

# STATE OF NEW YORK

8209

2023-2024 Regular Sessions

## IN ASSEMBLY

October 27, 2023

Introduced by M. of A. ZEBROWSKI -- read once and referred to the  
Committee on Corporations, Authorities and Commissions

AN ACT concerning protections for employees of the Metro-North Commuter  
Railroad company and the Long Island Rail Road company, wholly owned  
corporations of the Metropolitan Transportation Authority operating as  
common carriers engaged in interstate commerce

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "commuter rail employee rights protection act".  
3 § 2. The Metro-North Commuter Railroad company and the Long Island  
4 Rail Road company and any of their successors and assigns who operate,  
5 manage, or develop the railroad system within the counties of Suffolk,  
6 Nassau, Queens, Kings, New York, Bronx, Westchester, Rockland, Orange,  
7 Ulster, Putnam, Dutchess, Sullivan, Greene, Columbia, Albany, and Rens-  
8 selaer waive any defense of jurisdictional or substantive sovereign  
9 immunity arising out of any state or federal claim or cause of action  
10 against it or its successors and assigns. In addition, the Metro-North  
11 Commuter Railroad company and the Long Island Rail Road company and any  
12 of their successors and assigns who operate, manage, or develop any  
13 municipally owned and operated commuter railroad operating within the  
14 general system of railroading within the state of New York shall be  
15 subject to the provisions of all federal railroad laws, including the  
16 "Railway Labor Act" (45 U.S.C. s.151 et seq.), the "Federal Employers  
17 Liability Act" (45 U.S.C. s.51 et seq.), the "Railroad Retirement Act of  
18 1937" (45 U.S.C. s. 231 et seq.), the "Railroad Retirement Tax Act" (26  
19 U.S.C. s. 3201 et seq.), the Federal Railroad Safety Laws (49 U.S.C.  
20 s.20101 et seq.), whistleblower laws, discrimination laws, and the  
21 "Interstate Commerce Act" (49 U.S.C. s.10501 et seq). Such waiver shall  
22 be retroactive to any lawsuit currently pending in any state or federal  
23 court in the state of New York.  
24 § 3. 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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