

WE ARE YOUR DOL

NEW  
YORK  
STATE

Department  
of Labor

# WAREHOUSE WORKER PROTECTION ACT

## Employees

The Warehouse Worker Protection Act applies to any person who works for a warehouse distribution center with either 100 or more employees at a single warehouse distribution center or 1000 or more employees at one or more warehouse distribution centers in the State.

### YOU ARE ENTITLED TO THE FOLLOWING PROTECTIONS AND BENEFITS

Current and former employees have the right to request the following information if they believe that they have been disciplined due to failing to meet a quota, or that meeting a quota caused a violation of their right to a meal or rest period or use of bathroom.

- A written description of the quota to which they are subject.
- A copy of the most recent 90 days of the employee's own personal work speed data.
- A copy of the aggregate work speed data for similar employees at the same establishment during the same time period. A former employee is limited to one request of this nature.
- The employer is required to provide the above requested information no later than 14 calendar days from the date of the request, and at no cost to the current or former employee.
- Any written description of the quota or personal work speed data provided must be provided in English and in the language identified by the current or former employee as their primary language.

### PROHIBITIONS ON CERTAIN TYPES OF QUOTAS

- Quotas cannot prevent an employee from taking lawful meal or rest periods or using bathroom facilities, including reasonable travel time to and from bathroom facilities. Employers are prohibited from taking adverse employment actions against an employee for failure to meet a quota that violates their lawful right to take meal or rest periods or use the bathroom.
- Employers cannot take an adverse employment action against an employee for failure to meet a quota that has not been disclosed to the employee as required under the Act.

### IMPORTANT NOTES

Paid and unpaid breaks are prohibited from being considered productive time for the purpose of monitoring compliance with a quota unless the employee is required to remain on call.

### QUESTIONS

For more information, go to [dol.ny.gov/WWPA](https://dol.ny.gov/WWPA)

For any questions, please email:  
[labor.sm.warehouse.worker.claims@labor.ny.gov](mailto:labor.sm.warehouse.worker.claims@labor.ny.gov)