STATE OF NEW YORK

5426

2019-2020 Regular Sessions

IN ASSEMBLY

February 12, 2019

Introduced by M. of A. GOODELL, GIGLIO, DiPIETRO, CROUCH, RA, BRABENEC, FRIEND, NORRIS, DeSTEFANO -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, B. MILLER, MORINELLO, ORTIZ, STEC, WALSH -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to allowing claimants collecting unemployment to obtain part-time work without losing their unemployment benefits

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

Section 1. Subdivision 1 of section 590 of the labor law, as amended by chapter 645 of the laws of 1951, is amended to read as follows:

1. Entitlement to benefits. A claimant shall be entitled to accumulate effective days for the purpose of benefit rights only if he has complied with the provisions of this article regarding the filing of his claim, including the filing of a valid original claim, registered as totally unemployed **or partially employed pursuant to section five hundred ninety-a of this title**, reported his subsequent employment and unemployment, and reported for work or otherwise given notice of the continuance of his unemployment.

§ 2. The labor law is amended by adding a new section 590-a to read as follows:

§ 590-a. Reductions in unemployment benefits due to part-time work. 1. Entitlement to benefits. Notwithstanding any other provision of law to the contrary any claimant who accepts part-time work shall be eligible to collect partial unemployment pursuant to this section provided such claimant meets the criteria outlined in this section.

2. Reporting part-time employment. A claimant collecting unemployment who is paid for part-time employment while collecting unemployment shall be required to report during each compensable period the amount of money earned from such part-time work.

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

LBD09022-01-9

3. Benefit rate. A claimant's unemployment benefit shall be reduced by fifty percent of the part-time income during a compensable period, in a manner determined by the commissioner.

4. Penalties for false or inaccurate reporting. The provisions of section five hundred ninety-four of this title shall control should a claimant inaccurately report or fail to report the amount of part-time wages earned during any compensable period.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law provided, however that the commissioner of labor may promulgate any rules or regulations necessary for the implementation of this act prior to such effective date.