

STATE OF NEW YORK

7461

2025-2026 Regular Sessions

IN SENATE

April 17, 2025

Introduced by Sens. HOYLMAN-SIGAL, RAMOS -- 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 disqualification from receiving benefits for separation from employment in cases where the claimant's employer maintained or refused or failed to cure a health or safety condition that made the environment unsuitable

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

1 Section 1. Subdivision 1 of section 593 of the labor law is amended by
2 adding a new paragraph (d) to read as follows:

3 (d) A claimant shall not be disqualified from receiving benefits for
4 separation from employment where the claimant has left their employment
5 because the employer maintained or refused or failed to cure a health or
6 safety condition that made the environment unsuitable. The claimant has
7 provided sufficient notification of the unsuitable condition if they
8 notified the employer, if another employee notified the employer, or if
9 the employer had or should have had reason to know that the condition
10 made the work environment unsuitable. It is sufficient but not necessary
11 to show unsuitability that the working conditions were inconsistent with
12 laws, rules, policies, orders, or guidance of any governmental agency on
13 suitable working conditions.

14 § 2. Paragraph (e) of subdivision 2 of section 593 of the labor law,
15 as amended by chapter 35 of the laws of 2009, is amended to read as
16 follows:

17 (e) the claimant is seeking part-time work as provided in subdivision
18 five of section five hundred ninety-six of this title and the offer of
19 employment is not comparable to [~~his or her~~] the claimant's part-time
20 work as defined in such subdivision; or

21 (f) the offer is to work under conditions that are unsuitable, includ-
22 ing conditions that are inconsistent with laws, rules, policies, orders,
23 or guidance of any governmental agency on suitable working conditions.

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

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1 § 3. Subdivision 3 of section 593 of the labor law, as amended by
2 chapter 277 of the laws of 2021, is amended to read as follows:

3 3. Misconduct. No days of total unemployment shall be deemed to occur
4 after a claimant lost employment through misconduct in connection with
5 ~~[his or her]~~ the claimant's employment until ~~[he or she]~~ the claimant
6 has subsequently worked in employment and earned remuneration at least
7 equal to ten times ~~[his or her]~~ the claimant's weekly benefit rate. A
8 claimant who was fired because they did not report to work or left work
9 before the end of their scheduled shift or refused to perform an
10 assigned task, in response to the employer refusing or failing to cure a
11 health or safety condition that made the environment unsuitable, has not
12 lost their employment due to misconduct. Such claimant has also not
13 quit their job voluntarily and without good cause. The claimant provided
14 sufficient notification of the unsuitable condition if they notified the
15 employer, if another employee notified the employer, or if the employer
16 had or should have had reason to know that the condition made the work
17 environment unsuitable. It is sufficient but not necessary to show
18 unsuitability that the working conditions were inconsistent with laws,
19 rules, policies, orders, or guidance of any governmental agency on suit-
20 able working conditions.

21 § 4. This act shall take effect immediately; provided that the amend-
22 ments to subdivision 3 of section 593 of the labor law, made by section
23 three of this act, shall take effect on the same date and in the same
24 manner as section 19 of chapter 277 of the laws of 2021, takes effect.