

New York State Minimum Wage

From 12/31/2016 to 12/30/2017, the New York State basic minimum wage is:

- \$11.00 per hour in New York City (businesses with 11 or more employees)
- \$10.50 per hour in New York City (businesses with 10 or less employees)
- \$10.00 per hour in Long Island and Westchester County
- \$9.70 per hour in the remainder of New York State
- The minimum wage for fast food workers* is:
 - \$12.00 per hour in New York City
 - \$10.75 per hour in the remainder of New York State

Private sector employees in the state, including domestic workers (in most cases), must receive the basic minimum wage.

The basic rate may change under rules known as “wage orders” that set minimum pay for jobs in:

- The hospitality, building service and farming industries; and
- All other industries and occupations.

The wage orders set:

- Hourly rates;
- Overtime rates (except in farming); and
- Credits for meals and lodging, if supplied by the employer.

Several wage orders set lower hourly minimum pay rates if workers regularly receive tips. These wage orders are published on the Department of Labor website at www.labor.ny.gov/minimumwage.

When workers take care of their own required uniforms, they must be paid an added amount over minimum wage.

Employees who do piecework should be paid at a rate that brings them to at least the basic minimum wage.

A standard work week is 40 hours. If employees work any hours beyond that, then the employer must pay them at 1 ½ times the regular wage.

The Labor Department helps collect back wages for workers who have not received the minimum wage. Employers that break the Minimum Wage Law may be subject to orders to pay:

- Back wages;
- Interest;
- Liquidated damages; and
- Fines.

They may also be subject to criminal prosecution and penalties. The fines for violations can total up to 200 percent of the missing wages. They may also have to pay 16 percent interest on the unpaid wages.

Employers must place a Minimum Wage poster in their place of business where workers can see it.

Employers with questions or concerns about obeying the Minimum Wage Law can contact the Labor Department at (888) 469-7365 for help, between 8 a.m. and 5 p.m., Monday through Friday.

*A fast food worker is any person employed or permitted to work at, or for, a fast food establishment by any employer where such person’s job duties include at least one of the following: customer service, cooking, food or drink preparation, delivery, security, stocking supplies or equipment, cleaning, or routine maintenance.

**Penalty for Breaking the Law:
Fine of up to 200 percent on wages
due and 16 percent interest.**