STATE OF NEW YORK

4030--A

Cal. No. 639

2019-2020 Regular Sessions

IN SENATE

February 25, 2019

Introduced by Sens. RAMOS, BAILEY, BENJAMIN, BIAGGI, CARLUCCI, COMRIE, GAUGHRAN, GIANARIS, GOUNARDES, HARCKHAM, HOYLMAN, JACKSON, KAPLAN, KRUEGER, LIU, METZGER, MYRIE, PARKER, PERSAUD, RIVERA, SALAZAR, SANDERS, SEPULVEDA, SERRANO, SKOUFIS, STAVISKY, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the labor law, in relation to the payment of the minimum wage to certain car wash workers

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

Section 1. Section 651 of the labor law is amended by adding a new subdivision 10 to read as follows:

10. "Car wash worker" means any employee in Nassau, Suffolk, or Westchester county or in a city with a population of one million or more primarily engaged in the washing, vacuuming or general cleaning of motor vehicles. "Car wash worker" shall not include volunteers engaged in the washing of cars for fundraising or other charitable purpose.

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

7. Notwithstanding any provision of this article relating to the inclusion of an allowance for gratuities in the determination of the minimum wage, an employee who is a car wash worker in Nassau, Suffolk, or Westchester county or in a city with a population of one million or more shall receive the minimum wage set forth in subdivision one of this section with no such allowance for gratuities.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.

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

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