



NEW YORK STATE SENATOR

Jack M. Martins

Senate Repeals Costly Mandate on Employers

JACK M. MARTINS March 6, 2012

| ISSUE: **LABOR**



The New York State Senate passed legislation (S.6063A), to repeal the notification provisions of the Wage Theft Prevention Act, a massive, costly mandate on every employer in the state.

“We have to continue to be vigilant in examining mandates that are placed on our businesses, local governments and school districts. Providing relief from those mandates that serve no purpose is one of the ways we can grow our economy,” said Senator Jack M. Martins, who serves on the state mandate relief council.

The Wage Theft Prevention Act of 2010 included 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.

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

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.

Heather Briccetti, President and CEO of The Business Council of New York State, Inc. said: "Fixing the Wage Theft Prevention Act will alleviate an unnecessary burden on employers and help counter the state's reputation for baseless, costly mandates."

Mike Durant, State Director of the National Federation of Independent Business, said: "NFIB now calls on the Assembly to act on this legislation to help small businesses across the state lower their significant costs and to repair New York's reputation as being "anti-business".

The bill was sent to the Assembly.