

4393

2015-2016 Regular Sessions

I N A S S E M B L Y

January 30, 2015

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:

1 Section 1. The opening paragraph of section 141-b of the workers'
2 compensation law is designated subdivision 1 and a new subdivision 2 is
3 added to read as follows:
4 2. A. THE CHAIR MAY, IN HIS OR HER DISCRETION, REINSTATE THE ELIGIBILITY
5 OF AN EMPLOYER WHO, PURSUANT TO SUBDIVISION ONE OF THIS SECTION, IS
6 OTHERWISE INELIGIBLE TO SUBMIT A BID ON OR BE AWARDED ANY PUBLIC WORK
7 CONTRACT OR SUBCONTRACT WITH THE STATE, ANY MUNICIPAL CORPORATION OR
8 PUBLIC BODY, IF THE EMPLOYER HAS:
9 (I) NEVER PREVIOUSLY BEEN PLACED ON THE DEBARMENT LIST;
10 (II) NOT BEEN FOUND LIABLE FOR ANY UNINSURED CLAIMS UNDER THIS CHAPTER;
11 AND
12 (III) PAID ALL FINES, PENALTIES AND ASSESSMENTS THAT RESULTED FROM
13 SUCH EMPLOYER'S FAILURE TO SECURE COMPENSATION TO SUCH EMPLOYER'S
14 EMPLOYEES AS REQUIRED BY THIS CHAPTER.
15 B. NOTHING SET FORTH IN PARAGRAPH A OF THIS SUBDIVISION SHALL REQUIRE
16 THE CHAIR TO REINSTATE THE ELIGIBILITY OF AN EMPLOYER WHO HAS MET THE
17 CONDITIONS SET FORTH IN SUCH PARAGRAPH IF THE CHAIR DETERMINES THAT
18 REINSTATING THE ELIGIBILITY OF SUCH EMPLOYER IS NOT IN THE BEST INTEREST
19 OF THE STATE.
20 S 2. This act shall take effect immediately.

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

LBD06723-01-5