

# STATE OF NEW YORK

8589

2025-2026 Regular Sessions

## IN SENATE

November 21, 2025

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

AN ACT to amend the labor law, in relation to enacting the "safeguarding human intelligence and employment in labor displacement (SHIELD) act"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "safeguarding human intelligence and employment in labor displace-  
3 ment (SHIELD) act".

4 § 2. Legislative findings and intent. The legislature finds that the  
5 rapid deployment of artificial intelligence and automated decision  
6 systems is reshaping the nature of work in New York state. While techno-  
7 logical advancement can enhance productivity, the sudden substitution of  
8 human labor with automated systems threatens the economic stability of  
9 working people, their families, and the communities that rely on them.  
10 It is the public policy of this state to ensure that technological  
11 progress proceeds with fairness and transparency, to require employers  
12 to provide advance notice of workforce reductions attributable to auto-  
13 mation, and to safeguard opportunities for retraining and redeployment  
14 of displaced workers.

15 § 3. The labor law is amended by adding a new article 25-D to read as  
16 follows:

### ARTICLE 25-D

#### PROTECTION OF WORKERS FROM AI DISPLACEMENT

#### Section 863. Definitions.

863-a. Notice of technological displacement.

863-b. Workforce transition period.

863-c. Incentive eligibility.

863-d. Civil penalties and remedies.

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

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1 § 863. Definitions. For the purposes of this article, the following  
2 terms shall have the following meanings:

3 1. "Covered employer" means any business enterprise that employs fifty  
4 or more full-time employees in the state.

5 2. "Artificial intelligence system" means any computer-based system  
6 capable of performing tasks, making predictions, or generating content  
7 that would otherwise require human intelligence, including machine  
8 learning, natural language processing, computer vision, or generative  
9 models.

10 3. "Technological displacement" means the elimination of employment  
11 positions, or a reduction in hours equivalent to twenty-five percent or  
12 more of total workforce time, within any twelve-month period, caused in  
13 whole or in substantial part by the introduction or expanded use of an  
14 artificial intelligence system or other automated technology.

15 4. "Employment loss" includes any termination, layoff exceeding six  
16 months, reduction in work hours of fifty percent or more during each  
17 month of any six-month period, or conversion of a human-performed func-  
18 tion to an automated function.

19 § 863-a. Notice of technological displacement. 1. A covered employer  
20 shall provide no fewer than ninety days advance written notice prior to  
21 any technological displacement affecting twenty-five or more employees,  
22 or twenty-five percent of the workforce, whichever is less.

23 2. Notice under subdivision one of this section shall be provided to:

24 (a) all affected employees and any employee organization representing  
25 them;

26 (a) continued employment or equivalent wages; or

27 (b) the commissioner;

28 (c) the chief elected official of each locality where the affected  
29 facility is located; and

30 (d) the local workforce development board.

31 3. The notice under subdivision one of this section shall describe:

32 (a) the functions to be automated;

33 (b) the number, classification, and location of affected employees;

34 (c) the anticipated date of displacement;

35 (d) available retraining or reassignment programs; and

36 (e) the identity of any vendor or contractor supplying the artificial  
37 intelligence system.

38 § 863-b. Workforce transition period. 1. Each employee affected by a  
39 technological displacement shall be entitled to a transition employment  
40 period of ninety days from the date of notice provided under section  
41 eight hundred sixty-three-a of this article, during which the covered  
42 employer shall offer:

43 (a) continued employment or equivalent wages; or

44 (b) participation, at such covered employer's expense, in a recognized  
45 retraining or reskilling program approved by the department.

46 2. A covered employer shall not discharge an employee affected by a  
47 technological displacement during the transition period under subdivi-  
48 sion one of this section except for just cause.

49 § 863-c. Incentive eligibility. 1. Any covered employer that fails to  
50 comply with the notice or transition requirements of this article shall  
51 be ineligible for state grants, loans, or tax incentives for five years  
52 following such violation.

53 2. The commissioner shall maintain a public registry of covered  
54 employers found to have violated this article.

1 § 863-d. Civil penalties and remedies. 1. A covered employer that  
2 fails to provide the notice required by this article shall be liable to  
3 each affected employee for up to sixty days of back pay and benefits.

4 2. The commissioner may assess a civil penalty of up to ten thousand  
5 dollars per day for willful violations of this article.

6 3. The attorney general may bring an action to enjoin violations and  
7 recover penalties on behalf of the state.

8 § 4. This act shall take effect immediately.