

STATE OF NEW YORK

7086

2021-2022 Regular Sessions

IN SENATE

May 27, 2021

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

AN ACT to repeal part EEE of a chapter 59 of the laws of 2021, relating to establishing the excluded workers fund to provide payments to workers who suffered a loss of work-related earnings or a major source of household income during a state of emergency declared by the governor and who are otherwise ineligible for unemployment insurance or other state or federal unemployment benefit; to amend chapter 53 of the laws of 2021, enacting the aid to localities budget, in relation to repealing the excluded workers fund and adding the return to work bonus and employer relief fund; and to amend the labor law, in relation to creating the return to work bonus and employer relief fund, and providing for the repeal of such provision upon the expiration thereof

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

1 Section 1. Part EEE of a chapter 59 of the laws of 2021, relating to
2 establishing the excluded workers fund to provide payments to workers
3 who suffered a loss of work-related earnings or a major source of house-
4 hold income during a state of emergency declared by the governor and who
5 are otherwise ineligible for unemployment insurance or other state or
6 federal unemployment benefit, is REPEALED.

7 § 2. Section 1 of chapter 53 of the laws of 2021, enacting the aid to
8 localities budget, is amended by repealing the items hereinbelow set
9 forth in brackets and by adding to such section the other items under-
10 scored in this section.

11 [~~THE EXCLUDED WORKERS FUND~~ 2,100,000,000

13 ~~General Fund~~

14 ~~Local Assistance Account - 10000~~

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

LBD11639-01-1

1 ~~For services and expenses of administering~~
2 ~~the excluded workers fund. Notwithstand-~~
3 ~~ing any inconsistent provision of law,~~
4 ~~this appropriation may be used for grants~~
5 ~~in aid or expenses of contracts with not-~~
6 ~~for profit agencies to be determined~~
7 ~~pursuant to a plan to be developed by the~~
8 ~~department of labor in consultation with~~
9 ~~the director of the budget. Notwithstand-~~
10 ~~ing any other provision of law to the~~
11 ~~contrary, no more than ten percent of the~~
12 ~~funds appropriated herein may be trans-~~
13 ~~ferred or suballocated to any aid to~~
14 ~~localities, state operations, or capital~~
15 ~~appropriation of any state department,~~
16 ~~agency, or authority to accomplish the~~
17 ~~intent or purposes stated herein 2,100,000,000~~
18 ~~_____~~
19 ~~Program account subtotal 2,100,000,000~~
20 ~~_____]~~

21 THE RETURN TO WORK BONUS AND EMPLOYER RELIEF FUND 2,100,000,000
22 _____

23 General Fund
24 Local Assistance Account - 10000

25 For services and expenses of administering
26 the return to work bonus and employer
27 relief fund as established in section
28 591-b of the labor law. Notwithstanding
29 any inconsistent provision of law, this
30 appropriation may be used to provide bonus
31 to eligible individuals with bonus for
32 returning to work and to provide relief
33 from contributions to the interests
34 assessment surcharge fund pursuant to
35 section 591-b of the labor law 2,100,000,000
36 _____
37 Program account subtotal 2,100,000,000
38 _____

39 § 3. The labor law is amended by adding a new section 591-b to read as
40 follows:

41 § 591-b. Return to work bonus and employer relief fund. 1. There is
42 hereby created a return to work bonus and employer relief fund to be
43 administered by the department of labor.

44 2. Eligibility. Individuals meeting the following criteria shall be
45 eligible to receive a one-time twelve hundred dollar bonus from the
46 return to work bonus and employer relief fund:

47 (a) such individual had an active unemployment claim on the day of or
48 any day proceeding the effective date of this section;

49 (b) such individual has become employed by a non-governmental employer
50 located in New York state after the effective date of this section;

51 (c) upon the effective date of this section, such individual is no
52 longer eligible to receive unemployment benefits under section five

1 hundred ninety-one or five hundred ninety-one-a of this title for reason
2 of compensation from employment; and

3 (d) such individual has completed at least four consecutive weeks of
4 employment after the effective date of this section.

5 3. Duties of the commissioner. (a) The commissioner shall utilize
6 monies from the return to work bonus and employer relief fund to provide
7 all eligible individuals pursuant to subdivision two of this section
8 with a twelve hundred dollar payment upon the completion of such an
9 individual's fourth consecutive week of employment under paragraph (d)
10 of subdivision two of this section.

11 (b) The commissioner shall utilize any funds not distributed to eligi-
12 ble individuals under this section to reduce the burden on all busi-
13 nesses required to contribute to the interest assessment surcharge fund
14 pursuant to section five hundred eighty-one-d of this article.

15 § 4. This act shall take effect immediately; provided, however, that
16 section two of this act shall expire and be deemed repealed September
17 28, 2021.