

# STATE OF NEW YORK

7503

2021-2022 Regular Sessions

## IN ASSEMBLY

May 12, 2021

Introduced by M. of A. JOYNER -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to raising the minimum wage annually by a percentage which is based on inflation; and to repeal subdivision 6 of section 652 of the labor law relating thereto

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

1 Section 1. Subdivision 1 of section 652 of the labor law, as amended  
2 by section 1 of part K of chapter 54 of the laws of 2016, is amended to  
3 read as follows:  
4 1. Statutory. Every employer shall pay to each of its employees for  
5 each hour worked a wage of not less than:  
6 \$4.25 on and after April 1, 1991,  
7 \$5.15 on and after March 31, 2000,  
8 \$6.00 on and after January 1, 2005,  
9 \$6.75 on and after January 1, 2006,  
10 \$7.15 on and after January 1, 2007,  
11 \$8.00 on and after December 31, 2013,  
12 \$8.75 on and after December 31, 2014,  
13 \$9.00 on and after December 31, 2015,  
14 and until December 31, 2016, or, if greater, such other wage as may be  
15 established by federal law pursuant to 29 U.S.C. section 206 or its  
16 successors or such other wage as may be established in accordance with  
17 the provisions of this article.  
18 (a) New York City. (i) Large employers. Every employer of eleven or  
19 more employees shall pay to each of its employees for each hour worked  
20 in the city of New York a wage of not less than:  
21 \$11.00 per hour on and after December 31, 2016,  
22 \$13.00 per hour on and after December 31, 2017,  
23 \$15.00 per hour on and after December 31, 2018,

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

LBD06653-04-1

1 and on each following December thirty-first, a wage published by the  
 2 commissioner on or before October first, based on the then current mini-  
 3 mum wage increased by the rate of inflation, if greater than zero, for  
 4 the most recent twelve month period ending June of that year based on  
 5 the consumer price index for all urban consumers on a national and  
 6 seasonally unadjusted basis (CPI-U), or a successor index as calculated  
 7 by the United States department of labor, or, if greater, such other  
 8 wage as may be established by federal law pursuant to 29 U.S.C. section  
 9 206 or its successors or such other wage as may be established in  
 10 accordance with the provisions of this article.

11 (ii) Small employers. Every employer of ten or less employees shall  
 12 pay to each of its employees for each hour worked in the city of New  
 13 York a wage of not less than:

- 14 \$10.50 per hour on and after December 31, 2016,
- 15 \$12.00 per hour on and after December 31, 2017,
- 16 \$13.50 per hour on and after December 31, 2018,
- 17 \$15.00 per hour on and after December 31, 2019,

18 and on each following December thirty-first, a wage published by the  
 19 commissioner on or before October first, based on the then current mini-  
 20 mum wage increased by the rate of inflation, if greater than zero, for  
 21 the most recent twelve month period ending June of that year based on  
 22 the consumer price index for all urban consumers on a national and  
 23 seasonally unadjusted basis (CPI-U), or a successor index as calculated  
 24 by the United States department of labor, or, if greater, such other  
 25 wage as may be established by federal law pursuant to 29 U.S.C. section  
 26 206 or its successors or such other wage as may be established in  
 27 accordance with the provisions of this article.

28 (b) Remainder of downstate. Every employer shall pay to each of its  
 29 employees for each hour worked in the counties of Nassau, Suffolk and  
 30 Westchester a wage not less than:

- 31 \$10.00 per hour on and after December 31, 2016,
- 32 \$11.00 per hour on and after December 31, 2017,
- 33 \$12.00 per hour on and after December 31, 2018,
- 34 \$13.00 per hour on and after December 31, 2019,
- 35 \$14.00 per hour on and after December 31, 2020,
- 36 \$15.00 per hour on and after December 31, 2021,

37 and on each following December thirty-first, a wage published by the  
 38 commissioner on or before October first, based on the then current mini-  
 39 mum wage increased by the rate of inflation, if greater than zero, for  
 40 the most recent twelve month period ending June of that year based on  
 41 the consumer price index for all urban consumers on a national and  
 42 seasonally unadjusted basis (CPI-U), or a successor index as calculated  
 43 by the United States department of labor, or, if greater, such other  
 44 wage as may be established by federal law pursuant to 29 U.S.C. section  
 45 206 or its successors or such other wage as may be established in  
 46 accordance with the provisions of this article.

47 (c) Remainder of state. Every employer shall pay to each of its  
 48 employees for each hour worked outside of the city of New York and the  
 49 counties of Nassau, Suffolk, and Westchester, a wage of not less than:

- 50 \$9.70 on and after December 31, 2016,
- 51 \$10.40 on and after December 31, 2017,
- 52 \$11.10 on and after December 31, 2018,
- 53 \$11.80 on and after December 31, 2019,
- 54 \$12.50 on and after December 31, 2020,
- 55 \$13.33 on and after December 31, 2021,
- 56 \$14.16 on and after December 31, 2022,

1 \$15.00 on and after December 31, 2023,

2 and on each following December thirty-first, a wage published by the  
3 commissioner on or before October first, based on the then current mini-  
4 mum wage increased by the rate of inflation, if greater than zero, for  
5 the most recent twelve month period ending June of that year based on  
6 the consumer price index for all urban consumers on a national and  
7 seasonally unadjusted basis (CPI-U), or a successor index as calculated  
8 by the United States department of labor, or, if greater, such other  
9 wage as may be established by federal law pursuant to 29 U.S.C. section  
10 206 or its successors or such other wage as may be established in  
11 accordance with the provisions of this article.

12 (d) The rates and schedules established in paragraphs (a) and (b) of  
13 this subdivision shall not be deemed to be the minimum wage under this  
14 subdivision for purposes of the calculations specified in subdivisions  
15 one and two of section five hundred twenty-seven of this chapter.

16 § 2. Subdivision 6 of section 652 of the labor law is REPEALED.

17 § 3. This act shall take effect immediately.