

STATE OF NEW YORK

11198

IN ASSEMBLY

May 1, 2026

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

AN ACT to amend the labor law, in relation to requiring employers to pay employees accrued but unused vacation, paid time off, or other paid leave provided upon separation from employment

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

1 Section 1. Section 191 of the labor law is amended by adding a new
2 subdivision 4 to read as follows:

3 4. Notwithstanding any other provision of law to the contrary, upon
4 termination, resignation, retirement or other separation from employ-
5 ment, an employer shall pay to the employee all accrued but unused vaca-
6 tion leave, paid time off, or other paid leave provided pursuant to the
7 employer's employment agreement, contract or policy. Any employment
8 agreement, contract or policy that purports to waive or forfeit such
9 payment of accrued but unused vacation leave, paid time off or other
10 paid leave shall be deemed void. Such payment shall be made no later
11 than the employee's next regular pay day for the pay period during which
12 the separation occurred. For purposes of this subdivision, vacation
13 leave, paid time off or other paid leave shall be deemed accrued in
14 accordance with the employer's written policy or, in the absence of such
15 policy, on a pro rata basis based on the employee's length of service.
16 Failure to make such payment shall be deemed a failure to pay wages and
17 shall be subject to penalties under this article.

18 § 2. This act shall take effect on the one hundred eightieth day after
19 it shall have become a law and shall apply to agreements entered into,
20 modified, or renewed on or after such effective date.

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

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