STATE OF NEW YORK

11090

IN ASSEMBLY

October 28, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Buttenschon) -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to providing an exception to an employer's obligation to provide paid sick leave to its employees for certain businesses

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

Section 1. Subdivisions 12, 13 and 14 of section 196-b of the labor law are renumbered subdivisions 13, 14 and 15 and a new subdivision 12 is added to read as follows:

12. Notwithstanding the provisions of this section to the contrary, an employer that is required by contract to provide services to another entity (i) by means of having one or more of its employees work at the facilities of the other entity for the entire daily work period and (ii) that must pay an additional employee to provide substitute services in the absence of the original contracted-for employee, shall not be required to provide paid sick leave as provided in paragraph b of subdivision one of this section. Nothing in this subdivision shall be construed to limit the amount of unpaid sick leave the employer is required to provide pursuant to subdivision one of this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law; provided that the department of labor may promulgate rules and regulations to effectuate the purposes of this act, on or before such effective date.

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

LBD17421-01-0