

STATE OF NEW YORK

3922--A

2017-2018 Regular Sessions

IN SENATE

January 30, 2017

Introduced by Sens. SAVINO, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law, in relation to attachment to the labor market in temporary partial disability cases

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

1 Section 1. Subdivision 5 of section 15 of the workers' compensation
2 law, as amended by chapter 161 of the laws of 1966, is amended to read
3 as follows:

4 5. Temporary partial disability. In case of temporary partial disabili-
5 ty resulting in decrease of earning capacity, the compensation shall be
6 two-thirds of the difference between the injured employee's average
7 weekly wages before the accident and his wage earning capacity after the
8 accident in the same or other employment. Compensation under this subdi-
9 vision shall be payable during the continuance of such temporary partial
10 disability, without the necessity for the claimant to demonstrate ongoing
11 attachment to the labor market, unless the board finds that the
12 injured employee's loss of wages is wholly unrelated to his or her
13 partial disability.

14 § 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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