

## Testimony submitted on behalf of the Labor-Religion Coalition of NYS

Honorable Chairs of the Senate Finance Committee and the Assembly Ways and Means Committee:

*“You shall not withhold the wages of poor and needy laborers, whether other Israelites or aliens who reside in your land....You shall pay them their wages...because they are poor and their livelihood depends on them.” Deuteronomy 24:14-15*

The religious commandments against theft, including wage theft, are clear. Thou shall not steal. That is why, as a faith-based organization, we submit our testimony today in support of increased funds for the New York State Department of Labor (NYSDOL) so that they might have adequate resources to do their job and more effectively implement the wage theft laws already on the books.

In New York State low-wage workers are struggling under record poverty as more and more, new job creation is made up of low-mobility, low-wage jobs. Unfortunately, even when workers are able to find employment they aren't always guaranteed the pay that they've earned. The National Employment Law Project found that near \$1 billion a year was stolen from workers in New York City alone, from employers who refuse to pay workers the full amount of wages they are owed, don't pay for overtime, or don't pay at all. These stolen wages affect everyone. Wage theft cheats workers, steals from the public when companies fail to pay employment taxes, and puts ethical businesses at an unfair disadvantage.

The NYSDOL is the one agency with broad enforcement jurisdiction and authority to investigate wage theft. However, there is a growing backlog of complaints for investigation. Currently, the Division of Labor Standards has more than 15,000 open cases. As a result of the back log of cases, workers report they must wait well over a year before the NYDOL even begins an investigation of their unpaid wage claims. Many investigations can last several years. And workers report that even after they receive a NYDOL decision in their favor, they must wait at least another year before a hearing of the employer's appeal at the Industrial Board of Appeals (“IBA”) because there are too few administrative law judges to hear cases. These delays provide ample time for employers to go out of business, sell their business, or simply disappear, which jeopardize workers' chances of ever collecting their stolen wages. In other words, the lack of NYSDOL resources is directly correlated to the lengthy nature of investigation which itself decreases the workers' chances of seeing justice and collecting their stolen wages.

In order to effectively take action against wage theft, the Department of Labor needs to be adequately equipped to deal with wage theft cases that are brought to them. By increasing the budget for DOL investigators, we can take some big steps toward ending wage theft here in New York.