STATE OF NEW YORK

5268

2021-2022 Regular Sessions

IN ASSEMBLY

February 12, 2021

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

AN ACT to amend the labor law, in relation to prohibiting retaliatory action by employers for the reporting of discrimination violations

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

Section 1. Subdivision 2 of section 740 of the labor law, as added by chapter 660 of the laws of 1984, paragraph (a) as amended by chapter 442 of the laws of 2006, is amended to read as follows:

2. Prohibitions. An employer shall not take any retaliatory personnel action against an employee because such employee does any of the following:

(a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that is in violation of law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety, or which constitutes health care fraud**, or which constitutes discrimination in violation of article fifteen of the executive law**;

(b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such violation of a law, rule or regulation by such employer; [~~or~~]

(c) objects to, or refuses to participate in any such activity, policy or practice in violation of a law, rule or regulation[~~.~~]**; or**

(d) files a complaint with such employer alleging discrimination in violation of article fifteen of the executive law, or files a complaint pursuant to a policy adopted or established by such employer as required by section two hundred one-g of this chapter.

§ 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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