MEMORANDUM

To: NRLA-New York Members

From: NRLA’s Government Affairs Department

Date: Sept. 29, 2017

Subject: New York State Dept. of Labor Public Hearings on Employee Scheduling

The New York State Dept. of Labor is conducting public hearings on the issue of employer scheduling practices. The target of the public hearings is broad in scope and applies to “just-in-time,” “call-in,” “on-call,” and “advance notice” scheduling. The first hearing was held in Albany on Sept. 28, where associations and unions testified for and against any potential steps the Dept. of Labor would take to regulate employer scheduling practices.

The Dept. of Labor has indicated that after the public hearings end on Oct. 17, they will release their proposed regulations, allow for the 45-day comment period, and then finalize the regulations. At this time, the regulations appear to be restricted to businesses in New York that fall under the miscellaneous wage standards, which includes lumber and building material dealers. It is unclear how expansive the regulations will be and if they will apply to certain workers, such as part-time and/or minimum wage.

The NRLA and other business groups will be submitting testimony requesting that the Dept. of Labor carefully consider the scheduling challenges of small businesses before releasing sweeping regulations that will increase the cost of doing business in New York. The NRLA will keep members informed as the Dept. of Labor continues through the regulatory process.

If you have any questions or for more information, please contact Jeff Keller, Director of Legislative and Regulatory Affairs, at jkeller@nrla.org or 518-880-6376.