

# KATZ BANKS KUMIN

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By Electronic Mail  
February 27, 2026

Senator Liz Krueger  
Chair, Finance Committee  
172 State Street, Capitol Building  
Room 416 CAP  
Albany, NY 12247  
[financechair@nysenate.gov](mailto:financechair@nysenate.gov)

Assemblymember Gary Pretlow  
Chair, Committee on Ways and  
Means  
Legislative Office Building 923  
Albany, NY 12248  
[wamchair@nyassembly.gov](mailto:wamchair@nyassembly.gov)

Re: Correcting Statement from Labor/Workforce Development Hearing

Dear Chairs Krueger & Pretlow,

Thank you very much for the opportunity to testify at Wednesday's Joint Budget Hearing on Labor/Workforce Development regarding the EmPIRE Worker Protection Act (A4278B Simon/formerly S448C Hoylman-Sigal), and the unique opportunity it presents to add \$211 million in average annual revenue to the State Budget,<sup>1</sup> while expanding the state's public enforcement capacity.

In answering a question from one of your colleagues, I stated that the New York State Department of Labor only collects wages owed based on a three-year lookback period (instead of the full 6-year statute of limitations), and that it does not collect liquidated damages. I have since learned that the latter statement regarding liquidated damages was incorrect. The NYSDOL generally pursues liquidated damages of 25% in settlements of wage claims, and 100% if the wage claim results in a formal order to pay. I sincerely regret the misunderstanding on my part.

If you could please forward this letter to all colleagues in attendance at yesterday's hearing, I would very much appreciate it.

Respectfully,



Hugh Baran  
Board Member & Legislative Co-Chair  
National Employment Lawyers Association/New York

Cc: Senate Labor Chair Jessica Ramos  
Assembly Labor Chair Harry Bronson  
Assemblymember Jo Anne Simon  
Alex Kondo, Labor Counsel to the Governor

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<sup>1</sup> See Ctr. for Popular Democracy, *Making Rights Real: How the Whistleblower Enforcement Model Can Address the Crisis in Labor Rights Enforcement, 2026 Update*, <https://popdemoc.org/making-rights-real26>