

STATE OF NEW YORK

6852

2025-2026 Regular Sessions

IN ASSEMBLY

March 14, 2025

Introduced by M. of A. PALMESANO, BARCLAY, BLANKENBUSH, BRABENEC, DeSTEFANO, DiPIETRO, FITZPATRICK, FRIEND, HAWLEY, LEMONDES, MANKTELOW, McDONOUGH, MILLER, MORINELLO, RA, REILLY, TAGUE, WALSH -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to minimum wage order increases

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

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

3 7. New wage orders. No new minimum wage order or modification of an
4 existing wage order issued by the commissioner pursuant to this article
5 shall be effective until the legislature authorizes the wage increase
6 contained within such order.

7 § 2. Section 654 of the labor law, as added by chapter 619 of the laws
8 of 1960, is amended to read as follows:

9 § 654. Basis of changes in minimum wage. In establishing minimum
10 wages and regulations for any occupation or occupations pursuant to the
11 provisions of the following sections of this article, the wage board and
12 the commissioner shall consider the amount sufficient to provide
13 adequate maintenance and to protect health and, in addition, the wage
14 board and the commissioner shall consider the value of the work or clas-
15 sification of work performed, and the wages paid in the state for work
16 of like or comparable character. Further, the commissioner shall use
17 existing employment data to prepare an analysis of the possible aggre-
18 gate cost incurred by businesses located within the state of New York
19 for such an increase.

20 § 3. Subdivision 4 of section 655 of the labor law, as added by chap-
21 ter 619 of the laws of 1960, is amended to read as follows:

22 4. Report. Within forty-five days of the appointment of the wage board
23 to inquire into wages in any occupation or occupations, the board shall

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

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1 (a) conduct public hearings and (b) submit to the commissioner a report,
2 including its recommendations as to minimum wages and regulations for
3 the employees in such occupation or occupations. The report and recom-
4 mendations of the board shall be submitted only after [~~a~~] the unanimous
5 vote of [~~not less than a majority of~~] all its members in support of such
6 report and recommendations. No report or recommendation of a panel shall
7 be submitted without the prior vote of [~~not less than a majority of~~] all
8 the members of the board in support of such report or recommendation.
9 The commissioner may extend up to ninety days the time in which the
10 report shall be submitted.

11 § 4. Section 656 of the labor law, as added by chapter 619 of the laws
12 of 1960, is amended to read as follows:

13 § 656. Action by commissioner upon wage board report. When the wage
14 board submits its report and recommendations to the commissioner, the
15 commissioner shall forthwith file them with the secretary of the depart-
16 ment. Within five days of their receipt, the commissioner shall publish
17 a notice of such filing in at least ten newspapers of general circula-
18 tion in the state. Any objections to the report and recommendations
19 shall be filed with the commissioner within fifteen days after such
20 publication. The commissioner may, if [~~he~~] such commissioner deems it
21 appropriate, order oral argument, which shall be scheduled before the
22 commissioner, or such representative as [~~he~~] such commissioner may
23 designate, on five days' notice to the persons who have filed objections
24 to the report and recommendations. Whether or not oral argument is sche-
25 duled, the commissioner shall [~~by order~~] accept [~~or~~], reject, or modify
26 the board's report and recommendations within forty-five days after
27 filing with the secretary of the department and submit a report to the
28 legislature, which shall include (i) the recommendations of the wage
29 board; (ii) a statement indicating whether the commissioner accepts,
30 rejects or recommends modification of the board's report and recommenda-
31 tions; (iii) any and all objections to the report and recommendations
32 filed with the commissioner; and (iv) the analysis required by section
33 six hundred fifty-four of this article. [~~The commissioner may by such~~
34 order modify the regulations recommended by the board. Such order of the
35 commissioner shall become effective thirty days after publication, in
36 the manner prescribed in this section, of a notice of such order.] The
37 commissioner may, within such forty-five days, confer with the wage
38 board, which may make such changes in its report or recommendations as
39 it may deem fit. The commissioner also may, within such forty-five days,
40 remand the matter to the board for such further proceeding as [~~he~~] such
41 commissioner may direct.

42 § 5. This act shall take effect immediately.