

STATE OF NEW YORK

6306

2017-2018 Regular Sessions

IN ASSEMBLY

March 2, 2017

Introduced by M. of A. FINCH -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to the direct pay or deposit of wages in a bank or other financial institution

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 192 of the labor law, as amended by chapter 301 of
2 the laws of 1974, subdivision 1 as added by chapter 475 of the laws of
3 1981 and as renumbered by chapter 170 of the laws of 1994, subdivision 2
4 as amended by chapter 304 of the laws of 2007, is amended to read as
5 follows:

6 § 192. Cash payment of wages. 1. [~~No~~] An employer [~~shall without the~~
7 ~~advance written consent of any employee~~] may directly pay or deposit the
8 net wage or salary of [~~such~~] an employee in a bank or other financial
9 institution.

10 2. This section shall not apply to any person [~~employed in a bona fide~~
11 ~~executive, administrative, or professional capacity whose earnings are~~
12 ~~in excess of nine hundred dollars a week, nor to employees~~] working on a
13 farm not connected with a factory or employed by a small business as
14 defined in section one hundred two of the state administrative procedure
15 act.

16 3. No provision of this section shall authorize an employer to select
17 or mandate a specific bank or other financial institution for the
18 purposes of making direct deposits on behalf of employees.

19 4. No employer, who has a duty to bargain, shall make such deposits
20 for employees covered by a collective bargaining unit until an agreement
21 authorizing such deposits has been ratified by such collective bargain-
22 ing unit.

23 § 2. This act shall take effect on the ninetieth day after it shall
24 have become a law.

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

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