STATE OF NEW YORK

10127

IN ASSEMBLY

February 2, 2026

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

AN ACT to amend the labor law, in relation to preserving the right to unemployment benefits for a voluntary separation due to unsafe or unhealthy working conditions

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

Section 1. Section 200 of the labor law is amended by adding a new subdivision 5 to read as follows:

5. In the exercise of their powers to protect the health and safety of employees the commissioner shall enact rules and regulations protecting employees from unsafe or unhealthy working conditions, including, but not limited to, exposure to physical, chemical or biological hazards, harassment or violence, or other deleterious conditions that make the work environment unreasonably dangerous or unsafe.

§ 2. The subdivision heading and paragraph (a) of subdivision 1 of section 593 of the labor law, the subdivision heading as amended by chapter 35 of the laws of 2009 and paragraph (a) as amended by chapter 277 of the laws of 2021, are amended and a new paragraph (d) is added to read as follows:

Voluntary separation[~~; separation for a compelling family reason~~]. (a) No weeks of total unemployment or partial unemployment shall be deemed to occur after a claimant's voluntary separation without good cause from employment until [~~he or she~~] **such claimant** has subsequently worked in employment and earned remuneration at least equal to ten times [~~his or her~~] **their** weekly benefit rate. In addition to other circumstances that may be found to constitute good cause, including a compelling family reason **or unsafe or unhealthy working conditions** as set forth in paragraph (b) **or (d)** of this subdivision, voluntary separation from employment shall not in itself disqualify a claimant if circumstances have developed in the course of such employment that would have justified the claimant in refusing such employment in the first instance under the terms of subdivision two of this section or if the claimant, pursuant to an option provided under a collective bargaining agreement

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

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or written employer plan which permits waiver of [~~his or her~~] their right to retain the employment when there is a temporary layoff because of lack of work, has elected to be separated for a temporary period and the employer has consented thereto.

(d) A claimant shall not be disqualified from receiving benefits for separation from employment if the employer has caused, maintained, or refused or failed to cure an unsafe or unhealthy working condition including, but not limited to, exposure to physical, chemical or biological hazards, harassment or violence by their employer, other employees or members of the public, or other deleterious condition that makes the work environment unreasonably dangerous or unsafe for the claimant.

§ 3. This act shall take effect immediately.