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

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I N S E N A T E

April 26, 2010

Introduced by Sen. DILAN -- (at request of the Thruway Authority) -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to the workers' compensation law application to employee status

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

Section 1. Subdivision 5 of section 382 of the public authorities law, as amended by chapter 138 of the laws of 1997, is amended to read as follows:

5. The employees of the canal corporation, except those who are also employees of the authority, generally shall not be deemed to be employees of the authority by reason of their employment by the canal corporation. However, officers, agents, and employees of the canal corporation and officers, agents, and employees of the authority may transfer between the canal corporation and the authority, or vice versa, as provided for in section three hundred fifty-five of this title, and employees of the canal corporation may be placed on promotion lists for authority jobs and vice versa, provided, however, that the canal corporation and the authority are separate promotion units for the purposes of subdivision five of section fifty-two of the civil service law. Such departmental and interdepartmental promotion eligible lists shall not be certified until after the promotion unit eligible lists have been exhausted. All officers, agents, and employees of the canal corporation shall be subject to the provisions of the civil service law which shall apply to the canal corporation as a municipal corporation other than a city. The canal corporation shall participate in the New York state and local employees' retirement system. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EMPLOYEES OF THE CANAL CORPORATION SHALL BE DEEMED TO BE EMPLOYEES OF THE CANAL CORPORATION, THE STATE OF NEW YORK AND THE AUTHORITY FOR PURPOSES OF APPLICATION OF THE WORKERS' COMPENSATION LAW.

S 2. 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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