STATE OF NEW YORK

1241

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. BURGOS -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to reducing the number of hours in a work week to thirty-two for employers with at least five hundred employees

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 160-a to read as follows:

§ 160-a. Hours to constitute a week's work. 1. Notwithstanding any other provision of law to the contrary, a legal week's work shall consist of thirty-two hours for any employer with at least five hundred employees who are not part of a collective bargaining agreement.

2. No employee compensation shall be reduced due to the reduction in hours considered a legal week's work under this section.

3. This section shall not prevent an agreement for overwork at an increased compensation of at least one hundred fifty percent of the employee's base compensation.

§ 2. Section 232 of the labor law, as added by chapter 777 of the laws of 1971, is amended to read as follows:

§ 232. Overtime. **1.** An employee, employed by a contractor, who works more than eight hours in any one day or more than forty hours in any workweek shall be paid wages for such overtime at a rate not less than one-and-one-half times [~~his~~] **their** prevailing basic cash hourly rate.

2. An employee, employed by a contractor with at least five hundred employees who are not part of a collective bargaining agreement, who works more than eight hours in any one day or more than thirty-two hours in any workweek shall be paid wages for such overtime at a rate not less than one-and-one-half times their prevailing basic cash hourly rate. No employee compensation shall be reduced due to the reduction in hours considered a legal week's work under this subdivision. This subdivision

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

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shall not prevent an agreement for overtime at an increased compensation of at least one hundred fifty percent of the employee's base compensation.

§ 3. This act shall take effect January 1, 2025.