NEW YORK

Construction Reporting Pay Act

S.9843 / A.6950 | Chapter 291 of the Laws of 2026

EFFECTIVE DATE	December 8, 2026

At a Glance

The Act creates construction-specific reporting pay and short-notice shift cancellation pay requirements under new New York Labor Law Sections 224-g and 196-e. It applies to covered construction employees, including distinct rules for prevailing-wage projects and other construction work.

Situation	Required Pay	Applicable Rate
Employee reports to work	At least 4 hours, or the regularly scheduled shift if shorter	Promised hourly wage under Section 196-e; prevailing wage plus supplements under Section 224-g
Scheduled shift canceled with less than 12 hours notice	2 hours of pay	Promised hourly wage under Section 196-e; prevailing wage plus supplements under Section 224-g

Important Clarification

The 12-hour provision does not require payment for a full shift. When a covered shift is canceled with less than 12 hours notice, the statute requires two hours of pay at the applicable rate.

Section-by-Section Details

1. Short Title and Legislative Purpose

- The law may be cited as the "Construction Reporting Pay Act."
- The legislative findings emphasize scheduling reliability and predictability for construction employees and a safer, more harmonious labor-management environment.

2. New Labor Law Section 224-g: Prevailing-Wage Construction

- Reporting pay: A laborer, worker, or mechanic employed by a contractor who reports for work at the employer's request or permission must receive no less than four hours at the prevailing wage rate, including supplements, for the regularly scheduled classification.
- Higher existing benefit controls: Section 224-g does not apply when the posted prevailing-wage schedule provides reporting-pay wages or benefits greater than the new statutory requirement.
- Late cancellation: If the scheduled shift is canceled with less than 12 hours notice, the covered worker must receive two hours at the prevailing wage rate, including supplements, for the regularly scheduled classification.
- Amounts due under this section are treated as prevailing wages or supplements.

3. New Labor Law Section 196-e: Other Covered Construction Work

- Coverage: An employee engaged in construction as defined in Labor Law Section 861-b(1).
- Reporting pay: If the employee reports for work at the employer's request or permission, the employee must be paid for at least four hours, or the regularly scheduled shift if shorter, at the employee's promised hourly wage.
- Late cancellation: If a scheduled shift is canceled with less than 12 hours notice, the employee must receive two hours at the promised hourly wage.
- Amounts due under this section are deemed wages under the Labor Law.

4. Effective Date

- The Act takes effect on the 90th day after becoming law. It was signed on September 9, 2026, making the effective date December 8, 2026.
- The Act authorizes implementation rules or regulations to be adopted before the effective date.

Practical Examples

Scenario	Result under the Act
Worker arrives and is sent home	If the worker was scheduled for an 8-hour shift and reports as requested, the statutory minimum is generally 4 hours of pay at the applicable rate.
Shift canceled 9 hours before start	Because the notice is less than 12 hours, the covered employee is generally owed 2 hours of pay at the applicable rate.
Shift canceled 14 hours before start	The Act's two-hour short-notice cancellation provision is not triggered because the notice is not less than 12 hours.
Regular shift is only 3 hours	For Section 196-e reporting pay, the employee is paid for the regularly scheduled 3-hour shift because it is shorter than 4 hours.

Employer Readiness Checklist

☐ Review scheduling and cancellation procedures for covered construction crews.

☐ Preserve records showing when schedules were issued and when cancellation notices were delivered.

☐ Confirm payroll can distinguish promised hourly wages from prevailing wages and supplements.

☐ Review posted prevailing-wage schedules for any reporting-pay benefit greater than the statutory minimum.

☐ Train supervisors and dispatchers on the 12-hour threshold and reporting-pay obligation.

☐ Monitor New York State Department of Labor guidance and consult employment counsel for fact-specific questions.

Official References

New York State Senate - Bill S.9843
https://www.nysenate.gov/legislation/bills/2025/S9843

Official bill text PDF - S.9843
https://legislation.nysenate.gov/pdf/bills/2025/S9843

New York State Senate - Assembly Bill A.6950
https://www.nysenate.gov/legislation/bills/2025/A6950

Use Note

This document is a plain-language summary of the enacted bill text and is intended for informational purposes only. It is not legal advice and should not replace review of the official statutory text, forthcoming agency guidance, applicable prevailing-wage schedules, collective bargaining agreements, or advice from qualified counsel.