

The Bill Eliminating the Annual Wage Notice Requirement Still Has Not Been Signed by the Governor

Nearly six months ago, we reported in a New York Labor and Employment Law Report [blog article](#) that the New York Legislature passed a bill eliminating the requirement under the Wage Theft Prevention Act that employers provide an annual wage notice to their employees between January 1 and February 1. We monitored the bill regularly, hoping that we would be able to report that the Governor had signed the bill and that employers would be relieved of this onerous requirement in 2015. Unfortunately, the bill has not yet been delivered to the Governor, so at least as of now, the annual wage notice requirement remains in effect.

Based on the information we have been able to obtain, it appears that the Governor's office and the Legislature are currently discussing potential revisions to the bill that are unrelated to the elimination of the annual wage notice requirement. Aside from the elimination of the annual wage notice requirement, the bill that was passed on June 19 also increased the penalties for an employer's failure to provide a wage notice upon hiring a new employee and for an employer's failure to provide appropriate wage statements to employees, imposed significant consequences on employers who are found to be repeat offenders, and added provisions to the Limited Liability Company Law and the Construction Industry Fair Play Act. It is our understanding that amendments to some of those other provisions are being contemplated.

It is still possible that the bill will be signed by the Governor before the end of the legislative term. However, if the legislation goes into effect 60 days after it is signed into law (which is how the [bill](#) is currently drafted), it is already too late for the law to go into effect in time to relieve employers of the obligation to distribute the annual notice by February 1, 2015. Our firm has brought this issue to the attention of the Governor's office.

At this point, employers in New York should prepare to send the annual wage notice to their employees between January 1 and February 1, 2015. If the Legislature and the Governor give a nice holiday gift to New York employers by finding a way to eliminate this requirement for 2015, we will certainly let you know.

To learn more, contact [Subhash Viswanathan](#) at (315) 218-8324 or suba@bsk.com.



Bond, Schoeneck & King PLLC (Bond, we, or us), has prepared this communication to present only general information. This is not intended as legal advice, nor should you consider it as such. You should not act, or decline to act, based upon the contents. While we try to make sure that the information is complete and accurate, laws can change quickly. You should always formally engage a lawyer of your choosing before taking actions which have legal consequences.

For information about our firm, practice areas and attorneys, visit our website, www.bsk.com. • Attorney Advertising • © 2014 Bond, Schoeneck & King, PLLC

CONNECT WITH US ON LINKEDIN: SEARCH FOR BOND, SCHOENECK & KING, PLLC

FOLLOW US ON TWITTER: SEARCH FOR BONDLAWFIRM