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- Minimum Wage

## Minimum Wage

**As of December 31, 2015, New York State's minimum wage is \$9.00 per hour.** Posters and summaries listing rates for all industries are available on our [forms page](/formsdocs/wp/ellsformsandpublications.shtm#Wage_Orders) ([/formsdocs/wp/ellsformsandpublications.shtm#Wage\\_Orders](/formsdocs/wp/ellsformsandpublications.shtm#Wage_Orders)). If you have questions, please review our [Frequently Asked Questions](/workerprotection/laborstandards/workprot/minwage.shtm#faq) (</workerprotection/laborstandards/workprot/minwage.shtm#faq>) listed below. If you need additional assistance or want to file a complaint, please call: 1-888-4NYSDOL (1-888-469-7365).

## Upcoming Minimum Wage Increases

The Minimum Wage rates are scheduled to increase each year on 12/31 until they reach \$15.00 per hour. Employers must post a Minimum Wage Information poster in their establishment.

### General Minimum Wage Rate Schedule

Location	12/31/16	12/31/17	12/31/18	12/31/19	12/31/20	2021*
NYC - Big Employers (of 11 or more)	\$11.00	\$13.00	\$15.00			
NYC - Small Employers (10 or less)	\$10.50	\$12.00	\$13.50	\$15.00		
Long Island & Westchester	\$10.00	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00
Greater New York State	\$9.70	\$10.40	\$11.10	\$11.80	\$12.50	*

\* Annual increases for the rest of the state will continue until the rate reaches \$15 minimum wage (and \$10 tipped wage). Starting 2021, the annual increases will be published by the Commissioner of Labor on or before October 1. They will be based on percentage increases determined by the Director of the Division of Budget, based on economic indices, including the Consumer Price Index.

**New York State Minimum Wage Laws**

**Minimum Wage Act**

The Minimum Wage Act (Article 19 of the New York State Labor Law) requires that all employees in New York State receive at least \$9.00 per hour. This includes domestic workers.

Regulations known as 'Wage Orders' (see details below) set certain requirements that are industry specific. The rates contained in these Wage Orders may differ from the general Minimum Wage rate.

In summary:

- As of December 31, 2015, the Minimum Wage for individuals working in the fast food industry is \$10.50 per hour in New York City, and \$9.75 per hour in the rest of the state.
- As of December 31, 2015, the Minimum Cash Wage for Tipped Workers in the Hospitality Industry is \$7.50 per hour if they earn enough in tips.
- As of December 31, 2015, the Minimum Wage for other Tipped Workers is \$7.65 per hour if they earn at least \$1.35 per hour in tips, or \$6.80 per hour if they earn at least \$2.20 per hour in tips.
- As of December 31, 2015, the Minimum Wage for all other workers is \$9.00 per hour.

For more information on the fast food industry, tipped workers, or minimum wage, please refer to the Wage Orders listed below.

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**Minimum Wage Standards for Farm Workers**

The Minimum Wage Order for Farm Workers applies only to farm workers employed on farms where the total cash remuneration paid all persons employed on the farm exceeded \$3,000 in the previous calendar year.

The Minimum Wage Order for Farm Workers provides that all workers, with certain exceptions, must be paid at least \$9.00 per hour. This does not include members of the employer's immediate family.

The wage order permits employers to deduct specified allowances from the minimum wage for:

- Meals
- Lodging (except for seasonal migrant workers)

Payments in kind must cost no more than the farm market value.

Employers must post these items in a conspicuous place in their establishment:

- A summary of the wage order
- A copy of the general work agreement

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## **Enforcement of Minimum Wage Laws**

We help collect underpayments for workers who have not received the minimum wage. Often, we collect the funds without resorting to court action.

However, an employer that violates the Minimum Wage Law is subject to criminal prosecution and penalties. Action may also be taken in civil court.

The Commissioner of Labor may require an employer to pay:

- Minimum wage underpayments  
PLUS
- Interest and civil penalties up to 200 percent of the unpaid wages

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## **Minimum Wage for Employees Covered by Federal Law**

Employees covered by the Federal Fair Labor Standards Act remain covered by the New York State minimum wage orders, including their supplemental wage provisions. Employers must comply with the State and with the Federal law, which may result in a higher minimum wage. In all cases, the higher wages apply.

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## **Educational Seminars**

The Division of Labor Standards offers free educational seminars to employers doing business in New York State.

What's in it for me?

- Each year Labor Standards responds to thousands of employee complaints of unpaid wages and benefits, illegal employment of children, meal period violations and more.
- The New York State labor law can be very complicated and it is easy for employers to make a mistake. Many honorable employers are found to owe back wages and penalties that turn out to be quite costly.
- A Division of Labor Standards Educational Seminar may help an employer avoid the cost and inconvenience of a Labor Standards Investigation. The seminar is designed to teach employers how to avoid being in violation of labor laws.
- While the labor law covers all areas/types of employment, we can tailor an Educational Seminar to the industry of those attending.
- We can design a seminar for a specific company, allowing the company to include the seminar in scheduled corporate training sessions for managers or company meetings at a specific location.
- The Division of Labor Standards will provide Educational Seminar information in brochures, booklets and Powerpoint presentations at no cost to an employer.

For more information on Educational Seminars please call: 518-457-9000

## **Postings/Fact Sheets**

[Other Posting Requirements \(/workerprotection/laborstandards/employer/posters.shtml\)](/workerprotection/laborstandards/employer/posters.shtml)

[Minimum Wage Poster \(/formsdocs/wp/LS207.pdf\)](/formsdocs/wp/LS207.pdf)

[Farm Minimum Wage Poster \(/formsdocs/wp/LS110.pdf\)](/formsdocs/wp/LS110.pdf)

Fact Sheet: [Minimum Wage for Fast Food Workers \(P716\) \(/formsdocs/factsheets/pdfs/p716.pdf\)](/formsdocs/factsheets/pdfs/p716.pdf)

Fact Sheet: [Minimum Wage for Tipped Workers \(P717\) \(/formsdocs/factsheets/pdfs/p717.pdf\)](/formsdocs/factsheets/pdfs/p717.pdf)

**FAQs**

[Fast Food Workers FAQs \(/workerprotection/laborstandards/workprot/MW%20Updates/fast-food-faq.shtm\)](/workerprotection/laborstandards/workprot/MW%20Updates/fast-food-faq.shtm)

[All Other Industries FAQs \(/workerprotection/laborstandards/workprot/MW%20Updates/MW%20Other%20ER%20FAQs.shtm\)](/workerprotection/laborstandards/workprot/MW%20Updates/MW%20Other%20ER%20FAQs.shtm)

[Wage and Hour FAQs \(All%20Other%20Industries%20FAQs\)](#)

**Wage Orders**

[Minimum Wage Order for the Hospitality Industry \(/formsdocs/wp/CR146.pdf\)](/formsdocs/wp/CR146.pdf)

[Summary of Wage Order Rates and Credits for the Hospitality Industry \(/formsdocs/wp/Part146.pdf\)](/formsdocs/wp/Part146.pdf)

[Full text of the Minimum Wage Order for the Building Service Industry \(/formsdocs/wp/CR141.pdf\)](/formsdocs/wp/CR141.pdf)  
[Summary of Wage Order Rates and Allowances for the Building Service Industry \(/formsdocs/wp/Part141.pdf\)](/formsdocs/wp/Part141.pdf)

[Full text of the Minimum Wage Order for Miscellaneous Industries and Occupations \(/formsdocs/wp/CR142.pdf\)](/formsdocs/wp/CR142.pdf)  
[Summary of Wage Order Rates and Allowances for Miscellaneous Industries and Occupations \(/formsdocs/wp/Part142.pdf\)](/formsdocs/wp/Part142.pdf)

[Full text of the Minimum Wage Order for Farm Workers \(/formsdocs/wp/cr190.pdf\)](/formsdocs/wp/cr190.pdf)

[Full text of the Minimum Wage Order for Non-Profitmaking Institutions \(/formsdocs/wp/CR143.pdf\)](/formsdocs/wp/CR143.pdf)

**Useful Links**

[Child Performer Regulations \(/legal/child-performer-regulations.shtm\)](/legal/child-performer-regulations.shtm)

[Guidance for the New York State Hospitality Industry on Uniforms \(/formsdocs/wp/LS400.pdf\)](/formsdocs/wp/LS400.pdf)

[Fast Food Wage Board \(/workerprotection/laborstandards/wageboard2015.shtm\)](/workerprotection/laborstandards/wageboard2015.shtm)

**Department of Labor**

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- [Our Services \(/about/services.shtm\)](/about/services.shtm)
- [Our History \(/about/history.shtm\)](/about/history.shtm)
- [Newsroom \(/dol-newsroom.shtm\)](/dol-newsroom.shtm)
- [Contact Us \(/dol-contact.shtm\)](/dol-contact.shtm)

**Boards**

- [Employment Relations Board \(/erb/index.shtm\)](/erb/index.shtm)
- [Hazard Abatement Board \(/hab/\)](/hab/)
- [Industrial Board of Appeals \(http://industrialappeals.ny.gov\)](http://industrialappeals.ny.gov)
- [Local Workforce Development Boards \(/workforcenypartners/lwda.shtm\)](/workforcenypartners/lwda.shtm)
- [State Workforce Investment Board \(/workforce/swib/SWIBAbout.shtm\)](/workforce/swib/SWIBAbout.shtm)
- [Unemployment Insurance Appeal Board \(/ui-appeal/\)](/ui-appeal/)

## Initiatives

- [Apprenticeship \(/apprenticeship/appindex.shtm\)](/apprenticeship/appindex.shtm)
- [CareerZone \(http://www.careerzone.ny.gov\)](http://www.careerzone.ny.gov)
- [JobZone \(http://www.jobzone.ny.gov\)](http://www.jobzone.ny.gov)
- [Regional Economic Development Councils \(http://nyworks.ny.gov/\)](http://nyworks.ny.gov/)
- [Ride Safe NY \(http://ridesafeny.com\)](http://ridesafeny.com)
- [Shared Work \(/ui/employerinfo/shared-work-program.shtm\)](/ui/employerinfo/shared-work-program.shtm)
- [Youth Portal \(/youth\)](/youth)

## Resources

- [Accessibility Policy \(/agencyinfo/accessibility.shtm\)](/agencyinfo/accessibility.shtm)
- [Freedom of Information Law \(FOIL\) \(https://www.labor.ny.gov/secure/foilrequest.shtm\)](https://www.labor.ny.gov/secure/foilrequest.shtm)
- [Privacy Policy \(/privacy.shtm\)](/privacy.shtm)
- [Report Fraud \(/agencyinfo/report-fraud.shtm\)](/agencyinfo/report-fraud.shtm)

## Language Assistance

- [Español \(/immigrants/language-access-complaint.shtm#spanish\)](/immigrants/language-access-complaint.shtm#spanish)
- [中文 \(/immigrants/language-access-complaint.shtm#chinese\)](/immigrants/language-access-complaint.shtm#chinese)
- [Русский \(/immigrants/language-access-complaint.shtm#russian\)](/immigrants/language-access-complaint.shtm#russian)
- [Italiano \(/immigrants/language-access-complaint.shtm#italian\)](/immigrants/language-access-complaint.shtm#italian)
- [Kreyòl ayisyen \(/immigrants/language-access-complaint.shtm#haitian-creole\)](/immigrants/language-access-complaint.shtm#haitian-creole)
- [한국어 \(/immigrants/language-access-complaint.shtm#korean\)](/immigrants/language-access-complaint.shtm#korean)
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## CONNECT WITH US

- [FACEBOOK \(http://www.facebook.com/nyslabor\)](http://www.facebook.com/nyslabor)
- [TWITTER \(http://twitter.com/nyslabor\)](http://twitter.com/nyslabor)
- [YOUTUBE \(http://www.youtube.com/user/NYSLabor\)](http://www.youtube.com/user/NYSLabor)
- [INSTAGRAM \(http://instagram.com/nyslabor\)](http://instagram.com/nyslabor)
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- [GOOGLE PLUS \(https://plus.google.com/+nyslabordept/posts\)](https://plus.google.com/+nyslabordept/posts)
- [PINTEREST \(http://www.pinterest.com/nysdol/\)](http://www.pinterest.com/nysdol/)
- [TUMBLR \(http://nyslabor.tumblr.com/\)](http://nyslabor.tumblr.com/)

