



NEW YORK STATE SENATOR

Catharine Young

SENATE PASSES BILL TO REPEAL COSTLY MANDATE ON BUSINESS, Wage Theft Prevention Act Restricts State's Business Environment

CATHARINE YOUNG March 2, 2012

| ISSUE: **LABOR**

ALBANY – Senator Catharine Young (R,C,I – Olean) announced that the state Senate has passed legislation she co-sponsored to repeal the Wage Theft Prevention Act of 2010, a burdensome, costly mandate on every employer in the state.

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. Depending on the the method of payment to the employee (hourly, salary, etc.), employers must file a different form, and are required to use a form in the primary language of each employee. The act further requires that employees confirm receipt of this notice with a written acknowledgement that must be retained for six years.

“The Wage Theft Prevention Act is an anti-economic growth mandate that hurts small businesses and manufacturers. It was passed when New York City controlled the Senate and created a costly, duplicative bureaucratic morass,” Senator Young said.

“These mandated notices impose unnecessarily burdensome administrative costs on all private sector employees while doing nothing to improve the state's economy,” she added.

“A business faces severe fines if it fails to comply with the wage, notice and record keeping requirements. The penalty of \$50 per employee could cost large employers thousands of dollars. This legislation removes the crushing weight of a regulatory burden while ensuring significant reforms remain in place that assure payment of all wages earned by employees,” Senator Young said.

“Repealing this unnecessary red tape is a step forward in making our state a more business-friendly environment so we can grow jobs,” she said.

Numerous organizations support the bill, including the National Federation of Independent Business (NFIB), New York State Association of Health Care Providers, The Business Council, Associated Builders and Contractors, Inc., and Unshackle Upstate.

Brian Sampson, Executive Director of Unshackle Upstate added, “Unshackle Upstate thanks the Senate for voting to eliminate a burdensome component of the Wage Theft Prevention Act. We now ask members of the Assembly to follow the lead of the Senate and act quickly to pass this legislation. We look forward to working with the Governor and members of the Legislature to advance additional measures that will ease the regulatory burden on struggling businesses to stimulate private sector job growth.”

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: “Today's action in the Senate significantly reformed one of the most onerous mandates on small business. 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.

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