

# NEW YORK



## LABOR LAW POSTINGS

# New York Labor Law Postings

Thank you for using GovDocs! This file contains the following state postings:

Posting ID	Name of Posting	Posting Requirements
LN001	Miscellaneous Industry Minimum Wage Information (LS207)	Required for all employers
LN003	Discrimination	Required for all employers
LN005	Laws Governing the Employment of Minors (Child Labor) (LS171)	Optional for all employers with employees under age 18
LN008	Right to Know	Required for any employers where toxic substances are found in the workplace.
LN009	Job Safety and Health Protection (Public Employers)	Required for all Public Employers
LN011	No Smoking	Required for all employers
LN010	Smoking Permitted	Required for all who employ employees in a place where smoking is permitted
LN028	Standards for Protection Against Radiation DOH-2482	Required for employers who work with Radiation
LN013	Time Allowed To Vote	Required for all employers
LN025	Fringe Benefits LS606	Optional for all employers
LN029	Deduction from Wages LS605	Required for all employers.
LN030	Tip Appropriation LS204	Required for all employers.
LN031	New York Correction Law Article 23-A	Required for all employers
LN035	Construction Industry Fair Play Act	Required for all employers in the construction industry
LN038	Farm Workers Minimum Wage LS110	Required for farm employers on farms that paid over \$3,000 to workers in the previous calendar year
LN045	Public Work Project (PW101)	Required for contractors and subcontractors
LN048	Commercial Goods Transportation Industry Fair Play Act	Required for all motor carriers in New York State
LN062	Nail Workers Bill of Rights	Required for Nail Salons
LN068	Hospitality Industry Minimum Wage LS207.3	Required for employees in the hospitality industry
LN069	Building Services Industry Minimum Wage LS207.2	Required for employees in the building services industry
LN070	Apparel Industry Minimum Wage LS203	Required for employees in the apparel industry
LN083	Guidelines Regarding the Rights of Nursing Mothers (LS702)	Notice required, poster can serve as a notice
LN095	Sexual Harassment Prevention Poster	Optional for all employers
LN101	Paid Sick and Safe Leave	Optional for all employers
LN114	Prohibited Retaliatory Personnel Action by Employers (Whistleblower)	Required for all employers
LN115	Healthy Terminals Miscellaneous Industry	Required for LaGuardia Airport, John F. Kennedy International Airport, and related locations where covered airport workers are employed
LN117	Healthy Terminals Hospitality Industry	Required for LaGuardia Airport, John F. Kennedy International Airport, and related locations where airline catering workers are employed
LN119	Electronic Monitoring	Required for employers who monitor electronic device or system usage
LN120	Veteran Benefits and Services	Required for all public and private New York State employers with more than 50 full-time employees
LN121	Blood Donation Leave	Optional for all employers
LN126	Home Care Aide Employees Minimum Wage	Required for employers of Home Care Aides
LN128	Discrimination Against Engagement in Certain Activities	Required for all employers
LN131	Equal Pay	Required for all employers

Posting ID	Name of Posting	Posting Requirements
LN134	Sexual and Domestic Violence Hot Line	Required for all employers who seek to do business with New York State as a bidder for contracts and state agencies
LN136	Domestic Violence Agency Liaison	Required for all state agencies
LN137	Gender Based Violence in the Workplace	Required for all employers who seek to do business with New York State as a bidder for contracts

### Print and Display Guidelines

If needed, the postings in this file can be printed and displayed:

- Postings are formatted according to the issuing agency's size requirements. See the Posting Requirements column (above) for those that require a specific paper size and/or colored printing
- Each posting is set up to print on 8.5" x 11" paper; some are formatted to print on multiple pages
- Review each posting and respective requirements to ensure it's applicable to your company. Contact your HR representative for details
- Display postings in employee common areas, such as a breakroom, cafeteria, employee lounge, etc.

### Additional Postings that may be Required

Poster	Who Must Post?	How to Obtain?
Unemployment Insurance	All employers	Only distributed through the NY DOL, once employer has obtained and can confirm a registration number
Workers' Compensation	All employers	Upon securing of workers' compensation insurance or Board-approved self-insurance, employers must obtain this form from their insurance carrier or licensed agent.
Disability Benefits Law	All employers	Solely distributed by Insurance Carrier when employer can prove proof of Disability Insurance
Paid Family Leave	All employers	Your insurance carrier will provide you with a notice to employees (Form PFL-120) stating that you have Paid Family Leave insurance. If you are self-insured, you can get this notice by contacting the NYS Workers' Compensation Board at <a href="mailto:certificates@wcb.ny.gov">certificates@wcb.ny.gov</a> .



# Attention Miscellaneous Industry Employees

Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

New York City			
Large Employers (11 or more employees)		Small Employers (10 or less employees)	
<b>Minimum Wage</b>	<b>\$17.00</b>	<b>Minimum Wage</b>	<b>\$17.00</b>
Overtime after 40 hours	\$25.50	Overtime after 40 hours	\$25.50
<b>Tipped workers</b>	<b>\$17.00</b>	<b>Tipped workers</b>	<b>\$17.00</b>
Overtime after 40 hours	\$25.50	Overtime after 40 hours	\$25.50

Long Island and Westchester County		Remainder of New York State	
<b>Minimum Wage</b>	<b>\$17.00</b>	<b>Minimum Wage</b>	<b>\$16.00</b>
Overtime after 40 hours	\$25.50	Overtime after 40 hours	\$24.00
<b>Tipped workers</b>	<b>\$17.00</b>	<b>Tipped workers</b>	<b>\$16.00</b>
Overtime after 40 hours	\$25.50	Overtime after 40 hours	\$24.00

If you have questions, need more information or want to file a complaint, please visit [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call: **1-888-469-7365**.

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).  
*Exceptions:* Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.



## Division of Human Rights

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

844-697-3471  
dhr.ny.gov

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

102075

**Discrimination based upon age, race, creed, color, national origin, sexual orientation, military status, sex, pregnancy, gender identity or expression, citizenship or immigration status, disability, domestic violence victim status, familial status, or marital status is prohibited by the New York State Human Rights Law. Sexual harassment or harassment based upon any of these protected classes also is prohibited.**

**La ley de derechos humanos del estado de nueva york prohíbe la discriminación por edad, raza, credo, color, origen nacional, orientación sexual, estatus militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus migratorio, discapacidad, estado como víctima de violencia doméstica, estado familiar, o estado civil. También está prohibido el acoso sexual o el acoso por cualquiera de estas clases protegidas.**

### **ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS**

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; pregnancy-related conditions.

Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

Also covered: domestic workers; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

### **RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE**

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting.

Reasonable accommodations and modifications for persons with disabilities may also be required.

Does not apply to:

- (1) rental of an apartment in an owner-occupied two-family house

### **TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES**

Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; las condiciones relacionadas con el embarazo.

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.

También están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

### **ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y VENDEDORES**

También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.

También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.

Excepciones:

- (2) restrictions of all rooms in a housing accommodation to individuals of the same sex
- (3) rental of a room by the occupant of a house or apartment
- (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

### **ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING**

### **PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES**

Exception:

Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required.

### **EDUCATION INSTITUTIONS**

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified English as a second language schools.

### **ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION**

A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. A complaint alleging sexual harassment in employment that occurred on or after 08/12/2020 may be filed with three years of the alleged act. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

**Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.**

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS:  
ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

- (1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño
- (2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo
- (3) alquiler de una habitación por parte del ocupante de una casa o apartamento
- (4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

### **TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMIENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.**

Excepción:

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

### **INSTITUCIONES EDUCATIVAS**

Todas las escuelas públicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés como segundo idioma.

### **PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO**

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querrela en un plazo de un año a partir del acto más reciente de presunta discriminación. Para actos realizados a partir del 15/02/2024, debe presentar su querrela en un plazo de tres años posterior al acto más reciente de presunta discriminación. Una denuncia que alega acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con tres años del presunto acto. Los servicios de la División se ofrecen sin cargo.

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

**Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.**

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL:  
ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458

**Division of Labor Standards**  
**Summary of New York State Child Labor Law,**  
**Permitted Working Hours for Minors Under 18 Years of Age**

Age of Minor Girls and Boys		Industry or Occupation	Maximum			Permitted Hours
			Daily Hours	Weekly Hours	Days per Week	
<b>Attending School, When school is in session:</b>	14 and 15	All occupations except farm work, newspaper carrier and street trades	3 hours on school days. 8 hours on other days.	18 <sup>1</sup>	6	7 AM to 7 PM
	16 and 17	All occupations except farm work, newspaper carrier and street trades.	4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday <sup>2</sup> . 8 hours on: Friday, Saturday, Sunday and Holidays <sup>4</sup> .	28 <sup>4</sup>	6 <sup>4</sup>	6 AM to 10 PM <sup>3</sup>
<b>Attending School, When school is not in session (vacation):</b>	14 and 15	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day
	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours <sup>4</sup>	48 <sup>4</sup>	6 <sup>4</sup>	6 AM to Midnight <sup>4</sup>
<b>Not Attending School:</b>	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours <sup>4</sup>	48 <sup>4</sup>	6 <sup>4</sup>	6 AM to Midnight <sup>4</sup>
<b>Farm Work:</b>	12 and 13	Hand harvest of berries, fruits and vegetables.	4 hours	--	--	June 21 to Labor Day, 7 AM to 7 PM. Day after Labor Day to June 20, 9 AM to 4 PM.
	14 to 18	Any farm work	--	--	--	--
<b>Newspaper Carriers:</b>	11 to 18	Delivers, or sells and delivers newspapers, shopping papers or periodicals to homes or business places.	4 hours on school days. 5 hours on other days.	--	--	5 AM to 7 PM or 30 minutes prior to sunset, whichever is later
<b>Street Trades:</b>	14 to 18	Self-employed work in public places selling newspapers or work as a bootblack	4 hours on school days. 5 hours on other days.	--	--	6 AM to 7 PM

<sup>1</sup> Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session.

<sup>2</sup> Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday when school is in session, as long as the hours are in conjunction with the Program.

<sup>3</sup> 6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non-school day with written parental consent.

<sup>4</sup> This provision does not apply to minors employed in resort hotels or restaurants in resort areas.

### Additional Child Labor Law Information

**The Employer must post a schedule of work hours for minors under 18 years old in the establishment.**

**An Employment Certificate (Working Paper) is required for all employed minors under 18 years old.**

#### Penalties for Child Labor Laws violations:

- First violation: maximum \$1,000\*
- Second violation: maximum \$2,000\*
- Third or more violations: maximum \$3,000\*

\*If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty.

Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed.

Note: There are many prohibited occupations for minors in New York State.

**For more information about New York State Child Labor Laws and provisions** please visit the Department of Labor's website at <http://www.labor.ny.gov>. If you have questions, please send them to one of the offices listed below at:

#### New York State Department of Labor, Division of Labor Standards:

**Albany District**  
1220 Washington Ave.  
Bldg. 12 Room 185A  
Albany, NY 12226  
(518) 457-2730

**Bronx District**  
55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3597

**Buffalo District**  
295 Main Street  
Suite 914  
Buffalo, NY 14203  
(716) 847-7141

**Garden City District**  
400 Oak Street  
Suite 102  
Garden City, NY 11530  
(516) 794-8195

**New York City District**  
55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3880

**Rochester District**  
276 Waring Road  
Room 104  
Rochester, NY 14609  
(585) 258-4550

**Syracuse District**  
333 East Washington Street  
Room 121  
Syracuse, NY 13202  
(315) 428-4057

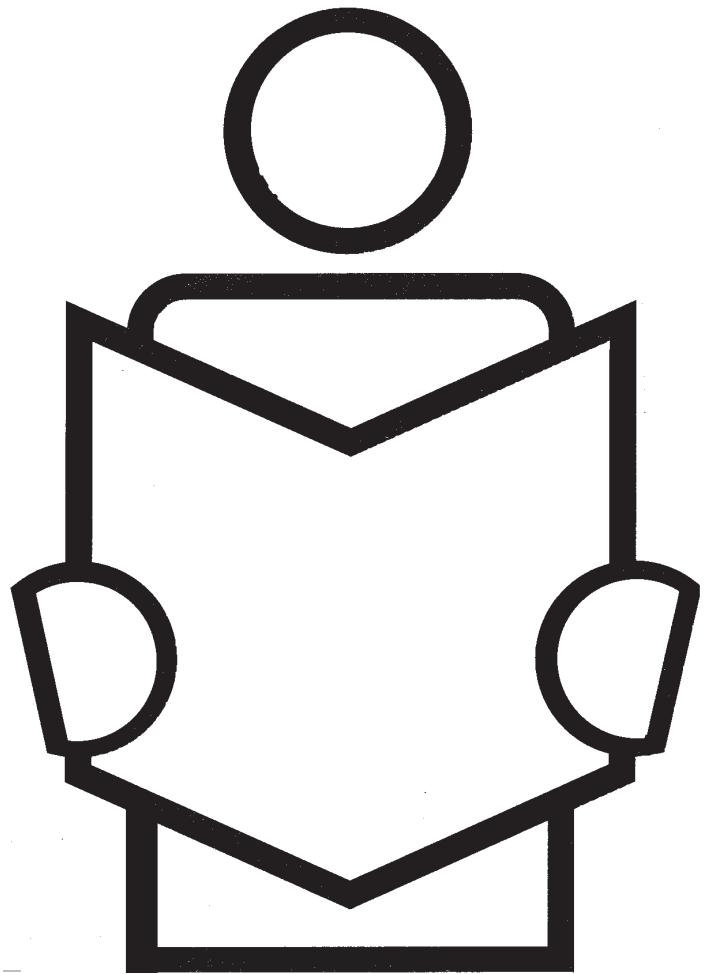
**White Plains District**  
120 Bloomingdale Road  
White Plains, NY 10605  
(914) 997-9521

# YOU HAVE A RIGHT TO KNOW!

**Your employer must inform  
you of the health  
effects and hazards  
of toxic substances  
at your  
worksite.**

**Learn all  
you can  
about toxic  
substances  
on your job.**

**For more  
information,  
contact:**



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Name

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Location & Phone Number

**THE RIGHT TO KNOW LAW WORKS FOR YOU.  
NEW YORK STATE DEPARTMENT OF HEALTH**



The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

### Employers

Employers must provide employees with a workplace that is:

- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

### Employees

Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

### ENFORCEMENT

The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

### Inspection

When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

### Discrimination

Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

### Order to Comply

If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined. The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

### Complaint

Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:

- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: [Ask.SHNYPESH@labor.ny.gov](mailto:Ask.SHNYPESH@labor.ny.gov)

On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: [www.osha.gov](http://www.osha.gov).

### Voluntary Activity

The Department of Labor encourages employers and employees to voluntarily:

- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: [Ask.SHNYPESH@labor.ny.gov](mailto:Ask.SHNYPESH@labor.ny.gov).

**Additional information may be obtained from the nearest DOSH District Office below:**

#### Albany District

State Office Campus  
Bldg. 12, Rm. 158  
Albany, NY 12240  
Telephone: (518) 457-5508

#### Binghamton District

44 Hawley St., Rm. 901  
Binghamton, NY 13901  
Telephone: (607) 721-8211

#### Buffalo District

295 Main Street, Suite 905  
Buffalo, New York 14203-2412  
Telephone: (716) 847-7133

#### Garden City District

400 Oak Street  
Garden City, NY 11550  
Telephone: (516) 228-3970

#### New York City District

Shirley A. Chisholm State  
Office Building  
55 Hanson Place, 12th Floor  
Brooklyn, New York 11217-1523  
Telephone: (212) 775-3554

#### Rochester District

109 S. Union St., Rm. 402  
Rochester, NY 14607  
Telephone: (585) 258-8806

#### Syracuse District

450 South Salina Street  
Syracuse, NY 13202  
Telephone: (315) 479-3212

#### Utica District

207 Genesee Street  
Utica, NY 13501  
Telephone: (315) 793-2258

#### White Plains District

120 Bloomingdale Road  
White Plains, NY 10605  
Telephone: (914) 997-9514

### POST CONSPICUOUSLY



**NO SMOKING**  
**NO VAPING**

**New York State Public Health Law - Article 13E**

# **SMOKING PERMITTED**

**New York State Public Health Law - Article 13E**

**STATE OF NEW YORK**

# **NOTICE TO EMPLOYEES**

## **STANDARDS FOR PROTECTION AGAINST RADIATION**



### **YOUR EMPLOYER'S RESPONSIBILITY**

The transfer, receipt, possession or use of all sources of ionizing radiation in the State of New York is controlled by the applicable rules, regulations and orders of either the New York State Department of Health or the New York City Department of Health and Mental Hygiene. These agencies require either the registration or licensing of all significant radiation sources, and they require your employer to post or otherwise make available to you a copy of the applicable regulations, license and registration and the operating procedures applying to the work in which you are engaged and to explain relevant provisions to you. The applicable regulations for this installation are found in Part 16 of the New York State Sanitary Code and Code Rule 38 of the New York State Industrial Code.

### **YOUR RESPONSIBILITY AS A WORKER**

You should familiarize yourself with the provisions of Part 16, Code Rule 38, the license or registration and the operating procedures, which apply to the work in which you are engaged. You should observe these provisions for your own protection and the protection of your co-workers.

### **WHAT IS COVERED BY THESE REGULATIONS**

1. Limits on exposure to radiation and radioactive material in controlled and uncontrolled areas;
2. Measures to be taken after accidental exposure;
3. Personnel monitoring, surveys and equipment;
4. Caution signs, labels and safety interlock equipment;
5. Exposure records and reports; and
6. Related matters.

### **REPORTS ON YOUR EXPOSURE TO RADIATION**

If you work where personnel monitoring equipment is required, your employer is required to provide you, upon request, a written report of your exposure to radiation both annually and at the time that you terminate employment. Your employer is required to give you a written report if you receive any exposure in excess of the limits set for occupational exposure.

### **INSPECTIONS**

All activities licensed or registered with the regulatory agencies in the State of New York are subject to inspection by representatives from these agencies.

### **INQUIRIES**

Inquiries dealing with matters outlined above can be directed to:

Bureau of Environmental Radiation Protection  
New York State Department of Health  
Corning Tower, Empire State Plaza, 12th Floor  
Albany, NY 12237  
(518) 402-7550  
BERP@health.ny.gov

## **POSTING REQUIREMENT**

Copies of this notice must be posted where employees working in or frequenting any portion of controlled areas can observe a copy on the way to or from their place of employment. Copies of Part 16, Code Rule 38 and other applicable documents, if not posted, are available for review at the following location:

**ATTENTION ALL EMPLOYEES**  
**TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY**  
**N.Y. ELECTION LAW SECTION 3-110<sup>1</sup> STATES THAT:**

- IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.
- YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.
- YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.

Revised 6.23.2025

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<sup>1</sup>Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

NOTICE REQUIREMENT FOR  
**FRINGE BENEFITS AND HOURS**

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows: "Every employer shall notify his employees in writing or by public posting the employer's policy on sick leave, vacation, personal leave, holidays and hours."

**Written Information Regarding**

**Fringe Benefits and Hours Are Located At**

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Location(s)

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Supervisor(s)

## **Deductions from Wages**

### **Section 193 of the New York State Labor Law**

#### § 193. Deductions from wages.

1. No employer shall make any deduction from the wages of an employee, except deductions which:
  - a) are made in accordance with the provisions of any law or any rule or regulation issued by any governmental agency including regulations promulgated under paragraph c and paragraph d of this subdivision; or
  - b) are expressly authorized in writing by the employee and are for the benefit of the employee, provided that such authorization is voluntary and only given following receipt by the employee of written notice of all terms and conditions of the payment and/or its benefits and the details of the manner in which deductions will be made. Whenever there is a substantial change in the terms or conditions of the payment, including but not limited to, any change in the amount of the deduction, or a substantial change in the benefits of the deduction or the details in the manner in which deductions shall be made, the employer shall, as soon as practicable, but in each case before any increased deduction is made on the employee's behalf, notify the employee prior to the implementation of the change. Such authorization shall be kept on file on the employer's premises for the period during which the employee is employed by the employer and for six years after such employment ends. Notwithstanding the foregoing, employee authorization for deductions under this section may also be provided to the employer pursuant to the terms of a collective bargaining agreement. Such authorized deductions shall be limited to payments for:
    - (i) insurance premiums and prepaid legal plans;
    - (ii) pension or health and welfare benefits;
    - (iii) contributions to a bona fide charitable organization;
    - (iv) purchases made at events sponsored by a bona fide charitable organization affiliated with the employer where at least twenty percent of the profits from such event are being contributed to a bona fide charitable organization;
    - (v) United States bonds;
    - (vi) dues or assessments to a labor organization;
    - (vii) discounted parking or discounted passes, tokens, fare cards, vouchers, or other items that entitle the employee to use mass transit;
    - (viii) fitness center, health club, and/or gym membership dues;
    - (ix) cafeteria and vending machine purchases made at the employer's place of business and purchases made at gift shops operated by the employer, where the employer is a hospital, college, or university;
    - (x) pharmacy purchases made at the employer's place of business;
    - (xi) tuition, room, board, and fees for pre-school, nursery, primary, secondary, and/or post-secondary educational institutions;
    - (xii) day care, before-school and after-school care expenses;
    - (xiii) payments for housing provided at no more than market rates by non-profit hospitals or affiliates thereof; and
    - (xiv) similar payments for the benefit of the employee.
  - c) are related to recovery of an overpayment of wages where such overpayment is due to a mathematical or other clerical error by the employer. In making such recoveries, the employer shall comply with regulations promulgated by the commissioner for this purpose, which regulations shall include, but not be limited to, provisions governing: the size of overpayments that may be covered by this section; the timing, frequency, duration, and method of such recovery; limitations on the periodic amount of such recovery; a requirement that notice be provided to the employee prior to the commencement of such recovery; a requirement that the employer implement a procedure for disputing the amount of such overpayment or seeking to delay commencement of such recovery; the terms and content of such a procedure and a requirement that notice of the procedure for disputing the overpayment or seeking to delay commencement of such recovery be provided to the employee prior to the commencement of such recovery.
  - d) repayment of advances of salary or wages made by the employer to the employee. Deductions to cover such repayments shall be made in accordance with regulations promulgated by the commissioner for this purpose, which regulations shall include, but not be limited to, provisions governing: the timing, frequency, duration, and method of such repayment; limitations on the periodic amount of such repayment; a requirement that notice be provided to the employee prior to the commencement of such repayment; a requirement that the employer implement a procedure for disputing the amount of such repayment or seeking to delay commencement of such repayment; the terms and content of such a procedure and a requirement that notice of the procedure for disputing the repayment or seeking to delay commencement of such repayment be provided to the employee at the time the loan is made.
2. Deductions made in conjunction with an employer sponsored pre-tax contribution plan approved by the IRS or other local taxing authority, including those falling within one or more of the categories set forth in paragraph b of subdivision one of this section, shall be considered to have been made in accordance with paragraph a of subdivision one of this section.

3. a. No employer shall make any charge against wages, or require an employee to make any payment by separate transaction unless such charge or payment is permitted as a deduction from wages under the provisions of subdivision one of this section or is permitted or required under any provision of a current collective bargaining agreement.
  - b. Notwithstanding the existence of employee authorization to make deductions in accordance with subparagraphs (iv), (ix), and (x) of paragraph b of subdivision one of this section and deductions determined by the commissioner to be similar to such deductions in accordance with subparagraph (xiv) of paragraph b of subdivision one of this section, the total aggregate amount of such deductions for each pay period shall be subject to the following limitations: (i) such aggregate amount shall not exceed a maximum aggregate limit established by the employer for each pay period; (ii) such aggregate amount shall not exceed a maximum aggregate limit established by the employee, which limit may be any amount (in ten dollar increments) up to the maximum amount established by the employer under subparagraph (i) of this paragraph; (iii) the employer shall not permit any purchases within these categories of deduction by the employee that exceed the aggregate limit established by the employee or, if no limit has been set by the employee, the limit set by the employer; (iv) the employee shall have access within the workplace to current account information detailing individual expenditures within these categories of deduction and a running total of the amount that will be deducted from the employee's pay during the next applicable pay period. Information shall be available in printed form or capable of being printed should the employee wish to obtain a listing. No employee may be charged any fee, directly or indirectly, for access to, or printing of, such account information.
  - c. With the exception of wage deductions required or authorized in a current existing collective bargaining agreement, an employee's authorization for any and all wage deductions may be revoked in writing at any time. The employer must cease the wage deduction for which the employee has revoked authorization as soon as practicable, and, in no event more than four pay periods or eight weeks after the authorization has been withdrawn, whichever is sooner.
4. Nothing in this section shall justify noncompliance with article three-A of the personal property law relating to assignment of earnings, with section two hundred twenty-one of this chapter relating to company stores or with any other law applicable to deductions from wages.
  5. There is no exception to liability under this section for the unauthorized failure to pay wages, benefits or wage supplements.

**For more information, call or write the nearest office of the Division of Labor Standards:**

**Albany District**  
 1220 Washington Ave.  
 Building 12 Room 185A  
 Albany, NY 12226  
 (518) 457-2730

**Buffalo District**  
 295 Main Street  
 Suite 914  
 Buffalo, NY 14203  
 (716) 847-7141

**New York City District**  
 55 Hanson Place  
 11th Floor  
 New York, NY 11217  
 (212) 775-3880

**Syracuse District**  
 333 East Washington Street  
 Room 121  
 Syracuse, NY 13202  
 (315) 428-4057

**Bronx District**  
 55 Hanson Place  
 11th Floor  
 Brooklyn, NY 11217  
 (212) 775-3597

**Garden City District**  
 400 Oak Street  
 Suite 102  
 Garden City, NY 11530  
 (516) 794-8195

**Rochester District**  
 276 Waring Road  
 Room 104  
 Rochester, NY 14609  
 (585) 258-4550

**White Plains District**  
 120 Bloomingdale Road  
 White Plains, NY 10605  
 (914) 997-9521

## TIP APPROPRIATION

### SECTION 196-d OF THE NEW YORK STATE LABOR LAW

Section 196-d. Gratuities. No employer or his agent or an officer or agent of any corporation, or any other person shall demand or accept, directly or indirectly, any part of the gratuities, received by an employee, or retain any part of a gratuity or of any charge purported to be a gratuity for an employee. This provision shall not apply to the checking of hats, coats or other apparel. Nothing in this subdivision shall be construed as affecting the allowances from the minimum wage for gratuities in the amount determined in accordance with the provisions of article nineteen of this chapter nor as affecting practices in connection with banquets and other special functions where a fixed percentage of the patron's bill is added for gratuities which are distributed to employees, nor to the sharing of tips by a waiter with a busboy or similar employee.

For more information, call or write the nearest office of the Division of Labor Standards, of the New York State Department of Labor, listed below:

**Albany District**

1220 Washington Ave.  
Bldg. 12 Room 185A  
Albany, NY 12226  
(518) 457-2730

**Buffalo District**

295 Main Street  
Suite 914  
Buffalo, NY 14203  
(716) 847-7141

**New York City District**

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3880

**Syracuse District**

333 East Washington Street  
Room 121  
Syracuse, NY 13202  
(315) 428-4057

**Bronx District**

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3597

**Garden City District**

400 Oak Street  
Suite 102  
Garden City, NY 11530  
(516) 794-8195

**Rochester District**

276 Waring Road  
Room 104  
Rochester, NY 14609  
(585) 258-4550

**White Plains District**

120 Bloomingdale Road  
White Plains, NY 10605  
(914) 997-9521

**NEW YORK CORRECTION LAW  
ARTICLE 23-A**

**LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY  
CONVICTED OF ONE OR MORE CRIMINAL OFFENSES**

**Section 750. Definitions.**

**751. Applicability.**

**752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.**

**753. Factors to be considered concerning a previous criminal conviction; presumption.**

**754. Written statement upon denial of license or employment.**

**755. Enforcement.**

**§750. Definitions.** For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

**§751. Applicability.** The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

**§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.** No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

**§753. Factors to be considered concerning a previous criminal conviction; presumption.** 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

**§754. Written statement upon denial of license or employment.** At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

**§755. Enforcement.** 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

Required Notice under Article 25-B of the Labor Law

**ATTENTION ALL EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS:  
YOU ARE COVERED BY THE CONSTRUCTION INDUSTRY FAIR PLAY ACT**

**The law says that you are an employee unless:**

- You are free from direction and control in performing your job, **and**
- You perform work that is not part of the usual work done by the business that hired you, **and**
- You have an independently established business.

Your employer cannot consider you to be an independent contractor unless all three of these facts apply to your work.

**It is against the law for an employer to misclassify employees as independent contractors or pay employees off the books.**

**Employee Rights.** If you are an employee, you are entitled to state and federal worker protections. These include:

- Unemployment Insurance benefits, if you are unemployed through no fault of your own, able to work, and otherwise qualified,
- Workers' compensation benefits for on-the-job injuries,
- Payment for wages earned, minimum wage, and overtime (under certain conditions),
- Prevailing wages on public work projects,
- The provisions of the National Labor Relations Act, and
- A safe work environment.

It is a violation of this law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a private lawsuit or both.

**Independent Contractors:** If you are an independent contractor, **you must pay all taxes and Unemployment Insurance contributions required by New York State and Federal Law.**

**Penalties** for paying off the books or improperly treating employees as independent contractors:

- **Civil Penalty** First Offense: up to \$2,500 per employee.  
Subsequent Offense(s): up to \$5,000 per employee.
- **Criminal Penalty** First Offense: Misdemeanor - up to 30 days in jail, up to a \$25,000 fine and debarment from performing Public Work for up to one year.  
Subsequent Offense(s): Misdemeanor - up to 60 days in jail, up to a \$50,000 fine and debarment from performing Public Work for up to 5 years.

**If you have questions about your employment status or believe that your employer may have violated your rights and you want to file a complaint, call the Department of Labor at (866) 435-1499 or send an email to [dol.misclassified@labor.ny.gov](mailto:dol.misclassified@labor.ny.gov). All complaints of fraud and violations are taken seriously. You can remain anonymous.**

**Employer Name:** \_\_\_\_\_

# Attention Farm Workers

Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

New York City
All Employers
<b>Minimum Wage</b>
<b>\$17.00</b>
Overtime after 52 hours \$25.50*

Long Island and Westchester County
<b>Minimum Wage \$17.00</b>
Overtime after 52 hours \$25.50*

Remainder of New York State
<b>Minimum Wage \$16.00</b>
Overtime after 52 hours \$24.00*

If you have questions, need more information or want to file a complaint, please visit [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call:

**1-888-469-7365.**

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are in wage orders and summaries, which are available online.

*Exception:* Employers may not claim any of your wages for lodging if you are a migrant seasonal worker.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1 1/2 times your regular rate of pay (no less than the overtime amounts shown above) for hours worked over 52 in a calendar week and/or for any hours worked on your day of rest.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.
- **Federal Law** – If you are an employee covered under the federal Fair Labor Standards Act, you must be paid according to state law and also according to higher federal requirements, if they apply.

# Attention Employees

## THIS IS A: **PUBLIC WORK PROJECT**

If you are employed on this project as a **worker, laborer, or mechanic** you are entitled to receive the **prevailing wage and supplements rate** for the classification at which you are working.

Your pay stub and wage notice received upon hire must clearly state your wage rate and supplement rate.

Chapter 629 of  
the Labor Laws  
of 2007:

**These wages are set by law and must be posted at the work site. They can also be found at:**  
**<https://dol.ny.gov/bureau-public-work>**



If you feel that you have not received proper wages or benefits, please call our nearest office.

Albany	(518) 457-2744	Patchogue	(631) 687-4882
Binghamton	(607) 721-8005	Rochester	(585) 258-4505
Buffalo	(716) 847-7159	Syracuse	(315) 428-4056
Garden City	(516) 228-3915	Utica	(315) 793-2314
New York City	(212) 932-2419	White Plains	(914) 997-9507
Newburgh	(845) 568-5287		

\* For New York City government agency construction projects, please contact the Office of the NYC Comptroller at (212) 669-4443, or [www.comptroller.nyc.gov](http://www.comptroller.nyc.gov) – click on Bureau of Labor Law.

Contractor Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Required Notice under Article 25-C of the Labor Law

**Attention All Drivers of Commercial Vehicles: If You Transport Goods, You are Covered by the Commercial Goods Transportation Industry Fair Play Act**

**The law says that you are an employee unless:**

- Payment for your services is reported on a federal income tax form 1099, if required by law
- **And either:**
  - You are a separate business entity as defined by law, or
  - You are free from direction and control in performing your job,
  - You are performing work that is not part of the usual work done by the business that hired you, **and**
  - You have an independently established business.

**It is against the law for an employer to misclassify employees as independent contractors or pay employees off the books.**

**Employee Rights:** If you are an employee, you are entitled to state and federal worker protections. These include:

- Unemployment Insurance benefits, if you are unemployed through no fault of your own, able to work and otherwise qualified,
- Workers' Compensation benefits for on-the-job injuries,
- Payment for wages earned, minimum wage and overtime (under certain conditions),
- Prevailing wages on public work projects,
- The provisions of the National Labor Relations Act, and
- A safe work environment

It is a violation of the law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a private lawsuit or both.

**Independent Contractors:** If you are an independent contractor, **you must pay all taxes and Unemployment Insurance contributions required by New York State and Federal Law.**

**Penalties** for paying workers off the books or improperly treating employees as independent contractors:

- **Civil Penalty**                      First offense: Up to \$2,500 per employee  
                                                    Subsequent offense(s): Up to \$5,000 per employee
- **Criminal Penalty**                First offense: Misdemeanor - up to 30 days in jail or up to a \$25,000 fine and debarment from performing public work for up to one year.  
                                                    Subsequent offense(s): Misdemeanor - up to 60 days in jail or up to a \$50,000 fine and debarment from performing public work for up to five years.

**If you have questions about your employment status or believe that your employer may have violated your rights and you want to file a complaint, call the Department of Labor at 1(866) 435-1499 or send an email to [dol.misclassified@labor.ny.gov](mailto:dol.misclassified@labor.ny.gov). All complaints of fraud and violations are taken seriously. You can remain anonymous.**

**Employer Name:** \_\_\_\_\_



# BILL OF RIGHTS FOR NAIL WORKERS

### MINIMUM WAGE:

You **MUST** be paid for **EVERY** hour you work, including overtime, even if you are paid on “commission” or are not experienced.

### THESE ARE YOUR RIGHTS REGARDLESS OF IMMIGRATION STATUS

If you do not have a license, you should obtain a nail trainee license, which you can do for free. Please contact the hotline to learn more.

**CALL FOR INFORMATION OR HELP:**  
**(888) 469-7365**

### EMPLOYERS SHOULD NEVER:

- Take your tips or wages
- Pay you less than minimum wage
- Make you pay for a job or training, as punishment or any other reason
- Deny you a meal break
- Deny your right to wear a mask and/or gloves
- Punish you in **ANY** way for complaining about your wages or working conditions

### FOR YOUR SAFETY, OWNERS MUST PROVIDE TO WORKERS:

- A respirator (special mask) for use when buffing/filing artificial nails or when using artificial nail powder
- Gloves for use when handling chemicals or waste, during cleanup, and when performing any service that could break a customer’s skin
- Eye protection for use when preparing, transferring, or pouring chemicals

Location	First 40 hours per week, at least:	After 40 hours per week, at least:
<b>New York City</b>	<b>\$17.00/hour</b>	<b>\$25.50/hour</b>
<b>Long Island and Westchester County</b>	<b>\$17.00/hour</b>	<b>\$25.50/hour</b>
<b>Remainder of New York State</b>	<b>\$16.00/hour</b>	<b>\$24.00/hour</b>

# Attention Hospitality Industry Employees

Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

New York City	
Large Employers (11 or more employees)	Small Employers (10 or less employees)
<b>Minimum Wage \$17.00</b> Overtime after 40 hours \$25.50	<b>Minimum Wage \$17.00</b> Overtime after 40 hours \$25.50
<b>Fast Food Worker</b> <span style="float: right;"><b>\$17.00</b></span> Overtime after 40 hours <span style="float: right;">\$25.50</span>	<b>Fast Food Worker</b> <span style="float: right;"><b>\$17.00</b></span> Overtime after 40 hours <span style="float: right;">\$25.50</span>
<b>*Service Employee</b> <span style="float: right;"><b>\$14.15</b></span> Overtime after 40 hours <span style="float: right;">\$22.65</span> Resort – minimum tips <span style="float: right;">\$9.55</span> Others – minimum tips <span style="float: right;">\$3.65</span>	<b>*Service Employee</b> <span style="float: right;"><b>\$14.15</b></span> Overtime after 40 hours <span style="float: right;">\$22.65</span> Resort – minimum tips <span style="float: right;">\$9.55</span> Others – minimum tips <span style="float: right;">\$3.65</span>
<b>*Food Service Worker</b> <span style="float: right;"><b>\$11.35</b></span> Overtime after 40 hours <span style="float: right;">\$19.85</span>	<b>*Food Service Worker</b> <span style="float: right;"><b>\$11.35</b></span> Overtime after 40 hours <span style="float: right;">\$19.85</span>

Long Island and Westchester County	
<b>Minimum Wage \$17.00</b> Overtime after 40 hours \$25.50	
<b>Fast Food Worker</b> <span style="float: right;"><b>\$17.00</b></span> Overtime after 40 hours <span style="float: right;">\$25.50</span>	
<b>*Service Employee</b> <span style="float: right;"><b>\$14.15</b></span> Overtime after 40 hours <span style="float: right;">\$22.65</span> Resort – minimum tips <span style="float: right;">\$9.55</span> Others – minimum tips <span style="float: right;">\$3.65</span>	
<b>*Food Service Worker</b> <span style="float: right;"><b>\$11.35</b></span> Overtime after 40 hours <span style="float: right;">\$19.85</span>	

Remainder of New York State	
<b>Minimum Wage \$16.00</b> Overtime after 40 hours \$24.00	
<b>Fast Food Worker</b> <span style="float: right;"><b>\$16.00</b></span> Overtime after 40 hours <span style="float: right;">\$24.00</span>	
<b>*Service Employee</b> <span style="float: right;"><b>\$13.30</b></span> Overtime after 40 hours <span style="float: right;">\$21.30</span> Resort – minimum tips <span style="float: right;">\$9.00</span> Others – minimum tips <span style="float: right;">\$3.40</span>	
<b>*Food Service Worker</b> <span style="float: right;"><b>\$10.70</b></span> Overtime after 40 hours <span style="float: right;">\$18.70</span>	

If you have questions or want to file a complaint, visit [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call: **1-888-469-7365**.

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Tips** – Your employer may use a limited amount of your tips to reduce your wages. This is called a tip credit. Your employer may take a tip credit only if your tips plus wages add up to at least the minimum wage. They must still pay at least the \*wage rates shown above.

*Exceptions:* No tip credit can be taken from any fast food workers, including delivery, or for service employees whose weekly tips average less than the minimum hourly amounts shown above. The tip credit amount is the same for overtime hours.

- **Meals and lodging** – Your employer may take a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Hourly rate and overtime** – You must be paid by the hour (not a salary or day rate). You must also be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).

*Exceptions:* An hourly rate and overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.

- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.



## Attention Building Service Industry Employees

### Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

#### New York City

All Employers

#### Minimum Wage

**\$17.00**

Overtime after 40 hours \$25.50

**Janitor** minimum rate per unit \$11.35

or

**Janitor** minimum weekly salary \$723.05

#### Long Island and Westchester County

**Minimum Wage \$17.00**

Overtime after 40 hours \$25.50

**Janitor** minimum rate per unit \$11.35

or

**Janitor** minimum weekly salary \$723.05

#### Remainder of New York State

**Minimum Wage \$16.00**

Overtime after 40 hours \$24.00

**Janitor** minimum rate per unit \$10.70

or

**Janitor** minimum weekly salary \$680.00

If you have questions, need more information or want to file a complaint, please visit [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call:

**1-888-469-7365**

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Apartment and utilities** – Your employer may claim a credit from your wages for an apartment and utilities that they provide to you. The rates and requirements are in wage orders and summaries, which are available online.
- **Telephone** – Your employer may claim a credit from your wages for the amount they pay that is over the minimum billing amount.
- **Tips** – No tip credit is available.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (not less than the overtime amounts shown above) for weekly hours over 40.  
*Exceptions:* Overtime is not required for janitors in residential buildings, for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

# Attention Apparel Industry Employees

Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

New York City	
Large Employers (11 or more employees)	Small Employers (10 or less employees)
<b>Minimum Wage \$17.00</b> Overtime after 40 hours \$25.50	<b>Minimum Wage \$17.00</b> Overtime after 40 hours \$25.50
Long Island and Westchester County	Remainder of New York State
<b>Minimum Wage \$17.00</b> Overtime after 40 hours \$25.50	<b>Minimum Wage \$16.00</b> Overtime after 40 hours \$24.00

If you have questions, need more information or want to file a complaint.

By Phone: (518) 457-9000 | (888) 4-NYSDOL (888-469-7365) | 711 TTY/TDD

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are in wage orders and summaries, which are available online.

**Other rules** your employer must follow:

- **Safety** – Your employer must comply with local, state and federal safety and health laws and fire codes. Fire exits must be unlocked and easy to get to during work hours.
- **Homework** – No work is to be taken out of the factory to be worked on at home. No work is to be distributed directly to home workers
- **Registration** – Your employer must be registered with the Department of Labor. They must post their annual registration certificate where you can see it.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than overtime amounts shown above) for weekly hours over 40 (or 44 for residential employees).

*Exceptions:* Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.

- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

## YOUR RIGHTS AS AN EMPLOYEE

### To Express Breast Milk At Work

#### YOU HAVE THE RIGHT TO EXPRESS BREAST MILK AT WORK

New York State Labor Law Section 206-c requires your employer to provide you with 30 minutes of paid break time when you need to pump breast milk at work. For more information on your rights in the workplace, please view the New York State Department of Labor's (NYSDOL) policy here on [ny.gov/breastmilkexpression](https://www.labor.ny.gov/breastmilkexpression). For more information regarding expressing breast milk, please view the New York State Department of Health's Breast Feeding Bill of Rights at [health.ny.gov/publications/2028/](https://www.health.ny.gov/publications/2028/).

#### DOES THIS LAW COVER MY EMPLOYER?

This law applies to all public and private employers in New York State, regardless of the size or nature of their business.

#### WHAT IF MY EMPLOYER HASN'T TOLD ME I CAN PUMP BREAST MILK AT WORK?

All employers are required to inform employees about their right to take 30 minute paid breaks during the work day for the purpose of expressing breast milk. Your employer must inform you of this right by providing you with New York State Department of Labor's Policy on the Rights of Employees to Express Breast Milk in the Workplace. This policy can be provided in print or electronically through email. All employees must receive this policy when they are hired and this notice must be given to every to employee returning to work following the birth of a child, as well as once a year thereafter.

#### DO I HAVE TO GIVE MY EMPLOYER ADVANCE NOTICE IF I WANT TO PUMP BREAST MILK AT WORK?

Yes. If you want to pump breast milk at work, you must notify your employer in advance in writing – preferably before you return to work from maternity leave. Your request should be sent to your direct supervisor or staff member designated by your employer to handle such requests. Your written request can be sent through email, text message, written correspondence or any chat-based app regularly used by the organization for correspondence that allows for the retention of messages. Your written notification should include details regarding how many breaks you anticipate needing during the work day. If you have preferred times to express breast milk, please include that in your written notification as well.

#### HOW LONG AFTER MY CHILD IS BORN CAN I PUMP BREAST MILK AT WORK?

You may take break time to pump breast milk at work for up to three years following the birth of your child.

#### HOW MUCH BREAK TIME CAN I TAKE TO PUMP BREAST MILK?

Your employer must give you a 30 minute paid break when you need to express breast milk. You can take shorter breaks if you choose. The breaks are in addition to any meal time or regular paid breaks you might have. You are permitted to use existing meal time or paid break time if you need additional time for breast milk expression beyond the paid 30 minutes.

#### HOW OFTEN DURING THE WORKDAY CAN I TAKE BREAKS TO PUMP BREAST MILK?

The number of paid breaks an employee will need is unique to each employee. Your employer must accommodate you whenever you reasonably need to take a break to express milk.

#### IF I TAKE BREAKS TO PUMP BREAST MILK, CAN MY EMPLOYER REDUCE THE AMOUNT OF OTHER BREAK TIME I GET?

No. If you take paid breaks to pump breast milk, your employer cannot take time away from your regular paid break or meal time.

#### IF I TAKE BREAKS TO PUMP BREAST MILK, CAN I MAKE UP THAT TIME?

No. Your employer is prohibited from requiring you to work before or after your normal shift to make up for any paid break time you take to pump breast milk. You are not required to make up this time.

#### DOES MY EMPLOYER HAVE TO PAY ME FOR BREAK TIME I TAKE TO PUMP BREAST MILK?

Yes. Under New York State Law, all employees are entitled 30 minutes of paid break time each time they reasonably need to express breast milk. You may also use your regular paid break or meal time to pump breast milk. You are under no obligation to complete work tasks while expressing breast milk, and your employer cannot require it. You may voluntarily decide to do so if you want to.

#### DOES MY EMPLOYER HAVE TO PROVIDE A PLACE FOR ME TO PUMP BREAST MILK?

Yes. Your employer must provide you with a private room or other location close to your work area where you can pump breast milk. If your employer can't provide a dedicated lactation room, a temporarily vacant room may be used instead. As a last resort, a cubicle can be used, but it must be fully enclosed with walls at least seven feet tall. You should consult the NYSDOL's Division of Labor Standards if your employer tells you they do not have a place for you to pump breast milk.

#### CAN THAT PLACE BE A BATHROOM?

No. The room or location provided by your employer cannot be a restroom or toilet stall.

#### WHAT DOES MY EMPLOYER HAVE TO PUT IN THE ROOM?

The place where you pump breast milk must contain a chair and small table or other flat surface. Additionally, the space must have good natural or artificial light, an electrical outlet (if the workplace has electricity), and be close to accessible, clean water. If the workplace has a refrigerator, you must be allowed to use it to store milk if you would like.

#### DOES THE ROOM HAVE TO BE PRIVATE?

Yes. The room or place provided by your employer cannot be open to other employees, customers, or members of the public while you are pumping breast milk. It should have a door with a functional lock, or, in the case of a cubicle, a sign warning the location is in use and not accessible to others. If there are windows in the space, they should be covered.

#### WHAT DO I DO IF MY EMPLOYER ISN'T FOLLOWING THIS LAW?

File a complaint with the NYSDOL's Division of Labor Standards. These complaints are confidential. We will not tell your employer a complaint has been filed against him or her. You may call NYSDOL at **1-888-52-LABOR**, email to [LSAsk@labor.ny.gov](mailto:LSAsk@labor.ny.gov), or come to the nearest Labor Standards to file a complaint. A list of offices is available at [labor.ny.gov/workerprotection/laborstandards/workprot/lsdists.shtm](https://www.labor.ny.gov/workerprotection/laborstandards/workprot/lsdists.shtm).

#### WHAT IF MY EMPLOYER PUNISHES ME FOR FILING A COMPLAINT?

Your employer may not discriminate or retaliate in any way against you or any other employee who chooses to pump breast milk in the workplace or who files a complaint with us. If this happens, contact NYSDOL immediately and let us know.

#### WHERE CAN I FIND ADDITIONAL INFORMATION ON THIS TOPIC?

NYSDOL has issued a policy on the rights of employees to express breast milk in the workplace. Employers are required to provide you with this policy when you are hired, as well as when you return to work after a child is born. The policy is available online at [on.ny.gov/breastmilkexpression](https://www.on.ny.gov/breastmilkexpression).

#### DO ANY OTHER LAWS PROTECT MY RIGHT TO PUMP BREAST MILK AT WORK?

Yes. The Fair Labor Standards Act, a federal law covering all 50 states, also protects your right to pump breast milk at work. For more information, contact the Wage and Hour Division of the U.S. Department of Labor at **1-866-4USWAGE**. The federal PUMP Act went into effect in 2023, expanding protections for almost all employees pumping breast milk at work. Under the PUMP Act, any covered workers not provided with breaks and adequate space for up to a year after the birth of a child are able to file a complaint with USDOL or file a lawsuit against their employers. For more information, please visit [on.ny.gov/breastmilkexpression](https://www.on.ny.gov/breastmilkexpression).

The New York State Department of Labor is an Equal Opportunity Employer/Program.

Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886.

# Sexual Harassment Prevention Notice



Combating  
Sexual Harassment

## Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and [ ] is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, [ ] has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status. You are receiving this notice, as required by law, either at the time of hiring or during your annual sexual harassment prevention training.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, manager or [ ] so we can take action.

**Our complete policy**       is enclosed/attached       may be found at the link below:

\_\_\_\_\_

**Our training materials**       are enclosed/attached       may be found at the link below:

\_\_\_\_\_

**Our Complaint Form**       are enclosed/attached       may be found at the link below:

\_\_\_\_\_

**If you have questions and to make a complaint, please contact:**

[ ]

[ ]

For more information and additional resources, please visit:  
[www.ny.gov/programs/combating-sexual-harassment-workplace](http://www.ny.gov/programs/combating-sexual-harassment-workplace)

10/19 Version

# WE ARE YOUR DOL



## NEW YORK STATE PAID SICK AND SAFE LEAVE

All private sector workers in New York State are now covered under the state's new sick and safe leave law, regardless of industry, occupation, part-time status, overtime exempt status, and seasonal status.

The law requires employers with five or more employees to provide their employees with paid sick and safe leave. Businesses with fewer than five employees and a net income of \$1 million or less must provide unpaid sick and safe leave to employees.

### AMOUNT OF LEAVE

Employees will receive an amount of sick and safe leave depending on the size of their employer:

Number of Employees	Employer Leave Requirements
0 - 4	If net income is <b>\$1 million or less</b> in the previous tax year, the employer is required to provide up to 40 hours of <b>unpaid</b> sick leave per calendar year.
0 - 4	If net income is <b>greater than \$1 million</b> in the previous tax year, the employer is required to provide up to 40 hours of <b>paid</b> sick leave per calendar year.
5 - 99	Up to <b>40</b> hours of <b>paid</b> sick leave per calendar year.
100+	Up to <b>56</b> hours of <b>paid</b> sick leave per calendar year.

*A January 1 – December 31 calendar year must be used for purposes of counting employees. Small employers who reported net income of less than \$1 million do not need to pay their employees sick leave, but must provide the additional allotted leave time. For other purposes, including use and accrual of leave, employers may set a calendar year to mean any 12-month period.*

### SAFE LEAVE

**After January 1, 2021**, employees may use accrued leave following a verbal or written request to their employer for sick or safe leave for reasons impacting the employee or a member of their family for whom they are providing care or assistance with care.

Safe leave may be used for an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:

- to obtain services from a domestic violence shelter, rape crisis center, or other services program;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

## **CAN AN EMPLOYEE USE SAFE LEAVE IF THE POLICE HAVE NOT BEEN CONTACTED OR THE PERPETRATOR HAS NOT BEEN CONVICTED?**

Yes. An employee's eligibility for safe leave is not dependent on reporting to law enforcement or a criminal conviction.

## **WHO QUALIFIES AS A "FAMILY MEMBER" FOR THE PURPOSES OF THIS LAW?**

"Family member" is defined as an employee's child, spouse, domestic partner, parent, sibling, grandchild, or grandparent; and the child or parent of an employee's spouse or domestic partner. "Parent" is defined as a biological, foster, step- or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. "Child" is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

## **DOES AN EMPLOYEE'S IMMIGRATION STATUS AFFECT WHETHER THEY ARE ENTITLED TO SICK OR SAFE LEAVE UNDER THE LAW?**

No. An employee's immigration status has no effect on their eligibility for sick or safe leave benefits under this law.

## **DO EMPLOYEES CONTINUE TO EARN SICK OR SAFE LEAVE WHILE USING PAID SICK OR SAFE LEAVE UNDER THIS LAW?**

No. Employees are only required to be credited with leave time for hours worked, and not for hours spent using sick or safe leave time under this law.

## **MAY PAID FAMILY LEAVE BE USED CONSECUTIVELY WITH PAID SICK LEAVE (E.G. THREE DAYS OF PAID SICK LEAVE, TWO DAYS OF PAID FAMILY LEAVE)?**

An employee can only choose to use sick leave during Paid Family Leave (PFL) if the employer allows it. Taking sick leave at the same time as PFL may allow the employee to receive their full salary for all or part of the leave. However, an employee cannot receive more than their full wages while receiving PFL benefits.

## **CAN AN EMPLOYER HAVE A POLICY THAT PERMITS EMPLOYEES TO DONATE UNUSED LEAVE TO OTHER EMPLOYEES?**

Yes. An employer can have a policy that allows employees to donate unused leave to other employees, if the policy is entirely voluntary.

## **WHAT DO I DO IF MY EMPLOYER ISN'T PROVIDING ME WITH SICK OR SAFE LEAVE AS REQUIRED BY THE LAW?**

Employees may file a complaint with the Department of Labor by calling **888-469-7365**.

For more information about New York State's Paid Sick and Safe Leave, including additional FAQs, regulations, and more, please visit [ny.gov/paidsickleave](https://ny.gov/paidsickleave).

To get additional help, please visit New York State's Office for the Prevention of Domestic Violence at [opdv.ny.gov](https://opdv.ny.gov).

## Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740

### Prohibited Retaliatory Personnel Action by Employers

Effective January 26, 2022

§740. Retaliatory action by employers; prohibition.

1. Definitions. For purposes of this section, unless the context specifically indicates otherwise:
  - a. "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.
  - b. "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.
  - c. "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.
  - d. "Public body" includes the following:
    - i. the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;
    - ii. any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
    - iii. any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;
    - iv. any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;
    - v. any federal, state or local department of an executive branch of government; or
    - vi. any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.
  - e. "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.
  - f. "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.
2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:
  - a. discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
  - b. provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
  - c. objects to, or refuses to participate in any such activity, policy or practice.
3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:
  - a. there is an imminent and serious danger to the public health or safety;
  - b. the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
  - c. such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
  - d. the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
  - e. the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.
4. Violation; remedy.
  - a. An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
  - b. Any action authorized by this section may be brought in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
  - c. It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.
5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:
  - a. an injunction to restrain continued violation of this section;
  - b. the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;
  - c. the reinstatement of full fringe benefits and seniority rights;
  - d. the compensation for lost wages, benefits and other remuneration;
  - e. the payment by the employer of reasonable costs, disbursements, and attorney's fees;
  - f. a civil penalty of an amount not to exceed ten thousand dollars; and/or
  - g. the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.
6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.
7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.
8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

**To Be Posted Conspicuously in easily accessible and well-lighted places  
customarily frequented by employees and applicants for employment.**



Department  
of Labor

**WORKING FOR YOU**

# Attention Covered Airport Workers\*

At LaGuardia Airport, John F. Kennedy International Airport,  
and locations related to the preparation of food for consumption on airplanes

As of January 1, 2026, the New York State [Healthy Terminals Act](#) states that you must be paid the higher of either:

- the wage rate designated by the NYS Commissioner of Labor, or
- the Port Authority Minimum Wage. (\$21.25/hour for calendar year 2026)

You must also receive an amount of supplemental wages or a supplemental healthcare contribution, as well as paid leave, as designated by the NYS Commissioner of Labor.



The NYS Commissioner of Labor designations of the hourly wage rate, supplemental wages or healthcare contribution, and paid leave requirements are based on the determinations of the federal government under the McNamara-O'Hara Service Contract Act. Please see the following link for more information.



In no event should your hourly wage rate be less than the Port Authority Minimum Wage currently in effect. Visit the Port Authority of New York and New Jersey New Minimum Wage Rules website for details.



\*Covered Airport Workers are any persons employed to perform work at John F. Kennedy International Airport, LaGuardia Airport, or any location used to perform work related to the preparation or delivery of food for consumption on airplanes departing from John F. Kennedy International Airport or LaGuardia Airport. Salaried professionals, executives, and administrative staff, or persons employed by the Port Authority of New York and New Jersey or any other governmental agency are not covered airport workers.

**WE ARE YOUR DOL**

## Attention Covered Airport Workers in the Hospitality Industry

LaGuardia Airport, John F. Kennedy International Airport,  
and related locations where airline catering\* workers are employed

\*airline catering includes work related to the preparation or delivery of food or beverage for consumption on  
airplanes departing from a covered airport location or related location.

### Minimum Applicable Standard Hourly Wage Rates

<b>The greater of:</b>		12/31/2019	<b>\$15.00 /hr.</b>	
New York State Minimum Wage in Effect as of:			Overtime after 40 hours \$22.50	
Fast Food Worker	<b>\$15.00 /hr.</b>	*Service Employee	<b>\$12.50 /hr.</b>	*Catering Food
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$20.00	Service Worker
		Tip threshold (non-resort)	\$3.25	Overtime after 40 hours
				\$17.50
<b>Or</b>		9/1/2021	<b>\$17.00 /hr.</b>	
Port Authority Minimum Wage in Effect as of:		9/1/2022	<b>\$18.00 /hr.</b>	
		9/1/2023	<b>\$19.00 /hr.</b>	
<b>Plus</b>				
Standard Benefits Supplement Rate in Effect as of: (toward the cost of minimum essential coverage under an employer-sponsored health care plan for the first 40 hours, including time off)		7/1/2021	<b>\$4.54 /hr.</b>	

If you have questions, need more information or want to file a complaint, please visit  
[www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call: **1-888-469-7365**.

Covered Airport Workers are any persons employed to perform work at a covered airport location who work at least ½ of their weekly hours at a covered location, were employed as of 12/30/2020 and work an average of 30 hours per week. Covered airport workers in the Miscellaneous Industries perform the following work: cleaning and related services, security related services, in terminal passenger services and baggage handling. Salaried professionals, or executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate, **are not covered airport workers**. Detailed descriptions are available at [www.labor.ny.gov](http://www.labor.ny.gov)

#### Credits and Allowances

- **Tips** – Your employer may use a limited amount of your tips to reduce your wages. This is called a tip credit. Your employer may take a tip credit only if your tips plus wages add up to at least the minimum wage. They must still pay at least the wage rates shown above. The tip credit amount is the same for overtime hours.
- **Meals and lodging** – Your employer may claim a limited

amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

# NEW YORK STATE NOTICE OF ELECTRONIC MONITORING

**Employees are advised that any and all telephone conversations or transmissions, electronic mail or transmissions, Internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic or photoelectronic or photo-optical systems may be subject to monitoring at any and all time and by any lawful means.**

N.Y. Civ. Rights Law § 52-c.



## VETERAN BENEFITS AND SERVICES

The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations:

[dol.ny.gov/veteran-benefits-and-services](https://dol.ny.gov/veteran-benefits-and-services)

### MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

*All calls and texts are free and confidential*

#### U.S. Department of Veterans Affairs Veterans Crisis

**Line:** [www.veteranscrisisline.net](http://www.veteranscrisisline.net)

Call: 988, press 1      Text: 838255

**Suicide and Crisis Lifeline:** [www.veteranscrisisline.net](http://www.veteranscrisisline.net)

Call: 988      Text: 988

#### Crisis Textline:

Text: 741741      Chat: [crisistextline.org](http://crisistextline.org)

#### NYS Office of Mental Health (OMH):

[www.omh.ny.gov](http://www.omh.ny.gov)

#### NYS Office of Addiction Services and Supports (OASAS):

[www.oasas.ny.gov/hopeline](http://www.oasas.ny.gov/hopeline)

Call: 1-877-8-HOPENY (467469)

Text: HOPENY (467369)

### LEGAL SERVICES

#### Veterans Treatment Courts (VTC): [ww2.nycourts.gov/courts/problem\\_solving/vet/courts.shtml](http://ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml)

courts/problem\_solving/vet/courts.shtml

Email: [ProblemSolving@courts.state.ny.us](mailto:ProblemSolving@courts.state.ny.us)

#### NYS Defenders Association Veteran Defense Program:

<https://www.nysda.org/page/VDP>

### TAX BENEFITS

#### NYS Department of Tax and Finance

- Information for military personnel and veterans: [tax.ny.gov/pit/file/military\\_page.htm](http://tax.ny.gov/pit/file/military_page.htm)

- Property tax exemptions: [tax.ny.gov/pit/property/exemption/vetexempt.htm](http://tax.ny.gov/pit/property/exemption/vetexempt.htm)

### EDUCATION, WORKFORCE, AND TRAINING RESOURCES

#### Veteran Readiness and Employment

(VR&E) Program: [www.benefits.va.gov/vocrehab](http://www.benefits.va.gov/vocrehab)

#### New York State Civil Service Credits for Veterans

Program: [www.cs.ny.gov](http://www.cs.ny.gov)

### ADDITIONAL RESOURCES

#### NYS Domestic and Sexual Violence Hotline:

Call: 800-942-6906 Text: 844-997-2121

#### NYS Workplace Sexual Harassment Hotline:

Call: 1-800-HARASS-3

#### NYS Department of Motor Vehicles:

- Veteran Status Designation Photo Document: [dmv.ny.gov/more-info/veteran-statusdesignation-photo-document](http://dmv.ny.gov/more-info/veteran-statusdesignation-photo-document)

- Veteran License Plate: [dmv.ny.gov/plates/military-and-veterans](http://dmv.ny.gov/plates/military-and-veterans)

### NEW YORK STATE DEPARTMENT OF VETERANS' SERVICES

Website: [veterans.ny.gov](http://veterans.ny.gov)

Help Line: 1-888-838-7697

Email: [DVSInfo@veterans.ny.gov](mailto:DVSInfo@veterans.ny.gov)

*Services:* Legal, education, employment and volunteer, financial, health care, and more.

### NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

Website: [dol.ny.gov/services-veterans](http://dol.ny.gov/services-veterans)

Help Line: 1-888-469-7365

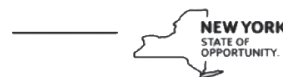
Email: [Ask.Vets@labor.ny.gov](mailto:Ask.Vets@labor.ny.gov)

*Services:* Workforce and training resources, unemployment insurance, the Experience Counts program, and more.



Department of  
Veterans' Services

WE ARE YOUR DOL



Department  
of Labor

## Guidelines for Implementation of Employee Blood Donation Leave

Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. As the entity responsible for the administration of this provision of law, the Department of Labor hereby establishes the following guidelines governing such leave:

### I. Definitions

As used in these guidelines, the following terms shall have the following meaning:

- a. "Apheresis" is the collection of individual components of blood, such as platelets, plasma, or double red blood cells.
- b. "Employee" means employee as defined in Labor Law § 202-j (1)(a).
- c. "Employer" means employer as defined in Labor Law § 202-j (1) (b).
- d. "Employee's place of employment" means the physical location at which the employee works. Such location may be in a different building on the same location, e.g. another building on a school campus or office complex, so long as such location is affiliated and physically proximate to the employee's physical work location.
- e. "Off-premises blood donation" shall mean blood donation which is not made in connection with a blood drive at the employee's place of employment or in connection with some other convenient time and place set by the employer.
- f. "Donation leave alternative" shall include either a blood drive at the employee's place of employment or a blood donation option at some other convenient time and place set by the employer.

### II. Compensation for Leave

Leave granted to employees for off-premises blood donation is not required to be paid leave. Leave taken by employees for donation leave alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.

### III. Off-Premises Donation

Leave for off-premises donation shall be subject to the following:

- a. Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule.
- b. Any additional leave time taken by employees in connection with off-premises blood donation shall be subject to all other rules and guidelines governing leave established by the employer or applicable collective bargaining agreements.
- c. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the calendar year.

### IV. Blood Donation Leave Alternatives

As an alternative to providing the leave time otherwise required by Labor Law §202-j and the preceding guidelines for off-premises blood donation, an employer may elect blood donation leave alternatives. Such blood donation leave alternatives shall be subject to the following:

- a. Leave for blood donation leave alternatives shall be paid leave given without use of vacation, personal, sick, or other already existing leave accruals.
- b. Leave for blood donation leave alternatives shall be given twice per calendar year.
- c. Leave for blood donation leave alternatives under this section of the guidelines shall be for the purpose of donating blood at a convenient time and place set by the employer and may include a blood drive at the employee's place of employment. For the purposes of this paragraph, a "convenient time and place set by the employer" shall mean a time that will not require an employee to attend outside of his/her normal work hours and shall not require an employee to travel to a location which is not a reasonable travel distance for employees.
- d. Employee leave time under this section must be given during an employee's work hours. For purposes of this paragraph, "during work hours" means that the blood drive must be held during the employee's regularly scheduled work hours. If an employee provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation in accordance with section III.
- e. Off-premises donation leave time shall be subject to all the terms and conditions applicable to off-premises donation leave time set forth elsewhere in these guidelines.
- f. Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking nourishment after donating, and to return to work.
- g. Nothing herein shall prevent two or more employers from coordinating or co-sponsoring a blood donation leave alternative at a shared work location.
- h. Notwithstanding the discretion afforded employers under this guideline to elect to offer blood donation leave alternatives, employers electing these alternatives are encouraged to offer their employees up to three hours of blood donation leave for the purpose of donating blood components through apheresis should they wish to do so. Such leave would be subject to all the provisions applying to off-premises blood donation set forth elsewhere in these guidelines.
- i. Notice of any blood donation leave alternative shall be prominently posted in the workplace at least two weeks beforehand. To count towards the two blood donation leave alternatives in a calendar year under this section, notice of the

final such leave must be provided prior to December 1 of that year. No blood leave alternative should be scheduled during a time when a significant number of employees are out of the office, such as during the last week of December or around other significant holidays.

- j. To meet the requirements of § 202-j through blood donation leave alternatives, at least two such alternatives provided during a calendar year must take place at least sixty days apart.
- V. Notice and Recordkeeping  
The following notice and recordkeeping requirements shall apply to all leaves for blood donation:

#### Notice:

- a. Employers must notify employees in writing of their right to take blood donation leave. Such notification must be made in a manner that will ensure that employees see it, such as by posting in a prominent spot in an area where employees congregate, inclusion of notice with employees' paychecks, mailings, notices in employee handbooks, or other comparable method.
- b. Such notice must be provided to all employees within sixty (60) days after issuance of these guidelines, and shall be updated as necessary. If the employer provides written notice directly to the employee, it shall do so at the time of hire to new employees, and thereafter, to all employees on an annual basis, no later than the fifteenth day of January.
- c. The employer may require employees to give reasonable notice of their intended use of leave time governed by these guidelines. If leave is for off-premises blood donation, reasonable notice would consist of notice provided at least three working days prior to the day on which leave will be taken. If leave is for a blood donation leave alternative, reasonable notice would consist of notice two days prior to the day on which leave will be taken.
- d. In cases where the employee fills a position essential to the operation of the employer or necessary to comply with legal requirements, and three days notice is insufficient to allow the employee's position to be filled during the donation, the employer shall require notice no longer than is necessary to feasibly fill the position, but in no case longer than ten working days. The employer shall notify all covered employees of this extended notice requirement in compliance with the notice requirements of these guidelines.
- e. Should the employee experience an emergency requiring that he/she donate blood for his or her own surgery or that of a family member, employers must provide reasonable accommodations for a shorter notice period.

#### Recordkeeping:

An employer may require employees making off-premises blood donation to show proof of their blood donation in the form of notice of blood donation or a good faith effort at blood donation from the blood bank or some other proof sufficient to the purpose.

#### VI. Employer Discretion

Nothing herein shall prevent an employer from establishing policies or practices which support more frequent donation of blood by employees including, but not limited to, paid leave, additional blood donation leave, shorter notice periods, or more generous leave periods for donation of blood in preparation for surgery on the employee or an employee's family member.

#### VII. Collective Bargaining

Nothing herein shall prevent employers and employees, or their representatives, from making the terms and conditions of employee blood donation leave a matter of collective bargaining, provided however, that any collectively bargained conditions affecting blood donation leave shall not diminish the minimum requirements set forth in Labor Law 202-j and these guidelines.

#### Albany District

1220 Washington Ave.  
Bldg. 12 Room 185A  
Albany, NY 12226  
(518) 457-2730

#### Bronx District

55 Hanson Place 11th Floor  
Brooklyn, NY 11217  
(212) 775-3597

#### Buffalo District

295 Main Street  
Suite 914  
Buffalo, NY 14203  
(716) 847-7141

#### Garden City District

400 Oak Street  
Suite 102  
Garden City, NY 11530  
(516) 794-8195

#### New York City District

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3880

#### Rochester District

276 Waring Road  
Room 104  
Rochester, NY 14609  
(585) 258-4550

#### Syracuse District

333 East Washington Street  
Room 121  
Syracuse, NY 13202  
(315) 428-4057

#### White Plains District

120 Bloomingdale Road  
White Plains, NY 10605  
(914) 997-9521

DOL WEBSITE HOMEPAGE

<http://www.labor.ny.gov>

LS 703 (12/25)



# Attention Home Care Aide Employees

Miscellaneous Industries Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026  
In accordance with Public Health Law § 3614-f applicable to  
Home Care Aides as defined under Public Health Law § 3614-c

New York City	
<b>Minimum Wage</b>	<b>\$19.65</b>
Overtime after 40 hours	\$29.48

Long Island and Westchester County	Remainder of New York State
<b>Minimum Wage \$19.65</b>	<b>Minimum Wage \$18.65</b>
Overtime after 40 hours \$29.48	Overtime after 40 hours \$27.98

If you have questions, need more information or want to file a complaint, please visit [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call: **1-888-469-7365**.

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

## NY CLS Labor § 201-d

### Discrimination Against Engagement in Certain Activities

#### § 201-d. Discrimination against the engagement in certain activities.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- a. "Political activities" shall mean (i) running for public office, (ii) campaigning for a candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political party or political advocacy group;
- b. "Recreational activities" shall mean any lawful, leisure-time activity, for which the employee receives no compensation and which is generally engaged in for recreational purposes, including but not limited to sports, games, hobbies, exercise, reading and the viewing of television, movies and similar material;
- c. "Work hours" shall mean, for purposes of this section, all time, including paid and unpaid breaks and meal periods, that the employee is suffered, permitted or expected to be engaged in work, and all time the employee is actually engaged in work. This definition shall not be referred to in determining hours worked for which an employee is entitled to compensation under any law including article nineteen of this chapter;
- d. "Political matters" shall mean matters relating to elections for political office, political parties, legislation, regulation and the decision to join or support any political party or political, civic, community, fraternal or labor organization;
- e. "Religious matters" shall mean matters relating to religious affiliation and practice and the decision to join or support any religious organization or association.

2. Unless otherwise provided by law, it shall be unlawful for any employer or employment agency to refuse to hire, employ or license, or to discharge from employment or otherwise discriminate against an individual in compensation, promotion or terms, conditions or privileges of employment because of:

- a. an individual's political activities outside of working hours, off of the employer's premises and without use of the employer's equipment or other property, if such activities are legal, provided, however, that this paragraph shall not apply to persons whose employment is defined in paragraph six of subdivision (a) of section seventy-nine-h of the civil rights law, and provided further that this paragraph shall not apply to persons who would otherwise be prohibited from engaging in political activity pursuant to chapter 15 of title 5 and subchapter III of chapter 73 of title 5 of the USCA;
- b. an individual's legal use of consumable products, including cannabis in accordance with state law, prior to the beginning or after the conclusion of the employee's work hours, and off of the employer's premises and without use of the employer's equipment or other property;
- c. an individual's legal recreational activities, including cannabis in accordance with state law, outside work hours, off of the employer's premises and without use of the employer's equipment or other property;
- d. an individual's membership in a union or any exercise of rights granted under Title 29, USCA, Chapter 7 or under article fourteen of the civil service law; or
- e. an individual's refusal to: (i) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or (ii) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters.

3. The provisions of subdivision two of this section shall not be deemed to protect activity which:

- a. creates a material conflict of interest related to the employer's trade secrets, proprietary information or other proprietary or business interest;
- b. with respect to employees of a state agency as defined in sections seventy-three and seventy-four of the public officers law respectively, is in knowing violation of subdivision two, three, four, five, seven, eight or twelve of section seventy-three or of section seventy-four of the public officers law, or of any executive order, policy, directive, or other rule which has been issued by the attorney general regulating outside employment or activities that could conflict with employees' performance of their official duties;
- c. with respect to employees of any employer as defined in section twenty-seven-a of this chapter, is in knowing violation of a provision of a collective bargaining agreement concerning ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties;
- d. with respect to employees of any employer as defined in section twenty-seven-a of this chapter who are not subject to section seventy-three or seventy-four of the public officers law, is in knowing violation of article eighteen of the general municipal law or any local law, administrative code provision, charter provision or rule or directive of the mayor or any agency head of a city having a population of one million or more, where such law, code provision, charter provision, rule or directive concerns ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties and otherwise covers such employees; and
- e. with respect to employees other than those of any employer as defined in section twenty-seven-a of this chapter, violates a collective bargaining agreement or a certified or licensed professional's contractual obligation to devote his or her entire compensated working hours to a single employer,

provided however that the provisions of this paragraph shall apply only to professionals whose compensation is at least fifty thousand dollars for the year nineteen hundred ninety-two and in subsequent years is an equivalent amount adjusted by the same percentage as the annual increase or decrease in the consumer price index.

4. Notwithstanding the provisions of subdivision three of this section, an employer shall not be in violation of this section where the employer takes action based on the belief either that: (i) the employer's actions were required by statute, regulation, ordinance or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal or to constitute habitually poor performance, incompetency or misconduct.

4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following:

- i. the employer's actions were required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate;
- i. the employee is impaired by the use of cannabis, meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with an employer's obligation to provide a safe and healthy work place, free from recognized hazards, as required by state and federal occupational safety and health law; or
- ii. the employer's actions would require such employer to commit any act that would cause the employer to be in violation of federal law or would result in the loss of a federal contract or federal funding.

5. Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such that the employer shall be permitted, as part of such professional service contract, to limit the off-duty activities which may be engaged in by such individual.

6. Nothing in this section shall prohibit an organization or employer from offering, imposing or having in effect a health, disability or life insurance policy that makes distinctions between employees for the type of coverage or the price of coverage based upon the employees' recreational activities or use of consumable products, provided that differential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail the rights or liabilities of any party with regard to a civil cause of action.

7.

- a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the commission or continuance of the alleged unlawful acts. In any such proceeding, the court may impose a civil penalty in the amount of three hundred dollars for the first violation and five hundred dollars for each subsequent violation.
- b. In addition to any other penalties or actions otherwise applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved individual may commence an action for equitable relief and damages.

8. Nothing in this section shall prohibit: (i) an employer or its agent, representative or designee from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of such legal requirement; (ii) an employer or its agent, representative or designee from communicating to its employees any information that is necessary for such employees to perform their job duties; (iii) an institution of higher education, or any agent, representative or designee of such institution, from meeting with or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (iv) casual conversations between employees or between an employee and an agent, representative or designee of an employer, provided participation in such conversations is not required; or (v) a requirement limited to the employer's managerial and supervisory employees.

9. The provisions of this section shall not apply to a religious corporation, entity, association, educational institution or society that is exempt from the requirements of Title VII of the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious matters to employees who perform work connected with the activities undertaken by such religious corporation, entity, association, educational institution or society.

10. Every employer shall post a sign in every workplace at the location or locations where notices to employees are normally posted, to inform employees of their rights pursuant to this section.

**WE ARE YOUR DOL**

Division of Labor Standards

**Equal Pay Provision of the New York State Labor Law**

Article 6, Section 194

§ 194. Differential in rate of pay because of protected class status prohibited.

1. No employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same protected class or classes in the same establishment is paid for: (a) equal work on a job the performance of which requires equal skill, effort and responsibility, and which is performed under similar working conditions, or (b) substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions; except where payment is made pursuant to a differential based on:

- i. a seniority system;
- ii. a merit system;
- iii. a system which measures earnings by quantity or quality of production;
- iv. a bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor:
  - A. shall not be based upon or derived from a differential in compensation based on status within one or more protected class or classes and
  - B. shall be job-related with respect to the position in question and shall be consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates
    1. that an employer uses a particular employment practice that causes a disparate impact on the basis of status within one or more protected class or classes,
    2. that an alternative employment practice exists that would serve the same business purpose and not produce such differential, and
    3. that the employer has refused to adopt such alternative practice.

2. For the purpose of subdivision one of this section:

- (a) "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question, and
- (b) "protected class" shall include age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law.

3. For the purposes of subdivision one of this section, employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no larger than a county, taking into account population distribution, economic activity, and/or the presence of municipalities.

4. (a) No employer shall prohibit an employee from inquiring about, discussing, or disclosing the wages of such employee or another employee.

(b) An employer may, in a written policy provided to all employees, establish reasonable workplace and workday

limitations on the time, place and manner for inquires about, discussion of, or the disclosure of wages. Such limitations shall be consistent with standards promulgated by the commissioner and shall be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another employee without such employee's prior permission.

(c) Nothing in this subdivision shall require an employee to disclose his or her wages. The failure of an employee to adhere to such reasonable limitations in such written policy shall be an affirmative defense to any claims made against an employer under this subdivision, provided that any adverse employment action taken by the employer was for failure to adhere to such reasonable limitations and not for mere inquiry, discussion or disclosure of wages in accordance with such reasonable limitations in such written policy.

(d) This prohibition shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action under this chapter, including an investigation conducted by the employer.

(e) Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law or collective bargaining agreement.

For questions, write or call your nearest office, (listed below), of the:

**New York State Department of Labor Division of Labor Standards****Albany District**

State Office Campus  
Bldg. 12, Rm. 185A  
Albany, NY 12226  
(518) 457-2730

**Bronx District**

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3719

**Buffalo District**

295 Main Street  
Suite 914  
Buffalo, NY 14203  
(716) 847-7141

**Garden City District**

400 Oak Street  
Suite 102  
Garden City, NY 11530  
(516) 794-8195

**New York City District**

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3880

**Rochester District**

276 Waring Road  
Room 104  
Rochester, NY 14609  
(585) 258-4550

**Syracuse District**

333 East Washington St.  
Room 121  
Syracuse, NY 13202  
(315) 428-4057

**White Plains District**

120 Bloomingdale Road  
White Plains, NY 10605  
(914) 997-9521

LS 603 (11/23)

NYS DOMESTIC AND SEXUAL VIOLENCE HOTLINE

800.942.6906

# WHEN YOUR HOME ISN'T SAFE

TEXT. CALL. CHAT.

844.997.2121

800.942.6906

OPDV.NY.GOV



TEXT CONFIDENTIALLY  
WITH A DV/SA  
ADVOCATE



ACCESS REMOTE  
COUNSELING THROUGH  
YOUR LOCAL DV/SA  
PROGRAM.



CHAT PRIVATELY WITH  
DV/SA ADVOCATE ON A  
SECURE WEBSITE

ALL AVAILABLE 24 HOURS/DAY, 7 DAYS/WEEK

## FOR YOUR SAFETY

- Call 911 if you are in immediate danger and the police will respond.
- Seek treatment at a hospital emergency department if needed. Hospitals are open and a safe place to go for medical care.
- Add NYS resource info (above) in your cell phone under a fake contact name to avoid suspicion.
- Create a code word for friends and family that will tell them you need help.
- Know the areas in your home with a lock on the door.
- Prepare a go-bag with important documents, medication and extra clothing.
- Tell your family and friends where you will flee if you need to leave urgently.
- Talk with your children about safety so they have a sense of acceptable situations.
- Advocates are available to help you days, evenings and weekends.

opdv.ny.gov  



Office for the  
Prevention of  
Domestic Violence

Department  
of Health

Office of Children  
and Family Services

Office of  
Victim Services

Division of Criminal  
Justice Services



PHOTOGRAPH  
THIS  
INFORMATION  
FOR QUICK REFERENCE

You are not alone. Talk to someone who gets it.

83% of survivors report that their partner disrupted their employment or caused them to lose out on better employment opportunities\*



Reach out to *your* domestic violence agency liaison (DVAL):

Name

Phone Number

Email

Your DVAL can:

- Provide internal and community resources and referrals
- Develop a workplace safety plan
- Provide emotional support

## NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



CHAT.

OPDV.NY.GOV



FREE. CONFIDENTIAL. 24/7.  
AVAILABLE IN MOST LANGUAGES.



Office for the  
Prevention of  
Domestic Violence



\*Dreams Deferred, A Survey on the Impact of Intimate Partner Violence on Survivors' Education, Careers, and Economic Security. Institute for Women's Policy Research (IWPR). 2018.

# New York State has Employment Protections for Victims and Survivors of Gender-Based Violence



**Gender-based violence** includes domestic violence, sexual assault, stalking, family violence, and human trafficking

Your employer has a gender-based violence and the workplace policy which protects employees who have experienced gender-based violence.

## This requires employers to:



Share information about the policy



Refer employee-survivors to services



Comply with state laws that protect victims and prohibit retaliation



For more information about this NYS Law, visit our website using this QR Code

Ask your employer about the policy. If you want to talk to a victim advocate, call your local victim service provider or local hotline, or call, text, or chat the NYS Domestic and Sexual Violence Hotline.

### NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



CHAT.

OPDV.NY.GOV



Office for the Prevention of Domestic Violence

FREE. CONFIDENTIAL. 24/7. AVAILABLE IN MOST LANGUAGES.