



**New York: Labor Law Changes**  
**Tennessee: Weapons in the Workplace**

April 15, 2011

Dear Client:

We are committed to providing our Clients with *Best Practices* HR information that enable you to comply with new and existing state employment laws. Recently, both New York and Tennessee have updated laws that affect employers in those states.

**New York**

The New York State Department of Labor updated their Wage Theft Prevention Act (WTPA), specifically regarding the Notice of Rates of Pay and Regular Payday. Effective 04.09.11, all employers, other than governmental agencies, are required to give employees a notice at the time of hire (before work is performed) and on or before February 1<sup>st</sup> annually. The notice must include the following:

1. employee's rate or rates of pay
2. overtime rate of pay, if the employee is subject to overtime regulations
3. basis of wage payment (per hour, per shift, per week, piece rate, commission, etc.)
4. any allowances the employer intends to claim as part of the minimum wage including tip, meal and lodging allowances
5. regular pay day
6. employer's name and any names under which the employer does business (DBA)
7. physical address of the employer's main office or principal place of business and, if different, the employer's mailing address
8. employer's telephone number

The NY Department of Labor provides comprehensive information on this change which can be found online at [www.labor.ny.gov/workerprotection/laborstandards/workprot/lshmpg.shtm](http://www.labor.ny.gov/workerprotection/laborstandards/workprot/lshmpg.shtm). Here you will find links to [Frequently Asked Questions \(FAQs\)](#), Guidelines for [Temporary Help Firms](#), as well as notice samples.

Employers can access our series of *HR Scopes* related to Wage & Hour topics on Client Self-Service (CSS) → Reporting Services/Reports-On Demand → Human Resources → *HR Scopes* → Wage & Hour – *various topics*.

**Tennessee**

Employers can prohibit possession of weapons by anyone who is at a meeting conducted by or on property owned, operated, managed or under control of employers. Weapons covered by such prohibition are those requiring authorized handgun carry permits.

Tennessee employers that prohibit weapons in their workplace are now required to post a notice, in English, in one or more prominent locations, including building or property entrances, stating that weapons are banned. Effective 03.31.11, the Department of Labor and Workforce Development stipulates

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that workplaces not posting such a notice would then allow anyone with a handgun permit to carry a handgun in the workplace.

The state of Tennessee provides content that must be included in such notices:

- the international circle and slash symbolizing the prohibition of the item within the circle; *or*
- language substantially similar to the following: "AS AUTHORIZED BY T.C.A. § 39-17-1359, POSSESSION OF A WEAPON ON POSTED PROPERTY OR IN A POSTED BUILDING IS PROHIBITED AND IS A CRIMINAL OFFENSE." Such *substantially similar* language must state that: the property is posted under authority of Tennessee law; weapons or firearms are prohibited on the property, in the building, or portion of property or building that is posted; and possessing a weapon in a posted area is a criminal offense. (Employers can post both notices.)

There is no penalty to covered employers that do not prohibit weapons in the workplace. Persons who possess weapons in workplaces where it is prohibited are guilty of a class B misdemeanor and can be fined \$500.

SCI Companies offers *Best Practices* guidance on *Weapons in the Workplace* in both our Management and Member Guidebooks. We strongly recommend that you review this information which may assist you in your approach and response to the above guidelines. All SCI Guidebooks can be found on Client Self-Service (CSS) → Reporting Services/Reports-On Demand → Human Resources → Guidebooks → Management/Member.

Moreover, to ensure the safety of all SCI Clients and Members, we encourage our Clients to follow these *Best Practices* to maintain a stable workplace free from threats, coercion or violence of any kind and to promote security in the workplace.

- Members are not permitted to possess guns, explosives, ammunition or any other dangerous or potentially dangerous weapon, object or substance inside any Company facility, office or in any Company vehicle; except in the limited situations in which a Member may lawfully possess a firearm or ammunition on Company property.
- All suspicious activity or persons on workplace property should be reported to a member of Management.
- Visitors should be met at the building/office entrance and escorted at all times while on workplace property. When the visit is over, guests should be escorted to the appropriate exit. Visitors should not be admitted on workplace property after regular business hours.

For additional clarification and reference, visit the TN Department of Labor and Workforce Development's web page [www.tn.gov/labor-wfd/](http://www.tn.gov/labor-wfd/) and this site on Tennessee Laws [www.tennesseeanytime.org/laws/laws.html](http://www.tennesseeanytime.org/laws/laws.html).

Employers can access SCI's Employee Assistance Program (EAP) for guidance on workplace violence and safety. To learn more about your EAP or to access services, see the [EAP Overview](#) on SCI's website, contact your assigned SCI Professional or call 800.653.7281.

Your assigned SCI Professional is here to help you navigate through this process, assist with your specific needs and to answer any questions you may have regarding these changes.

All content in this notice is based on current information and supersedes previous communications regarding these topics. If you have any questions or concerns, please contact your assigned SCI Professional.

Sincerely,

SCI Companies