

# NEW YORK STATE ASSEMBLY

Carl E. Heastie, Speaker  
Latoya Joyner, Chair



## 2023 ANNUAL REPORT

COMMITTEE ON  
Labor





LATOYA JOYNER  
Assembly Member  
77<sup>th</sup> Assembly District  
Bronx County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Labor Committee

COMMITTEES  
Education  
Housing  
Judiciary  
Ways and Means

MEMBER  
Black, Puerto Rican, Hispanic & Asian  
Legislative Caucus  
Legislative Women's Caucus  
Puerto Rican/Hispanic Task Force  
Task Force on Women's Issues

December 15, 2023

The Honorable Carl E. Heastie  
Speaker of the Assembly  
Room 932  
Legislative Office Building  
Albany, New York 12248

Dear Speaker Heastie,

As Chair of the Assembly Standing Committee on Labor, I am pleased to submit to you the Committee's 2023 Annual Report. The following report is a summary of significant actions taken during the 2023 Legislative Session which demonstrates the Committee's ongoing commitment to advancing legislation that strengthens and supports New York State's robust and diverse workforce.

Among the Committee's top priorities every session is ensuring that hard-working New Yorkers are able to make a living wage. To that end, the Committee carefully considered and passed legislation in the State Fiscal Year 2023-24 Enacted Budget to not only raise the minimum wage to \$17.00 per hour by 2026 in New York City and Nassau, Suffolk, and Westchester Counties and \$16.00 in the remainder of the state by 2026, but also to index the State's minimum wage to inflation thereafter. This historic legislation recognizes the tough economic realities many New Yorkers face, including the fact that a stagnant minimum wage will inevitably lose value in the face of inflation, threatening workers' livelihoods as their wages lose purchasing power compared to food, rent, and other necessities.

In 2023, the Committee also passed significant legislation to enhance employee rights and worker protections. Chief amongst this year's legislation was a bill that would ban outright the practice of non-compete agreements between employers and employees. This restriction acknowledges the harm that these agreements can have on individual employees by restricting their ability to work within their own career fields, but also the harm to New York's economy overall that such agreements can cause by artificially depressing wages and stifling competition.

The Committee also passed Chapter 434 of the Laws of 2023, restricting agreements whereby an employee would assign intellectual property rights to their employer for employee inventions unrelated to their employment and developed without using their employer's time or resources. The Committee also strengthened employee protections by passing Chapter 354 of the Laws of 2023 forbidding employers from penalizing their employees for refusing to attend meetings where employers would discuss their political or religious beliefs, commonly known as "captive audience meetings."

Furthermore, the Committee during the 2023 Legislative Session worked to strengthen New York's Workers' Compensation, Paid Family Leave, and Temporary Disability Insurance systems. One such significant piece of legislation, Chapter 352 of the Laws of 2023, increases the minimum weekly workers' compensation benefit rate to be the lesser of 1/5<sup>th</sup> of the State average weekly wage or the employees full wage by 2026. This change ensures fairness to low-wage workers and allows those future benefits to be adjusted automatically with inflation so that these essential benefits do not lose value to inflation over time.

Under your leadership, Mr. Speaker, this Committee looks forward to meeting the challenges of the upcoming 2024 Legislative Session with a continued promise to advocate for policies that ensure equal employment opportunities for all workers, in all industries, and provide greater protections and benefits to injured and unemployed workers. I would like to thank the Members of the Assembly Standing Committee on Labor for their hard work and unwavering support for New York State's workers and their families, and to you, Mr. Speaker, for your guidance and steadfast commitment to the people of this great State.

Sincerely,

A handwritten signature in cursive script that reads "Latoya Joyner".

Latoya Joyner  
*Chair, Assembly Standing Committee on Labor*

**2023 ANNUAL REPORT  
OF THE  
NEW YORK STATE ASSEMBLY  
STANDING COMMITTEE ON LABOR**

**Latoya Joyner, *Chair***

**▪ MEMBERS ▪**

**Majority**

William Colton  
Michael R. Benedetto  
Andrew D. Hevesi  
Harry B. Bronson  
Nily Rozic  
Phil Steck  
Daniel Rosenthal  
Catalina Cruz  
Karines Reyes  
Philip Ramos  
Jonathan G. Jacobson  
Kenneth P. Burgos  
Stefani L. Zinerman  
Alfred Taylor  
Gina Sillitti  
Yudelka Tapia  
Nikki Lucas  
George Alvarez  
Juan Ardila

**Minority**

Karl Brabenec, *Ranker*  
David J. DiPietro  
Angelo J. Morinello  
Joseph DeStefano  
Michael A. Durso  
Jodi A. Giglio  
Robert Smullen  
Scott Bendett  
Matt Slater

**▪ COMMITTEE STAFF ▪**

Aubree Heydrick, *Assistant Secretary for Program and Policy*  
Hannah Dominguez, *Analyst*  
Morgan Weber, *Associate Counsel*  
Sierra Stevenson, *Administrative Assistant*  
Isac Sergio, *Committee Clerk*

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## ▪ INTRODUCTION ▪

Each legislative session, the Assembly Standing Committee on Labor (“the Committee”) is tasked with examining legislation that affects the well-being and livelihood of New York State’s workforce. To that end, the Committee is responsible for advancing legislation that helps protect the fundamental rights and benefits of all workers, such as minimum wage, fair pay, workplace safety, unemployment insurance, protections against discrimination and retaliation, and the right to organize.

The Committee reviews bills from numerous sources including advocates, stakeholders, constituents, and Members of the Assembly. The Committee also considers bills from the Governor of New York State and various departments of the executive branch, including the New York State Department of Labor, the Workers’ Compensation Board, the Office of the Attorney General, and the Office of the State Comptroller. Many of these types of bills seek to improve the enforcement of current laws in order to strengthen protections for workers, while others propose remedies for administrative concerns which would allow these departments to run their programs more efficiently. A representative sample of the legislative proposals acted upon this year includes a bill that would prohibit the use of non-compete agreements by employers, increase the minimum weekly workers’ compensation benefit, and require the implementation of workplace violence prevention programs in public schools.

Each year, the Committee also hosts roundtables and public hearings on issues directly impacting the workforce in New York State. These forums offer valuable opportunities for workers, businesses, professionals, academics, and other constituents to provide formal testimony to the Committee and engage in meaningful discussions with Members as well as each other. This year, the Committee conducted a hearing alongside the Standing Committee on Science and Technology to gain insights into the impact of artificial intelligence on the workforce.

▪ **2023 LEGISLATIVE ACTION** ▪

**A. Wage and Hour Standards**

One of the most significant issues impacting workers in New York State is the enforcement of wage and hour laws. In conjunction with the federal Fair Labor Standards Act, the New York State Labor Law establishes guidelines for employees regarding hours of work, payment of wages, rest and meal periods, minimum wage, overtime pay, sick leave, equal pay, recordkeeping, and other basic labor standards. The Labor Law also sets forth separate prevailing wage requirements for construction projects and building service work in order to ensure that workers on public work projects and other publicly subsidized contracts receive their lawful wages and supplements. Each year, the Committee strives to advance fair and balanced legislation that will help protect and improve existing wage and hour standards for the benefit of all employees in New York State. In 2023, the Committee reported the enactment of the Roadway Excavation Assurance Act to provide prevailing wage for construction workers on certain excavation projects.

**1. Enactment of the Roadway Excavation Quality Assurance Act  
A.5608 (Reyes) / S.4887 (Gianaris) – Chapter 278 of the Laws of 2023**

This legislation requires each contractor or subcontractor to a utility company engaged in construction work on covered roadway excavation projects to pay not less than the prevailing wage. It provides that issuance of permits to engage in such will be contingent on confirmation of agreement to pay prevailing wage.

**B. Employee Rights and Worker Protections**

New York State is home to some of the most aggressive laws and regulations in the country designed to protect the rights of employees and prohibit discrimination and retaliation against workers. Yet despite this progress, many individuals continue to face significant obstacles in seeking justice from their employers when these rights are violated. State and federal laws also entitle all employees to a safe workplace, free of known health and safety hazards, and the right to speak up about such hazards without fear of retaliation. The Committee strives to protect the rights of all workers and ensure that workplaces across the state are safe and free of discrimination, retaliation, and other harmful employment practices. This year, the Committee sought to advance these goals by reporting several bills that would prohibit the use of non-compete agreements by employers to promote worker mobility and codifying employees' rights over their own inventions.

**1. Protection of Employee's Personal Online Accounts  
A.836 (Dinowitz) / S.2518-A (Ramos) – Chapter 367 of the Laws of 2023**

This legislation prohibits an employer from requesting, requiring, or coercing an employee or applicant to disclose login information for accessing a personal account.

The bill would also prohibit retaliatory action by the employer for an employee or applicant's refusal to disclose such information for accessing a personal account.

**2. Restrictions on Consecutive Hours of Work for Nurses  
A.970 (Gunther) / S.850 (Jackson) – Chapter 27 of the Laws of 2023**

This legislation amends Chapter 815 of the Laws of 2022 to make certain technical changes, add reporting requirements, and expand enforcement by the Department of Labor.

**3. Warehouse Worker Protection Act Amendments  
A.1000 (Joyner) / S.851 (Ramos) – Chapter 43 of the Laws of 2023**

This legislation amends Chapter 722 of the Laws of 2022 to make certain technical changes and clarifications to the established Warehouse Worker Protection Act.

**4. Prohibiting Non-Compete Agreements  
A.1278-B (Joyner) / S.3100-A (Ryan) – Veto Memo 133**

This bill would prohibit non-compete agreements in employment contracts and provide that covered individuals may bring a civil action in a court of competent jurisdiction against any employer or persons alleged to have violated this section.

**5. The Empowering People in Rights Enforcement (EMPIRE) Worker Protection Act  
A.1893-A (Joyner) / S.541-A (Hoylman-Sigal) – Reported to Codes Committee**

This bill would allow an aggrieved employee or whistleblower, as well as unions or non-profit organizations representing such aggrieved parties to commence a public enforcement action on behalf of the New York State Department of Labor to enforce certain provisions of the Labor Law and any violations thereof committed by an employer. Civil penalties collected through such public enforcement action would be distributed between the Department, the aggrieved employees, and their representatives.

**6. Protection of Employees' Rights Over Inventions  
A.5295 (Bores) / S.5640 (Ramos) – Chapter 434 of the Laws of 2023**

This legislation provides that any provision in an employment agreement requiring an employee assign their rights to an invention to their employer will not apply to inventions developed entirely on the employee's own time, and that does not use any of the employer's equipment, supplies, facilities, or trade secret information. Any such existing provisions in an employment agreement would be unenforceable. The legislation provides certain exceptions where the invention is related to the employer's business or results from any work performed by the employee for the employer.



**7. Freelance Isn't Free Act**

**A.6040 (Bronson) / S.5026 (Gouardes) – Chapter 678 of the Laws of 2023**

This bill would provide recourse and protections for freelance workers experiencing wage theft and other violations under the Labor Law by providing contracting requirements, establishing a formal complaint process to be carried out and enforced by the Department of Labor, and codifying monetary penalties awarded during a lawsuit.

**8. Protection of Employee Free Speech and Conscience**

**A.6604 (Reyes) / S.4982 (Ramos) – Chapter 354 of the Laws of 2023**

This legislation prevents employers from taking adverse employment action against an employee due to their refusal to attend and employer-sponsored meeting meant to communicate the employer's opinion on religious or political matters (known as "captive audience meetings") or their refusal to listen to a speech or communication on the employer's opinion on religious and political matters.

**C. Unemployment Insurance**

Since 1935, the New York State Unemployment Insurance (UI) program has served as a financial safety net for people who find themselves out of work through no fault of their own. To collect weekly benefits, an individual must be ready, willing, and able to work, and must be actively looking for work, for each week that they are claiming benefits. This program ensures that individuals are able to meet their basic financial needs in order to support themselves and their families while searching for new employment opportunities.

At the onset of COVID-19 in 2020, unemployment insurance was a necessary lifeline to many New Yorkers whose lives and livelihoods were upended by the pandemic. Although the worst days of the pandemic seem to have passed and New York's unemployment rate has decreased to 4%, the unemployment insurance system remains crucial to workers in maintaining stability and livelihoods.

For these reasons, the Committee remains steadfast in its commitment to improve the unemployment system, and to ensure that all parties involved are treated fairly as the State recovers from its pandemic unemployment insurance measures.

**1. Notification of Eligibility for Unemployment Benefits**

**A.398-A (Burdick) / S.4878-A (Mayer) – Chapter 366 of the Laws of 2023**

This legislation requires employers liable for contributions to the state unemployment fund to inform their employees of their right to file for unemployment benefits at the time of separation from employment, reduction in hours, and interruption in employment resulting in total or partial unemployment.

**2. Notice to Unemployment Benefit Applicants of Eligibility for Certain Public Benefit Programs**

**A.1245-A (Rosenthal L) / S.1902-A (Cleare) – Chapter 369 of the Laws of 2023**

This legislation provides individuals filing a claim for unemployment insurance benefits with information on the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

**D. Workers' Compensation, Paid Family Leave, and Temporary Disability Insurance**

Workers' compensation insurance provides weekly cash benefits and medical care, including rehabilitation, to workers who become partially or totally disabled as a result of a disease or injury caused by their employment. If a worker dies from a compensable injury or illness, workers' compensation also guarantees payments to qualified dependents. In addition, New York State requires employers to obtain coverage for temporary disability insurance (TDI) benefits in order to provide weekly cash benefits to replace, in part, wages lost due to injuries or illnesses that do not arise out of the course of employment. Finally, the Paid Family Leave program ensures that hard-working New Yorkers can afford to take paid time off to bond with a new child, take care of a family member who has fallen ill, or relieve family pressures when a family member is called to active military service abroad, without the risk of losing their job or income. Each year, the Committee considers bills that would facilitate access to these benefits, improve the processing of claims, and ensure that injured workers are able to access the quality care and treatment options that meet their needs.

**1. Establishment of Public Group Self-Insurers**

**A.52-B (Magnarelli) / S.6410-A (Ramos) – Chapter 448 of the Laws of 2023**

This legislation allows public corporations, county self-insurance plans, boards of cooperative education services (BOCES), and certain other public entities to become or join Public Group Self-Insurers (PGSIs). The legislation creates standards for operation and procedures for establishing deductibles and potential insolvency.

**2. Increase to the Minimum Weekly Workers' Compensation Benefit Rate**

**A.2034-A (Joyner) / S.1161-A (Sanders) – Chapter 352 of the Laws of 2023**

This legislation provides increases to the minimum weekly workers' compensation benefit rate to ensure fairness to low-wage workers and allow that future benefits to be adjusted automatically with inflation. The increases to the minimum benefit are as follows:

- \$275 on January 1, 2024
- \$325 on January 1, 2025
- One-fifth of the state average weekly wage on July 1, 2026 and every July 1<sup>st</sup> thereafter

If the recipient's weekly wages are equal to or less than the minimum benefit, then they will receive their full wages.

**3. Study on the Current Utilization of Paid Family Leave  
A.4676-A (Woerner) / S.1554-B (Addabbo) – Veto Memo 48**

This bill would create and direct a temporary state commission to conduct a study on the current utilization of Paid Family Leave.

**4. Workers’ Compensation Language Access Services  
A.5609 (Rozić) / S.6069 (Ramos) – Chapter 390 of the Laws of 2023**

This legislation aligns provisions of the Workers’ Compensation Law requiring document translation and language access services with those of the Executive Law to ensure consistency.

**5. Initial Hearings for Injured Workers  
A.6208 (Joyner) / S.5867 (Ramos) – Veto Memo 91**

This bill would provide injured workers with an initial hearing in every case and an opportunity to have a subsequent hearing to be conducted within 45 days of submitting such a request.

**6. Disability Benefits for Pregnancy Loss  
A.7762 (Rajkumar) / S.7581 (Parker) – Reported to Rules Committee**

This bill would explicitly include pregnancy loss as a qualifying condition for the receipt of temporary disability benefits and set the respective benefit rate at 67% of the employee’s average weekly wage.

**E. Other Significant Legislation**

**1. Study on the Impact of Job Automation  
A484 (Rosenthal L) / No Same-as – Reported to Ways and Means Committee**

This bill would direct the Commissioner of Labor to conduct a study analyzing the impact of job automation on the workforce in New York State. The Commissioner would be required to submit a report of the findings to the Governor, the Temporary President of the Senate, the Speaker of the Assembly, the Chair of the Senate Committee on Labor, and the Chair of the Assembly Committee on Labor no later than December 31, 2024.

**2. Registration System for Contractors and Subcontractors  
A.984 (Magnarelli) / S.838 (Ryan) – Chapter 84 of the Laws of 2023**

This legislation amends Chapter 827 of the Laws of 2022 to clarify definitions and procedures relating to the established contractor registry and effectuate the intent of the law.

**3. Employer Disclosure of Compensation or Compensation Range in Job Advertisements**  
**A.999 (Joyner) / S.1326 (Ramos) – Chapter 94 of the Laws of 2023**

This legislation amends Chapter 723 of the Laws of 2022 to make technical changes and clarify that the established provisions requiring employers to disclose the compensation or compensation range when advertising a job, promotion, or transfer opportunity would apply to remote work.

**4. Workplace Violence Prevention Programs in Public Schools**  
**A.1120 (Joyner) / S.1746 (Ramos) – Chapter 351 of the Laws of 2023**

This legislation requires public schools to develop and implement workplace violence prevention programs, as is currently required for certain other public employers in the state.

**5. Training for the Prevention of Abusive Conduct and Bullying in the Workplace**  
**A.1202-B (Joyner) / S.3065-A (Ramos) – Passed Assembly**

This bill would require all state employees to receive training to prevent abusive conduct and bullying in the workplace.

**6. Recognition of the Establishment of Workplace Safety Committees**  
**A.1284 (Reyes) / S.848 (Gianaris) – Chapter 87 of the Laws of 2023**

This legislation amends Chapter 808 of the Laws of 2022 to extend the timeframe in which an employer must recognize the establishment of a workplace safety committee from 5 to 15 business days.

**7. Establish State Work Opportunity Tax Credit**  
**A.1991-A (Joyner) / S.4833-A (Skoufis) – Reported to Ways and Means Committee**

This bill would create a New York State Work Opportunity Tax Credit similar to the existing federal tax credit. The tax credit would be available to eligible employers that hire individuals from certain targeted groups that have faced barriers to employment. The bill would allow eligible employers subject to the New York State Tax Law under Article 9-A (Franchise Tax on Business Corporations), Article 22 (Personal Income Tax), or Article 23 (Metropolitan Commuter Transportation Mobility Tax) to receive a tax credit of up to \$500 per eligible employee per year in any given tax year.

**8. Registration for the Emergency Alert Notification System**  
**A.4862 (Ardila) / S.2299-A (Mayer) – Chapter 386 of the Laws of 2023**

This legislation requires the Department of Labor, in consultation with the Office of Information Technology, to provide every employer in the state with a registration form to voluntarily register with the emergency alert notification system.

**9. Extension of Self-Employment Assistance Program (SEAP)**  
**A.6551 (Conrad) / S.7091 (Ramos) – Chapter 293 of the Laws of 2023**

This legislation extends to December 7, 2025, certain provisions relating to the establishment and operation of the Self-Employment Assistance Program (SEAP).

**10. Payment of Wages for Certain Persons Employed in a Bona Fide Executive, Administrative, or Professional Capacity**  
**A.6796 (Burgos) / S.5572 (Gounardes) – Chapter 433 of the Laws of 2023**

This legislation increases from \$900 to \$1,300 the earning limits beyond which executive, administrative, or professional employees cannot seek assistance from the Department of Labor in recovering owed compensation. This increase provides a necessary update to account for inflation and ensures that targeted low-income employees are included in certain payment of wages protections.



## ▪ STATE FISCAL YEAR 2023-24 ENACTED BUDGET ▪

Each year during budget negotiations, the Assembly Standing Committee on Labor (“the Committee”) strongly advocates for proposals that would support working families and strengthen existing labor programs. The Committee also works closely with the Assembly Standing Committee on Ways and Means to secure funding for various programs and initiatives that help to improve the security and well-being of New York State’s workers and job seekers.

This year, the State Fiscal Year (SFY) 2023-24 Enacted Budget included increases the state minimum wage as well as crucial funding allocations in the following areas:

The Legislature provided \$23.7 million in adds and restorations, including funding for:

- Workforce Development Institute (WDI) and the WDI Manufacturing Initiative;
- Cornell ILR Labor Leading on Climate Initiative;
- Displaced Homemaker;
- Youthbuild;
- New York Committee on Occupational Safety and Health (NYCOSH);
- Cornell ILR Sexual Harassment Prevention Program; and
- Cornell Training and Education, Criminal Records

### **Minimum Wage**

When Congress enacted the Fair Labor Standards Act (FLSA) in 1938 and prescribed a minimum wage, it was intended to ensure that low-wage workers would earn a wage sufficient enough for them to adequately provide for themselves and their families. According to the Congressional Research Service, the value of the real minimum wage peaked in 1968; since then, it has eroded due to the failure to keep pace with inflation. The Assembly fought hard for New Yorkers in 2013 to provide for an increase to the minimum wage which resulted in a \$9.00 minimum wage rate as of December 31, 2015. Recognizing the need for further increases, the Assembly was dedicated to passing budget legislation in 2016 to raise the New York State minimum wage to \$15.00 by 2021 in New York City and Nassau, Suffolk, and Westchester counties, and to \$12.50 in the remaining upstate counties by December 31, 2020. Subsequently, the minimum wage for those remaining upstate regions was to be set by the Commissioner of Labor on or before October 1st each year until the minimum wage reached \$15.00. This year, the Committee remained steadfast in our efforts to continue to expand and accelerate New York’s minimum wage to keep pace with inflation.

The SFY 2023-24 Enacted Budget provides for scheduled increases to the minimum wage across the state as follows.

- The minimum wage in New York City and Nassau, Suffolk, and Westchester counties will increase to:
  - \$16.00 in 2024,
  - \$16.50 in 2025, and
  - \$17.00 in 2026.
- The minimum wage for the remainder of the state will increase to:

- \$15.00 in 2024,
- \$15.50 in 2025, and
- \$16.00 in 2026.

Beginning on January 1, 2027, minimum wages across the state will be indexed to inflation. The Commissioner of Labor is required to establish an adjusted minimum wage annually. The adjusted minimum wage will be determined using the CPI-W, which is the measure of the Consumer Price Index specific to the northeast region for urban wage earners and clerical workers. The adjusted minimum wage rate will be calculated by increasing the prior year's minimum wage rate by the average rate of inflation over the past three years.

## ▪ PUBLIC HEARINGS AND ROUNDTABLES ▪

### A. The Impact of Artificial Intelligence on the Workforce

On October 19, 2023, the New York State Assembly Standing Committee on Labor and Standing Committee on Science and Technology conducted a public hearing in Albany to examine the current and projected impacts of artificial intelligence (AI) on the workforce.

The Committees heard vital testimony on both the benefits and risks associated with the integration of AI tools in the workplace. Participants, such as the Center for Democracy and Technology, the International Brotherhood of Teamsters, the Electronic Privacy Information Center, and the Retail, Wholesale and Department Store Union detailed some concerns related to employee privacy, such as the proliferation of employee monitoring “boss ware” allowing employers to AI to exercise yet unseen levels of supervision and task management over their employees. The New York Civil Liberties Union and Electronic Frontier Foundation discussed the use of AI in place of human decision makers and unexpected biases that AI can bring in that capacity. Furthermore, SAG-AFTRA, the Writer’s Guild of America, Director’s Guild of America, National Employment Law Project, Center for New York Affairs at the New School, and the Public Employees Federation discussed predictions relating to potential worker displacement and the effect of these tools on worker output.

Alternatively, the Committees also heard details on the ways in which AI tools can worker augment their decision-making processes; the Society for Human Resources Management and the Public Employee Federation both expressed hope that when implemented properly, AI tools within the workplace can assist employees in their jobs and potentially free up some employees for more meaningful and engaging tasks.

## ▪ OUTLOOK FOR 2024 ▪

In the upcoming 2024 Legislative Session, the Assembly Standing Committee on Labor will remain steadfast in its commitment to advancing legislation that aims to strengthen and protect the health, safety, and viability of New York State's workforce.

In 2024, the Committee will continue to advocate for the rights of low-income workers and fight to ensure that unscrupulous employers are held accountable for abuses of the New York State Labor Law, including instances of wage theft, retaliation, discrimination, and other harmful employment practices. In the upcoming legislative session, the Committee will also remain dedicated to enhancing the rights and benefits of all workers in the State and help defend against any erosion of these basic labor protections.

In the upcoming session, the Committee will also continue to monitor the recent updates to the unemployment insurance system, including changes to the partial unemployment insurance benefits structure, to ensure that claimants have proper access to benefits as we strive to restore the economy and get New Yorkers back to work. The Committee will also continue to monitor the State's workers' compensation system in order to ensure that all injured workers receive timely and appropriate medical care and continue to have access to the rights and benefits promised to them.

As evidenced by this report, the 2023 Legislative Session held many triumphs as well as many challenges for workers throughout New York State. The Committee is prepared to confront these challenges in the 2024 Legislative Session and we look forward to continuing to serve the hard-working people of the great State of New York.

**APPENDIX A**

**2023 SUMMARY SHEET**

**Summary of Action on All Bills Referred to the  
New York State Assembly Standing Committee on Labor**

**Total Number of Committee Meetings Held: 5**

	<b>Assembly Bills</b>	<b>Senate Bills</b>	<b>Total Bills</b>
<b>Bills Reported Favorable To:</b>			
Codes	8	0	8
Judiciary	0	0	0
Ways and Means	6	0	6
Rules	8	0	8
Floor	2	0	2
<b>TOTAL</b>	<b>24</b>	<b>0</b>	<b>24</b>
<b>Committee Action</b>			
Held for Consideration	4	0	4
Defeated	0	0	0
Enacting Clause Stricken	1	0	1
<b>Remaining in Committee</b>	<b>225</b>	<b>25</b>	<b>250</b>
<b>Bills Reference Changed To:</b>			
Government Operations	0	0	0
Local Governments	0	0	0
Ways and Means	3	0	3
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>3</b>



**APPENDIX B**

**CHAPTER OF LAWS 2023**

<b>CHAPTER NUMBER</b>	<b>ASSEMBLY BILL (SPONSOR)</b>	<b>SENATE BILL (SPONSOR)</b>	<b>DESCRIPTION</b>
27	970 (Gunther)	850 (Jackson)	Amends Chapter 815 of the Laws of 2022 to make certain technical changes, reporting requirements, and expand enforcement by the Department of Labor.
43	1000 (Joyner)	851 (Ramos)	Amends Chapter 722 of the Laws of 2022 to make certain technical changes and clarifications to the established Warehouse Worker Protection Act.
84	984 (Magnarelli)	838 (Ryan)	Amends Chapter 827 of the Laws of 2022 to clarify definitions and procedures relating to the established contractor registry and effectuate the intent of the law.
87	1284 (Reyes)	848 (Gianaris)	Amends Chapter 808 of the Laws of 2022 to extend the timeframe in which an employer must recognize the establishment of a workplace safety committee.
94	999 (Joyner)	1326 (Ramos)	Amends Chapter 723 of the Laws of 2022 to make technical changes and clarify that the established provisions requiring employers to disclose the compensation or compensation range when advertising a job, promotion, or transfer opportunity would apply to remote work.
278	5608 (Reyes)	4887 (Gianaris)	Requires the payment of prevailing wage for construction work on certain covered excavation projects.
293	6551 (Conrad)	7091 (Ramos)	Extends to December 7, 2025, certain provisions relating to the establishment and operation of the Self-Employment Assistance Program (SEAP).

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	SENATE BILL (SPONSOR)	DESCRIPTION
351	1120 (Joyner)	1746 (Ramos)	Requires public schools to develop and implement programs to prevent workplace violence.
352	2034-A (Joyner)	S1161-A (Sanders)	Increases the minimum weekly workers' compensation benefit to ensure that future benefits are adjusted automatically with inflation.
354	6604 (Reyes)	4982 (Ramos)	Prohibits an employer from taking adverse employment action against an employee for refusing to attend an employer-sponsored meeting or listen to/view communications regarding the employer's opinion on religious or political matters, including labor organization.
366	398-A (Burdick)	4878-A (Mayer)	Provides employees with notification of eligibility for unemployment benefits.
367	836 (Dinowitz)	2518-A (Ramos)	Prohibits an employer from requesting or requiring that an employee or applicant disclose any username, password, or other means for accessing a personal account through electronic communications devices.
369	1245-A (Rosenthal L)	1902-A (Cleare)	Provides individuals filing a claim for unemployment insurance benefits with information on the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).
386	4862 (Ardila)	2299-A (Mayer)	Requires the Department of Labor, in consultation with the Office of Information Technology, to provide every employer in the state with a registration form to voluntarily register with the emergency alert notification system.

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	SENATE BILL (SPONSOR)	DESCRIPTION
390	5609 (Rozić)	6096 (Ramos)	Aligns provisions of the Workers' Compensation Law requiring document translation and language access services with those of the Executive Law to ensure consistency.
433	6796 (Burgos)	5572 (Gounardes)	Increases from \$900 to \$1,300 the earning limits beyond which executive, administrative, or professional employees cannot seek help from the Department of Labor in recovering owed compensation.
434	5295 (Bores)	5640 (Ramos)	Protects an employee's rights over inventions they develop using their own property and time.
448	52-B (Magnarelli)	6410-A (Ramos)	Allows certain public entities to become Public Group Self-Insurers (PGSIs) and establish standards for operation and procedures when establishing deductibles and in the event a PGSI becomes insolvent.
678	6040 (Bronson)	5026 (Gounardes)	Provides recourse to freelance workers experiencing wage theft and other violations under the Labor Law.

**APPENDIX C**

**BILLS VETOED IN 2023**

<b>VETO MEMO</b>	<b>ASSEMBLY BILL (SPONSOR)</b>	<b>SENATE BILL (SPONSOR)</b>	<b>DESCRIPTION</b>
48	4676-A (Woerner)	1554-B (Addabbo)	Would create and direct a temporary state commission to conduct a study on the current utilization of Paid Family Leave.
91	6208 (Joyner)	5867 (Ramos)	Would provide injured workers with an initial hearing in every case and an opportunity to have a subsequent hearing to be conducted within 45 days of submitting such a request.
133	1278-B (Joyner)	3100-A (Ryan)	Would prohibit the use of non-compete agreements by employers.

**APPENDIX D**

**PASSED BOTH HOUSES IN 2023**

<b>ASSEMBLY BILL (SPONSOR)</b>	<b>SENATE BILL (SPONSOR)</b>	<b>DESCRIPTION</b>



**APPENDIX E**

**PASSED ASSEMBLY IN 2023**

<b>ASSEMBLY BILL (SPONSOR)</b>	<b>SENATE BILL (SPONSOR)</b>	<b>DESCRIPTION</b>
1202-B (Joyner)	3065-A (Ramos)	Would require all state employees to receive training to prevent abusive conduct and bullying in the workplace.