STATE OF NEW YORK

6344

2023-2024 Regular Sessions

IN SENATE

April 17, 2023

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

AN ACT to amend the workers' compensation law, in relation to paid family leave for public employees not represented by an employee organization

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

Section 1. Subdivision 3 of section 212-b of the workers' compensation law, as added by section 14 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

3. (a) An employee organization may, pursuant to collective bargaining, opt in to paid family leave benefits on behalf of those public employees it is either certified or recognized to represent, within the meaning of article fourteen of the civil service law. Nothing in this section shall prohibit an agreement to opt in to paid family leave between the employee organization and any public employer. An employee organization that has opted in to paid family leave benefits may, pursuant to collective bargaining, opt out of it as is mutually agreed upon between the employee organization and any public employer.

[~~b.~~] **(b)** For public employees who are not represented by an employee organization, the public employer [~~may opt in to paid family leave benefits within ninety days notice to such public employees. Following opt in by a public employer for public employees not represented by an employee organization, the public employer may opt out of paid family leave benefits with twelve months notice to those public employees~~] **shall provide paid family leave benefits in accordance with the provisions of section two hundred four and two hundred eight of this article**.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

LBD10793-01-3