

## LABOR AND EMPLOYMENT LAW ALERT

### Governor Cuomo Announces New Minimum Wage Task Force

On January 2, 2017, Governor Andrew Cuomo announced the launch of a 200-member multi-agency Minimum Wage Enforcement and Outreach Unit (Task Force) charged with ensuring that all minimum wage workers are paid the proper rate and helping businesses and workers understand their responsibilities and rights under the new wage regulations.

Here are some additional details about the Task Force according to the Governor's press release:

- **Multi-Agency Approach:** The Unit will include specially trained staff from a number of state agencies, including the Department of Labor, Department of Taxation, Workers' Compensation Board and the Department of State. Trained staff will educate both workers and businesses on specific requirements included under the new minimum wage rates. In addition, a worker protection web tool and hotline have launched for both businesses and workers to ensure that all New Yorkers receive proper pay.
- **Enforcement:** Led by the New York State Department of Labor, state investigators will enforce the new minimum wage law by ensuring that businesses are held accountable, responding to complaints by workers and conducting proactive investigations. Approximately 200 investigators from state agencies will prioritize minimum wage education and enforcement activities. Employers are subject to a fine of \$3 for every hour they fail to pay the proper minimum wage to an employee. They must also pay back wages plus 100% more in the form of liquidated damages, in addition to another 100% more for civil penalties. The Department of Labor can conduct an audit of an employer's entire workforce and the wages paid.
- **Outreach:** The Unit will offer minimum wage regulation training sessions and webinars to key stakeholders across the state to help businesses identify proper pay rates for their employees. The Unit will work with regional chambers of commerce and business improvement districts; immigrant small businesses; labor unions; industry groups and worker advocacy groups. Assistance will be available to both workers and businesses, including those for whom English is not their first language.
- **Advocacy:** New promotional and educational materials will be created and distributed to workers and businesses to help them understand their rights and responsibilities under the new law. Last week, the state launched a public awareness campaign to remind New Yorkers about the wage increase and inform them about the hotline.

Additional information is available here: <https://www.governor.ny.gov/news/governor-cuomo-announces-launch-multi-agency-minimum-wage-enforcement-and-outreach-unit-ensure>.

**For questions regarding this information, please contact any of the Hancock Estabrook, LLP attorneys listed below.**

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