

STATE OF NEW YORK

484--A

2023-2024 Regular Sessions

IN SENATE

January 4, 2023

Introduced by Sens. COMRIE, RAMOS, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to employer liability for on-duty assaults of employees

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

1 Section 1. Section 1266-l of the public authorities law, as added by
2 chapter 668 of the laws of 2022, is renumbered section 1266-m and a new
3 section 1266-n is added to read as follows:

4 § 1266-n. Employer liability for on-duty assaults of employees. 1. If
5 any employee, engaged in the service of any commuter rail service owned
6 or operated by the authority or its subsidiary, shall suffer a physical
7 and/or mental injury that is caused by a passenger, customer or member
8 of the public while the employee is performing an assigned duty, pursu-
9 ant to subdivision eleven of section 120.05 of the penal law or other-
10 wise, the employer shall be held liable for any health care costs
11 attributable to such injury and, in cases where it is determined by his
12 or her health care provider that such injured employee is unable to
13 perform his or her assigned duties due to such injury, such employee
14 shall be compensated by the employer at an amount not less than the
15 employee would have earned on the assignment they would have worked
16 until such time that such employee is designated able to return to work
17 by his or her health care provider.

18 2. Nothing in this section shall be deemed to diminish the rights,
19 privileges, or remedies of any employee under any collective bargaining
20 agreement or employment contract.

21 § 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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