STATE OF NEW YORK

649

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Labor

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:

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

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

§ 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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