STATE OF NEW YORK

4676--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 22, 2023

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Labor -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to creating a temporary commission to conduct a comprehensive study on the current utilization of paid family leave, make recommendations on how to increase access and the visibility of the program; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. A temporary state commission is hereby created to conduct a comprehensive study, and prepare a report on the current utilization of paid family leave under article 9 of the workers' compensation law.

§ 2. (a) The commission shall consist of twelve members appointed by the governor as follows: (i) a representative of organized labor appointed upon recommendation of the New York State American Federation of Labor-Congress of Industrial Organizations; (ii) a representative of the business community appointed upon recommendation of the Business Council of New York State, Incorporated; (iii) two persons upon recommendation of the temporary president of the senate; (iv) one person upon recommendation of the minority leader of the senate; (v) two persons upon recommendation of the speaker of the assembly; (vi) one person upon recommendation of the minority leader of the assembly; (vii) the commissioner of labor; (viii) the superintendent of financial services; (ix) the chair of the workers' compensation board; and (x) one other person in the governor's discretion. The chair of the workers' compensation board shall serve as the chair of the commission. Vacancies in the membership of the commission and among its officers shall be filled in the manner provided for original appointments.

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

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(b) The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

§ 3. The study shall examine the current utilization of paid family leave under article 9 of the workers' compensation law, including but not limited to:

(a) demographic information of persons receiving such benefits including but not limited to:

(i) gender;

(ii) race;

(iii) age;

(iv) geographic region of the state of New York; and

(v) industry or type of employment;

(b) the average amount of benefits received and length of leave taken;

(c) the type of leave taken;

(d) employers' experiences on the use of paid family leave, including:

(i) ease of use; and

(ii) responsiveness of the department to questions; and

(e) unintended barriers that employees face in utilizing paid family leave including but not limited to:

(i) understanding of benefits;

(ii) knowledge of eligibility; and

(iii) knowledge of the existence of paid family leave.

§ 4. Not later than one year after the effective date of this act, the commission shall prepare and submit to the governor, the temporary president of the senate, and the speaker of the assembly a report of the study's findings, together with specific recommendations for increasing the access of demographic groups underutilizing paid family leave benefits, and removing or lessening unintended barriers to use of paid family leave identified in the study.

§ 5. This act shall take effect immediately and shall expire and be deemed repealed two years after it shall have become a law.