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

4850

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

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

AN ACT to amend the labor law, in relation to requiring that state agencies must protect salary and benefits of employees whose positions are eliminated as a result of privatization, reorganization, closure or a reduction in work force

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 202-l to read as follows:

S 202-L. SALARY AND BENEFITS PROTECTION - EMPLOYEE TRANSFER. AN EMPLOYEE WHOSE POSITION IS ELIMINATED AS A RESULT OF PRIVATIZATION, REORGANIZATION OF AN AGENCY, CLOSURE OF OR A REDUCTION IN FORCE AT AN AGENCY, OR OTHER ACTIONS BY THE LEGISLATURE AND WHO IS SUBSEQUENTLY TRANSFERRED TO A DIFFERENT POSITION IN A STATE AGENCY IS ENTITLED TO:

1. THE SAME HOURLY SALARY AS PREVIOUSLY RECEIVED IF THE NEW POSITION IS AT THE SAME GRADE LEVEL OR HIGHER AS THE ONE PREVIOUSLY HELD;

2. RETAIN ALL ACCRUED SICK LEAVE CREDITS;

3. RETAIN, CASH OUT, OR USE ACCRUED VACATION LEAVE CREDITS TO EXTEND THE EMPLOYEE'S EFFECTIVE LAYOFF DATE; AND

4. RELOCATION EXPENSES WHICH MUST BE PAID BY THE HIRING AGENCY.

S 2. This act shall take effect immediately.

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

LBD08044-01-9