



The Honorable David A. Paterson
State Capitol
Albany, NY 12224

December 3, 2010

Dear Governor Paterson:

I am writing on behalf of the Staten Island Chamber of Commerce, our 900 members and their 20,000 employees to urge you to veto the Wage Theft Protection Act. The bill, which protects workers from retaliation for exercising their rights and increases the penalties for employers who violate wage laws, is no doubt well intentioned. However, the fact remains that this legislation would require double the amount of paperwork for both businesses that are violating the law as well as those that have done nothing wrong.

If an employer makes a mistake in their recordkeeping or notice requirements relating to wages or overtime pay, the Wage Theft Protection Act imposes severe penalties based solely on the anecdotal evidence of the employee. The employer, on the other hand, must provide "specific, detailed, and credible rebuttal evidence" to overcome the presumption that he or she was in the wrong. When combined with a six year statute of limitations, placing such a heavy burden of proof on the business owner will create an overly litigious environment. Just the threat of a lawsuit is sufficient to impede job creation and force many businesses to shut their doors.

At a time when unemployment is at nearly 10% statewide and job creation is of paramount importance, legislation that imposes additional burdens on the business community makes no sense. How are businesses supposed to create new jobs when they are being forced to take time away from their primary responsibilities to fill out paperwork? New York is already one of the worst states for doing business and this bill will do nothing to attract businesses or make it easier for existing businesses to hire new workers. I strongly urge you to veto this bill and the additional burdens it would place on businesses throughout New York State.

Sincerely,

A handwritten signature in black ink that reads "Linda M. Baran".

Linda M. Baran
President & CEO

CC:

Senator Diane J. Savino
Senator Andrew Lanza
Assemblymember Michael Cusick
Assemblymember Janele Hyer-Spencer
Assemblymember Matthew Titone
Assemblymember Lou Tobacco