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

4384--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 30, 2015

Introduced by M. of A. KOLB, CORWIN, STEC, BUTLER -- Multi-Sponsored by -- M. of A. CROUCH, LOPEZ -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to establishing a training wage

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

Section 1. Section 652 of the labor law is amended by adding a new subdivision 7 to read as follows:

7. TRAINING WAGE. (A) A TRAINING WAGE EQUAL TO EIGHTY-FIVE PERCENT OF THE STATE MINIMUM WAGE OR ONE HUNDRED PERCENT OF THE FEDERAL MINIMUM WAGE, WHICHEVER IS LESS, MAY BE PAID TO A YOUTH WHO HAS NO PRIOR JOB EXPERIENCE.

(B) ANY YOUTH WHO RECEIVES A TRAINING WAGE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION AND WHO DID NOT WORK MORE THAN ONE HUNDRED EIGHTY DAYS IN THE PRECEDING CALENDAR YEAR, SHALL RECEIVE, AT A MINIMUM, AN ANNUAL INCREASE IN WAGES EQUAL TO TWENTY-FIVE PERCENT OF THE DIFFERENCE BETWEEN THE TRAINING WAGE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION AND THE STATE MINIMUM WAGE UNTIL SUCH YOUTH REACHES THE AGE OF EIGHTEEN.

(C) FOR THE PURPOSE OF THIS SUBDIVISION, YOUTH IS DEFINED AS A PERSON WHO HAS NOT YET REACHED THE AGE OF EIGHTEEN, AND PRIOR JOB EXPERIENCE IS DEFINED AS EMPLOYMENT WHERE AN EMPLOYEE WOULD HAVE BEEN ACCOUNTED FOR ON AN EMPLOYER'S PAYROLL RECORDS. NO YOUTH WILL BE PAID A TRAINING WAGE FOR MORE THAN ONE HUNDRED EIGHTY DAYS. EMPLOYERS ARE LIMITED TO TWENTY PERCENT OF THEIR WORKFORCE, OR NO MORE THAN SIX EMPLOYEES RECEIVING A TRAINING WAGE AT ANY ONE PARTICULAR LOCATION. AT NO TIME WILL A YOUTH RECEIVING A TRAINING WAGE BE USED TO DISPLACE AN EMPLOYEE WHO IS RECEIVING A WAGE EQUAL TO OR GREATER THAN THE STATE MINIMUM WAGE.

S 2. This act shall take effect immediately.

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

LBD08499-05-6