

NYS DOL EXTENDS COMMENT PERIOD FOR PROPOSED SCHEDULING REGULATIONS

Labor and Employment Alert
January 23, 2018

As we previously reported on November 22, 2017, the New York Department of Labor proposed regulations that would revise the on-call and call-in pay requirements for most employers. The proposed regulations would impose new requirements for employers who schedule employees for on-call shifts and cancel or assign shifts within certain time periods of the scheduled start time of the shift. The proposed rules were subject to a 45-day comment period and were developed after the Department conducted four hearings and received testimony about the need for the regulations.

The New York Department of Labor announced that it would be extending the comment period in order “[t]o provide additional opportunity for the public to participate in the rulemaking process.” The new deadline for submitting comments is January 22, 2018.

Employers should expect swift action from the Department of Labor after the new comment period ends. While the business community has, thus far, voiced strong opposition to the regulations, the Department has not provided any indication that it would be withdrawing the proposed regulations.

If you have any questions about how the proposed regulations would affect your business operations and labor costs, please contact any of our Labor and Employment Group attorneys.

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