

STATE OF NEW YORK

3062--A

2021-2022 Regular Sessions

IN SENATE

January 27, 2021

Introduced by Sen. RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to raising the minimum wage annually by a percentage which is based on inflation; and to repeal subdivision 6 of section 652 of the labor law relating thereto

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

1 Section 1. Subdivision 1 of section 652 of the labor law, as amended
2 by section 1 of part K of chapter 54 of the laws of 2016, is amended to
3 read as follows:
4 1. Statutory. Every employer shall pay to each of its employees for
5 each hour worked a wage of not less than:
6 \$4.25 on and after April 1, 1991,
7 \$5.15 on and after March 31, 2000,
8 \$6.00 on and after January 1, 2005,
9 \$6.75 on and after January 1, 2006,
10 \$7.15 on and after January 1, 2007,
11 \$8.00 on and after December 31, 2013,
12 \$8.75 on and after December 31, 2014,
13 \$9.00 on and after December 31, 2015,
14 and until December 31, 2016, or, if greater, such other wage as may be
15 established by federal law pursuant to 29 U.S.C. section 206 or its
16 successors or such other wage as may be established in accordance with
17 the provisions of this article.
18 (a) New York City. (i) Large employers. Every employer of eleven or
19 more employees shall pay to each of its employees for each hour worked
20 in the city of New York a wage of not less than:
21 \$11.00 per hour on and after December 31, 2016,
22 \$13.00 per hour on and after December 31, 2017,

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

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1 \$15.00 per hour on and after December 31, 2018,
2 and on each following December thirty-first, a wage published by the
3 commissioner on or before October first, based on the then current mini-
4 mum wage increased by the rate of inflation, if greater than zero, for
5 the most recent twelve month period ending June of that year based on
6 the consumer price index for all urban consumers on a national and
7 seasonally unadjusted basis (CPI-U), or a successor index as calculated
8 by the United States department of labor, or, if greater, such other
9 wage as may be established by federal law pursuant to 29 U.S.C. section
10 206 or its successors or such other wage as may be established in
11 accordance with the provisions of this article.

12 (ii) Small employers. Every employer of ten or less employees shall
13 pay to each of its employees for each hour worked in the city of New
14 York a wage of not less than:

15 \$10.50 per hour on and after December 31, 2016,

16 \$12.00 per hour on and after December 31, 2017,

17 \$13.50 per hour on and after December 31, 2018,

18 \$15.00 per hour on and after December 31, 2019,

19 and on each following December thirty-first, a wage published by the
20 commissioner on or before October first, based on the then current mini-
21 mum wage increased by the rate of inflation, if greater than zero, for
22 the most recent twelve month period ending June of that year based on
23 the consumer price index for all urban consumers on a national and
24 seasonally unadjusted basis (CPI-U), or a successor index as calculated
25 by the United States department of labor, or, if greater, such other
26 wage as may be established by federal law pursuant to 29 U.S.C. section
27 206 or its successors or such other wage as may be established in
28 accordance with the provisions of this article.

29 (b) Remainder of downstate. Every employer shall pay to each of its
30 employees for each hour worked in the counties of Nassau, Suffolk and
31 Westchester a wage not less than:

32 \$10.00 per hour on and after December 31, 2016,

33 \$11.00 per hour on and after December 31, 2017,

34 \$12.00 per hour on and after December 31, 2018,

35 \$13.00 per hour on and after December 31, 2019,

36 \$14.00 per hour on and after December 31, 2020,

37 \$15.00 per hour on and after December 31, 2021,

38 and on each following December thirty-first, a wage published by the
39 commissioner on or before October first, based on the then current mini-
40 mum wage increased by the rate of inflation, if greater than zero, for
41 the most recent twelve month period ending June of that year based on
42 the consumer price index for all urban consumers on a national and
43 seasonally unadjusted basis (CPI-U), or a successor index as calculated
44 by the United States department of labor, or, if greater, such other
45 wage as may be established by federal law pursuant to 29 U.S.C. section
46 206 or its successors or such other wage as may be established in
47 accordance with the provisions of this article.

48 (c) Remainder of state. Every employer shall pay to each of its
49 employees for each hour worked outside of the city of New York and the
50 counties of Nassau, Suffolk, and Westchester, a wage of not less than:

51 \$9.70 on and after December 31, 2016,

52 \$10.40 on and after December 31, 2017,

53 \$11.10 on and after December 31, 2018,

54 \$11.80 on and after December 31, 2019,

55 \$12.50 on and after December 31, 2020,

56 \$13.33 on and after December 31, 2021,

1 \$14.16 on and after December 31, 2022,

2 \$15.00 on and after December 31, 2023,

3 and on each following December thirty-first, a wage published by the
4 commissioner on or before October first, based on the then current mini-
5 mum wage increased by the rate of inflation, if greater than zero, for
6 the most recent twelve month period ending June of that year based on
7 the consumer price index for all urban consumers on a national and
8 seasonally unadjusted basis (CPI-U), or a successor index as calculated
9 by the United States department of labor, or, if greater, such other
10 wage as may be established by federal law pursuant to 29 U.S.C. section
11 206 or its successors or such other wage as may be established in
12 accordance with the provisions of this article.

13 (d) The rates and schedules established in paragraphs (a) and (b) of
14 this subdivision shall not be deemed to be the minimum wage under this
15 subdivision for purposes of the calculations specified in subdivisions
16 one and two of section five hundred twenty-seven of this chapter.

17 § 2. Subdivision 6 of section 652 of the labor law is REPEALED.

18 § 3. This act shall take effect immediately.