

New York

New York Enacts Construction Reporting Pay Act

On Sept. 9, 2026, New York [enacted](#) the Construction Reporting Pay Act (Act), which requires construction employers to provide reporting pay when a worker reports to a shift and scheduling pay when a scheduled shift is canceled on short notice. The Act takes effect on **Dec. 8, 2026**.

Overview

The Act imposes the following reporting pay and scheduling pay obligations for construction workers operating in New York.

Prevailing Wage Construction Projects

Under the Act, for construction projects covered by New York's prevailing wage requirements, laborers, workers or mechanics who report to work at an employer's request or with an employer's permission must be paid **at least four hours** at the prevailing rate of wages, including supplements, for the employee's regularly scheduled classification of work. However, the law's reporting pay requirement does not apply if the posted prevailing rate of wages provides for reporting pay wages or benefits greater than those required by the Act.

In addition, a worker scheduled to report for work whose shift is canceled on less than 12 hours' notice must be paid for **two hours** at the prevailing rate of wages, including supplements, for the regularly scheduled classification of work.

General Construction Employment

For employees engaged in construction, as defined in Labor Law Section 861-b, who report for work at an employer's request or with an employer's permission, the Act requires employers to pay employees for **at least four hours or the number of hours in the employee's regularly scheduled shift**, whichever is less, at the employee's promised hourly wage. A worker scheduled to report for work whose shift is canceled on less than 12 hours' notice must be paid **for two hours** at the employee's promised hourly wage. Reporting pay or scheduling pay owed to employees under the Act is considered wages.

Next Steps for Employers

Construction employers should review their scheduling, payroll and recordkeeping practices to ensure they comply with the Act's reporting pay and scheduling pay obligations. Employers needing additional assistance should contact local counsel for specific legal advice.

Highlights

Sept. 9, 2026

New York adopts the Act, requiring construction employers to pay reporting pay and scheduling pay to workers.

Dec. 8, 2026

The Act takes effect.