

STATE OF NEW YORK

1394

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

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

AN ACT to amend the labor law, in relation to establishing a joint committee for unemployment insurance oversight; and directing the department to conduct a study on the unemployment insurance program

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

1 Section 1. The labor law is amended by adding a new section 641 to
2 read as follows:

3 § 641. Joint committee for unemployment insurance oversight. 1. There
4 is hereby established a joint committee on unemployment insurance over-
5 sight. Such committee shall consist of fourteen members; three of whom
6 shall be appointed by the temporary president of the senate; three of
7 whom shall be appointed by the speaker of the assembly; the commissioner
8 of labor or their designee; the secretary of state or their designee; a
9 representative of the small business administration; a representative of
10 the New York state chamber of commerce; two representatives of union
11 labor, one of whom shall be appointed by the chair of the assembly
12 standing committee on labor and one of whom shall be appointed by the
13 chair of the senate labor committee; one unemployment insurance advocate
14 who is a claimant's representative and who represents claimants pro bono
15 to be jointly appointed by the temporary president of the senate and
16 speaker of the assembly; and one representative of the academic profes-
17 sion who is knowledgeable in unemployment insurance to be jointly
18 appointed by the chairs of the senate and assembly committees on labor.
19 The temporary president of the senate and speaker of the assembly shall
20 appoint a senator and assembly member, respectively, each to serve as
21 co-chair. Members of the committee shall serve at the pleasure of the
22 appointing authority. Members of the committee shall receive no compen-
23 sation for their services but shall be allowed their actual and neces-

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

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1 sary expenses incurred in the performance of their duties pursuant to
2 this section.

3 2. The committee established pursuant to this section shall examine
4 the following:

5 (a) the condition of the unemployment insurance system in the state,
6 including but not limited to, the department's policies regarding unem-
7 ployment insurance and implementation of federal guidelines, the
8 distribution of funding across the department, staffing levels, access
9 and equity, modernization efforts, and any other information necessary
10 to provide a sufficient understanding of the department's functioning,
11 how effectively it is providing services to New Yorkers, and recommenda-
12 tions to improve such effectivity;

13 (b) any potential need for additional alterations to the unemployment
14 insurance system, including the charging, taxing, eligibility, and bene-
15 fit provisions and alterations to information technology modernization
16 plans and staffing;

17 (c) the equality and accessibility of the unemployment insurance
18 system in how such benefits are paid out; and

19 (d) the fiscal health of the unemployment insurance trust fund.

20 3. The committee shall have the power to subpoena and to take testimo-
21 ny by deposition and the power to compel the attendance of witnesses and
22 the production of records, in the same manner as prescribed by law in
23 judicial proceedings in the courts of this state.

24 4. Each year in which the committee meets following the release of the
25 report detailed in section two of the chapter of the laws of two thou-
26 sand twenty-five that added this section, the committee shall make a
27 report on updated findings and recommendations to the governor and the
28 legislature by December thirty-first of such year. The committee shall
29 make such findings and recommendations available to the public on the
30 department's website.

31 § 2. The department of labor, in collaboration with the office of the
32 attorney general and the joint committee on unemployment insurance over-
33 sight established pursuant to section one of this act, shall conduct a
34 comprehensive study on unemployment insurance in the state.

35 1. Such study shall examine how New York state can:

36 (a) expand access to benefits, including ensuring that eligible work-
37 ers receive support by modernizing information technology systems,
38 improving in-person services, fully staffing the department of labor,
39 improving access for limited English proficient claimants, using plain
40 language, and paying workers misclassified as self-employed; changing
41 inferences of credibility of an employer while the department of labor
42 conducts initial investigation of claims; expanding eligibility by rede-
43 fining fault and fraud, introducing extended benefits, and reconsidering
44 the definition of "employee" and exclusions of seasonal, temporary, and
45 gig economy workers; and creating new benefits for workers who cannot be
46 included in state unemployment insurance, such as the unemployment
47 bridge program;

48 (b) revitalize under-used services, including re-employment supports,
49 the 599 Program, and the Shared Work Program;

50 (c) ensure adequate benefit levels by adjusting the replacement rate,
51 minimum benefit, and maximum benefit, and by introducing a dependent
52 benefit; and

53 (d) ensure adequate funding by adjusting the taxable wage base, the
54 rate at which the taxable wage base is taxed, and collecting from
55 employers who misclassify workers as independent contractors.

1 2. The department shall make a report of the findings of its study,
2 including any recommendations for legislative action as it may deem
3 necessary and appropriate. Such report shall be delivered to the gover-
4 nor, the temporary president of the senate and the speaker of the assem-
5 bly on or before December first, two thousand twenty-seven. Such find-
6 ings shall be made available to the public on the department's website.
7 § 3. This act shall take effect immediately.