



Legislation Text

File #: Res 0612-2015, **Version:** *

Res. No. 612

Resolution calling upon the New York State Legislature to pass and the Governor to sign, A.5501, strengthening the provisions of the Wage Theft Prevention Act.

By The Speaker (Council Member Mark-Viverito) and Council Members Torres, Lancman, Ferreras, Johnson, Miller, Arroyo, Chin, Constantinides, Gentile, Gibson, Lander, Palma, Rose, Koslowitz, Rosenthal, Menchaca, Cohen, Crowley, Rodriguez, Van Bramer, Williams, Dromm, Cornegy, Kallos and the Public Advocate (Ms. James)

Whereas, The New York State Wage Theft Prevention Act (“the Act”) became effective on April 9, 2011, and was amended in 2014; and

Whereas, The Act was intended to provide protection to workers against wage theft; and

Whereas, Specifically, the Act, regulates the manner workers are notified of their pay rates and receive wage statements, and expands the civil and criminal remedies for wage theft; and

Whereas, However, even when employees successfully pursue civil remedies against their employers who stole wages, State law places considerable hurdles that hinder the collection of money judgments; and

Whereas, For example, according to a 2015 report, *Empty Judgments: The Wage Collection Crisis in New York*, issued by the Legal Aid Society, the Urban Justice Center, and National Center for Law and Economic Justice, existing lien and legal procedures make collection extremely difficult; and

Whereas, The 2015 *Empty Judgments* report “identified at least \$125 million in empty judgments and orders” and purports that the State has been unable to collect over \$101 million in unpaid wages between 2003 and 2013, according to records of the New York State Department of Labor; and

Whereas, New York State Assembly bill A.5501, introduced by Assemblymember Linda Rosenthal, would strengthen the existing Wage Theft Prevention Act by creating a process to allow an employee to impose

a lien on an employer's property for the amount of unpaid wages arising out of the employee's employment claim; and

Whereas, Under the law, workers would have a better chance of enforcing money judgments; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign, A.5501, strengthening the provisions of the Wage Theft Prevention Act.

BG/RC/GZ
LS 913/2014
03/10/15