STATE OF NEW YORK

8799

IN SENATE

May 18, 2018

Introduced by Sen. AKSHAR -- 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 the presumption of employment in the construction industry

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

Section 1. Paragraph (a) of subdivision 2 of section 861-c of the labor law, as added by chapter 418 of the laws of 2010, is amended to read as follows:

(a) the business entity is performing the service free from the direction or control over the means and manner of providing the service, **subject to requirements as to the means and manner of providing the service prescribed by the owner in a written contract for the service, and** subject only to the right of the contractor for whom the service is provided to specify the desired result **and the timeframe for completion; provided, however, the foregoing shall not prevent contractors from collaborating on the performance of a service subject to a written agreement**;

§ 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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