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

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I N A S S E M B L Y

May 2, 2014

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

AN ACT to amend the workers' compensation law, in relation to authorizing the chair of the workers' compensation board to remove certain employers from such board's debarment list

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

Section 1. The opening paragraph of section 141-b of the workers' compensation law is designated subdivision 1 and a new subdivision 2 is added to read as follows:

2. A. THE CHAIR MAY, IN HIS OR HER DISCRETION, REINSTATE THE ELIGIBILITY OF AN EMPLOYER WHO, PURSUANT TO SUBDIVISION ONE OF THIS SECTION, IS OTHERWISE INELIGIBLE TO SUBMIT A BID ON OR BE AWARDED ANY PUBLIC WORK CONTRACT OR SUBCONTRACT WITH THE STATE, ANY MUNICIPAL CORPORATION OR PUBLIC BODY, IF THE EMPLOYER HAS:

(I) NEVER PREVIOUSLY BEEN PLACED ON THE DEBARMENT LIST;

(II) NOT BEEN FOUND LIABLE FOR ANY UNINSURED CLAIMS UNDER THIS CHAPTER; AND

(III) PAID ALL FINES, PENALTIES AND ASSESSMENTS THAT RESULTED FROM SUCH EMPLOYER'S FAILURE TO SECURE COMPENSATION TO SUCH EMPLOYER'S EMPLOYEES AS REQUIRED BY THIS CHAPTER.

B. NOTHING SET FORTH IN PARAGRAPH A OF THIS SUBDIVISION SHALL REQUIRE THE CHAIR TO REINSTATE THE ELIGIBILITY OF AN EMPLOYER WHO HAS MET THE CONDITIONS SET FORTH IN SUCH PARAGRAPH IF THE CHAIR DETERMINES THAT REINSTATING THE ELIGIBILITY OF SUCH EMPLOYER IS NOT IN THE BEST INTEREST OF THE STATE.

S 2. This act shall take effect immediately.

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

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