

# STATE OF NEW YORK

3862

2017-2018 Regular Sessions

## IN SENATE

January 27, 2017

Introduced by Sen. SAVINO -- 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 retaliatory action by employers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 740 of the labor law, as added by  
2 chapter 660 of the laws of 1984, paragraph (a) as amended by chapter 442  
3 of the laws of 2006, is amended to read as follows:

4 2. Prohibitions. An employer shall not take any retaliatory personnel  
5 action against an employee because such employee does any of the follow-  
6 ing:

7 (a) (i) discloses, or threatens to disclose to a supervisor or to a  
8 public body an activity, policy or practice of the employer that is in  
9 violation of law, rule or regulation which violation creates and  
10 presents a substantial and specific danger to the public health or safe-  
11 ty, or which constitutes health care fraud; or

12 [~~(b)~~] (ii) provides information to, or testifies before, any public  
13 body conducting an investigation, hearing or inquiry into any such  
14 violation of a law, rule or regulation by such employer; or

15 [~~(c)~~] (iii) objects to, or refuses to participate in any such activ-  
16 ity, policy or practice in violation of a law, rule or regulation[~~-~~]; or

17 (b) protests or discloses, whether to a supervisor, a public entity,  
18 or to the public in general, any action that constitutes a violation of  
19 section seventy-three, seventy-three-A, seventy-four, seventy-five, or  
20 seventy-six of the public officers law or section 175.20, 175.25,  
21 175.40, 195.20 or article two hundred of the penal law.

22 § 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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