.