



Legislation Text

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File #: Int 0509-2018, Version: \*

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Int. No. 509

By Council Member Lancman

A Local Law to amend the New York city charter and administrative code of the city of New York, in relation to workers' compensation insurance data.

Be it enacted by the Council as follows:

Section 1. Section 1301 of the New York city charter is hereby amended to add a new subdivision 6 as follows:

6. With respect to the collection and reporting of workers' compensation insurance data, the commissioner shall have the power to collect from other city agencies workers' compensation insurance data and report such data quarterly to the New York state workers' compensation board.

§ 2. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-170 to read as follows:

§ 14-170 Collection of workers' compensation insurance. a. Notwithstanding any inconsistent provision of law, rule or regulation, when an accident or crime involving a serious physical injury occurs at the place of employment of the victim of such accident or crime, to the extent practicable, police officers shall collect workers' compensation data from the employer of the victim of a crime or an accident. The nature of the accident or crime and the severity of the injury shall also be included with such workers' compensation data.

b. The department shall report workers' compensation data, including information regarding accidents and crimes collected with such data, to the department of small business services quarterly, pursuant to section 22-1105 of this code.

c. "Workers' compensation data" shall have the same meaning as in subdivision e of section 22-1102 of

this code and “physical injury” shall have the same meaning as in subdivision 9 of section 10.00 of the penal law.

§ 3. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11

**Injured Workers’ Protection Act**

§ 22-1101 **Short title.** This chapter shall be known and may be cited as the “Injured Workers’ Protection Act.”

§ 22-1102 **Definitions.** For purposes of this chapter, the following terms shall be defined as follows:

- a. “Department” shall mean the department of small business services.
- b. “Employee” shall mean any person who provides services to an employer in return for the payment of direct or indirect monetary wages or profit from such employer, or provides services to an employer for no monetary compensation for the purpose of obtaining employment experience and training from such employer.
- c. “Employer” shall mean any person, partnership, association, corporation or non-profit entity which employs one or more persons, or an employer’s agent, representative or designee.
- d. “Physical injury” shall have the same meaning as in subdivision 9 of section 10.00 of the penal law.
- e. “Workers’ compensation insurance data” shall mean the most recent available data regarding an employer including:
  - i. the name and primary place of business of the employer;
  - ii. the nature of the business of the employer;
  - iii. the employer identification number of the employer;
  - iv. the gross receipts of the employer for the previous calendar year;
  - v. the gross payroll of the employer for the previous calendar year;
  - vi. the name and address of the workers’ compensation insurer;

vii. the number of employees of the employer covered by the insurance; and

viii. the employer's New York compensation insurance rating board classification number.

**§ 22-1103 Provision of workers' compensation insurance data by businesses that are licensed by city of New York.** a. Notwithstanding any inconsistent provision of law, rule or regulation, all applications for a license or renewal of a license issued by the city of New York shall require such employer applying for such license to provide its workers' compensation data to the agency issuing the license.

b. Any agency that receives workers' compensation data pursuant to this section shall report such data to the department quarterly, pursuant to section 22-1105 of this chapter.

**§ 22-1104 Provision of workers' compensation insurance data by businesses with permits issued by city of New York.** a. Notwithstanding any inconsistent provision of law, rule or regulation, all applications for a permit or renewal of a permit issued by the city of New York shall require such employer applying for such permit to provide its workers' compensation data to the agency issuing the permit.

b. Any agency that receives workers' compensation data pursuant to this section shall report such data to the department quarterly, pursuant to section 22-1105 of this chapter.

**§ 22-1105 Transmittal of data to the department.** Workers' compensation data collected by any agency pursuant to sections 14-170, 22-1103 and 22-1104 of this code and shall report such data to the department pursuant to the following schedule:

Data collected between January 1 and March 31 shall be reported no later than May 1.

Data collected between April 1 and June 30 shall be reported no later than August 1.

Data collected between July 1 and September 30 shall be reported no later than November 1.

Data collected between October 1 and December 31 shall be reported no later than the following February 1.

**§ 20-1106 Transmittal of data to the New York state workers' compensation board.** Workers' compensation data shall be collected by the department from agencies and shall be reported to the New York

state workers' compensation board pursuant to the following schedule:

Data collected for the period between January 1 and March 31 shall be reported no later than June 1.

Data collected for the period between April 1 and June 30 shall be reported no later than September 1.

Data collected for the period between July 1 and September 30 shall be reported no later than December 1.

Data collected for the period between October 1 and December 31 shall be reported no later than the following March 1.

§ 4. This local law shall take effect one hundred and twenty days after its enactment into law.

MWC  
LS #1231/Int. 1807  
LS 743  
1/4/18