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

4860

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. ALESSI -- Multi-Sponsored by -- M. of A. ALFANO, EDDINGTON, PERRY -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to creating the "New York working soldiers' assistance program"

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 219-b to read as follows:

S 219-B. NEW YORK WORKING SOLDIERS' ASSISTANCE PROGRAM. 1. THE DEPARTMENT SHALL ESTABLISH A MATCHING GRANT PROGRAM TO AWARD PRIVATE SECTOR EMPLOYERS OF NEW YORK STATE WHO PROVIDE WAGES TO NEW YORK STATE RESIDENTS WHO ARE MEMBERS OF THE NATIONAL GUARD OR OTHER RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES AND ARE ORDERED TO ACTIVE MILITARY DUTY IN A COMBAT THEATER OR COMBAT ZONE OF OPERATIONS.

2. SUCH GRANT SHALL REIMBURSE THE EMPLOYER FOR NOT MORE THAN ONE-HALF OF THE DIFFERENCE BETWEEN THE MONTHLY WAGE PAID BY THE EMPLOYER PRIOR TO THE DATE THE EMPLOYEE WAS CALLED TO OR ORDERED TO ACTIVE MILITARY DUTY IN A COMBAT THEATER OR COMBAT ZONE OF OPERATION AND THE AMOUNT OF THE EMPLOYEE'S MILITARY PAY AS DEFINED IN SECTION 101(21) OF TITLE 37 OF THE UNITED STATES CODE AND ALLOWANCES PAYABLE TO A MEMBER OF THE UNITED STATES ARMED FORCES UNDER CHAPTER 7 OF TITLE 37 OF THE UNITED STATES CODE AND IS ONLY AVAILABLE FOR FEDERAL MILITARY ACTIVE DUTY SERVED ON OR AFTER JANUARY FIRST, TWO THOUSAND NINE.

3. THE DEPARTMENT SHALL DEVELOP A PLAN BY NO LATER THAN OCTOBER FIRST, TWO THOUSAND NINE, TO ADMINISTER THE APPLICATION AND PAYMENT PROCEDURES PURSUANT TO THIS SECTION.

4. FOR THE PURPOSES OF THIS SECTION, THE EMPLOYEE MUST BE A LEGAL RESIDENT OF THE STATE FOR THE PERIOD OF TIME HE OR SHE WAS DEPLOYED TO ACTIVE MILITARY DUTY.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Effective immediately the commissioner of labor is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.

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

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