



Legislation Text

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Int. No. 862

By The Public Advocate (Ms. James) and Council Members Chin, Constantinides, Cumbo, Gibson, Lancman, Mendez, Rose and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to establishing an anonymous wage theft hotline, a wage theft advocacy office and an annual wage theft hotline report

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 19 to read as follows:

Subchapter 19

Wage Theft

§ 20-824 Office of wage theft advocacy. The commissioner, or such other person as the mayor designates, shall work with the office of the public advocate to establish an office of wage theft advocacy within the office of the public advocate. Subject to the provisions of subdivision k of section 24 of the charter, the office of wage theft advocacy shall assist prospective complainants with reporting incidents and filing complaints regarding wage theft with the New York state department of labor and the New York state attorney general.

§ 20-825 Wage theft hotline. a. Hotline. The commissioner, or such other person as the mayor designates, shall establish a wage theft hotline. Information received by such hotline shall be anonymous and confidential except to the extent required by any federal, state or other local law. The wage theft hotline shall assist callers by:

1. Providing callers with general information about:

(a) New York state law regarding minimum wages, the payment of wages and the prevention of wage theft;

(b) How to file complaints regarding wage theft with the New York state department of labor and the New York state attorney general; and

(c) Other available resources relating to alleged wage theft or violations of state wage laws, including the wage theft advocacy office established pursuant to section 20-824; and

2. Sending general information, when a caller so requests, about New York state law regarding minimum wages, the payment of wages and the prevention of wage theft to an employer or business.

b. Annual report. The department, or such other person as the mayor designates, shall issue a report on or before August 1 of each year that includes:

1. The number of calls made to the hotline established under subdivision a, broken down by the industry of the business or employer to the extent such information is available without compromising the caller's anonymity;

2. The number of businesses given information about New York state law pursuant to paragraph 2 of subdivision a of this section; and

3. Recommendations for the New York state department of labor about potential amendments to the state wage theft law or changes to policy or rules related to the enforcement of such law.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of the department of consumer affairs, or such other person as the mayor may designate, may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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