## STATE OF NEW YORK

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6777

2017-2018 Regular Sessions

## IN SENATE

June 16, 2017

Introduced by Sen. AMEDORE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the labor law, in relation to certain employers unemployment insurance account contributions

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

Section 1. Paragraph (a) of subdivision 2 of section 581 of the labor 2 law, as amended by section 7 of part 0 of chapter 57 of the laws of 3 2013, is amended and a new paragraph (e) is added to read as follows:

- 4 (a) Each qualified employer's rate of contribution shall be the 5 percentage shown in the column headed by the size of the fund index as 6 of the computation date and on the same line with his or her negative or 7 positive employer's account percentage, except that if within the three 8 payroll years preceding the computation date any part of a negative 9 balance has been transferred from any employer's account as a charge to 10 the general account pursuant to the provisions of paragraph (e) of 11 subdivision one of this section such employer's rate of contribution 12 shall be the maximum contribution rate as shown in the column headed by 13 the size of fund index;
- 14 Size of Fund Index
- 15 Employer's
- 16 Account
- 22 Negative

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

LBD11849-02-7

- 1 21.0%
- 2 or more 8.90 8.70 8.50 8.30 8.10 7.30 6.90 6.50 6.20 6.10 6.00 5.90
- 3 20.5%
- 4 or more
- 5 but less
- 6 than 21.0% 8.80 8.60 8.40 8.20 8.00 7.20 6.80 6.40 6.10 6.00 5.90 5.80
- 7 20.0%
- 8 or more
- 9 but less
- 10 than 20.5% 8.70 8.50 8.30 8.10 7.90 7.10 6.70 6.30 6.00 5.90 5.80 5.70
- 11 19.5%
- 12 or more
- 13 but less
- 14 than 20.0% 8.60 8.40 8.20 8.00 7.80 7.00 6.60 6.20 5.90 5.80 5.70 5.60
- 15 19.0%
- 16 or more
- 17 but less
- 18 than 19.5% 8.50 8.30 8.10 7.90 7.70 6.90 6.50 6.10 5.80 5.70 5.60 5.50
- 19 18.5%
- 20 or more
- 21 but less
- 22 than 19.0% 8.40 8.20 8.00 7.80 7.60 6.80 6.40 6.00 5.70 5.60 5.50 5.40
- 23 18.0%
- 24 or more
- 25 but less
- 26 than 18.5% 8.30 8.10 7.90 7.70 7.50 6.70 6.30 5.90 5.60 5.50 5.40 5.30
- 27 17.5%
- 28 or more
- 29 but less
- 30 than 18.0% 8.20 8.00 7.80 7.60 7.40 6.60 6.20 5.80 5.50 5.40 5.30 5.20
- 31 17.0%
- 32 or more
- 33 but less
- 34 than 17.5% 8.10 7.90 7.70 7.50 7.30 6.50 6.10 5.70 5.40 5.30 5.20 5.10
- 35 16.5%
- 36 or more
- 37 but less
- 38 than 17.0% 8.00 7.80 7.60 7.40 7.20 6.40 6.00 5.60 5.30 5.20 5.10 5.00
- 39 16.0%
- 40 or more
- 41 but less
- 42 than 16.5% 7.90 7.70 7.50 7.30 7.10 6.30 5.90 5.50 5.20 5.10 5.00 4.90
- 43 15.5%
- 44 or more
- 45 but less
- 46 than 16.0% 7.80 7.60 7.40 7.20 7.00 6.20 5.80 5.40 5.10 5.00 4.90 4.80
- 47 15.0%
- 48 or more
- 49 but less
- 50 than 15.5% 7.70 7.50 7.30 7.10 6.90 6.10 5.70 5.30 5.00 4.90 4.80 4.70
- 51 14.5%
- 52 or more
- 53 but less
- 54 than 15.0% 7.60 7.40 7.20 7.00 6.80 6.00 5.60 5.20 4.90 4.80 4.70 4.60
- 55 14.0%
- 56 or more

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1 but less than 14.5% 7.50 7.30 7.10 6.90 6.70 5.90 5.50 5.10 4.80 4.70 4.60 4.50 3 13.5% 4 or more 5 but less 6 than 14.0% 7.40 7.20 7.00 6.80 6.60 5.80 5.40 5.00 4.70 4.60 4.50 4.40 7 13.0% 8 or more 9 but less than 13.5% 7.30 7.10 6.90 6.70 6.50 5.70 5.30 4.90 4.60 4.50 4.40 4.30 10 11 12.5% or more 12 13 but less 14 than 13.0% 7.20 7.00 6.80 6.60 6.40 5.60 5.20 4.80 4.50 4.40 4.30 4.20 15 12.0% 16 or more 17 but less than 12.5% 7.10 6.90 6.70 6.50 6.30 5.50 5.10 4.70 4.40 4.30 4.20 4.10 18 19 11.5% 20 or more 21 but less 22 than 12.0% 7.00 6.80 6.60 6.40 6.20 5.40 5.00 4.60 4.30 4.20 4.10 4.00 23 11.0% 24 or more 25 but less 26 than 11.5% 6.90 6.70 6.50 6.30 6.10 5.30 4.90 4.50 4.20 4.10 4.00 3.90 27 10.5% 28 or more 29 but less 30 than 11.0% 6.80 6.60 6.40 6.20 6.00 5.20 4.80 4.40 4.10 4.00 3.90 3.80 31 10.0% 32 or more 33 but less than 10.5% 6.70 6.50 6.30 6.10 5.90 5.10 4.70 4.30 4.00 3.90 3.80 3.70 34 35 9.5% 36 or more 37 but less 38 than 10.0% 6.60 6.40 6.20 6.00 5.80 5.00 4.60 4.20 3.90 3.80 3.70 3.60 39 9.0% 40 or more 41 but less 42 than 9.5% 6.50 6.30 6.10 5.90 5.70 4.90 4.50 4.10 3.80 3.70 3.60 3.50 43 8.5% 44 or more 45 but less 46 than 9.0% 6.40 6.20 6.00 5.80 5.60 4.80 4.40 4.00 3.70 3.60 3.50 3.40 47 8.0% 48 or more 49 but less 6.30 6.10 5.90 5.70 5.50 4.70 4.30 3.90 3.60 3.50 3.40 3.30 50 than 8.5% 51 7.0% 52 or more

6.20 6.00 5.80 5.60 5.40 4.60 4.20 3.80 3.50 3.40 3.30 3.20

55 6.0% 56 or more

53 but less 54 than 8.0%

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1 but less
             6.10 5.90 5.70 5.50 5.30 4.50 4.10 3.70 3.40 3.30 3.20 3.10
   than 7.0%
 3 5.0%
 4 or more
 5 but less
 6 than 6.0% 6.00 5.80 5.60 5.40 5.20 4.40 4.00 3.60 3.30 3.20 3.10 3.00
 7
   4.0%
8
   or more
9 but less
10 than 5.0% 5.90 5.70 5.50 5.30 5.10 4.30 3.90 3.50 3.20 3.10 3.00 2.90
11
   3.0%
   or more
12
13
   but less
14 than 4.0% 5.60 5.40 5.20 5.00 4.80 4.20 3.80 3.40 3.10 3.00 2.90 2.80
15
  2.0%
16 or more
17 but less
             5.50 5.30 5.10 4.90 4.70 4.10 3.70 3.30 3.00 2.90 2.80 2.70
18
   than 3.0%
19
   1.0%
20 or more
21 but less
22
  than 2.0%
             5.40 5.20 5.00 4.80 4.60 4.00 3.60 3.20 2.90 2.80 2.70 2.60
23 Less
24 than 1.0%
             5.20 5.00 4.80 4.60 4.40 3.80 3.40 3.00 2.70 2.60 2.50 2.40
25 Positive
26 Less
             4.10 3.90 3.70 3.50 3.30 2.90 2.50 2.10 1.90 1.80 1.70 1.60
27 than 1.0%
28
   1.0%
29 or more
30 but less
31
   than 2.0% 4.00 3.80 3.60 3.40 3.20 2.80 2.40 2.00 1.80 1.70 1.60 1.50
32
   2.0%
33
   or more
34 but less
35
   than 3.0% 3.90 3.70 3.50 3.30 3.10 2.70 2.30 1.90 1.70 1.60 1.50 1.40
36
   3.0%
37
   or more
38
   but less
39 than 4.0% 3.80 3.60 3.40 3.20 3.00 2.60 2.20 1.80 1.60 1.50 1.40 1.30
40 4.0%
41
  or more
42 but less
43
   than 5.0%
             3.70 3.50 3.30 3.10 2.90 2.50 2.10 1.70 1.50 1.40 1.30 1.20
44 5.0%
45 or more
46 but less
47
   than 5.5%
             3.60 3.40 3.20 3.00 2.80 2.40 2.00 1.60 1.40 1.30 1.20 1.10
   5.5%
48
49 or more but
50 less than
51 5.75%
              3.50 3.30 3.10 2.90 2.70 2.30 1.90 1.50 1.30 1.20 1.10 1.00
52 5.75%
53 or more
54 but less
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1 than 6.0% 3.40 3.20 3.00 2.80 2.60 2.20 1.80 1.40 1.20 1.10 1.00 0.90
 2 6.0%
 3 or more but
 4 less than
 5 6.25%
         3.30 3.10 2.90 2.70 2.50 2.10 1.70 1.30 1.10 1.00 0.90 0.80
6 6.25%
   or more
7
   but less
9 than 6.5% 3.20 3.00 2.80 2.60 2.40 2.00 1.60 1.20 1.00 0.90 0.80 0.70
10 6.5%
11 or more but
  less than
12
              3.10 2.90 2.70 2.50 2.30 1.90 1.50 1.10 0.90 0.80 0.70 0.60
13 6.75%
14 6.75%
15 or more
16 but less
17
   than 7.0% 3.00 2.80 2.60 2.40 2.20 1.80 1.40 1.00 0.80 0.70 0.60 0.50
   7.0%
18
19 or more but
20 less than
21 7.25%
             2.90 2.70 2.50 2.30 2.10 1.70 1.30 0.90 0.70 0.60 0.50 0.40
22 7.25%
23 or more
24 but less
25 than 7.5% 2.80 2.60 2.40 2.20 2.00 1.60 1.20 0.80 0.60 0.50 0.40 0.30
26 7.5%
27 or more but
28 less than
29 7.75% 2.70 2.50 2.30 2.10 1.90 1.50 1.10 0.70 0.50 0.40 0.30 0.20
30 7.75%
31 or more
32 but less
33 than 8.0% 2.60 2.40 2.20 2.00 1.80 1.40 1.00 0.60 0.40 0.30 0.20 0.10
34 8.0%
35 or more but
36 less than
37 8.25% 2.50 2.30 2.10 1.90 1.70 1.30 0.90 0.50 0.30 0.20 0.10 0.00
38 8.25%
39 or more
40 but less
41 than 8.5% 2.40 2.20 2.00 1.80 1.60 1.20 0.80 0.40 0.20 0.10 0.00 0.00
42 8.5%
43 or more but
44 less than
45 8.75%
              2.30 2.10 1.90 1.70 1.50 1.10 0.70 0.30 0.10 0.00 0.00 0.00
46 8.75%
47 or more
48 but less
49 than 9.0% 2.20 2.00 1.80 1.60 1.40 1.00 0.60 0.20 0.00 0.00 0.00 0.00
50 9.0%
51 or more but
52 less than
             2.10 1.90 1.70 1.50 1.30 0.90 0.50 0.10 0.00 0.00 0.00 0.00
53 9.25%
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55 or more 56 but less

54 9.25%

1 than 9.5% 2.00 1.80 1.60 1.40 1.20 0.80 0.40 0.00 0.00 0.00 0.00 0.00 2 9.5% 3 or more but 4 less than 5 9.75% 1.90 1.70 1.50 1.30 1.10 0.70 0.30 0.00 0.00 0.00 0.00 0.00 6 9.75% 7 or more but less than 9 10.0% 1.80 1.60 1.40 1.20 1.00 0.60 0.20 0.00 0.00 0.00 0.00 0.00 10 10.0% 11 or more but less than 12 13 10.25% 1.70 1.50 1.30 1.10 0.90 0.50 0.10 0.00 0.00 0.00 0.00 0.00 14 10.25% 15 or more but 16 less than 17 10.5% 18 10.5% 19 or more **but** 20 <u>less</u> <u>than</u> 21 10.75% 22 **10.75**% 23 <u>or more but</u> 24 <u>less</u> <u>than</u> 25 **11.0**% <u>1.40</u> <u>1.20</u> <u>1.00</u> <u>0.80</u> <u>0.60</u> <u>0.20</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> 26 **11.0**% 27 <u>or more but</u> 28 <u>less than</u> 29 **11.25**% 30 **11.25**% 31 or more but 32 less than 33 **11.5**% 34 **11.5**% 35 <u>or more but</u> 36 **less** than 37 **11.75**% 38 **11.75**% 39 or more but 40 <u>less</u> than 41 **12.0**% <u>1.00</u> <u>0.80</u> <u>0.60</u> <u>0.40</u> <u>0.20</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> <u>0.00</u> 42 **12.0**% or 43 more When an employer's fund index remains above 0.5 percent the 44 45 provisions of paragraph (a) of this subdivision, as amended by the chap-46 ter of the laws of 2017 which added this paragraph, shall apply. When 47 an employer's fund index falls below 0.5 percent the provisions of para-48 graph (a) of this subdivision, as amended by section 7 of part 0 of

49 chapter 57 of the laws of 2013, shall apply for the duration of the

51 § 2. This act shall take effect immediately.

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following year.