STATE OF NEW YORK

898

2023-2024 Regular Sessions

IN SENATE

January 9, 2023

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

AN ACT in relation to directing the department of labor to study the impact of long COVID on employees and on the labor market

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

Section 1. 1. As used in this section, the following terms shall have the following definitions:

a. "long COVID" means symptoms that persist after the acute COVID-19 infection has resolved.

b. "labor organizations" means any labor union or any organization of any kind, or any agency or employee representation committee, association, group or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

2. The department of labor, in consultation with the division of human rights, the state comptroller and the department of taxation and finance is hereby authorized and directed to conduct a comprehensive study for the purpose of monitoring the long-term labor impacts of the COVID-19 virus. The purpose of the study shall be to:

a. identify the number of full-time equivalent workers currently not working due to long COVID, including those working at reduced hours and the cost to the state of these absences;

b. identify the average amount of time off or reduced hours for people with long COVID;

c. identify whether and to what extent discrimination and other barriers affect the employment rate for persons with long COVID;

d. provide specific data and analysis on the findings from paragraphs a, b and c of this subdivision as such findings relate to racial, gender, ethnic and sexual orientation characteristics;

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

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e. review current protocols for workplace accommodations for long COVID;

f. review applications, approvals, and rejections for any disability or health related public benefits administered by the state among long COVID patients;

g. determine what changes, if any, should be made to state policies affecting the employment of people with long COVID; and

h. recommend any legislation, rules or regulations it deems necessary to improve the employment rate and expand employment opportunities for people with long COVID.

3. The department of labor shall consult with multidisciplinary experts in the fields of virology, immunology, COVID-19 and labor, disability access, labor organizations, and health care professionals or other experts who serve and are representative of the diversity of New Yorkers in medically underserved areas of the state or areas of the state with disproportionately high occurrences of COVID-19.

4. The department of labor shall issue a report of its findings and recommendations to the governor, the speaker of the assembly and the temporary president of the senate and shall publish such report on its website within one year after the effective date of this act. The commissioner of labor, within their legal authority, may use the recommendations and findings to develop guidance and other actions relating to best practices, and shall disseminate information relating to that guidance and other actions to employers.

§ 2. This act shall take effect immediately.