STATE OF NEW YORK

3172

2021-2022 Regular Sessions

IN SENATE

January 28, 2021

Introduced by Sen. SANDERS -- 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 retaliatory personnel action by employers

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

Section 1. Paragraph (c) of subdivision 2 of section 740 of the labor law, as added by chapter 660 of the laws of 1984, is amended and two new paragraphs (d) and (e) are added to read as follows:

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

(d) complains to the employer or supervisor that wages have not been paid according to the terms and conditions of employment; or

(e) institutes or plans on instituting a civil action as set forth in subdivision four of this section.

§ 2. Paragraph (e) of subdivision 5 of section 740 of the labor law, as added by chapter 660 of the laws of 1984, is amended to read as follows:

(e) the payment by the employer of reasonable costs, disbursements, [~~and~~] attorney's fees **and a fine of not less than five thousand dollars nor more than ten thousand dollars**.

§ 3. 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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