

# STATE OF NEW YORK

10127

## IN ASSEMBLY

February 2, 2026

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

AN ACT to amend the labor law, in relation to preserving the right to unemployment benefits for a voluntary separation due to unsafe or unhealthy working conditions

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

1 Section 1. Section 200 of the labor law is amended by adding a new  
2 subdivision 5 to read as follows:

3 5. In the exercise of their powers to protect the health and safety of  
4 employees the commissioner shall enact rules and regulations protecting  
5 employees from unsafe or unhealthy working conditions, including, but  
6 not limited to, exposure to physical, chemical or biological hazards,  
7 harassment or violence, or other deleterious conditions that make the  
8 work environment unreasonably dangerous or unsafe.

9 § 2. The subdivision heading and paragraph (a) of subdivision 1 of  
10 section 593 of the labor law, the subdivision heading as amended by  
11 chapter 35 of the laws of 2009 and paragraph (a) as amended by chapter  
12 277 of the laws of 2021, are amended and a new paragraph (d) is added to  
13 read as follows:

14 Voluntary separation[~~, separation for a compelling family reason~~].  
15 (a) No weeks of total unemployment or partial unemployment shall be  
16 deemed to occur after a claimant's voluntary separation without good  
17 cause from employment until [~~he or she~~] such claimant has subsequently  
18 worked in employment and earned remuneration at least equal to ten times  
19 [~~his or her~~] their weekly benefit rate. In addition to other circum-  
20 stances that may be found to constitute good cause, including a compel-  
21 ling family reason or unsafe or unhealthy working conditions as set  
22 forth in paragraph (b) or (d) of this subdivision, voluntary separation  
23 from employment shall not in itself disqualify a claimant if circum-  
24 stances have developed in the course of such employment that would have  
25 justified the claimant in refusing such employment in the first instance  
26 under the terms of subdivision two of this section or if the claimant,  
27 pursuant to an option provided under a collective bargaining agreement

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

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1 or written employer plan which permits waiver of [~~his or her~~] their  
2 right to retain the employment when there is a temporary layoff because  
3 of lack of work, has elected to be separated for a temporary period and  
4 the employer has consented thereto.

5 (d) A claimant shall not be disqualified from receiving benefits for  
6 separation from employment if the employer has caused, maintained, or  
7 refused or failed to cure an unsafe or unhealthy working condition  
8 including, but not limited to, exposure to physical, chemical or biolog-  
9 ical hazards, harassment or violence by their employer, other employees  
10 or members of the public, or other deleterious condition that makes the  
11 work environment unreasonably dangerous or unsafe for the claimant.

12 § 3. This act shall take effect immediately.