STATE OF NEW YORK

3646

2025-2026 Regular Sessions

IN SENATE

January 29, 2025

Introduced by Sens. MURRAY, RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to the definition of manual worker

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

Section 1. Subdivision 4 of section 190 of the labor law, as amended by chapter 391 of the laws of 2024, is amended to read as follows:

4. "Manual worker" means a [~~mechanic, workingman or laborer~~] **worker whose primary duty is to engage in physical labor**, but shall not include any person who has entered into a contract to play baseball at the minor league level and who is compensated pursuant to the terms of a collective bargaining agreement that expressly provides for the wages, hours of work, and working conditions of employees. **The commissioner shall adopt regulations establishing criteria for determining whether an occupation meets the definition of "manual worker" and "physical labor", and shall publish guidance listing specific occupations that are presumed to meet this definition.**

§ 2. This act shall take effect immediately.

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

LBD07547-01-5