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

2072

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

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

AN ACT to amend the labor law, in relation to an action for damages for failure to provide unemployment, workers' compensation and disability benefits to workers on public works contracts

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

Section 1. Section 220 of the labor law is amended by adding a new subdivision 10 to read as follows:

10. ANY CONTRACTOR OR SUBCONTRACTOR, OR EMPLOYEE THEREOF, WHO IS DAMAGED DUE TO A BID SUBMITTED BY SUCH CONTRACTOR OR SUBCONTRACTOR PURSUANT TO THIS SECTION NOT BEING ACCEPTED AND THE BID OF ANOTHER CONTRACTOR OR SUBCONTRACTOR, WHO KNOWINGLY VIOLATES THE PROVISIONS OF ARTICLES FOUR AND NINE OF THE WORKERS' COMPENSATION LAW AND/OR ARTICLE EIGHTEEN OF THIS CHAPTER, BEING ACCEPTED IN LIEU THEREOF SHALL HAVE A CAUSE OF ACTION FOR DAMAGES AGAINST THE CONTRACTOR OR SUBCONTRACTOR WHO WAS AWARDED THE CONTRACT. SUCH ACTION MAY BE BROUGHT IN THE SUPREME COURT.

S 2. This act shall take effect immediately.

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

LBD04144-01-9