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

5217

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. SAVINO -- 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 requiring all workers to be provided with a pay stub

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

Section 1. Subdivision 3 of section 220 of the labor law is amended by adding a new paragraph (f) to read as follows:

(F) ALL WAGES PAYABLE UNDER THIS ARTICLE SHALL BE ACCOMPANIED BY A WRITTEN RECEIPT OR STATEMENT, SUCH AS A PAY STUB, DETAILING, AT A MINIMUM, THE HOURS AND DAYS WORKED BY SUCH EMPLOYEE, THE JOB CLASSIFICATION AT WHICH THE EMPLOYEE WAS EMPLOYED, AND THE PREVAILING WAGE RATE AND THE SUPPLEMENT PAID TO SUCH EMPLOYEE, INCLUDING SUMS WHICH ARE NOT PAID DIRECTLY TO THE EMPLOYEE AND WHICH ARE EXPENDED FOR SUPPLEMENTS.

S 2. Subdivisions 1 and 2 of section 231 of the labor law, as added by chapter 777 of the laws of 1971, are amended to read as follows:

1. Every contractor shall pay a service employee under a contract for building service work a wage of not less than the prevailing wage in the locality for the craft, trade or occupation of the service employee. SUCH WAGES SHALL BE ACCOMPANIED BY A WRITTEN RECEIPT OR STATEMENT, SUCH AS A PAY STUB, DETAILING, AT A MINIMUM, THE HOURS AND DAYS WORKED BY SUCH EMPLOYEE, THE JOB CLASSIFICATION AT WHICH THE EMPLOYEE IS EMPLOYED, AND THE PREVAILING WAGE RATE AND THE SUPPLEMENT PAID TO SUCH EMPLOYEE, INCLUDING SUMS WHICH ARE NOT PAID DIRECTLY TO THE EMPLOYEE AND WHICH ARE EXPENDED FOR SUPPLEMENTS.

2. The obligation of a contractor to pay prevailing supplements may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments in cash PROVIDED SUCH BENEFIT IS DISCLOSED ON AN ACCOMPANIED WRITTEN RECEIPT OR STATEMENT AND under rules and regulations established by the fiscal officer.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

LBD04149-01-9