STATE OF NEW YORK

6771

2021-2022 Regular Sessions

IN SENATE

May 14, 2021

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

AN ACT to authorize certain employees to receive a partial or reduced unemployment benefit in addition to wages

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

Section 1. a. Notwithstanding any provision of law to the contrary, and for the purpose of responding to the COVID-19 pandemic, any employee who receives payments pursuant to article 18 of the labor law for unemployment claims made on or after March 9, 2020 through the duration of the state disaster emergency declared by executive order number 202 of 2020 and any further amendments or modifications thereto, who accepts an offer of employment and returns to work in a position or job title that pays less than the existing unemployment insurance benefit, including supplemental federal unemployment insurance payments, shall be eligible to collect a partial or reduced unemployment benefit that, when added to the salary or wages paid to the employee for the position or job such employee accepted and returned to work to perform, equates to such amount that will make such employee's combined salary or wages and partial unemployment benefit equal to the benefit such employee received from unemployment insurance before returning to work.

b. For the purposes of this section, the supplemental federal unemployment insurance benefit referenced herein shall be defined as all payments received by the claimant for unemployment insurance that are in addition to the standard benefit provided pursuant to article 18 of the labor law, including but not limited to the Pandemic Unemployment Insurance Act, Pandemic Emergency Unemployment Compensation, Pandemic Unemployment Compensation and any other extended, supplemental or emergency unemployment benefit as provided by federal law.

§ 2. This act shall take effect immediately.

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

LBD11413-01-1