

Workplace Legal Alert



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New York Secure Choice Savings Program

The New York State Secure Choice Savings Program was established in 2021 as a state-run retirement program for private-sector employees who do not have access to a qualified employer sponsored retirement program. Beginning in March of 2026, employers must register for the program or certify their exemption.

The program requires covered employers to facilitate the enrollment of eligible employees and their contributions to their own Roth IRAs through payroll deduction. While employees are automatically enrolled by their employer, participation is voluntary and employees can choose to opt out.

After enrollment, employees will have 30 days to customize their contribution rate and investment selections or opt out of the program. Employees who fail to do either are subject to automatic contributions of 3% of gross income.

Accounts are portable – employees keep their account even if they change jobs.

New York employers with 10 or more employees in the previous calendar year that have been in business for two or more years and don't offer a qualified retirement savings plan (such as a 401(k), 403(b), SIMPLE IRA, or SEP) will be required to register and facilitate employee contributions through payroll deductions.

The program will notify covered employers when it's time to register. Employer participation is free and there are no required matching contributions nor any fiduciary responsibilities. Participation should be easily integrated with most payroll providers.

For more information, visit [NewYorkSecureChoice.com](https://www.NewYorkSecureChoice.com).

If you have any questions or concerns, do not hesitate to contact me.

