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

7201

2011-2012 Regular Sessions

I N A S S E M B L Y

April 15, 2011

Introduced by M. of A. RAIA, BOYLE, WEPRIN, MONTESANO, P. RIVERA, MOLINARO, SCHROEDER, GRAF, McDONOUGH, SALADINO, DUPREY -- Multi-Sponsored by -- M. of A. BARCLAY, CERETTO, CROUCH, GABRYSZAK, GALEF, PALMESANO, RA, TITONE -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to requiring the department of labor to allow persons with learning disabilities to enlist the assistance of a parent, guardian or authorized person when claiming unemployment insurance benefits

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

Section 1. Section 596 of the labor law is amended by adding a new subdivision 7 to read as follows:

7. ASSISTANCE FOR CLAIMING BENEFITS. A. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, A CLAIMANT WHO HAS A LEARNING DISABILITY MAY ENLIST THE ASSISTANCE OF A PARENT, GUARDIAN OR AUTHORIZED PERSON AT ANY TIME DURING THE CLAIM PROCESS FOR SUCH BENEFITS, INCLUDING BUT NOT LIMITED TO, USING THE CLAIMANT'S PIN NUMBER WITH HIS OR HER CONSENT, PROVIDED THE CLAIMANT PROVIDES PROOF, IN WRITING, TO THE DEPARTMENT THAT THE CLAIMANT HAS SUCH A DISABILITY.

B. THE COMMISSIONER SHALL INCLUDE A CHECK BOX ON ALL FORMS PROVIDED BY THE DEPARTMENT TO BE USED BY CLAIMANTS TO FILE A CLAIM FOR BENEFITS, INDICATING THAT IF CHECKED, THE FORM IS BEING USED BY A PERSON WITH A LEARNING DISABILITY AND THAT SUCH PERSON WILL BE ENLISTING THE ASSISTANCE OF A PARENT, GUARDIAN OR AUTHORIZED PERSON TO ASSIST THE CLAIMANT DURING THE CLAIM PROCESS.

C. THE COMMISSIONER SHALL PROVIDE FOR A LEARNING DISABILITY OPTION ON ANY AUTOMATED TELEPHONE SYSTEM TO BE USED BY CLAIMANTS, WHICH ALLOWS A PARENT, GUARDIAN OR AUTHORIZED PERSON TO ASSIST THE CLAIMANT DURING THE CLAIM PROCESS OR WHICH PROVIDES ADDITIONAL ASSISTANCE TO CLAIMANTS WITH LEARNING DISABILITIES FOR FILING SUCH CLAIMS.

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

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D. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "AUTHORIZED PERSON" SHALL MEAN AND INCLUDE ANY PERSON AUTHORIZED BY THE CLAIMANT TO ACT ON BEHALF OF THE CLAIMANT.

S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.