

STATE OF NEW YORK

7609

2023-2024 Regular Sessions

IN SENATE

July 21, 2023

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

AN ACT to amend the labor law, in relation to establishing the "no severance ultimatums act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "no severance ultimatums act".

3 § 2. The labor law is amended by adding a new section 215-d to read as
4 follows:

5 § 215-d. Prohibition against severance ultimatums. 1. Definitions. For
6 the purposes of this section, the following terms shall have the follow-
7 ing meanings:

8 (a) "Employee" shall have the same meaning as set forth in section one
9 hundred ninety of this chapter.

10 (b) "Employer" shall:

11 (i) have the same meaning as set forth in section one hundred ninety
12 of this chapter; and

13 (ii) include governmental agencies.

14 2. Severance ultimatums prohibited. Any employer offering an employee
15 or former employee an agreement related to such employee's severance
16 from employment shall notify such employee that:

17 (a) Such employee has the right to consult an attorney regarding such
18 agreement, and provide such employee with a reasonable period of time
19 not less than twenty-one business days in which to do so;

20 (b) Such employee may revoke such agreement within seven days of the
21 execution of such agreement, and the agreement shall not become effec-
22 tive or enforceable until such revocation period has expired; and

23 (c) Such employee may sign such agreement prior to the end of such
24 revocation period, as long as such employee's decision to shorten such

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

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1 revocation period is knowing, voluntary, and not induced by the employer
2 through fraud, misrepresentation, or a threat to withdraw or alter such
3 revocation period prior to the expiration of such revocation period, or
4 by providing different terms to such employee if such employee signs
5 such agreement prior to the expiration of such revocation period.

6 § 3. This act shall take effect immediately.