STATE OF NEW YORK

350

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

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

AN ACT to amend the labor law, in relation to making unemployment insurance benefits available to essential federal workers during a federal government shutdown

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

Section 1. The labor law is amended by adding a new section 591-b to read as follows:

§ 591-b. Federal shutdown; benefits for essential federal workers. 1. As used in this section, the term:

(a) "essential federal worker":

(i) means an employee of a federal government agency who is required to work without pay during a shutdown; and

(ii) is a resident of this state; and

(b) "shutdown" means any period in which there is more than a twenty-four hour lapse in appropriations for any federal government agency or federal department as a result of a failure of the federal government to enact a regular appropriations bill or continuing resolution.

2. Any essential federal worker shall be eligible for unemployment insurance benefits pursuant to this article during the period of a shutdown. If a shutdown ends and an essential federal worker is paid by the federal government for any period of time the essential federal worker worked without pay during the shutdown, the essential federal worker shall reimburse the unemployment insurance fund in an amount equal to the unemployment insurance benefits the essential federal worker received during the period of the shutdown. Such reimbursement of unemployment insurance benefits by such essential federal worker shall occur within ninety days after the end of such shutdown. The provisions of this section shall apply regardless of passage of federal legislation or

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

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the issuance of federal guidance from the United States department of labor or another federal agency which allows an essential federal worker to receive unemployment insurance benefits.

§ 2. This act shall take effect immediately.