S T A T E O F N E W Y O R K

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:

Section 1. The labor law is amended by adding a new section 196-b to read as follows:

S 196-B. LIMITING EMPLOYER FILING OF CERTAIN EMPLOYMENT AND WAGE INFORMATION. 1. NOTWITHSTANDING ANY GENERAL, SPECIAL, OR LOCAL LAW TO THE CONTRARY, NO EMPLOYER SHALL BE REQUIRED TO PROVIDE EMPLOYMENT AND WAGE INFORMATION RELATED TO ANY EMPLOYEE OR CONTRACTOR OF SUCH EMPLOYER TO ANY STATE OR LOCAL AGENCY. SUCH EMPLOYEE OR CONTRACTOR EMPLOYMENT AND WAGE INFORMATION SHALL INCLUDE:

A. JOB TITLE, POSITION OR A DESCRIPTION OF THE TYPE OF WORK PERFORMED BY SUCH PERSON; AND

B. THE INFORMATION DESCRIBED IN SUBDIVISION THREE OF SECTION ONE HUNDRED NINETY-FIVE OF THIS ARTICLE, INCLUDING THE NAME OF THE INDIVIDUAL; THE NAME OF THE EMPLOYER; THE ADDRESS AND TELEPHONE NUMBER OF THE EMPLOYER; THE RATE OR RATES OF PAY AND THE BASIS THEREOF; WHETHER PAID BY THE HOUR, SHIFT, DAY, WEEK, SALARY, PIECE, COMMISSION, OR OTHERWISE; GROSS WAGES; DEDUCTIONS; AND ALLOWANCES, IF ANY, CLAIMED AS PART OF THE MINIMUM WAGE AND NET WAGES.

2. NOTHING IN THIS SECTION SHALL LIMIT THE PROVISION OF EMPLOYMENT AND WAGE INFORMATION AS PART OF AN INVESTIGATION OR ENFORCEMENT OF ALLEGED VIOLATIONS OF THIS ARTICLE OR AS PART OF AN INVESTIGATION OR ENFORCEMENT BY A LAW ENFORCEMENT AGENCY.

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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