

3362

2013-2014 Regular Sessions

I N S E N A T E

February 1, 2013

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and
when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to limiting employer filings
of certain employment and wage information

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The labor law is amended by adding a new section 196-b to
2 read as follows:
3 S 196-B. LIMITING EMPLOYER FILING OF CERTAIN EMPLOYMENT AND WAGE
4 INFORMATION. 1. NOTWITHSTANDING ANY GENERAL, SPECIAL, OR LOCAL LAW TO
5 THE CONTRARY, NO EMPLOYER SHALL BE REQUIRED TO PROVIDE EMPLOYMENT AND
6 WAGE INFORMATION RELATED TO ANY EMPLOYEE OR CONTRACTOR OF SUCH EMPLOYER
7 TO ANY STATE OR LOCAL AGENCY. SUCH EMPLOYEE OR CONTRACTOR EMPLOYMENT AND
8 WAGE INFORMATION SHALL INCLUDE:
9 A. JOB TITLE, POSITION OR A DESCRIPTION OF THE TYPE OF WORK PERFORMED
10 BY SUCH PERSON; AND
11 B. THE INFORMATION DESCRIBED IN SUBDIVISION THREE OF SECTION ONE
12 HUNDRED NINETY-FIVE OF THIS ARTICLE, INCLUDING THE NAME OF THE INDIVID-
13 UAL; THE NAME OF THE EMPLOYER; THE ADDRESS AND TELEPHONE NUMBER OF THE
14 EMPLOYER; THE RATE OR RATES OF PAY AND THE BASIS THEREOF; WHETHER PAID
15 BY THE HOUR, SHIFT, DAY, WEEK, SALARY, PIECE, COMMISSION, OR OTHERWISE;
16 GROSS WAGES; DEDUCTIONS; AND ALLOWANCES, IF ANY, CLAIMED AS PART OF THE
17 MINIMUM WAGE AND NET WAGES.
18 2. NOTHING IN THIS SECTION SHALL LIMIT THE PROVISION OF EMPLOYMENT AND
19 WAGE INFORMATION AS PART OF AN INVESTIGATION OR ENFORCEMENT OF ALLEGED
20 VIOLATIONS OF THIS ARTICLE OR AS PART OF AN INVESTIGATION OR ENFORCEMENT
21 BY A LAW ENFORCEMENT AGENCY.
22 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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