

# Payroll Costs

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## NEW YORK STATE

### Unemployment Insurance

Unemployment insurance rate (average for existing employers) (2011)	1.5% - 9.9%
Unemployment insurance rate (for new employers) (2011)	4.1%
Unemployment insurance taxable base (2011)	\$8,500
Unemployment insurance maximum weekly benefit amount (2011)	\$405

### Workers' Compensation

Maximum weekly benefit (2011)	2/3 NYS Average Weekly Rate
Rate for Clericals (Code 8810) (2010)	\$0.30
Waiting period (days)	7
Automatic cost of living increase for total disability?	No
Employee allowed to choose any physician?	Yes
Physician must be chosen from list pre-approved by employers	State list approved by the Workers Compensation Board
Mental stress generally allowed as a compensable injury as a result of cumulative trauma?	Yes
Carpal tunnel generally allowed as a compensable injury as a result of cumulative trauma?	Yes

### Labor Legislation

Employment at will? (Yes or No)	Yes
If yes, significant restrictions (from employers standpoint)	No
Restrictions on employee drug testing	No

## Payroll Costs (cont'd)

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Telephone monitoring restrictions for regulation of productivity (or customer service)	Yes, after 49 days
Plant Closing Law stricter than Federal?	No
ADA legislation stricter than Federal?	Yes
Ban on hiring replacement workers during a strike?	No
Striking workers entitled to unemployment insurance?	Yes, after 49 days
Relatively difficult for an employer to contest and win a workers' compensation claim?	No
Relatively difficult for an employer to contest and win an unemployment insurance claim?	No
Right to Work law in effect?	No
EEO hiring standards more restrictive than Federal?	No
Sexual harassment laws more restrictive than Federal?	No
Mandated parental leave legislation more generous than Federal?	No