



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Passes Bill to Repeal Massive Mandate on Business

PATRICK M. GALLIVAN March 1, 2012

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Gallivan Co-Sponsors Legislation To Repeal Burdensome Wage Theft Prevention Act

Yesterday, the New York State Senate passed legislation (S.6063A), co-sponsored by Senator Patrick M. Gallivan (R,C,I – 59th District) to repeal the notification provisions of the Wage Theft Prevention Act, a massive, costly mandate on every employer in the state.

The Wage Theft Prevention Act, passed in 2010, includes a requirement that each year, a written notice on wages be provided by all private sector employers to all employees. There are

seven different forms depending on the type of pay (hourly, salary, etc). The forms must be provided in the primary language of each employee. A written acknowledgement of the receipt of this notice must be obtained from every employee and maintained for six years.

“This onerous and unnecessary regulation has caused tens of thousands of businesses across the state to spend countless hours and waste millions of dollars, it provides no discernible benefit to employees and is just another barrier imposed by Albany to impede private sector growth,” Senator Gallivan said. “Mandates on private business like this are a fundamental reason New York State is viewed as one of the worst in the country to start, grow, or relocate

a business; I was proud to sponsor and vote for its repeal.”

Businesses face fines for failure to comply with the wage, notice and record keeping requirements. The penalty of \$50 per employee could cost large Western New York employers thousands of dollars annually.

One employee benefit firm calculated that, with 7.3 million people employed in New York State, more than 51 million pages of paper are needed to comply with this law, or about 600 trees.

Pro-business groups across New York praised the Senate’s action to repeal the Wage Theft Prevention Act, and its continued effort to make New York State more hospitable to private sector growth and investment, including; the Business Council of New York State, the National Federation of Independent Business, and Unshackle Upstate.

This bill has been sent to the Assembly where it is sponsored by Assemblyman Dennis Gabryszak of Cheektowaga.

Full text of S.6063A / A.8856 can be found at:

<http://open.nysenate.gov/legislation/bill/S6063A-2011>.