



New York State Department of Labor
David A. Paterson, Governor
M. Patricia Smith, Commissioner

January 5, 2009



Re: Request for Opinion
"Manual Labor"
RO-09-0150

Dear [REDACTED]:

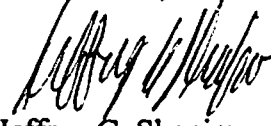
This letter is written in response to your email of November 4, 2009 to Thomas Peretti in which you request assistance as to the definition of "manual labor" in relation to New York State Senate Bill 3357, which was enacted in July 28, 2009, to amend Section 195(1) of the Labor Law (effective October 26, 2009). (L. 2009, Ch. 270.) That amendment requires employers to provide employees with written notice and acknowledgement at the time of hire of the employee's rate of pay and designated pay day. We find no reference to the term "manual labor" in that legislation or the section of law it amends, so we are at a loss to respond to your inquiry. Therefore, no opinion as to the meaning of the term "manual labor" within the context of the newly enacted Section 195(1) of the Labor Law is provided at this time. If, on the other hand, you require assistance as to the meaning of another term in the context of that amendment, or the meaning of the term "manual labor" with regard to another provision within the New York State Labor Law, please contact us again and we will provide you with an appropriate response.

If you have any further questions, please do not hesitate to contact me.

Very truly yours,

Maria L. Colavito, Counsel

By:


Jeffrey G. Shapiro
Associate Attorney

JGS:mp
cc: Carmine Ruberto

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