STATE OF NEW YORK

17

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. MAYER -- 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 authorizing employees to petition an employer to apply to participate in a shared work program for purposes of avoiding a layoff or for purposes of re-hiring

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 605-a to read as follows:

§ 605-a. Shared work program. 1. Any group of employees comprising a majority of all employees may, within ten days after any layoff or, if there is a good faith expectation of a layoff occurring within thirty days, prior to such expected layoff, petition in writing the employer of such group of employees to apply to participate in a shared work program for purposes of avoiding such layoff or for purposes of re-hiring any former employee or employees of the employer. Such employer shall, no later than seven days after such petition has been made, respond in writing to such group of employees. Such response shall state the decision of the employer to apply or not to apply to participate in a shared work program, and the reason for deciding to apply or not to apply to participate in a shared work program.

2. No employer or their agent, or person acting as or on behalf of a hiring entity, or the officer or agent of any corporation, partnership, or limited liability company, shall discriminate, retaliate against, or take adverse action against any employee for exercising the rights afforded to them under this section.

§ 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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