

# 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:

1 Section 1. The labor law is amended by adding a new section 160-a to  
2 read as follows:

3 § 160-a. Hours to constitute a week's work. 1. Notwithstanding any  
4 other provision of law to the contrary, a legal week's work shall  
5 consist of thirty-two hours for any employer with at least five hundred  
6 employees who are not part of a collective bargaining agreement.

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

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

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

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

18 2. An employee, employed by a contractor with at least five hundred  
19 employees who are not part of a collective bargaining agreement, who  
20 works more than eight hours in any one day or more than thirty-two hours  
21 in any workweek shall be paid wages for such overtime at a rate not less  
22 than one-and-one-half times their prevailing basic cash hourly rate. No  
23 employee compensation shall be reduced due to the reduction in hours  
24 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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1 shall not prevent an agreement for overtime at an increased compensation  
2 of at least one hundred fifty percent of the employee's base compen-  
3 sation.

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