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Memorandum in Support

S.6063-A (DeFrancisco)/A.8856-A (Gabryszak)

AN ACT to amend the labor law, in relation to eliminating an employer's annual notice requirement

Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. (the "Companies") are subsidiaries of Consolidated Edison, Inc., one of the nation's largest investor-owned energy companies, providing electric, gas and steam service to 3.3 million customers in New York City, Westchester County, Orange County, and Rockland County. In aggregate, the Companies employ almost 15,000 employees and pay more than \$2.3 billion annually in state and local taxes.

This bill repeals the annual notice requirement contained in the Wage Theft Protection Act enacted in 2010. The Wage Theft Prevention Act requires an employer to provide written notice to an employee regarding various aspects of the employee's pay at the time of hiring and on an annual basis. A written acknowledgement of the notice's receipt must be obtained from the employee and maintained by the employer for six years. Failure to comply with the annual notice requirement is subject to a \$50 penalty per employee.

The Companies *support* this legislation because it removes an onerous and expensive mandate that provides no obvious benefit to our employees. Such a mandate should be reserved for employers that fail to comply with New York's wage laws, not law-abiding employers, such as the Companies, which work hard to ensure that employees' interests are protected.

For the foregoing reasons, the Companies urge that favorable action be taken on this bill.