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

2866

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. KOLB, BALL, CORWIN -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to limiting the liability of certain employers for unemployment insurance coverage

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

Section 1. Paragraph (e) of subdivision 1 of section 581 of the labor law is amended by adding a new subparagraph 2-a to read as follows:

(2-A) AN EMPLOYER'S ACCOUNT SHALL NOT BE CHARGED, AND THE CHARGES SHALL INSTEAD BE MADE TO THE GENERAL ACCOUNT, FOR BENEFITS PAID TO AN EMPLOYEE WHO VOLUNTARILY SEPARATED FROM EMPLOYMENT AND THE CHARGES ARE ATTRIBUTABLE TO WEEKS OF THE CLAIMANT'S BASE PERIOD OF EMPLOYMENT WITH SUCH EMPLOYER PRIOR TO THE EMPLOYEE'S VOLUNTARY SEPARATION OF EMPLOYMENT.

S 2. Subparagraph 3 of paragraph (e) of subdivision 1 of section 581 of the labor law, as amended by chapter 589 of the laws of 1998, is amended to read as follows:

(3) An employer's account shall not be charged, and the charges shall instead be made to the general account, for benefits paid to a claimant after the expiration of a period of disqualification from benefits following a final determination that the claimant lost employment with the employer through misconduct [or voluntary separation of employment without good cause within the meaning of section five hundred ninety-three of this article] and the charges are attributable to remuneration paid during the claimant's base period of employment with such employer prior to the claimant's loss of employment with such employer through misconduct [or voluntary separation of employment without good cause].

S 3. This act shall take effect immediately.

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

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