STATE OF NEW YORK

7819

IN SENATE

February 25, 2020

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to the release of certain claims by certain employees

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

Section 1. The general obligations law is amended by adding a new section 5-338 to read as follows:

§ 5-338. Release of certain employee claims. 1. For purposes of this section, the following terms shall have the following meanings:

(a) "Employer" shall mean all employers within the state.

(b) "Employee" shall mean all employees within the state.

2. No release of any claim by an employee, or independent contractor who is a natural person, against an employer, is enforceable if, as a condition of such release, the employee or independent contractor is prohibited from applying for, accepting, or engaging in future employment with such employer, or any entity or entities related to such employer. The provisions of this section shall not preclude an employee and employer from agreeing to terminate an existing employment relationship as part of a settlement of a claim.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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