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

7416

2009-2010 Regular Sessions

I N A S S E M B L Y

April 6, 2009

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

AN ACT to amend the labor law, in relation to providing unemployment insurance benefits to certain part-time claimants

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

Section 1. Subdivision 1 of section 591 of the labor law, as amended by chapter 413 of the laws of 2003, is amended to read as follows:

1. Unemployment. Benefits, except as provided in section five hundred ninety-one-a of this title, shall be paid only to a claimant who is totally unemployed and who is unable to engage in his OR HER usual employment or in any other for which he OR SHE is reasonably fitted by training and experience. A claimant who is receiving benefits under this article shall not be denied such benefits pursuant to this subdivision or to subdivision two of this section because of such claimant's service on a grand or petit jury of any state or of the United States OR BECAUSE OF SUCH CLAIMANT'S SERVICE AS A PART-TIME EMPLOYEE, WHO BY SUCH SERVICE EARNS AN ANNUAL SALARY OR REMUNERATION EQUAL TO OR LESS THAN FIFTEEN THOUSAND DOLLARS.

S 2. Subdivision 1 of section 591 of the labor law, as amended by chapter 446 of the laws of 1981, is amended to read as follows:

1. Unemployment. Benefits shall be paid only to a claimant who is totally unemployed and who is unable to engage in his OR HER usual employment or in any other for which he OR SHE is reasonably fitted by training and experience. A claimant who is receiving benefits under this article shall not be denied such benefits pursuant to this subdivision or to subdivision two of this section because of such claimant's service on a grand or petit jury of any state or of the United States OR BECAUSE OF SUCH CLAIMANT'S SERVICE AS A PART-TIME EMPLOYEE, WHO BY SUCH SERVICE EARNS AN ANNUAL SALARY OR REMUNERATION EQUAL TO OR LESS THAN FIFTEEN THOUSAND DOLLARS.

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

LBD09641-01-9

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that the amendments made to subdivision 1 of section 591 of the labor law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 10 of chapter 413 of the laws of 2003, as amended, when upon such date the provisions of section two of this act shall take effect.