

5032

2013-2014 Regular Sessions

I N A S S E M B L Y

February 14, 2013

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

AN ACT to amend the labor law, in relation to creating the "New York working soldiers' assistance program"

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 219-b to  
2 read as follows:

3 S 219-B. NEW YORK WORKING SOLDIERS' ASSISTANCE PROGRAM. 1. THE  
4 DEPARTMENT SHALL ESTABLISH A MATCHING GRANT PROGRAM TO AWARD PRIVATE  
5 SECTOR EMPLOYERS OF NEW YORK STATE WHO PROVIDE WAGES TO NEW YORK STATE  
6 RESIDENTS WHO ARE MEMBERS OF THE NATIONAL GUARD OR OTHER RESERVE COMPO-  
7 NENT OF THE ARMED FORCES OF THE UNITED STATES AND ARE ORDERED TO ACTIVE  
8 MILITARY DUTY IN A COMBAT THEATER OR COMBAT ZONE OF OPERATIONS.

9 2. SUCH GRANT SHALL REIMBURSE THE EMPLOYER FOR NOT MORE THAN ONE-HALF  
10 OF THE DIFFERENCE BETWEEN THE MONTHLY WAGE PAID BY THE EMPLOYER PRIOR TO  
11 THE DATE THE EMPLOYEE WAS CALLED TO OR ORDERED TO ACTIVE MILITARY DUTY  
12 IN A COMBAT THEATER OR COMBAT ZONE OF OPERATION AND THE AMOUNT OF THE  
13 EMPLOYEE'S MILITARY PAY AS DEFINED IN SECTION 101(21) OF TITLE 37 OF THE  
14 UNITED STATES CODE AND ALLOWANCES PAYABLE TO A MEMBER OF THE UNITED  
15 STATES ARMED FORCES UNDER CHAPTER 7 OF TITLE 37 OF THE UNITED STATES  
16 CODE AND IS ONLY AVAILABLE FOR FEDERAL MILITARY ACTIVE DUTY SERVED ON OR  
17 AFTER JANUARY FIRST, TWO THOUSAND THIRTEEN.

18 3. THE DEPARTMENT SHALL DEVELOP A PLAN BY NO LATER THAN OCTOBER FIRST,  
19 TWO THOUSAND THIRTEEN, TO ADMINISTER THE APPLICATION AND PAYMENT PROCE-  
20 DURES PURSUANT TO THIS SECTION.

21 4. FOR THE PURPOSES OF THIS SECTION, THE EMPLOYEE MUST BE A LEGAL  
22 RESIDENT OF THE STATE FOR THE PERIOD OF TIME HE OR SHE WAS DEPLOYED TO  
23 ACTIVE MILITARY DUTY.

24 S 2. This act shall take effect on the first of January next succeed-  
25 ing the date on which it shall have become a law. Effective immediately  
26 the commissioner of labor is authorized to promulgate any and all rules  
27 and regulations and take any other measures necessary to implement this  
28 act on its effective date on or before such date.

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

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