STATE OF NEW YORK

1997

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to enacting the "standing is tiring (sit) act"

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

Section 1. This act shall be known and may be cited as the "standing is tiring (sit) act".

§ 2. The labor law is amended by adding a new section 203-f to read as follows:

§ 203-f. Employee right to sit. 1. An employer shall be required to provide suitable seats to all employees where the nature of such employees' work reasonably permits seated work.

2. An employer shall be prohibited from designing a work space to require standing where such work space could reasonably be designed to permit seated work.

3. The department shall promulgate rules and/or regulations for determining whether the nature of an employee's work reasonably permits seated work under subdivision one of this section, based on the totality of the circumstances for each employee, including, but not limited to, whether:

(a) an employee's tasks can be performed from a chair;

(b) seating an employee would interfere with job performance; and

(c) the physical layout of a work space is conducive to seating.

4. An employee shall have a private right of action for damages against any employer who fails to provide suitable seating to such employee in violation of subdivision one of this section.

§ 3. This act shall take effect one year after it shall have become a law.

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

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