

10763

I N A S S E M B L Y

June 18, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Ortiz) --
read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to prohibiting direct-care
workers from working two double shifts within any two day period

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

1 Section 1. The labor law is amended by adding a new section 171 to
2 read as follows:
3 S 171. DOUBLE SHIFTS FOR DIRECT-CARE WORKERS. 1. FOR THE PURPOSES OF
4 THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
5 A. "DIRECT-CARE WORKER" SHALL MEAN ANY EMPLOYEE WHO IS NOT A NURSE OR
6 OTHER PERSON LICENSED, CERTIFIED OR REGISTERED UNDER TITLE EIGHT OF THE
7 EDUCATION LAW WHOSE PRINCIPAL RESPONSIBILITY IS TO CARRY OUT DIRECT
8 PATIENT CARE FOR ONE OR MORE PATIENTS OR PROVIDE DIRECT ASSISTANCE IN
9 THE DELIVERY OF PATIENT CARE.
10 B. "DOUBLE SHIFT" SHALL MEAN A WORK DAY COMPRISED OF TWICE THE LENGTH
11 OF A NORMAL WORKING PERIOD.
12 2. NO DIRECT-CARE WORKER SHALL BE PERMITTED TO WORK MORE THAN ONE
13 DOUBLE SHIFT IN ANY FORTY-EIGHT HOUR PERIOD.
14 S 2. This act shall take effect on the sixtieth day after it shall
15 have become a law.

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

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