

# 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:

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

3 § 591-b. Federal shutdown; benefits for essential federal workers. 1.  
4 As used in this section, the term:

5 (a) "essential federal worker":

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

8 (ii) is a resident of this state; and

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

13 2. Any essential federal worker shall be eligible for unemployment  
14 insurance benefits pursuant to this article during the period of a shut-  
15 down. If a shutdown ends and an essential federal worker is paid by the  
16 federal government for any period of time the essential federal worker  
17 worked without pay during the shutdown, the essential federal worker  
18 shall reimburse the unemployment insurance fund in an amount equal to  
19 the unemployment insurance benefits the essential federal worker  
20 received during the period of the shutdown. Such reimbursement of unem-  
21 ployment insurance benefits by such essential federal worker shall occur  
22 within ninety days after the end of such shutdown. The provisions of  
23 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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1 the issuance of federal guidance from the United States department of  
2 labor or another federal agency which allows an essential federal worker  
3 to receive unemployment insurance benefits.  
4 § 2. This act shall take effect immediately.