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

8209

2013-2014 Regular Sessions

I N A S S E M B L Y

October 24, 2013

Introduced by M. of A. BORELLI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law and the administrative code of the city of New York, in relation to the definition of the "employee"

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

Section 1. Subdivision 6 of section 292 of the executive law, as amended by chapter 481 of the laws of 2010, is amended to read as follows:

6. The term "employee" in this article SHALL INCLUDE ANY INDIVIDUAL EMPLOYED BY AN EMPLOYER REGARDLESS OF WHETHER SUCH PERSON RECEIVES ANY REMUNERATION FOR THEIR SERVICES, INCLUDING, BUT NOT LIMITED TO, ANY PERSON WHO SERVES AS AN INTERN AND does not include any individual employed by his or her parents, spouse or child, or in the domestic service of any person except as set forth in section two hundred ninety-six-b of this title.

S 2. Section 8-102 of the administrative code of the city of New York is amended by adding a new subdivision 28 to read as follows:

28. THE TERM "EMPLOYEE" SHALL INCLUDE ANY INDIVIDUAL EMPLOYED BY AN EMPLOYER REGARDLESS OF WHETHER SUCH PERSON RECEIVES ANY REMUNERATION FOR SUCH SERVICES, INCLUDING, BUT NOT LIMITED TO, ANY PERSON WHO SERVES AS AN INTERN.

S 3. This act shall take effect immediately; provided, however, that the New York state division of human rights and the New York city commission on human rights shall have the power to promulgate any rules, regulations and procedures necessary for the implementation of this act.

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

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