

STATE OF NEW YORK

3234

2019-2020 Regular Sessions

IN SENATE

February 4, 2019

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed 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:

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 ongo-
11 ing 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.

LBD04768-01-9