

# PROGRAM BILL # 30

S. -----  
Senate  
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IN SENATE--Introduced by Sen

--read twice and ordered printed,  
and when printed to be committed  
to the Committee on

----- A.  
Assembly  
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IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the  
Committee on

\*EXECLA\*  
(Relates to reasonable accommo-  
dation)

Exec. reasonable accommodation

## AN ACT

to amend the executive law, in  
relation to reasonable accommodation

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

## IN SENATE

### Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship  
of this proposal:

s20 Adams	s17 Felder	s63 Kennedy	s25 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s29 Serrano
s11 Avella	s08 Fuschillo	s28 Krueger	s55 O'Brien	s51 Seward
s40 Ball	s59 Gallivan	s24 Lanza	s58 O'Mara	s09 Skelos
s42 Bonacic	s12 Gianaris	s39 Larkin	s21 Parker	s14 Smith
s04 Boyle	s41 Gipson	s37 Latimer	s13 Peralta	s26 Squadron
s44 Breslin	s22 Golden	s01 LaValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s47 Griffo	s52 Libous	s61 Ranzenhofer	s35 Stewart- Cousins
s50 DeFrancisco	s60 Grisanti	s45 Little	s48 Ritchie	s46 Tkaczyk
s32 Diaz	s06 Hannon	s05 Marcellino	s33 Rivera	s53 Valesky
s18 Dilan	s36 Hassell-	s43 Marchione	s56 Robach	s57 Young
s31 Espaillat	Thompson	s07 Martins	s19 Sampson	s03 Zeldin
s49 Farley	s27 Hoylman	s62 Maziarz	s10 Sanders	

## IN ASSEMBLY

### Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the  
multi-sponsorship of this proposal:

a049 Abbate	a081 Dinowitz	a135 Johns	a133 Nojay	a140 Schimminger
a092 Abinanti	a147 DiPietro	a113 Jordan	a037 Nolan	a087 Sepulveda
a084 Arroyo	a115 Duprey	a094 Katz	a130 Oaks	a065 Silver
a035 Aubry	a004 Englebright	a074 Kavanagh	a069 O'Donnell	a027 Simanowitz
a120 Barclay	a054 Espinal	a142 Kearns	a051 Ortiz	a036 Simotas
a106 Barrett	a109 Fahy	a076 Kellner	a091 Otis	a104 Skartados
a060 Barron	a071 Farrell	a040 Kim	a132 Palmesano	a099 Skoufis
a082 Benedetto	a126 Finch	a131 Kolb	a088 Paulin	a022 Solages
a117 Blankenbush	a008 Fitzpatrick	a105 Lalor	a141 Peoples-	a114 Stec
a062 Borelli	a124 Friend	a013 Lavine	Stokes	a110 Steck
a055 Boyland	a143 Gabryszak	a050 Lentol	a058 Perry	a079 Stevenson
a026 Braunstein	a095 Galef	a125 Lifton	a089 Pretlow	a127 Stirpe
a044 Brennan	a137 Gantt	a102 Lopez, P.	a073 Quart	a011 Sweeney
a119 Brindisi	a007 Garbarino	a123 Lupardo	a019 Ra	a112 Tedisco
a138 Bronson	a077 Gibson	a010 Lupinacci	a098 Rabbitt	a101 Tenney
a046 Brook-Krasny	a148 Giglio	a121 Magee	a012 Raia	a001 Thiele
a093 Buchwald	a080 Gjozaj	a129 Magnarelli	a006 Ramos	a061 Titone
a118 Butler	a066 Glick	a059 Maisel	a134 Reilich	a031 Titus
a103 Cabili	a023 Goldfeder	a064 Malliotakis	a078 Rivera	a146 Walter
a043 Camara	a150 Goodell	a030 Markey	a128 Roberts	a041 Weinstein
a145 Ceretto	a075 Gottfried	a090 Mayer	a056 Robinson	a020 Weisenberg
a033 Clark	a005 Graf	a108 McDonald	a068 Rodriguez	a024 Weprin
a047 Colton	a100 Gunther	a014 McDonough	a072 Rosa	a070 Wright
a032 Cook	a139 Hawley	a017 McKevitt	a067 Rosenthal	a096 Zebrowski
a144 Corwin	a083 Heastie	a107 McLaughlin	a025 Rozic	a002
a085 Crespo	a003 Hennessey	a038 Miller	a116 Russell	a053
a122 Crouch	a028 Hevesi	a052 Millman	a149 Ryan	a086
a021 Curran	a048 Hikind	a015 Montesano	a009 Saladino	
a063 Cusick	a018 Hooper	a136 Morelle	a111 Santabarbara	
a045 Cymbrowitz	a042 Jacobs	a057 Mosley	a029 Scarborough	
a034 DenDekker	a097 Jaffee	a039 Moya	a016 Schimel	

1) Single House Bill (introduced and printed separately in either or  
both houses). Uni-Bill (introduced simultaneously in both houses and printed  
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2  
signed copies of bill and 4 copies of memorandum in support (single house);  
or 4 signed copies of bill and 8 copies of memorandum  
in support (uni-bill).

1 Section 1. Subdivision 21-e of section 292 of the executive law, as  
2 added by chapter 269 of the laws of 1997, is amended and a new subdivi-  
3 sion 21-f is added to read as follows:

4 21-e. The term "reasonable accommodation" means actions taken which  
5 permit an employee, prospective employee or member with a disability, or  
6 a pregnancy-related condition, to perform in a reasonable manner the  
7 activities involved in the job or occupation sought or held and include,  
8 but are not limited to, provision of an accessible worksite, acquisition  
9 or modification of equipment, support services for persons with impaired  
10 hearing or vision, job restructuring and modified work schedules;  
11 provided, however, that such actions do not impose an undue hardship on  
12 the business, program or enterprise of the entity from which action is  
13 requested.

14 21-f. The term "pregnancy-related condition" means a medical condition  
15 related to pregnancy or childbirth that inhibits the exercise of a  
16 normal bodily function or is demonstrable by medically accepted clinical  
17 or laboratory diagnostic techniques; provided, however, that in all  
18 provisions of this article dealing with employment, the term shall be  
19 limited to conditions which, upon the provision of reasonable accommo-  
20 dations, do not prevent the complainant from performing in a reasonable  
21 manner the activities involved in the job or occupation sought or held;  
22 and provided further, however, that pregnancy-related conditions shall  
23 be treated as temporary disabilities for the purposes of this article.

24 § 2. Paragraph (a) of subdivision 3 of section 296 of the executive  
25 law, as added by chapter 269 of the laws of 1997, is amended and a new  
26 paragraph (c) is added to read as follows:

27 (a) It shall be an unlawful discriminatory practice for an employer,  
28 licensing agency, employment agency or labor organization to refuse to

1 provide reasonable accommodations to the known disabilities, or pregnan-  
2 cy-related conditions, of an employee, prospective employee or member in  
3 connection with a job or occupation sought or held or participation in a  
4 training program.

5 (c) The employee must cooperate in providing medical or other informa-  
6 tion that is necessary to verify the existence of the disability or  
7 pregnancy-related condition, or that is necessary for consideration of  
8 the accommodation. The employee has a right to have such medical infor-  
9 mation kept confidential.

10 § 3. Severability clause. If any clause, sentence, paragraph, subdivi-  
11 sion, section or part of this act shall be adjudged by a court of compe-  
12 tent jurisdiction to be invalid, such judgment shall not affect, impair  
13 or invalidate the remainder thereof, but shall be confined in its opera-  
14 tion to the clause, sentence, paragraph, subdivision, section or part  
15 thereof directly involved in the controversy in which such judgment  
16 shall have been rendered. It is hereby declared to be the intent of the  
17 legislature that this act would have been enacted even if such invalid  
18 provisions had not been included herein.

19 § 4. This act shall take effect on the ninetieth day after it shall  
20 have become a law.