STATE OF NEW YORK

7976

2023-2024 Regular Sessions

IN ASSEMBLY

August 18, 2023

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

AN ACT to amend the labor law, in relation to prohibiting employers from retaliating against employees for confronting an individual to prevent a theft or the unlawful taking of goods, wares, or merchandise

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 215-d to read as follows:

§ 215-d. Employee confrontation of theft; prohibited retaliation. 1. No employer or his or her agent, or the officer or agent of any corporation, partnership, or limited liability company, or any other person shall discharge, threaten, penalize, or in any other manner discriminate or retaliate against any employee because such employee confronts or attempts to confront an individual to prevent a theft or the unlawful taking of goods, wares, or merchandise.

2. As used in this section, to threaten, penalize, or in any other manner discriminate or retaliate against any employee shall include reducing work hours, denying a promotion, and/or decreasing pay, but shall not include training or re-training on applicable employer policies.

3. Nothing in this section shall require an employee to confront, prevent, or attempt to prevent a theft or the unlawful taking of goods, wares, or merchandise of an employer, nor shall this section prevent an employer from instituting a policy advising employees against confronting, preventing, or attempting to prevent a theft or the unlawful taking of goods, wares, or merchandise of an employer.

§ 2. This act shall take effect immediately.

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

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