

# STATE OF NEW YORK

7896

2023-2024 Regular Sessions

## IN ASSEMBLY

July 19, 2023

Introduced by M. of A. SIMON -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to retaliatory action by employers

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

1 Section 1. Subdivision 2 of section 740 of the labor law, as amended  
2 by chapter 522 of the laws of 2021, is amended to read as follows:

3 2. Prohibitions. An employer shall not take any retaliatory action  
4 against an employee, whether or not within the scope of the employee's  
5 job duties, because such employee does any of the following:

6 (a) (i) discloses, or threatens to disclose to a supervisor or to a  
7 public body an activity, policy or practice of the employer that the  
8 employee reasonably believes is in violation of law, rule or regulation  
9 or that the employee reasonably believes poses a substantial and specif-  
10 ic danger to the public health or safety; or

11 [~~(b)~~] (ii) provides information to, or testifies before, any public  
12 body conducting an investigation, hearing or inquiry into any such  
13 activity, policy or practice by such employer; or

14 [~~(c)~~] (iii) objects to, or refuses to participate in any such activ-  
15 ity, policy or practice; or

16 (b) protests or discloses, whether to a supervisor, a public entity,  
17 or to the public in general, any action which the employee reasonably  
18 believes constitutes a violation of section seventy-three, seventy-  
19 three-a, seventy-four, seventy-five, or seventy-six of the public offi-  
20 cers law or section 175.20, 175.25, 175.40, 195.20 or article two  
21 hundred of the penal law.

22 § 2. This act shall take effect immediately.

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

LBD09782-01-3