

STATE OF NEW YORK

4278--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 3, 2025

Introduced by M. of A. SIMON, ALVAREZ, REYES, SHRESTHA, MAMDANI, KIM, DINOWITZ, GALLAGHER, EPSTEIN, ROSENTHAL, TAYLOR, CRUZ, BORES, FORREST, R. CARROLL, CUNNINGHAM, BURDICK, DAVILA, JACOBSON, BRONSON, TAPIA, RAGA, KELLES, LUCAS, LEVENBERG, EACHUS, GLICK, WEPRIN, COLTON, MEEKS, LUNSFORD, RAMOS, SANTABARBARA, GIBBS, CONRAD, SEPTIMO, RIVERA, SAYEGH, BICHOTTE HERMELYN, BURKE, STECK, WALKER, COOK, DeSTEFANO, LAVINE, ROZIC, HEVESI, GONZALEZ-ROJAS, RAJKUMAR, MITAYNES, ZINERMAN, LEE, SIMONE, PAULIN, OTIS, SHIMSKY, CLARK, McMAHON, SOLAGES, VALDEZ -- Multi-Sponsored by -- M. of A. SEAWRIGHT -- read once and referred to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to enacting the "Empowering People in Rights Enforcement (EMPIRE) Worker Protection Act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Empowering People in Rights Enforcement (EMPIRE) Worker Protection
3 Act".
4 § 2. Legislative findings. 1. The legislature finds and declares that
5 violations of the labor law are often systemic, affecting many workers.
6 2. The legislature further finds and declares that despite the labor
7 law's strong protections for workers, limits on the availability of
8 public enforcement resources have deleterious effects on the marketplace
9 by allowing abuses targeting workers to persist unprosecuted. To ensure
10 the robust enforcement of the labor law, while minimizing the outlay of
11 scarce state funds, this act allows private individuals, labor organiza-
12 tions, and labor organizations deputized by the state to bring public
13 enforcement actions in certain contexts in which the state does not have
14 the means to fully enforce labor law protections.
15 3. The legislature further finds and declares that the purpose of the
16 EMPIRE Worker Protection Act is to create a means of empowering citizens
17 as private attorneys general to enforce the New York labor law.
18 4. The legislature further finds and declares that the purpose of the
19 EMPIRE Worker Protection Act is to incentivize private parties to

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

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1 recover civil penalties for the government that otherwise may not have
2 been assessed and collected by overburdened state enforcement agencies.
3 When the New York labor law is effectively enforced, it protects the
4 interests of all New Yorkers and the state of New York. Such public
5 enforcement actions are an efficient mechanism to limit systemic
6 violations, will enforce the rights of more workers, and can benefit the
7 department of labor with enhanced resources.

8 5. The legislature further finds and declares that the purpose of the
9 EMPIRE Worker Protection Act is to benefit those employers who are oper-
10 ating within the labor law, and who, as a result, face unfair competi-
11 tion from individuals and entities shirking the labor law.

12 6. The legislature further finds and declares that the purpose of the
13 EMPIRE Worker Protection Act is to deter employers from stealing wages
14 or committing other violations of the New York labor law and raise the
15 cost of noncompliance with the New York labor law.

16 7. The legislature further finds and declares that the purpose of the
17 EMPIRE Worker Protection Act is to incentivize labor organizations to
18 aid working people to report violations of the New York labor law.

19 8. The legislature further finds and declares that the purpose of the
20 EMPIRE Worker Protection Act is to facilitate whistleblowers suffering
21 from violations of the New York labor law to report abuses without fear
22 of retaliation and intimidation.

23 9. The legislature further finds and declares that the EMPIRE Worker
24 Protection Act is part of a history both in New York state and in the
25 United States of laws enabling private citizens to aid in public
26 enforcement. In similar qui tam legislation enabling private citizens to
27 aid in public enforcement, the resulting action is a public enforcement
28 action.

29 § 3. The labor law is amended by adding a new article 37 to read as
30 follows:

31 ARTICLE 37

32 EMPOWERING PEOPLE IN RIGHTS ENFORCEMENT (EMPIRE) WORKER PROTECTION ACT 33 Section 1150. Definitions.

34 1151. Public enforcement action.

35 1152. Procedure.

36 1153. Non-application.

37 § 1150. Definitions. Whenever used in this article:

38 1. "affected employee" means any employee as defined by section two of
39 this chapter who was employed by the alleged violator employer and
40 against whom one of the alleged violations was committed, or was alleged
41 to have been committed, as well as any person who is not classified by a
42 business as an employee but who claims to be an employee and whose
43 claims against the purported employer relate to this alleged misclassi-
44 fication, whether or not that person has received full or partial relief
45 from harm.

46 2. "relator" means an affected employee, a whistleblower, a represen-
47 tative organization, or an organizational deputy that acts as a plain-
48 tiff in a public enforcement action under this chapter.

49 3. "whistleblower" means any current or former employee, contractor,
50 subcontractor, or employee of a contractor or subcontractor of the
51 defendant with knowledge of the alleged violations that is independent
52 of and materially adds to any publicly disclosed information about the
53 alleged violations. Whistleblowers are not also "affected employees" if
54 they do not seek civil penalties for violations that personally affected
55 them in a public enforcement action under this chapter.

1 4. "employer" means any employer as defined by section two of this
2 chapter. The term "employer" shall not include a governmental agency.

3 5. "representative organization" means a labor organization as defined
4 by subsection (g) of section four thousand four hundred two of the
5 insurance law and which has been selected by an affected employee or
6 whistleblower to initiate a public enforcement action on the affected
7 employee's or whistleblower's behalf, in written notice in such a manner
8 as the commissioner may prescribe by regulation. Where a representative
9 organization is designated as the relator, the affected employee or
10 whistleblower may elect to have their name and personal identifying
11 information be kept confidential until the relator, in its sole
12 discretion, deems sharing such information is necessary to establish,
13 litigate, mediate, settle, or otherwise pursue the claim.

14 6. "public enforcement action" means an action brought under this
15 article intended to enforce this chapter's protections enforceable by
16 the commissioner. Nothing in this article shall be interpreted to
17 permit a public enforcement action against a governmental agency.

18 7. "commissioner" shall, for the purposes of this article, include the
19 commissioner, and any division, board, commission, or part of the
20 department authorized to impose or seek penalties or other remedies for
21 violations of this chapter.

22 8. "violation" means an employer's noncompliance with any of the
23 requirements of the following articles of this chapter and with regu-
24 lations and wage orders promulgated by the commissioner in implementing
25 such articles:

26 a. article six except sections one hundred ninety, one hundred nine-
27 ty-one-a, one hundred ninety-six, one hundred ninety-six-a, one hundred
28 ninety-eight-a, one hundred ninety-nine, and one hundred ninety-nine-a;

29 b. article nineteen except sections six hundred fifty, six hundred
30 fifty-one, six hundred fifty-three through six hundred sixty, six
31 hundred sixty-two, and six hundred sixty-five;

32 c. sections one hundred sixty, one hundred sixty-one, one hundred
33 sixty-two, one hundred sixty-three-a, one hundred sixty-seven, and one
34 hundred seventy of article five;

35 d. article nineteen-A except sections six hundred seventy through six
36 hundred seventy-two, six hundred seventy-four through six hundred seven-
37 ty-eight, six hundred eighty, and six hundred eighty-three;

38 e. article nineteen-B except sections six hundred ninety, six hundred
39 ninety-three, and six hundred ninety-four;

40 f. article nine except sections two hundred thirty, two hundred thir-
41 ty-four through two hundred thirty-six, and two hundred thirty-eight;

42 g. article twenty-five-A except sections eight hundred sixty, eight
43 hundred sixty-a, eight hundred sixty-c through eight hundred sixty-f,
44 and eight hundred sixty-i;

45 h. article twenty-five-B except sections eight hundred sixty-one
46 through eight hundred sixty-one-b;

47 i. article twenty-five-C except sections eight hundred sixty-two and
48 eight hundred sixty-two-a;

49 j. article eight except sections two hundred twenty-e through two
50 hundred twenty-four, two hundred twenty-four-b, and two hundred twenty-
51 four-c;

52 k. article twenty-C;

53 l. sections two hundred, two hundred one-d, two hundred one-g, two
54 hundred six-c, two hundred fifteen, and two hundred eighteen-b of arti-
55 cle seven;

56 m. section twenty-seven-d of article two;

1 n. article thirty-six;
2 o. section twenty-seven-e;
3 p. article twenty-one-a; and
4 q. any other worker protections that are added to this chapter after
5 the effective date of this article, unless the enacting statute specif-
6 ically excludes them from this definition.

7 9. "organizational deputy" means a labor organization as defined by
8 subsection (g) of section four thousand four hundred two of the
9 insurance law that has been appointed by the commissioner or the attor-
10 ney general to represent the state as the relator in the public enforce-
11 ment action. The commissioner or the attorney general shall have
12 complete discretion to determine what labor organizations may serve as
13 their organizational deputy in a public enforcement action.

14 § 1151. Public enforcement action. 1. A relator may initiate a public
15 enforcement action to collect civil penalties on behalf of the commis-
16 sioner for a violation impacting affected employees pursuant to the
17 procedures specified in section one thousand fifty-two of this article.
18 A relator may allege multiple violations that have affected different
19 employees and may seek injunctive and declaratory relief that the state
20 would be entitled to seek.

21 2. a. For purposes of this section, whenever the commissioner has
22 discretion to assess a civil penalty, a court is authorized to exercise
23 the same discretion to assess a civil penalty. To the extent that the
24 commissioner is authorized to determine that an employer has violated a
25 provision of this chapter or regulation promulgated thereunder, in a
26 public enforcement action, a court shall be authorized to determine that
27 an employer has committed such a violation.

28 b. For any violation defined in this article, except those for which a
29 civil penalty is specifically provided, there is established a civil
30 penalty of five hundred dollars for each affected employee per pay peri-
31 od per violation. A court may not award a lesser amount, unless, based
32 on the facts and circumstances of the particular case, the employer
33 demonstrates that to do otherwise would result in an award that is
34 unjust, arbitrary and oppressive, or confiscatory.

35 c. In any civil action commenced pursuant to this article, the court
36 shall allow a prevailing relator to recover all reasonable attorneys'
37 fees, expert fees and other costs. The court may also allow a prevail-
38 ing relator to recover all reasonable ancillary costs associated with
39 serving as a relator. For the purposes of this article, the term
40 "prevailing" includes a relator whose commencement of litigation has
41 acted as a catalyst to effect policy change on the part of the defend-
42 ant, regardless of whether that change has been implemented voluntarily,
43 as a result of a settlement or as a result of a judgment in such
44 relator's favor.

45 d. Nothing in this section shall operate to limit an affected employ-
46 ee's right to pursue or recover other remedies available under state or
47 federal law, either separately or concurrently with an action taken
48 under this section.

49 e. Nothing in this section shall operate to limit the commissioner's
50 or the attorney general's right to seek restitution and damages, where
51 available, for affected employees in conjunction with a public enforce-
52 ment action in which it has intervened.

53 3. a. Civil penalties recovered in public enforcement actions shall
54 be distributed as follows: where the commissioner or the attorney
55 general has not intervened, or where the commissioner or the attorney
56 general has appointed an organizational deputy to proceed as the rela-

1 tor, forty percent to the relator; and sixty percent to the commissioner
2 for enforcement of this chapter and education of employers and employees
3 about their rights and responsibilities under this chapter, to be
4 continuously appropriated to supplement and not supplant the funding to
5 the agency for those purposes; where the commissioner or the attorney
6 general has intervened, thirty percent to the relator; and seventy
7 percent to the commissioner for enforcement of this chapter and educa-
8 tion of employers and employees about their rights and responsibilities
9 under this chapter, to be continuously appropriated to supplement and
10 not supplant the funding to the agency for those purposes.

11 b. The relator shall equitably distribute the share of penalties due
12 the relator among affected employees. If the relator is an affected
13 employee or whistleblower, they shall also be entitled to recover a
14 service award from the penalties recovered, if they prevail in achieving
15 relief, in whole or in part, for violations that affected other employ-
16 ees. The service award shall be not less than five thousand dollars and
17 not more than twenty thousand dollars, unless the amount recovered as
18 civil penalties is less than twenty thousand dollars. The court shall
19 determine the service award by taking due consideration of the burdens
20 and risks assumed by the relator in prosecuting the action. If the rela-
21 tor is a representative organization or an organizational deputy
22 appointed by the commissioner or the attorney general, it shall distrib-
23 ute all recovered penalties to affected employees but may recover
24 reasonable attorneys' fees and costs incurred in prosecuting the action
25 and ancillary costs associated with serving as a relator. The relator
26 shall submit a distribution summary to the commissioner and the attorney
27 general.

28 4. The right to bring a public enforcement action under this article
29 shall not be subject to private agreements between an affected employee
30 and an employer or alleged employer, unless such agreements are collec-
31 tively bargained and the bargaining agreement provides a forum for the
32 enforcement of rights and remedies otherwise enforceable under this
33 article. The right to represent the state with respect to violations
34 affecting other workers shall not be waivable by private agreement,
35 unless such agreements are collectively bargained and the bargaining
36 agreement provides a forum for the enforcement of rights and remedies
37 otherwise enforceable under this article, including an award of penal-
38 ties authorized by this article.

39 5. Notwithstanding any other provision of law, a public enforcement
40 action to recover upon a penalty imposed by this article must be
41 commenced within six years. The statute of limitations for bringing a
42 public enforcement action under this article shall be tolled from the
43 date a relator files a notice pursuant to section one thousand fifty-two
44 of this article with the commissioner and the attorney general, or the
45 commissioner or the attorney general commences an investigation, which-
46 ever is earlier.

47 6. The commissioner shall establish a database of public enforcement
48 notices submitted pursuant to this article, including the parties, the
49 disposition and any other information which the commissioner shall by
50 regulation prescribe and shall make such database available to the
51 public online. The commissioner shall also publish an annual report of
52 total penalties recovered under this chapter.

53 7. a. No employer or the employer's agent, employee, contractor,
54 subcontractor or the officer or agent of any corporation, partnership,
55 or limited liability company, or any other person shall discharge,

1 demote, suspend, threaten, harass, or in any other manner discriminate
2 against any person because of any lawful act done because:

3 (i) the relator or potential relator brought or is perceived to have
4 brought a public enforcement action;

5 (ii) the relator or potential relator has provided information, caused
6 information to be provided, or otherwise assisted in a public enforce-
7 ment action or provided information, or caused information to be
8 provided to a person with supervisory authority over the relator or
9 potential relator regarding conduct that the relator or potential rela-
10 tor reasonably believes constitutes a violation of this section; or

11 (iii) the person believes that the relator or potential relator may
12 bring a public enforcement action or cooperate with one.

13 b. Any person affected by a violation of this subdivision, or any
14 affected employee, whistleblower, representative organization, organiza-
15 tional deputy, or the commissioner, or the attorney general may bring a
16 public enforcement action for all appropriate relief, including enjoin-
17 ing the conduct of any person or employer; ordering payment of civil
18 penalties as provided by section two hundred fifteen of this chapter,
19 costs and reasonable attorneys' fees to the employee by the person or
20 entity in violation; and, where the person or entity in violation is an
21 employer, ordering rehiring or reinstatement of the employee to the
22 employee's former position with restoration of seniority. Any person
23 affected by a violation of this subdivision may also bring a civil
24 action in a court of competent jurisdiction against any employer or
25 persons alleged to have violated the provisions of this subdivision
26 pursuant to subdivision two of section two hundred fifteen of this chap-
27 ter.

28 c. There shall be a rebuttable presumption that any adverse actions
29 taken against a relator within one hundred eighty days after the relator
30 has filed an action under this chapter is retaliatory. Nothing in this
31 subdivision shall be interpreted to prohibit an inference of retaliatory
32 motive after one hundred eighty days after the relator has filed an
33 action under this chapter.

34 § 1152. Procedure. 1. No public enforcement action by a relator pursu-
35 ant to section one thousand fifty-one of this article may be commenced:

36 a. prior to sixty days after written notice has been given by the
37 relator to the commissioner and to the attorney general. The relator
38 shall submit a filing fee of seventy-five dollars to the commissioner,
39 and the time periods in this section shall begin when notice and filing
40 fee have been submitted. The fees required by this paragraph are subject
41 to waiver in accordance with rules promulgated by the commissioner. The
42 written notice shall be given in such a manner as the commissioner may
43 prescribe by regulation, shall be construed in a light favorable to the
44 relator, and shall include:

45 (i) the name, address and contact information of the employer.

46 (ii) the name, address, and contact information of the affected
47 employee or whistleblower.

48 (iii) if the action is brought by a representative organization, the
49 name, address and contact information of the representative organiza-
50 tion, its qualification as a representative organization as defined in
51 this chapter, and the form on which the whistleblower or affected
52 employee has designated the representative organization.

53 (iv) if the action is brought by an affected employee or whistleblow-
54 er, the name, address, and contact information of any labor organization
55 that has assisted with the filing of the written notice, and who would

1 be available to serve as an organizational deputy should they be so
2 appointed by the commissioner or the attorney general.

3 (v) the name, address and contact information of the relator's legal
4 counsel, should one exist.

5 (vi) a statement of the underlying claim.

6 (vii) if the relator is a "whistleblower", the relator's knowledge of
7 the alleged violations that is independent of and materially adds to
8 publicly disclosed information.

9 (viii) after searching the database established pursuant to subdivi-
10 sion six of section one thousand fifty-one of this article for notices
11 alleging the same facts and legal theories, a summary of such notices or
12 statement that no such notices exist, provided that a notice filed by a
13 pro se litigant may not be rejected for failure to conduct such a
14 search.

15 b. if the commissioner or the attorney general, at any time prior to
16 the end of the sixty-day notice period prescribed in paragraph a of this
17 subdivision or prior to commencement of such action, whichever is later,
18 and upon written notice to the relator who provided the notice
19 prescribed in paragraph a of this subdivision, has commenced and is
20 actively prosecuting an administrative enforcement proceeding pursuant
21 to this chapter relative to the alleged violation.

22 c. if the commissioner or the attorney general, on the same facts and
23 theories, cites a person within the timeframes set forth in this section
24 for a violation of the same section or sections of this chapter under
25 which the relator is attempting to recover a civil penalty or remedy on
26 behalf of the relator or others.

27 d. if the violation is of a posting or agency reporting requirement or
28 agency filing requirement, except where the filing or reporting require-
29 ment involves mandatory payroll or injury reporting.

30 e. if the violation is for minor variations in the legal name or
31 address of the employer in a wage statement or wage notice required
32 under article six of this chapter, provided that the variations do not
33 impair a worker's ability to promptly and easily identify the employer.

34 2. The commissioner or the attorney general may, after receiving the
35 notice, appoint an organizational deputy for the commissioner or the
36 attorney general (based on who makes the appointment) to serve as the
37 relator, instead of the person who filed the notice. That organizational
38 deputy may then proceed with the public enforcement action on behalf of
39 the state. If the commissioner or the attorney general has appointed an
40 organizational deputy as the relator, that organizational deputy shall
41 serve as the relator in accordance with all the other procedures
42 outlined in this article. The decision to appoint an organizational
43 deputy shall not be construed as the commissioner's or the attorney
44 general's direct intervening in the public enforcement action.

45 3. The commissioner or the attorney general may intervene in the
46 public enforcement action and proceed with any and all claims in the
47 action:

48 a. as of right within the sixty-day notice period prescribed in para-
49 graph a of subdivision one of this section;

50 b. for good cause, as determined by the court, after the expiration of
51 the sixty-day notice period prescribed in paragraph a of subdivision one
52 of this section; or

53 c. if a previous relator becomes unavailable to continue the public
54 enforcement action, by appointing an organizational deputy for the
55 commissioner or the attorney general (based on who makes the appoint-
56 ment) to proceed with the public enforcement action on behalf of the

1 state. If the commissioner or the attorney general has so appointed an
2 organizational deputy, the organizational deputy shall serve as the
3 relator in accordance with all the other procedures outlined in this
4 article. The decision to appoint an organizational deputy shall not be
5 construed as the commissioner or the attorney general directly interven-
6 ing in the public enforcement action.

7 4. If the commissioner or the attorney general intervenes in an
8 action, the commissioner may take primary responsibility for litigating
9 the action and shall not be bound by an act of the relator bringing the
10 action. In such cases, the relator shall remain a party to the action.
11 The commissioner or the attorney general may also intervene in the
12 action for the limited purpose of filing a statement of interest or
13 otherwise advancing the state's view about legal issues at stake in the
14 action. If the commissioner or the attorney general has intervened for
15 the purpose of taking primary responsibility for litigating the action,
16 the commissioner or attorney general may dismiss or settle the action
17 after the relator has been notified of the filing of the motion and has
18 been provided with an opportunity to be heard, and the court determines
19 that such dismissal or settlement is fair, adequate, reasonable, and in
20 the public interest.

21 5. Either the commissioner, the attorney general, or a federal or
22 state court of competent jurisdiction shall review and approve any
23 settlement of any civil action filed pursuant to this article or of any
24 claim for which a relator has provided notice pursuant to this section.
25 The commissioner, the attorney general, or the court shall approve the
26 settlement if it is fair, reasonable and adequate, in light of the stat-
27 utory purpose of the provision of this chapter alleged to have been
28 violated and the purpose of this article.

29 6. a. The relator shall, within ten days following commencement of a
30 civil action pursuant to this article, provide the commissioner and the
31 attorney general with a file-stamped copy of the complaint that includes
32 the case number assigned by the court.

33 b. If the commissioner or the attorney general so requests, the
34 commissioner or the attorney general shall be served with copies of
35 pleadings filed in the action and shall be supplied with copies of all
36 deposition transcripts. The commissioner or the attorney general shall
37 bear any costs associated with service of such pleadings and depositions
38 if there are such costs.

39 c. A copy of the court's judgment in any civil action filed pursuant
40 to this article and any other order in that action that either provides
41 for or denies an award of civil penalties under this article shall be
42 submitted to the commissioner and the attorney general within ten days
43 after entry of the judgment or order.

44 d. Items required to be submitted to the commissioner under this
45 subdivision shall be transmitted in such a manner as the commissioner
46 shall prescribe for the filing of notices under paragraph a of subdivi-
47 sion one of this section.

48 7. Such regulations prescribed pursuant to paragraph a of subdivision
49 one of this section shall provide for the right of the relator to
50 furnish an amended notice, after the notice by the commissioner to the
51 relator that the original notice was not in compliance with this section
52 or the regulations issued thereunder and specifying with particularity
53 what the deficiencies were in the original notice. Such notice and
54 opportunity to amend shall be provided by the commissioner within sixty
55 days of the original notice or the original notice shall be deemed in
56 compliance with this section. The relator shall have thirty days from

1 receiving notice from the commissioner that their original notice was
2 not in compliance with this section to amend the notice.

3 8. A public enforcement action shall be tried promptly, without regard
4 to concurrent adjudication of private claims, including without regard
5 to concurrent adjudication of claims for violations personally affecting
6 the relator.

7 9. No public enforcement action brought pursuant to this article shall
8 be required to meet the requirements of Rule 23(a) of the Federal Rules
9 of Civil Procedure or article nine of the civil practice law and rules.

10 10. The rules governing pretrial discovery in a public enforcement
11 action brought pursuant to this article shall be the same as those
12 applicable to other civil actions. No special showing of merit or other
13 additional requirement shall be imposed on a relator's discovery rights
14 in such an action.

15 11. A relator bringing an action pursuant to this article shall be
16 entitled to discovery regarding the alleged violations as to all
17 affected employees as defined in this article.

18 12. When related public enforcement actions are pending, the parties
19 shall immediately notify the courts overseeing such actions of the over-
20 lap and submit a joint statement describing the overlap, which may
21 propose a process to ensure the just, speedy, and efficient determi-
22 nation of the actions. The court may appoint lead enforcement counsel
23 with sole responsibility for asserting the related claims, with consid-
24 eration of the following factors:

25 a. the work that counsel has done in investigating the claims;

26 b. counsel's experience litigating labor law and past performance in
27 similar cases;

28 c. counsel's diligence in advancing the case;

29 d. the resources that counsel has committed and will commit to prose-
30 cuting the case, and the relative resources at counsel's disposal; and

31 e. the length of time each action has been pending.

32 § 1153. Non-application. 1. This article shall not apply to the recov-
33 ery of administrative and civil penalties in connection with the unem-
34 ployment insurance law as contained in article eighteen of this chapter.

35 2. This article shall not apply to the recovery of administrative and
36 civil penalties in connection with the New York state labor relations
37 act as contained in article twenty of this chapter.

38 3. Severability. If any word, phrase, clause, sentence, paragraph,
39 subdivision, section or part of this article or the application thereof
40 to any person or circumstances shall be adjudged invalid by a court of
41 competent jurisdiction, such order or judgment shall be confined in its
42 operation to the controversy in which it was rendered, and shall not
43 affect or invalidate the remainder of this article, but shall be
44 confined in its operation to the word, phrase, clause, sentence, para-
45 graph, subdivision, section or part thereof directly involved in the
46 controversy in which such judgment shall have been rendered.

47 4. This article shall be construed in light of its remedial purposes
48 to expand the enforcement of this chapter.

49 § 4. This act shall take effect immediately, and shall permit relators
50 to bring actions concerning New York Labor Law violations that occurred
51 within the six years prior to this act's effective date, unless the
52 Labor Law provides a shorter statute of limitations with respect to the
53 specific violation in question, in which case that shorter statute of
54 limitations shall apply.