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

5287

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed 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:

Section 1. The labor law is amended by adding a new section 171 to read as follows:

S 171. DOUBLE SHIFTS FOR DIRECT-CARE WORKERS. 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "DIRECT-CARE WORKER" SHALL MEAN ANY EMPLOYEE WHO IS NOT A NURSE OR OTHER PERSON LICENSED, CERTIFIED OR REGISTERED UNDER TITLE EIGHT OF THE EDUCATION LAW WHOSE PRINCIPAL RESPONSIBILITY IS TO CARRY OUT DIRECT PATIENT CARE FOR ONE OR MORE PATIENTS OR PROVIDE DIRECT ASSISTANCE IN THE DELIVERY OF PATIENT CARE.

B. "DOUBLE SHIFT" SHALL MEAN A WORK DAY COMPRISED OF TWICE THE LENGTH OF A NORMAL WORKING PERIOD.

2. NO DIRECT-CARE WORKER SHALL BE PERMITTED TO WORK MORE THAN ONE DOUBLE SHIFT IN ANY FORTY-EIGHT HOUR PERIOD.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

LBD09519-01-3