STATE OF NEW YORK

17--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 reduction in workforce 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 who may reasonably be expected to experience an employment loss as a consequence of a reduction in workforce or have experienced employment loss as a consequence of a reduction in workforce may petition in writing the employer of such group of employees to apply to participate in a shared work program pursuant to this article for purposes of avoiding such reduction in workforce or for purposes of re-hiring any former employee or employees of the employer that were laid off due to a reduction in workforce. 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, and if the employer did apply, the outcome of the application, if available.

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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