STATE OF NEW YORK

6950

2025-2026 Regular Sessions

IN ASSEMBLY

March 18, 2025

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

AN ACT to amend the labor law, in relation to enacting "the construction reporting pay act"

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

Section 1. Short title. This act shall be known and may be cited as "the construction reporting pay act".

§ 2. Legislative intent and findings. The legislature finds that employees in construction are entitled to the same scheduling, reliability, and predictability as other fields of employment. The legislature further finds that reliable and predictable scheduling will create a more harmonious relationship between labor and management, leading to an overall better and safer working environment.

§ 3. The labor law is amended by adding a new section 224-g to read as follows:

§ 224-g. Wage requirements for reporting and scheduling pay. 1. Notwithstanding any law, rule or regulation to the contrary, for any construction projects covered by sections two hundred twenty, two hundred twenty-b, two hundred twenty four-a, two hundred twenty four-d, two hundred twenty four-e, two hundred twenty four-f as added by section three of part TT of chapter fifty-six of the laws of two thousand twenty-three, or two hundred twenty four-f as added by chapter two hundred seventy-eight of the laws of two thousand twenty-three, each laborer, worker or mechanic in the employ of a contractor who by request or permission of an employer reports for work on any day shall be paid no less than four hours at the prevailing rate of wages, including supplements, as defined in this article for the employee's regularly scheduled classification of work, however, this section shall not be applicable if the posted prevailing rate of wages provides for reporting pay wages or benefits greater than set forth in this section. Payments owed to an

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

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employee pursuant to this section shall be deemed prevailing rate of wages or supplements as defined in this article.

2. Notwithstanding any law, rule or regulation to the contrary, each laborer, worker or mechanic in the employ of a contractor who by request or permission of an employer is scheduled to report for work on any day shall be paid for two hours at the prevailing rate of wages, including supplements, as defined in this article for the regularly scheduled classification of work when such scheduled shift is cancelled on less than twelve hours' notice to the employee.

§ 4. The labor law is amended by adding a new section 196-e to read as follows:

§ 196-e. Construction industry reporting pay provisions. 1. Notwithstanding any law, rule or regulation to the contrary, an employee engaged in construction, as defined in subdivision one of section eight hundred sixty-one-b of this chapter, who by request or permission of an employer reports for work on any day shall be paid for at least four hours, or the number of hours in the regularly scheduled shift, whichever is less, at the employee's promised hourly wage.

2. Notwithstanding any law, rule or regulation to the contrary, an employee engaged in construction, as defined in subdivision one of section eight hundred sixty-one-b of this chapter, who by request or permission of an employer is scheduled to report for work on any day shall be paid for two hours at the employee's promised hourly wage when such scheduled shift is cancelled on less than twelve hours' notice to the employee. Payments owed to an employee pursuant to this section shall be deemed wages as defined in this article.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.