STATE OF NEW YORK

9182

IN ASSEMBLY

February 12, 2024

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to the compensation of certain emergency medical technicians who are providing emergency medical services, and their supervisors, during outbreaks of infectious diseases

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

Section 1. The general municipal law is amended by adding a new section 208-i to read as follows:

§ 208-i. Hazardous pay differential for emergency medical technicians and advanced emergency medical technicians. 1. Any employee of the city of New York or the New York city health and hospitals corporation in a title whose duties are those of an emergency medical technician or advanced emergency medical technician, as such terms are defined in section three thousand one of the public health law, or in a title whose duties require the supervision of employees whose duties are those of an emergency medical technician or advanced emergency medical technician, as such terms are defined in section three thousand one of the public health law, shall be entitled to a hazardous pay differential for work performed in connection with the provision of emergency medical treatment, as defined in section three thousand-a of the public health law, during an outbreak of an infectious disease affecting New York city.

2. The hazardous pay differential shall be calculated at the rate of the employee's regular rate of pay, plus ten percent. The amounts received as hazardous pay pursuant to the provisions of this section shall be regarded as salary or compensation for the purposes of any pension or retirement system of which the employee receiving such pay is a member. Such hazardous pay shall not be regarded as salary or compensation for the purpose of determining the right to any increase of salary or any salary increment on account of length of service or otherwise, nor shall the payment of such hazardous pay be construed to constitute a promotion.

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

LBD14268-01-4

3. For purposes of this section, an outbreak of an infectious disease shall be deemed to occur in any of the following circumstances: (a) during the period in which the governor declares a state disaster emergency arising from an infectious disease pursuant to section twenty-eight of the executive law; (b) during the period in which the secretary of health and human services declares a public health emergency due to the significant outbreak of infectious diseases pursuant to 42 U.S.C. 247d; (c) during the period in which the president declares a national emergency due to infectious disease pursuant to 50 U.S.C. 1621; or (d) during the period in which the president declares an emergency pursuant to 42 U.S.C. 5191. The differential pay to which covered employees are entitled shall commence on the date of any such declaration and shall remain in effect until all applicable declarations have been rescinded.

§ 2. This act shall take effect immediately.