



NEW YORK STATE SENATOR

Rich Funke

Senator Funke stands up for small business

SENATOR RICH FUNKE January 4, 2019

| ISSUE: **SMALL BUSINESS**

SENATOR FUNKE FIGHTS BACK AGAINST NEW CALL-IN SCHEDULING REGULATION BEING PUSHED THROUGH BY THE GOVERNOR AND NYS DEPARTMENT OF LABOR

If passed, the regulation would hurt small businesses, result in fewer jobs and force young adults to continue leaving New York State

Rochester, New York - Keeping true to his word, Senator Rich Funke from the 55th Senate District is vowing to fight back against the call-in scheduling regulation that would penalize employers for making changes to an employee's shift within a 14-day time period.

"This call-in scheduling regulation is absolutely ridiculous and makes no sense. This will be yet another unnecessary burden placed on the backs of small businesses while leading to dire consequences that include more automation, less hours, lighter pay checks, and more reason for hard-working people to leave New York State. Enough is enough." said Senator Funke.

Under the proposed scheduling regulation, any employer that cancels or adds a shift to an employee's schedule triggers a wage penalty for the employer. These penalties are an

additional two hours of pay to any employee whose schedule changes within the 14-day window and an additional four hours of pay to any employee who has a shift cancelled or added or is on call during that period.

Senator Funke is proposing four approaches to fix this regulation:

- Extend the current comment period by a further 30 days
- An exemption from the requirements for students who are not working full-time
- An exemption for all businesses with 10 or fewer employees
- Apply the rule only to the New York City metropolitan area, where supporters say the regulation will best protect struggling workers.

In Oregon--the only other state to enact these regulations--state officials there exempt employers with less than 500 workers. It also requires seven days' notice compared to the 14 proposed in NYS and the wage penalty is one hour of pay versus two or four hours.

As an elected official with a proven record of standing with working men and women, the Senator is calling on other leaders to also stand up to the Governor and Department of Labor by pushing back on the scheduling regulation. The revised regulation was released December 10th for a 30-day comment period so those opposing the measure have to act quickly.

Senator Funke: "People keep leaving New York at an alarming rate and it's because of nonsensical regulations like this, not the weather, that makes them want to go somewhere

else. We need to fight back and bring common sense back to our State government."

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