S T A T E O F N E W Y O R K

1690--A

2009-2010 Regular Sessions

I N A S S E M B L Y

January 9, 2009

Introduced by M. of A. BRODSKY, SPANO, COLTON, O'DONNELL, PERALTA -- Multi-Sponsored by -- M. of A. BOYLAND, MAISEL, PHEFFER, TOWNS, WEISENBERG -- read once and referred to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to overtime pay for employees of motor carriers

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

Section 1. The labor law is amended by adding a new section 160-a to read as follows:

S 160-A. HOURS OF LABOR OF EMPLOYEES OF MOTOR CARRIERS. EVERY MOTOR CARRIER SHALL PAY TO ALL EMPLOYEES FOR WHOM THE U.S. SECRETARY OF TRANSPORTATION MAY PRESCRIBE MAXIMUM HOURS OF WORK FOR THE SAFE OPERATION OF VEHICLES, PURSUANT TO SECTION 31502(B) OF THE FEDERAL MOTOR CARRIER ACT, 49 U.S.C. S.31502(B), AN OVERTIME RATE NOT LESS THAN ONE AND ONE-HALF TIMES THE WORKER'S HOURLY WAGE, FOR EACH HOUR IN EXCESS OF FORTY HOURS WORKED IN ANY WEEK, NOTWITHSTANDING THE EXEMPTION OF SUCH EMPLOYEES PURSUANT TO THE FEDERAL FAIR LABOR STANDARDS ACT 29 U.S.C. 213(B)(1).

S 2. This act shall take effect immediately.

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

LBD04866-02-9