# STATE OF NEW YORK

9582

# IN ASSEMBLY

January 21, 2026

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

AN ACT to amend the labor law, in relation to requiring delivery network company workers have access to paid sick leave

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

Section 1. Subdivision 2 of section 190 of the labor law, as amended by chapter 391 of the laws of 2024, is amended to read as follows:

2. "Employee" means any person employed for hire by an employer in any employment, but with respect to the entirety of this article, except sections one hundred ninety-three, one hundred ninety-six-b, one hundred ninety-eight, and one hundred ninety-eight-b, 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. **For the purposes of section one hundred ninety-six-b of this article, "employee" shall include a delivery network company worker, which shall mean an individual who has entered into an agreement with a delivery network company, as defined in subdivision three of this section, to pick up and deliver delivery network company orders for compensation.**

§ 2. Subdivision 3 of section 190 of the labor law, as amended by chapter 281 of the laws of 2002, is amended to read as follows:

3. "Employer" includes any person, corporation, limited liability company, or association employing any individual in any occupation, industry, trade, business or service. The term "employer" shall not include a governmental agency. **For the purposes of section one hundred ninety-six-b of this article, the employer of a delivery network company worker, as defined in subdivision two of this section, shall be a delivery network company, which shall mean a person, corporation, partnership, sole proprietorship, or other entity that is operating in New York state exclusively using a digital network to connect delivery network company customers with delivery network company workers who provide delivery for orders of products made via a digital network, but shall**

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

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not include (i) a transportation network company, as defined by section sixteen hundred ninety-one of the vehicle and traffic law; or (ii) a restaurant, or restaurant chain, that enables customers to place orders for food using a digital network that was created specifically for use by customers of such restaurant or restaurant chain.

§ 3. This act shall take effect immediately.