

With 2016 upon us, it is a good time to take stock of your business's compliance with employment laws. One question to ask, "Is your business ready for 2016?" Even the most savvy business people need counsel from professionals. Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara & Wolf, LLP is a full service law firm with attorneys who are widely recognized as thought leaders in areas such as employment law, litigation, health care, matrimonial, real estate, white collar investigations, and negotiation, et al.

As you ready your business in 2016, one change you should be aware of is the increase to the minimum wage and amendments by New York State to both wage and discrimination laws. Our Employment Practice Group has been busy counselling our firm clients on how best to navigate these changes as we begin 2016.

Most employers know that minimum wage in New York has increased to \$9 per hour effective January 1, 2016.

However, fewer know that life will be tougher for employers in New York State after January 19, 2016. The State has amended both wage and discrimination laws, in ways that all employers should review.

Briefly, New York has strengthened its equal pay laws. As a result, employers will need to be able to articulate legitimate and permissible reasons for decisions which may appear to discriminate because of gender. Similarly, employers will no longer be permitted prohibit employees from discussing their wages with other employees, although employers can have appropriate written policies. And if employers willfully violate the wage payment rules, damages will now be trebled, instead of doubled.

In the discrimination arena, even the smallest of employers will be prohibited from sexually harassing its employees. Although generally, both the New York City and New York State Human Rights laws only cover employers with four or more employees, New York State amended its laws to provide anti-sexual harassment coverage for any sized employer.

Employers who discriminate based on gender in violation of the New York State Human Rights Law are now subject to paying the victim's counsel fees, although similar provisions do not yet exist under the New York State Human Rights law for discrimination on other bases. Employers will now be required under New York State law to provide a reasonable accommodation for pregnant workers, and will be prohibited from discriminating against employees based on familial status (pregnant or has one or more children under age 18).

Employers should become familiar with the changes and take steps to comply. Any questions should be addressed to Sharon Stiller, the director of our Employment Law Practice Group, at [sstiller@abramslaw.com](mailto:sstiller@abramslaw.com).

**Our team at Abrams Fensterman is committed to ensuring that all of our clients are not only prepared, but thrive and prosper in the ever changing legal or political environment. I look forward to speaking with you in 2016!**



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