



## MEMORANDUM IN SUPPORT

### S. 428 (Hinchey)

**AN ACT** to amend the labor law, in relation to the calculation of the experience rating charge of certain employers for purposes of contributions to the state unemployment insurance fund

The Capital Region Chamber, representing 2,600 businesses and organizations from throughout the Capital Region that employ more than 150,000 area residents, strongly supports S.428 which provides that an employer's unemployment experience rating account shall not be charged for a claimant whose employment ends as the result of the return of an employee after family leave.

The enacted paid family leave mandate fails to provide guidance on the impact to an employer's experience rating in the unemployment insurance system in situations when a claimant's employment ends as the result of the return of another employee after utilizing paid family leave. This legislation seeks to protect employers by ensuring that they will not be penalized under these circumstances.

This legislation will aid employers by providing clarity and fairness in a situation where current law lacks guidance.

For these state reasons, the Capital Region Chamber recommends the passage of this legislation.

Date Issued: January 30, 2023

**UNITED TO DRIVE ECONOMIC PROSPERITY WITH  
ONE VOICE, ONE MISSION, ONE REGION.**

capitalregionchamber.com | 518.431.1400