## STATE OF NEW YORK

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 law, as amended by section 7 of part 0 of chapter 57 of the laws of 2013, is amended and a new paragraph (e) is added to read as follows:
(a) Each qualified employer's rate of contribution shall be the percentage shown in the column headed by the size of the fund index as of the computation date and on the same line with his or her negative or positive employer's account percentage, except that if within the three payroll years preceding the computation date any part of a negative balance has been transferred from any employer's account as a charge to the general account pursuant to the provisions of paragraph (e) of subdivision one of this section such employer's rate of contribution shall be the maximum contribution rate as shown in the column headed by the size of fund index;

Size of Fund Index
Employer's
Account
Percentage Less $0 \% 0.5 \% 1.0 \% 1.5 \% 2.0 \% 2.5 \% 3.0 \% 3.5 \% 4.0 \% 4.5 \% 5.0 \%$
Than but but but but but but but but but but or 0\% less less less less less less less less less less more than than than than than than than than than than $0.5 \% 1.0 \% 1.5 \% 2.0 \% 2.5 \% 3.0 \% 3.5 \% 4.0 \% 4.5 \% 5.0 \%$

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

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2

1
2 or more
20.5\%
or more
but less
than $21.0 \% 8.808 .608 .408 .208 .007 .206 .806 .406 .106 .005 .905 .80$
20.0\%
or more
but less
than $20.5 \% \quad 8.708 .508 .308 .10 \quad 7.90 \quad 7.10 \quad 6.70 \quad 6.30 \quad 6.00 \quad 5.90 \quad 5.80 \quad 5.70$
19.5\%
or more
but less
than $20.0 \% 8.608 .408 .208 .007 .807 .006 .606 .205 .905 .805 .70 \quad 5.60$
19.0\%
or more
but less
than $19.5 \% \quad 8.508 .308 .107 .907 .70 \quad 6.90 \quad 6.506 .10 \quad 5.805 .705 .605 .50$
18.5\%
or more
but less
than $19.0 \% \quad 8.408 .208 .00 \quad 7.80 \quad 7.60 \quad 6.80 \quad 6.40 \quad 6.00 \quad 5.70 \quad 5.60 \quad 5.50 \quad 5.40$
$18.0 \%$
or more
but less
than $18.5 \% \quad 8.308 .10 \quad 7.90 \quad 7.70 \quad 7.50 \quad 6.70 \quad 6.30 \quad 5.90 \quad 5.60 \quad 5.505 .40 \quad 5.30$
$17.5 \%$
or more
but less
than $18.0 \% \quad 8.208 .007 .807 .607 .40 \quad 6.60 \quad 6.20 \quad 5.80 \quad 5.50 \quad 5.405 .30 \quad 5.20$
$17.0 \%$
or more
but less
than $17.5 \% \quad 8.10 \quad 7.90 \quad 7.70 \quad 7.50 \quad 7.30 \quad 6.50 \quad 6.10 \quad 5.70 \quad 5.40 \quad 5.305 .20 \quad 5.10$
$16.5 \%$
or more
but less
than $17.0 \% \quad 8.007 .807 .607 .407 .20 \quad 6.40 \quad 6.00 \quad 5.60 \quad 5.30 \quad 5.20 \quad 5.10 \quad 5.00$
$16.0 \%$
or more
but less
than $16.5 \% \quad 7.90 \quad 7.70 \quad 7.50 \quad 7.30 \quad 7.10 \quad 6.30 \quad 5.90 \quad 5.50 \quad 5.20 \quad 5.105 .004 .90$
15.5\%
or more
but less
than $16.0 \% \quad 7.80 \quad 7.607 .407 .20 \quad 7.00 \quad 6.20 \quad 5.80 \quad 5.40 \quad 5.10 \quad 5.004 .904 .80$
$15.0 \%$
or more
but less
than $15.5 \% \quad 7.707 .507 .307 .106 .90 \quad 6.10 \quad 5.70 \quad 5.30 \quad 5.00 \quad 4.90 \quad 4.80 \quad 4.70$
14.5\%
or more
but less
than $15.0 \% \quad 7.607 .407 .20 \quad 7.00 \quad 6.80 \quad 6.00 \quad 5.60 \quad 5.204 .90 \quad 4.804 .704 .60$
$14.0 \%$
56 or more
2 than $14.5 \% \quad 7.507 .30 \quad 7.10 \quad 6.90 \quad 6.70 \quad 5.90 \quad 5.50 \quad 5.10 \quad 4.80 \quad 4.70 \quad 4.60 \quad 4.50$
$313.5 \%$
4 or more
5 but less
6 than 14.0
7 13.0\%
8 or more
9 but less
10 than $13.5 \% \quad 7.307 .106 .90 \quad 6.70 \quad 6.50 \quad 5.70 \quad 5.304 .90 \quad 4.604 .504 .404 .30$
11 12.5\%
12 or more
13 but less
14 than $13.0 \% \quad 7.20 \quad 7.00 \quad 6.80 \quad 6.60 \quad 6.40 \quad 5.60 \quad 5.204 .80 \quad 4.50 \quad 4.404 .30 \quad 4.20$
15 12.0\%
16 or more
17 but less
18 than $12.5 \% \quad 7.106 .906 .706 .50 \quad 6.30 \quad 5.50 \quad 5.10 \quad 4.70 \quad 4.40 \quad 4.304 .204 .10$
19 11.5\%
20 or more
21 but less
22 than $12.0 \% \quad 7.006 .806 .606 .40 \quad 6.20 \quad 5.40 \quad 5.00 \quad 4.60 \quad 4.30 \quad 4.20 \quad 4.10 \quad 4.00$
23 11.0\%
24 or more
25 but less
26 than 11.5
27 10.5\%
28 or more
29 but less
30 than $11.0 \% \quad 6.80 \quad 6.606 .40 \quad 6.20 \quad 6.00 \quad 5.20 \quad 4.80 \quad 4.40 \quad 4.10 \quad 4.00 \quad 3.90 \quad 3.80$
31 10.0\%
32 or more
33 but less
34 than $10.5 \% \quad 6.70 \quad 6.506 .30 \quad 6.10 \quad 5.90 \quad 5.10 \quad 4.70 \quad 4.30 \quad 4.00 \quad 3.90 \quad 3.80 \quad 3.70$
35 9.5\%
36 or more
37 but less
38 than $10.0 \% \quad 6.606 .406 .206 .00 \quad 5.80 \quad 5.004 .604 .20 \quad 3.90 \quad 3.80 \quad 3.70 \quad 3.60$
39 9.0\%
40 or more
41 but less
42 than 9.5\% $6.506 .306 .10 \quad 5.90 \quad 5.70 \quad 4.904 .504 .10 \quad 3.80 \quad 3.70 \quad 3.60 \quad 3.50$
43 8.5\%
44 or more
45 but less
46 than 9.0
47 8.0\%
48 or more
49 but less
50 than 8.5
51 7.0\%
52 or more
53 but less
54 than $8.0 \% \quad 6.20 \quad 6.00 \quad 5.80 \quad 5.60 \quad 5.40 \quad 4.60 \quad 4.20 \quad 3.80 \quad 3.50 \quad 3.40 \quad 3.30 \quad 3.20$
55 6.0\%
56 or more
2 than 7.0\% $6.10 \quad 5.905 .70 \quad 5.50 \quad 5.30 \quad 4.50 \quad 4.10 \quad 3.70 \quad 3.40 \quad 3.30 \quad 3.20 \quad 3.10$
3 5.0\%
4 or more
5 but less
6 than $6.0 \% \quad 6.005 .80 \quad 5.605 .40 \quad 5.204 .404 .003 .603 .30 \quad 3.20 \quad 3.10 \quad 3.00$
7 4.0\%
8 or more
9 but less
10 than $5.0 \% \quad 5.90 \quad 5.70 \quad 5.50 \quad 5.30 \quad 5.10 \quad 4.30 \quad 3.903 .50 \quad 3.20 \quad 3.10 \quad 3.00 \quad 2.90$
$113.0 \%$
12 or more
13 but less
14 than $4.0 \% \quad 5.60 \quad 5.40 \quad 5.20 \quad 5.00 \quad 4.80 \quad 4.20 \quad 3.80 \quad 3.40 \quad 3.10 \quad 3.00 \quad 2.90 \quad 2.80$
15 2.0\%
16 or more
17 but less
18 than $3.0 \% \quad 5.505 .305 .104 .904 .704 .10 \quad 3.703 .303 .00 \quad 2.90 \quad 2.80 \quad 2.70$
19 1.0\%
20 or more
21 but less
22 than 2.0\% $5.405 .20 \quad 5.004 .804 .604 .00 \quad 3.60 \quad 3.20 \quad 2.90 \quad 2.80 \quad 2.70 \quad 2.60$
23 Less
24 than $1.0 \% \quad 5.20 \quad 5.004 .80 \quad 4.604 .40 \quad 3.80 \quad 3.40 \quad 3.00 \quad 2.70 \quad 2.60 \quad 2.50 \quad 2.40$

26 Less
27 than $1.0 \% \quad 4.103 .903 .703 .503 .30 \quad 2.90 \quad 2.50 \quad 2.101 .901 .801 .701 .60$
28 1.0\%
29 or more
30 but less
31 than $2.0 \% \quad 4.003 .803 .603 .40 \quad 3.20 \quad 2.80 \quad 2.40 \quad 2.001 .801 .701 .601 .50$
32 2.0\%
33 or more
34 but less
35 than 3.0\%
$363.0 \%$
37 or more
38 but less
39 than $4.0 \% \quad 3.803 .603 .403 .203 .00 \quad 2.60 \quad 2.201 .801 .601 .501 .401 .30$
$404.0 \%$
41 or more
42 but less
43 than $5.0 \% \quad 3.703 .503 .303 .10 \quad 2.90 \quad 2.50 \quad 2.10 \quad 1.701 .501 .401 .301 .20$
44 5.0\%
45 or more
46 but less
47 than $5.5 \% \quad 3.603 .403 .203 .00 \quad 2.80 \quad 2.40 \quad 2.001 .601 .401 .301 .201 .10$
48 5.5\%
49 or more but
50 less than
$515.75 \% \quad 3.503 .303 .10 \quad 2.90 \quad 2.70 \quad 2.30 \quad 1.901 .501 .301 .201 .101 .00$
52 5.75\%
53 or more
54 but less
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1 than $6.0 \% \quad 3.403 .203 .00 \quad 2.80 \quad 2.60 \quad 2.201 .801 .401 .201 .101 .00 \quad 0.90$
2 6.0\%
3 or more but
4 less than

6 6.25\%
7 or more
8 but less
9 than $6.5 \% \quad 3.203 .002 .80 \quad 2.602 .40 \quad 2.001 .601 .201 .00 \quad 0.90 \quad 0.80 \quad 0.70$
$106.5 \%$
11 or more but
12 less than
$136.75 \% \quad 3.102 .902 .70 \quad 2.50 \quad 2.301 .901 .501 .10 \quad 0.90 \quad 0.80 \quad 0.70 \quad 0.60$
14 6.75\%
15 or more
16 but less
17 than $7.0 \% \quad 3.002 .802 .602 .40 \quad 2.20 \quad 1.801 .401 .00 \quad 0.80 \quad 0.70 \quad 0.60 \quad 0.50$
18 7.0\%
19 or more but
20 less than

22 7.25\%
23 or more
24 but less
25 than 7.5\%
26 7.5\%
27 or more but
28 less than
$297.75 \% \quad 2.70 \quad 2.50 \quad 2.30 \quad 2.10 \quad 1.90 \quad 1.501 .10 \quad 0.70 \quad 0.50 \quad 0.40 \quad 0.30 \quad 0.20$
$307.75 \%$
31 or more
32 but less
33 than 8.0\%
34 8.0\%
35 or more but
36 less than
37 8.25\% $2.50 \quad 2.30 \quad 2.10 \quad 1.901 .701 .30 \quad 0.90 \quad 0.50 \quad 0.30 \quad 0.20 \quad 0.10 \quad 0.00$
38 8.25\%
39 or more
40 but less
41 than $8.5 \% \quad 2.40 \quad 2.20 \quad 2.001 .801 .601 .20 \quad 0.80 \quad 0.40 \quad 0.20 \quad 0.10 \quad 0.00 \quad 0.00$
42 8.5\%
43 or more but
44 less than
$458.75 \% \quad 2.302 .101 .901 .701 .501 .10 \quad 0.70 \quad 0.30 \quad 0.10 \quad 0.00 \quad 0.00 \quad 0.00$
46 8.75\%
47 or more
48 but less
49 than 9.0\% $2.202 .001 .801 .601 .401 .00 \quad 0.60 \quad 0.20 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00$
50 9.0\%
51 or more but
52 less than
53 9.25\% $2.101 .901 .701 .501 .30 \quad 0.90 \quad 0.50 \quad 0.10 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00$
54 9.25\%
55 or more
56 but less
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1
4 less than

6 9.75\%
7 or more but
8 less than

$1010.0 \%$
11 or more but
12 less than
$1310.25 \% \quad 1.701 .501 .301 .10 \quad 0.90 \quad 0.50 \quad 0.10 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00$
14 10.25\%
15 or more but
16 less than
18
19 or more but
20 less than
$21 \begin{array}{lllllllllllllllllllllllllllllll}10.75 \% & 1.50 & 1.30 & 1.10 & 0.90 & 0.70 & 0.30 & 0.00 & 0.00 & 0.00 & 0.00 & 0.00 & 0.00\end{array}$
22 10.75\%
23 or more but
24 less than
$2511.0 \% \quad 1.401 .201 .00 \quad \underline{0.80} \underline{0.60} \underline{0.20} \underline{0.00} \underline{0.00} \underline{0.00} \underline{0.00} 0.00 \quad \underline{0.00}$
$26 \quad 11.0 \%$
27 or more but
28 less than
$2911.25 \% \quad 1.301 .10 \quad 0.90 \quad 0.70 \quad 0.50 \quad 0.10 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00$
30 11.25\%
31 or more but
32 less than
$3311.5 \% \quad \underline{1.20} \underline{1.00} \underline{0.80} \underline{0.60} \underline{0.40} \underline{0.00} \underline{0.00} \underline{0.00} \underline{0.00} \underline{0.00} \underline{0.00} 0.00$
34
36 less than
$37 \underline{11.75 \%} \quad \underline{1.10} \underline{0.90} \underline{0.70} \underline{0.50} \underline{0.30} \underline{0.00} \underline{0.00} \underline{0.00} \underline{0.00} \underline{0.00} \quad \underline{0.00} 0.00$
than 9.5\% $2.001 .801 .601 .401 .20 \quad 0.80 \quad 0.40 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00 \quad 0.00$
9.5\%
or more but
$\begin{array}{lllllllllllllllllllllll}10.5 \% & 1.60 & 1.40 & 1.20 & 1.00 & 0.80 & 0.40 & 0.00 & 0.00 & 0.00 & 0.00 & 0.00 & 0.00\end{array}$
$10.5 \%$
$11.5 \%$
or more but
11.75\%
or more but
less than

$12.0 \%$ 오

(e) When an employer's fund index remains above 0.5 percent the
provisions of paragraph (a) of this subdivision, as amended by the chap-
ter of the laws of 2017 which added this paragraph, shall apply. When
an employer's fund index falls below 0.5 percent the provisions of para-
graph (a) of this subdivision, as amended by section 7 of part 0 of
chapter 57 of the laws of 2013, shall apply for the duration of the
following year.
§ 2. This act shall take effect immediately.

