

Labor Posters for the
**AGRICULTURAL
WORKPLACE**
2024

WE ARE YOUR DOL



Division of Compliance and Education
(formerly known as Division of Immigrant Policies and Affairs)
Agriculture Labor Program



WE ARE YOUR DOL



Department
of Labor

2024 Checklist of Required Notifications for Agricultural Employers

Article 7 § 201 - Required Posters and Notifications shall be kept posted in a conspicuous place (where they are clearly visible to all workers). Digital versions shall also be made available to employees through the employer's website or by e-mail. Employers shall provide notice that documents required for physical posting are also available electronically.

**Disclaimer: This may not be a complete list for every business. Employers should contact the New York State Department of Labor and US Department of Labor for a complete list of required notifications. For more information, visit: <https://dol.ny.gov/posting-requirements-0>*

New York State Requirements

Farm Minimum Wage Poster (English) – Provides current minimum wage information for farm workers:

<https://dol.ny.gov/farm-industry-minimum-wage-poster-ls110> (English)

<https://dol.ny.gov/l110s-spanish> (Spanish)

Minimum Wage Order Summary for Farm Workers:

<https://dol.ny.gov/summary-wage-order-rates-and-allowances-farm-workers-part-190> (English)

<https://dol.ny.gov/summary-wage-order-rates-and-allowances-farm-workers-part-190-spanish> (Spanish)

Pay Notice and Work Acknowledgement for Farmworkers (General): The online template for the LS309 is available in English <https://dol.ny.gov/pay-notice-and-acknowledgement-farm-workers-ls309-english>, Spanish <https://dol.ny.gov/pay-notice-and-acknowledgement-farm-workers-ls309s-spanish> and several other non-English languages.

Requirements to Notify Employees about Time Off and Work Hours (if applicable) – Every employer shall notify its employees in writing or by publicly posting the employer's policy on sick leave, vacation, personal leave, holidays and hours. See guidelines:

<https://dol.ny.gov/l1606-guidelines-employers-requirements-notify-employees-about-time-and-work-hours>

Equal Pay Provision of the New York State Labor Law Article 6, Section 194:

<https://dol.ny.gov/equal-pay-provision-new-york-state-labor-law-ls603-english>

Notification on the Rights of Nursing Mothers to Express Breast Milk in the Workplace:

<https://dol.ny.gov/guidelines-regarding-rights-nursing-mothers-express-breast-milk-work-place-ls702>

(English) and <https://dol.ny.gov/guidelines-regarding-rights-nursing-mothers-express-breast-milk-work-place-ls702s-spanish> (Spanish).

A copy of your sexual harassment policy:

<https://www.ny.gov/combating-sexual-harassment-workplace/employers>

Veteran Benefits and Services:

<https://dol.ny.gov/veterans-benefits-and-services-p37>

Criminal Convictions Records Poster - NYS Corrections Law Article 23-A – Relates to the employment of people with a criminal conviction: <https://dol.ny.gov/correction-law-article-23>

Safety & Health Right to Know Poster:

https://www.health.ny.gov/environmental/workplace/right_to_know/docs/rtk.pdf

Prohibited Retaliatory Personnel Action by Employers (LS 740):

<https://dol.ny.gov/notice-employee-rights-protections-and-obligations-under-labor-law-section-740-ls-740>

A copy of your HERO Act plan: <https://dol.ny.gov/ny-hero-act>

Notice of Workers' Compensation Coverage: Employers are required to post the mandatory workers' compensation notice of compliance poster in both English and Spanish. Employers get these posters from their insurance carrier, or, if self-insured, from the Workers' Compensation Board by emailing Certificates@wcb.ny.gov.

Unemployment Insurance Notice to Employees Poster IA 133: To create an account, complete the fillable form available at <https://dol.ny.gov/employer-registration-form-unemployment-insurance-withholding-and-wage-reporting-agricultural>, which can be faxed to (518)-485-8010.

Notice of Compliance for Disability Benefits and Paid Family Leave: the DB Notice of Compliance (Form DB-120) and PFL Notice of Compliance (Form PFL-120) from your insurance carrier, or from the Board if you are self-insured.

Discrimination Poster (English/Spanish) - NYS Human Rights Law (Executive Law, Article 15) - Prohibits Discrimination based on race, creed, age, color, disability, national origin, sex, or marital status: <https://dhr.ny.gov/system/files/documents/2022/05/poster.pdf>

Schedule of hours for Minors ages 14-17 years old (if applicable): Created by employer

No Smoking – Employers must post “No Smoking” signs or the international “No Smoking” symbol in all workplaces. For more information on the Clean Indoor Air Act, visit the NYS Department of Health website or call 518-402-7600 or 1-800-458-1158.

Employers with Migrant Workers

Migrant Labor Camp Permit (issued by Health Department): Required for migrant farmworker housing facilities occupied by five or more persons, one or more of whom are employed to perform farm activities. For more information, visit:

<https://regs.health.ny.gov/content/part-15-migrant-farmworker-housing>

Grower/Processor Registration – Every grower or processor who, without using a farm labor contractor, brings in to the state five or more out-of-state non-H-2A migrant farm or food processing workers, must obtain a certificate of registration. For more information, visit:

<https://dol.ny.gov/farm-labor-contractors>

Commissary Permit (where applicable)

Commissary Price List (where applicable)

Federal Requirements

Visit the U.S. Department of Labor website: <https://webapps.dol.gov/elaws/posters.html>

**Provided by: NYS Department of Labor, Division of Compliance and Education
(formerly known as Division of Immigrant Policies and Affairs)**

Phone: 1-877-466-9757 • Email: doce@labor.ny.gov • Website: www.labor.ny.gov

WE ARE YOUR DOL





Attention Farm Workers

Minimum Wage hourly rates effective 1/1/2024 – 12/31/2024

New York City

All Employers

Minimum Wage

\$16.00

Overtime after 56 hours \$24.00*

Long Island and Westchester County

Minimum Wage \$16.00

Overtime after 56 hours \$24.00*

Remainder of New York State

Minimum Wage \$15.00

Overtime after 56 hours \$22.50*

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.gov/minimumwage or call: **(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 56 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.



Atención trabajadores agrícolas

Tarifas por hora para el salario mínimo con vigencia del 1 de enero de 2024 al 31 de diciembre de 2024

New York Ciudad

Todos los empleadores

Salario mínimo

\$16.00

Horas extras después de las 56
horas \$24.00*

Condados de Long Island y Westchester

Salario mínimo \$16.00

Horas extras después de las 56 horas
\$24.00*

Resto del Estado de New York

Salario mínimo \$15.00

Horas extras después de las 56 horas
\$22.50*

Si tiene preguntas, necesita más información o desea presentar una queja, visite www.labor.ny.gov/minimumwage o llame al:

(888) 469-7365.

Créditos y asignaciones que pueden reducir su salario por debajo de los salarios mínimos que se muestran arriba:

- **Comidas y alojamiento:** su empleador puede reclamar una cantidad limitada de su salario por las comidas y el alojamiento que le proporcionan, siempre que no le cobren nada más. Las tarifas y los requisitos están en las ordenanzas y resúmenes sobre el salario, que están disponibles en línea.

Excepción: los empleadores no pueden reclamar ninguno de sus salarios por alojamiento si usted es un trabajador migratorio estacional.

Pago adicional que se le puede adeudar además de las tasas de salario mínimo que se muestran arriba:

- **Horas extras:** Se le debe pagar 1 1/2 veces su tarifa de pago regular (no menos que las cantidades de horas extras que se muestran arriba) por las horas trabajadas que superen las 56 horas en una semana calendario y/o por las horas trabajadas en su día de descanso.
- **Mantenimiento de uniformes:** si limpia su propio uniforme, puede tener derecho a un pago semanal adicional. Las tarifas semanales se encuentran disponibles en línea.
- **Ley federal:** si es un empleado amparado por la Ley federal de normas laborales justas, se le debe pagar de acuerdo con la ley estatal y también de acuerdo con los requisitos federales más altos, si corresponde.

BASIC MINIMUM HOURLY RATE (per hour)

...as of 12/31/19 12/31/20 12/31/21 12/31/22 01/01/24

BASIC MINIMUM HOURLY RATE

NYC - Large Employers (of 11 or more)	\$15.00	\$15.00	\$15.00	\$15.00	\$16.00
NYC - Small Employers (10 or less)	\$15.00	\$15.00	\$15.00	\$15.00	\$16.00
Long Island & Westchester	\$13.00	\$14.00	\$15.00	\$15.00	\$16.00
Remainder of New York State	\$11.80	\$12.50	\$13.20	\$14.20	\$15.00

MEAL ALLOWANCE* (per meal)**ALL EMPLOYEES**

NYC - Large Employers (of 11 or more)	\$1.70
NYC - Small Employers (10 or less)	\$1.70
Long Island & Westchester	\$1.70
Remainder of New York State	\$1.70

*No allowance for meals shall be considered as part of the minimum wage if a migrant seasonal employee earns less than \$254.00 in a two week period.

LODGING AND UTILITIES ALLOWANCES****SINGLE OCCUPANCY (per week)**

NYC - Large Employers (of 11 or more)	\$18.95
NYC - Small Employers (10 or less)	\$18.95
Long Island & Westchester	\$18.95
Remainder of New York State	\$18.95

MULTIPLE OCCUPANCY (per week)

NYC - Large Employers (of 11 or more)	\$12.65
NYC - Small Employers (10 or less)	\$12.65
Long Island & Westchester	\$12.65
Remainder of New York State	\$12.65

EMPLOYER-FURNISHED HOUSE/APT INDIVIDUAL (per day)

NYC - Large Employers (of 11 or more)	\$5.00
NYC - Small Employers (10 or less)	\$5.00
Long Island & Westchester	\$5.00
Remainder of New York State	\$5.00

EMPLOYER-FURNISHED HOUSE/APT FAMILY (per day)

NYC - Large Employers (of 11 or more)	\$8.00
NYC - Small Employers (10 or less)	\$8.00
Long Island & Westchester	\$8.00
Remainder of New York State	\$8.00

**The lodging and utilities allowance is for all employees except migrant seasonal. No allowance for lodging and utilities shall be considered as part of the minimum wage for a migrant seasonal employee.

TBD. To be determined administratively prior to the dates indicated.

SALARIO MÍNIMO BÁSICO POR HORA (por hora)

	...al día	31/Dic/19	31/Dic/20	31/Dic/21	31/Dic/22	1/Ene/24
SALARIO MÍNIMO BÁSICO POR HORA						
Ciudad de NY – Grandes empleadores (11 o más)		\$15.00	\$15.00	\$15.00	\$15.00	\$16.00
Ciudad de NY – Pequeños empleadores (10 o menos)		\$15.00	\$15.00	\$15.00	\$15.00	\$16.00
Long Island y Westchester		\$13.00	\$14.00	\$15.00	\$15.00	\$16.00
Resto del estado de Nueva York		\$11.80	\$12.50	\$13.20	\$14.20	\$15.00

ASIGNACIÓN POR COMIDAS* (por comida)**TODOS LOS EMPLEADOS**

Ciudad de NY – Grandes empleadores (11 o más)	\$1.70
Ciudad de NY – Pequeños empleadores (10 o menos)	\$1.70
Long Island y Westchester	\$1.70
Resto del estado de Nueva York	\$1.70

*Ninguna asignación por comidas se considerará parte del salario mínimo si un empleado migrante estacional gana menos de \$254.00 en un período de dos semanas.

ASIGNACIÓN POR ALOJAMIENTO Y SERVICIOS BÁSICOS****OCUPACIÓN INDIVIDUAL (por semana)**

Ciudad de NY – Grandes empleadores (11 o más)	\$18.95
Ciudad de NY – Pequeños empleadores (10 o menos)	\$18.95
Long Island y Westchester	\$18.95
Resto del estado de Nueva York	\$18.95

OCUPACIÓN MÚLTIPLE (por semana)

Ciudad de NY – Grandes empleadores (11 o más)	\$12.65
Ciudad de NY – Pequeños empleadores (10 o menos)	\$12.65
Long Island y Westchester	\$12.65
Resto del estado de Nueva York	\$12.65

CASA O DEPARTAMENTO INDIVIDUAL PROPORCIONADO POR EL EMPLEADOR (por día)

Ciudad de NY – Grandes empleadores (11 o más)	\$5.00
Ciudad de NY – Pequeños empleadores (10 o menos)	\$5.00
Long Island y Westchester	\$5.00
Resto del estado de Nueva York	\$5.00

CASA O DEPARTAMENTO FAMILIAR PROPORCIONADO POR EL EMPLEADOR (por día)

Ciudad de NY – Grandes empleadores (11 o más)	\$8.00
Ciudad de NY – Pequeños empleadores (10 o menos)	\$8.00
Long Island y Westchester	\$8.00
Resto del estado de Nueva York	\$8.00

**La asignación de alojamiento y servicios básicos es para todos los empleados, excepto los migrantes estacionales. Ninguna prestación de alojamiento y servicios básicos se considerará parte del salario mínimo de un empleado migrante estacional.

NOTAS

TBD. Por definir de manera administrativa antes de las fechas indicadas.



Pay Notice and Acknowledgement for Farm Workers

This notice, when properly completed, satisfies the:

- Pay notice provisions of Section 195 of the NYS Labor Law
Written work agreement provisions of Part 190, the Farm Minimum Wage Order

1. Employer Information

Name: Phone:

Doing Business As (DBA) Name(s):

Physical address:

Mailing address:

Federal Employer Identification Number (FEIN) (optional):

2. Notice given: At hiring Before a change in pay rates, allowances claimed, or payday

3. Specific location where worker will work:

4. Types of work to be performed:

Empty box for types of work to be performed

5. Hours:

6. Describe employer provided housing arrangements, if any, including number of rooms and cooking facilities:

Empty box for housing arrangements

7. Employee's regular hourly rate(s) of pay and overtime rate of pay:

Indicate basis; per hour, shift, day, week, salary, or per unit. (Give capacity of unit.)

Rate: per: Overtime rate:

Rate: per: Overtime rate:

The Overtime Rate must be at least time and one-half the regular pay rate. If the pay rate is not hourly based, the overtime rate must be at least 1 1/2 times the worker's weighted average of the multiple rates of pay for the week, with few exceptions.

8. Payday: For week ending:

9. Frequency of pay: Weekly: Other:

10. Allowances, if any, to be credited towards minimum wage:

Number of meals per day: Amount per meal: \$

*No allowance for meals shall be considered as part of the minimum wage if a migrant seasonal employee earns less than \$254.00 in a two-week period.

Lodging and utilities: \$

The lodging and utilities allowance is for all employees except migrant seasonal. *No allowance for lodging and utilities shall be considered as part of the minimum wage for a migrant seasonal employee.

Payments in kind \$ Specify:

11. All planned payroll deductions (e.g., health insurance, retirement contributions, other):

12. Employer provided Paid Sick Leave

13. Employer provided benefits (e.g. vacation, personal days, holidays, bereavement leave, other):

14. Approximate period of employment: Start date: _____ End date: _____

15. Non-economic terms and conditions of employment (e.g., transportation availability, medical service, childcare, schooling, etc.):

16. Union affiliation and Representative contact information, if any: _____.

In NYS, farm workers possess the right to organize, which includes forming, joining, or assisting labor organizations, and the right to bargain collectively through representatives of their own choosing. Farm workers are protected from retaliation, including termination, if they are speaking to each other about labor conditions and organizing. However, farm workers do not have the right to strike.

17. Day-of-rest: _____

Employers may not compel farm laborers to work on their day-of-rest. Farm Laborers must be paid time and one-half their regular rate of pay for choosing to work on their day-of-rest.

Nothing in this provision prevents a farm laborer from working on the day-of-rest provided the employer compensates the employee at a rate of at least time and one-half of the employees' regular rate of pay for all hours worked on the day-of-rest (if total has not exceeded overtime threshold).

18. Employee Acknowledgment and Affirmation:

On this day, I have been notified of my pay rate, overtime rate, day-of-rest, allowances, and payday. I affirm that I told my employer what my primary language is. Check one:

- I have been given this pay notice in English because it is my primary language, or
- I have been given this pay notice in English only, because the Department of Labor does not yet offer a pay notice form in my primary language, which is: _____

Employee's name (print): _____

Signature: _____ Date: _____

19. Preparer's name (print): _____ Title: _____

The employee must receive a signed copy of this document. The employer must preserve a copy for 6 years.

Additional Information:

Section 195 NYS Labor Law: Employers must give the information on this notice in writing to all employees at the time of hiring.

Employers must notify employees in writing of any changes to the information in this notice at least seven calendar days prior to the time of such changes, unless such changes are reflected on the employee's wage statement. However, even if the change will be reflected on the employee's wage statement, employers may not lower an employee's rate(s) of pay without notifying the employee before the work is performed.

Employers must notify their employees in writing or by publicly posting their policy on sick leave, vacation, personal leave, holidays and hours.

Employers must preserve their payroll records for 6 years.

NYS Minimum Wage Order for Farm Workers: Employers must post, in a conspicuous place on the farm:

- a copy of any generally applicable work agreement **and**
- a posting issued by the NYS Department of Labor summarizing the Farm Minimum Wage provisions.

It is unlawful for an employee to be paid less than an employee of the opposite sex or because the employee is in a protected class.

Employers may not prohibit employees from discussing their wages with co-workers.

Employers may not enquire about an employee's salary history.

WE ARE YOUR DOL



División de Normas Laborales

Aviso y aceptación de pago para trabajadores agrícolas

Este aviso, cuando se llena correctamente, satisface:

- Las disposiciones sobre aviso de pago de la Sección 195 de la Ley del Trabajo del Estado de NY
- Las disposiciones sobre contrato de trabajo por escrito de la Parte 190 de la Orden de Salario Mínimo Agrícola

1. Información del empleador

Nombre: _____ Teléfono: _____

Operando bajo el nombre: _____

Dirección física: _____

Dirección postal: _____

Número de Identificación Federal del Empleador (FEIN) (opcional): _____

2. **Aviso dado:** Al ser contratado Antes de un cambio en el sueldo, las prestaciones o el día de pago

3. **Lugar específico en donde trabajará el trabajador:** _____

4. Tipos de trabajo que hará:

5. **Horario:** _____

6. **Describe los arreglos de vivienda provistos por el empleador, de haberlos, incluyendo la cantidad de**

habitaciones y las instalaciones para cocinar:

7. **Sueldos regulares y sueldos por tiempo extra del empleado:** _____

Indique la base: por hora, turno, día, semana, salario, o por unidad. (Incluya la capacidad de la unidad).

Sueldo: _____ por: _____ Sueldo por tiempo extra: _____

Sueldo: _____ por: _____ Sueldo por tiempo extra: _____

El sueldo por tiempo extra debe ser al menos una y media veces el sueldo regular. Si el sueldo no es por horas, el sueldo por tiempo extra debe ser al menos 1½ veces el promedio ponderado de los múltiples sueldos del trabajador durante la semana, con pocas excepciones.

8. **Día de pago:** _____ Para la semana que terminó el: _____

9. **Frecuencia de pago:** Semanal: _____ Otra: _____

10. **Prestaciones, si las hay, para acreditar para el salario mínimo:**

Número de comidas al día: _____ Cantidad por comida: \$ _____

*Ninguna prestación de comida se considerará parte del salario mínimo si un empleado migrante estacional gana menos de \$254.00 en un período de dos semanas.

Alojamiento y servicios básicos: \$ _____

La asignación de alojamiento y servicios es para todos los empleados, excepto los migrantes estacionales. *Ninguna prestación de alojamiento y servicios básicos se considerará parte del salario mínimo de un empleado migrante estacional.

Pagos en especie \$ _____ Especifique: _____

11. **Todas las deducciones de nómina planeadas** (por ejemplo, seguro de salud, aportaciones para jubilación, otras):

12. **Permiso por enfermedad pagado provisto por el empleador**

13. **Beneficios provistos por el empleador** (por ejemplo, vacaciones, días por motivos personales, feriados, permiso por duelo, otros.):

14. **Período aproximado de empleo:** Fecha de inicio: _____ Fecha de terminación: _____

15. **Términos y condiciones no económicos de empleo** (por ejemplo, disponibilidad de transporte, servicio médico, guardería, escuelas, etc.):

16. **Afiliación a sindicato e información de contacto del representante, si lo hay:** _____.

En el estado de NY los trabajadores agrícolas tienen derecho a organizarse, lo que incluye formar, afiliarse o ayudar a las organizaciones sindicales, y el derecho a negociar colectivamente mediante representantes de su elección. Los trabajadores agrícolas están protegidos de represalias, incluido el despido, si hablan entre sí sobre las condiciones de trabajo y organización. Sin embargo, los trabajadores agrícolas no tienen el derecho de hacer huelga.

17. **Día de descanso:** _____

Los empleadores no pueden obligar a los trabajadores agrícolas a trabajar en su día de descanso. Los trabajadores agrícolas deben recibir pago a razón de una y media veces su sueldo regular por decidir trabajar en su día de descanso.

Nada de lo expresado en esta disposición impide que un trabajador agrícola trabaje en su día de descanso, siempre y cuando su empleador remunere al empleado con un sueldo que sea al menos una y media veces el sueldo regular del empleado por todas las horas trabajadas en el día de descanso (si el total no ha excedido el límite de tiempo extra).

18. **Aceptación y declaración del empleado:**

En este día se me han notificado mi sueldo, mi sueldo por tiempo extra, mi día de descanso, mis prestaciones y mi día de pago. Declaro que le he dicho a mi empleador cuál es mi idioma principal.

Mi idioma principal is _____,

y me han entregado este aviso de pago en mi idioma principal.

Nombre del empleado (en letra de molde): _____

Firma: _____ **Fecha:** _____

19. **Nombre de quien contestó** (en letra de molde): _____ **Puesto:** _____

El empleado debe recibir una copia firmada de este documento. El empleador debe conservar una copia durante 6 años.

Información adicional:

Sección 195 de la Ley de Trabajo del Estado de New York: Los empleadores deben entregar la información de este aviso por escrito a todos los empleados al momento de su contratación.

Los empleadores deben notificar por escrito a los empleados sobre cualquier cambio en la información en este aviso al menos siete días calendario antes del momento del cambio, salvo cuando dichos cambios se reflejen en el recibo de pago del empleado. Sin embargo, incluso si el cambio se reflejará en el recibo de pago del empleado, los empleadores no pueden reducir el sueldo de un empleado sin notificarlo al empleado antes de que desempeñe el trabajo.

Los empleadores deben notificar a sus empleados sobre sus políticas de permiso por enfermedad, vacaciones, permisos personales, días feriados y horas trabajadas, ya sea por escrito o publicándolas en un lugar prominente.

Los empleadores deben conservar sus registros de nóminas durante 6 años.

Orden sobre el salario mínimo para trabajadores agrícolas en el estado de NY: Los empleadores deben publicar, en un lugar prominente de la granja:

- una copia de todos los acuerdos de trabajo aplicables en general **y**
- una publicación expedida por el Departamento de Trabajo del Estado de NY que resuma las disposiciones referentes al salario mínimo agrícola.

Es ilegal que un empleado reciba un pago menor que el de un empleado del sexo opuesto o debido a que el empleado forma parte de una clase protegida.

Los empleadores no pueden prohibir a los empleados que hablen sobre sus sueldos con sus compañeros de trabajo.

Los empleadores no pueden hacer preguntas sobre la historia salarial de un empleado.

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 12240
(518) 457-2730

Buffalo District

290 Main Street, Rm. 226
Buffalo, NY 14202
(716) 847-7141

Garden City District

400 Oak Street, Suite 101
Garden City, NY 11530
(516) 794-8195

New York City District

75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

Rochester Sub-District

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

Syracuse District

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

White Plains District

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

Guidelines for Employers: Requirements to Notify Employees About Time Off and Work 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 publicly posting the employer’s policy on sick leave, vacation, personal leave, holidays and hours.”

To assist employers in complying with this provision, the Division of Labor Standards has issued the following guidelines:

1. An employer shall distribute in writing to each employee, the employer’s policy on the above- enumerated items. The employer upon the request of the Department must be able to affirmatively demonstrate that such written notification was provided to employees by means, which may include, but not be limited to, distribution through company newspapers or newsletters or by inclusion in a company payroll.

Or

An employer shall post and keep posted in each establishment in a conspicuous place where notices to employees are customarily posted, a notice that states where on the employer’s premises they may see such information in writing. Such information may be contained in a union contract, employee handbook, personnel manual, or in other written form. Deviations for an employee from such stated policy must be given to said employee in writing.

2. As used in the provision above, “hours” means the hours which constitute a standard workday and workweek for the establishment, and any other regular schedule, such as for part-time employees. Deviations should be given to the affected employee in writing.

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

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

Bronx District

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

New York City District

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

Garden City District

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

Buffalo District

290 Main Street
Room 226
Buffalo, NY 14202
(716) 847-7141

Rochester District

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

Syracuse District

333 East Washington Street
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(315) 428-4057

White Plains District

120 Bloomingdale Road
White Plains, NY 10605
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Division of Labor Standards

Guidelines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Work Place

Section 206-c of the New York State Labor Law provides as follows:

Right of Nursing Mothers to Express Breast Milk.

An employer shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace.

This law is applicable to all public and private employers in New York State, regardless of the size or nature of their business. In administering this statute, the Department applies the following interpretations and guidelines:

I. Notice

A. Employers shall provide written notification of the provisions of Labor Law §206-c to employees who are returning to work, following the birth of a child, and their right to take unpaid leave for the purpose of expressing breast milk. Such notice may either be provided individually to affected employees or to all employees generally through publication of such notice in the employee handbook or posting of the notice in a central location.

B. An employee wishing to avail herself of this benefit is required to give her employer advance notice. Such notice shall preferably be provided to the employer prior to the employee's return to work following the birth of the child in order to allow the employer an opportunity to establish a location and schedule leave time amongst multiple employees if needed.

II. Reasonable Unpaid Break Time

A. Reasonable unpaid break time is sufficient time to allow the employee to express breast milk. Each break shall generally be no less than twenty minutes. If the room or other location is not in close proximity to the employee's work station (e.g. as in a shared work location with a common lactation room) each break shall generally be no less than thirty minutes. Employees can elect to take shorter unpaid breaks for this purpose.

B. The number of unpaid breaks an employee will need to take for expression purposes varies depending on the amount of time the employee is separated from the nursing infant and the mother's physical needs. In most circumstances, employers shall provide unpaid break time at least once every three hours if requested by the employee.

C. Upon election of the employee, unpaid break time may run concurrently with regularly scheduled paid break or meal periods.

D. Upon election of the employee, an employer shall allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid break time(s) for the expression of breast milk so long as such additional time requested falls within the employer's normal work hours.

E. This benefit is available to the employee during their basic work week and any overtime or additional hours worked.

F. An employee may be required to postpone scheduled unpaid break time for no more than thirty minutes if she cannot be spared from her duties until appropriate coverage arrives.

III. Reasonable Efforts and Privacy

A. All employers are required to make reasonable efforts to provide a private room or other location for the purpose of expression of breast milk. "Reasonable effort" requires that the room or other location must be provided for use of employees expressing breast milk so long as it is neither significantly impracticable, inconvenient, or expensive to the employer to do so. Relevant factors in determining significant impracticality, inconvenience, or expense include but are not limited to:

1. The nature of work performed at the business;
2. The overall size and physical layout of the business;
3. The type of facility where the business is housed;
4. The size and composition of the employer's workforce;
5. The business' general hours of operation and the employees' normal work shifts;
6. The relative cost of providing a room or other space for the dedicated purpose.

B. The room or location provided by the employer for this purpose cannot be a restroom or toilet stall.

C. An employer may dedicate one room or other location for the expression of breast milk and establish a schedule to accommodate the needs of multiple employees needing access thereto.

D. An employer who is unable to provide a dedicated lactation room or other location under these guidelines, may allow the use of a vacant office or other available room on a temporary basis for the expression of breast milk, provided the room is not accessible to the public or other employees while the nursing employee is using the room for expression purposes.

E. As a last resort, an employer who is unable to provide a dedicated lactation room or other location under these guidelines may make available a cubicle for use by individuals expressing breast milk, provided the cubicle is fully enclosed with a partition and is not otherwise accessible to the public or other employees while it is in use for expression purposes. The cubicle walls shall be at least seven feet tall to insure the nursing employee's privacy.

F. Each room or other location used for the expression of breast milk under these guidelines shall be well lit at all times through either natural or artificial light. If the room has a window, it shall be covered with a curtain, blind, or other covering to ensure privacy for the mother as she is expressing

breast milk. The room shall contain, at a minimum, a chair and small table, desk, counter, or other flat surface. In addition, employers are encouraged to provide an outlet, clean water supply, and access to refrigeration for the purposes of storing the expressed milk.

G. An employer is not responsible for insuring the safekeeping of expressed milk stored in any refrigerator on its premises. The employee is required to store all expressed milk in closed containers, regardless of the method of storage and to bring such milk home with her each evening.

H. The employer must maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.

I. An employer may not deny an employee this benefit due to difficulty in finding a location for purposes of the same.

J. For the purposes of this provision: "Private" shall mean that the room or other location shall not be open to other individuals frequenting the business, whether as employees, customers, or other members of the public. To insure privacy, the room or location should have a door equipped with a functional lock. If a door with a functional lock is not available (in the case of a fully enclosed cubicle) as a last resort an employer must utilize a sign advising the room or location is in use and not accessible to other employees or the public.

IV. Close Proximity

A. Any room or location provided for the expression of breast milk must be in close proximity to the work area of the employee(s) using it for the expression of breast milk.

B. Close proximity means the room or location must be in walking distance and the distance to the location should not appreciably lengthen the break time.

C. Should an employer have more than one employee at a time needing access to a lactation room or other location, the employer may dedicate a centralized location for use by all such employees, provided however, that the employer shall make every effort to locate such space at a reasonable distance from the employees using it.

D. Employers located in shared work areas such as office buildings, malls, and similar premises may cooperate with one another to establish and maintain a dedicated lactation room, provided however, that such rooms must be located at a reasonable distance from the employees using the room. Each employer utilizing such common dedicated lactation room will retain individual responsibility for ensuring that it meets all the requirements of these guidelines with regard to their employees. Use of a common dedicated lactation room pursuant to this paragraph will not reduce, mitigate, or otherwise affect the employer's obligations under these guidelines.

V. Non-Discrimination

No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace. Encouraging or allowing a work environment that is hostile to the right of nursing mothers to take leave for the purpose of expressing breast milk could constitute discrimination within the meaning of this section of the guidelines.

VI. Suggested Employer Activities

A. In addition to the activities set forth in the guidelines above, an employer may consider implementing one or more of the following activities in connection with the needs of employees who are breast feeding children:

1. Providing educational information in the lactation room or area regarding the benefits of breastfeeding and tips on expressing and storing breast milk including posters, newsletters, books, and referral information to health education programs about breastfeeding.
2. Allowing flexible work hours, job sharing, and/or part-time scheduling to accommodate employees with children of nursing age.
3. Providing an easily accessible sink to wash tubing used for pumping breast milk.
4. Allowing mothers of nursing children attending on-site day care to take breaks to breast feed in lieu of pumping.
5. Providing a listing of lactation consultants whom breastfeeding mothers could contact for assistance.
6. Including protection for pregnant and breastfeeding mothers in the company's sexual harassment policy.
7. Designation of a breastfeeding coordinator to allow consistent and coordinated implementation of this benefit in the workplace.

B. Not all questions can be anticipated; therefore these guidelines may not cover all situations that may arise. For additional assistance or information please contact the Division of Labor Standards office nearest you.

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White Plains District

120 Bloomingdale Road
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DOL WEBSITE HOMEPAGE

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

Pautas con respecto a los derechos de las madres lactantes a extraerse leche materna en el lugar de trabajo

El artículo 206-c de la Ley Laboral del estado de Nueva York estipula lo siguiente:

Derecho de las madres lactantes a extraerse la leche materna

El empleador ofrecerá un receso razonable no remunerado, o permitirá que la empleada utilice receso remunerado, o la hora de comida todos los días para extraerse la leche materna para alimentar a su hijo por un período de lactancia de hasta tres años después del nacimiento de su hijo. El empleador hará todo esfuerzo razonable para ofrecer un cuarto u otro lugar, en las cercanías del lugar de trabajo, donde la empleada pueda extraer la leche materna en privado. Ningún empleador discriminará, de ninguna manera, a una empleada que elija extraerse la leche materna en el lugar de trabajo.

Esta ley se aplicará a todo empleador público y privado del estado de Nueva York, sin importar el tamaño o la naturaleza de la empresa. En la administración de dicha ley, el Departamento aplicará las siguientes interpretaciones y pautas:

I. Notificación

A. Los empleadores deberán entregar una notificación por escrito de las disposiciones de la Ley Laboral §206-c a las empleadas que se reintegran al trabajo luego del nacimiento del niño, acerca de su derecho a tomarse una licencia no remunerada con el fin de extraerse la leche materna. Dicha notificación podrá entregarse individualmente a la empleada o a todos los empleados, generalmente por medio de la publicación de dicha notificación en el manual del empleado o colocando la notificación en un sitio central.

B. La empleada que desee valerse de este beneficio, debe dar aviso previo al empleador. Dicho aviso deberá ser entregado al empleador, preferiblemente antes de regresar al trabajo después del nacimiento del niño para permitir que el empleador tenga la oportunidad de establecer un lugar y un horario de licencias para múltiples empleados, de ser necesario.

II. Receso razonable no remunerado

A. Un receso razonable no remunerado es una cantidad de tiempo que permita a la empleada extraerse la leche materna. Cada receso generalmente será, como mínimo, de veinte minutos. Si el cuarto o lugar designado no está cerca del puesto de trabajo de la empleada, (por ejemplo, un lugar de trabajo compartido con un cuarto de lactancia común) cada receso generalmente será, como mínimo, de treinta minutos. Las empleadas pueden elegir recesos no remunerados más cortos.

B. El número de recesos no remunerados que una empleada necesitará tomar con el fin de extraerse la leche, dependerá de la cantidad de tiempo que la empleada esté separada del niño en período de lactancia y de las necesidades físicas de la madre. En la mayoría de los casos, los empleadores deberán dar recesos no remunerados, por lo menos, cada tres horas si la empleada lo solicita.

C. A opción de la empleada, el receso no remunerado puede tomarse junto con el receso remunerado programado o los períodos de comida.

D. A opción de la empleada, un empleador deberá permitir que la empleada trabaje antes o

después de su horario normal para recuperar el tiempo utilizado durante el receso no remunerado para extraer leche materna, siempre y cuando, dicho tiempo adicional solicitado se dé en el horario normal de trabajo del empleador.

E. Este beneficio está a disposición de la empleada durante la semana de trabajo normal o en cualquier período de horas extras o adicionales trabajadas.

F. Se le podrá exigir a una empleada posponer el receso no remunerado programado durante un período no mayor de treinta minutos si no se puede prescindir de sus deberes hasta que llegue un reemplazo apropiado.

III. Esfuerzos razonables y privacidad

A. Se requiere que todo empleador realice esfuerzos razonables para brindar un cuarto privado u otro lugar destinado para la extracción de leche materna. Un «esfuerzo razonable» requiere que el cuarto u otro lugar se brinde para el uso de las empleadas que necesitan extraerse la leche materna, siempre y cuando, no sea significativamente impráctico, inconveniente o costoso para el empleador. Los factores importantes a tener en cuenta para determinar impracticabilidad, inconveniencia o gastos significativos incluyen pero no se limitan a:

1. La naturaleza del trabajo que se realiza en la empresa;
2. El tamaño general y la distribución física de la empresa;
3. El tipo de instalación donde se ubica la empresa;
4. El tamaño y la composición de la fuerza laboral del empleador;
5. El horario general de trabajo de la empresa y los turnos de trabajo normales de los empleados;
6. El costo relativo de ofrecer un cuarto u otro lugar para ese fin.

B. El cuarto u otro lugar que el empleador asigne a este fin no debe ser un baño o el cubículo del inodoro.

C. El empleador puede dedicar un cuarto u otro lugar para la extracción de la leche materna y establecer un horario con motivo de acomodar las necesidades de múltiples empleadas que necesiten acceso a ese cuarto.

D. El empleador que no pueda ofrecer un cuarto de lactancia adecuado u otro lugar conforme a estas pautas, puede autorizar el uso de una oficina desocupada u otro cuarto disponible de un modo temporal para la extracción de leche materna, siempre y cuando el cuarto no sea accesible al público u a otros empleados mientras la empleada utilice el cuarto para estos fines.

E. Como último recurso, un empleador que no pueda ofrecer un cuarto de lactancia adecuado u otro lugar conforme a estas pautas, puede ofrecer un cubículo para que lo usen las empleadas que extraigan leche materna, siempre y cuando el cubículo esté cerrado totalmente con particiones y no sea accesible de ningún otro modo al público o a otros empleados mientras esté en uso. Las paredes del cubículo deben tener al menos 7 pies (2 metros) de alto para garantizar la privacidad de la empleada.

F. Todos los cuartos u otros lugares utilizados para extraer leche materna conforme a estas pautas deberán estar iluminados en todo momento, ya sea mediante luz natural o artificial. Si el cuarto tiene ventanas, deberán estar cubiertas por una cortina, persiana u otra cobertura para garantizar la privacidad de la madre mientras se extrae la leche materna. El cuarto debe contener, como mínimo, una silla y una mesa pequeña, un escritorio, un mostrador o una superficie plana. Además, se les exhorta a los empleadores a que proporcionen un enchufe, agua potable y acceso a refrigeración para fines de almacenar la leche extraída.

G. El empleador no es responsable de salvaguardar la leche extraída almacenada en el

refrigerador de sus instalaciones. Se le requiere a la empleada almacenar toda leche extraída en recipientes cerrados, independientemente del método de almacenaje, y de llevarse dicha leche a su hogar durante las tardes.

H. El empleador debe mantener la limpieza del cuarto o del lugar asignado para las empleadas que se extraen leche materna en el trabajo.

I. El empleador no le puede denegar a una empleada este beneficio debido a una dificultad para encontrar un lugar para estos propósitos.

J. En cuanto a esta disposición se refiere: «Privado» quiere decir que el cuarto u otro lugar no estará abierto a otros individuos que frecuentan la empresa, ya sean empleados, clientes u otros miembros del público. Para garantizar la privacidad, el cuarto o el lugar debe tener una puerta equipada con una cerradura que funcione. Si no se dispone de una puerta con una cerradura que funcione, (en el caso de un cubículo completamente encerrado), como último recurso el empleador debe utilizar un letrero avisando que el cuarto o el lugar está siendo utilizado y no se permite la entrada a otros empleados o al público.

IV. Cercanía

A. Cualquier cuarto o lugar ofrecido para la extracción de leche materna debe estar en las cercanías del área de trabajo de la(s) empleada(s) que lo utiliza(n) para dichos fines.

B. Cercanía significa que el cuarto o el lugar debe estar ubicado en un lugar al cual se puede llegar a pie sin extender de manera considerable el receso.

C. Si el empleador tiene más de una empleada que necesita a la misma vez acceso al cuarto de lactancia u otro lugar para este propósito, el empleador puede dedicar un lugar centralizado para uso de dichas empleadas, siempre y cuando el empleador haga todo esfuerzo por ubicar dicho lugar a una distancia razonable de las empleadas que lo utilicen.

D. Los empleadores ubicados en áreas de trabajo compartidas como edificios de oficinas, centros comerciales e instalaciones similares, pueden cooperar entre sí para establecer y mantener un cuarto de lactancia dedicado a dicho propósito, siempre y cuando dichos cuartos estén ubicados a una distancia razonable de las empleadas que lo utilizan. Cada empleador que utilice dicho cuarto de lactancia común, retendrá responsabilidad individual de asegurar que el mismo satisfaga todos los requisitos de estas pautas con respecto a sus empleadas. El uso de un cuarto de lactancia común conforme a este párrafo no reducirá, mitigará o de otro modo afectará las obligaciones del empleador en virtud de estas pautas.

V. No discriminación

Ningún empleador discriminará, de ninguna manera, a una empleada que elija extraer leche materna en el lugar de trabajo. El promover o permitir un ambiente laboral que es hostil hacia el derecho de las madres lactantes a tomar una licencia para fines de extracción de leche materna, puede constituir discriminación dentro del marco de esta sección de las pautas.

VI. Actividades sugeridas al empleador

A. Además de las actividades establecidas en las pautas mencionadas anteriormente, los empleadores pueden considerar la implementación de una o más de las siguientes actividades con relación a las necesidades de las empleadas que están lactando a sus niños.

1. Ofrecer información educativa en el cuarto o zona de lactancia con respecto a beneficios de la lactancia materna y consejos sobre la extracción y almacenamiento de la leche materna incluyendo letreros, boletines, libros y nombres de programas educativos sobre la lactancia materna.

2. Permitir horas de trabajo flexibles, empleo compartido y/u horarios a tiempo parcial para acomodar a las empleadas con niños en edad de lactancia.
3. Brindar un fregadero de fácil acceso para lavar la tubería utilizada para el bombeo de leche materna.
4. Permitirles a las madres de niños en período de lactancia que asisten a una guardería en el lugar de empleo a tomar recesos para lactar a su niño en lugar de utilizar el sistema de bombeo.
5. Ofrecer una lista de consejeros de lactación a quienes las madres lactantes puedan contactar para recibir ayuda.
6. Incluir protección en la política de acoso sexual de la empresa para las mujeres embarazadas y las madres lactantes.
7. Designar un coordinador de lactancia materna para permitir la coordinación uniforme y permanente de este beneficio en el lugar de trabajo.

B. No se pueden anticipar todas las preguntas, por lo tanto, estas pautas quizás no cubran todas las situaciones que puedan surgir. Si desea ayuda o información adicional, comuníquese con la Oficina de la División de Normas Laborales más cercana a usted.

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Distrito de Syracuse
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Distrito de White Plains
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<http://www.labor.ny.gov>



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

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

Call: 988, press 1 Text: 838255

Suicide and Crisis Lifeline: www.veteranscrisisline.net

Call: 988 Text: 988

Crisis Textline:

Text: 741741 Chat: crisistextline.org

NYS Office of Mental Health (OMH):

www.omh.ny.gov

NYS Office of Addiction Services and Supports

(OASAS): www.oasas.ny.gov/hopeline

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

Text: HOPENY (467369)

TAX BENEFITS

NYS Department of Tax and Finance

- Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm
- Property tax exemptions: 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

New York State Civil Service Credits

for Veterans Program: 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-status-designation-photo-document
- Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

LEGAL SERVICES

Veterans Treatment Courts (VTC): ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml

Email: ProblemSolving@courts.state.ny.us

NYS Defenders Association Veteran Defense Program:

www.nysda.org/page/AboutVDP

NEW YORK STATE DEPARTMENT OF VETERANS' SERVICES

Website: veterans.ny.gov

Help Line: 1-888-838-7697

Email: 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

Help Line: 1-888-469-7365

Email: Ask.Vets@labor.ny.gov

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



Department of
Veterans' Services

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Department
of Labor

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.

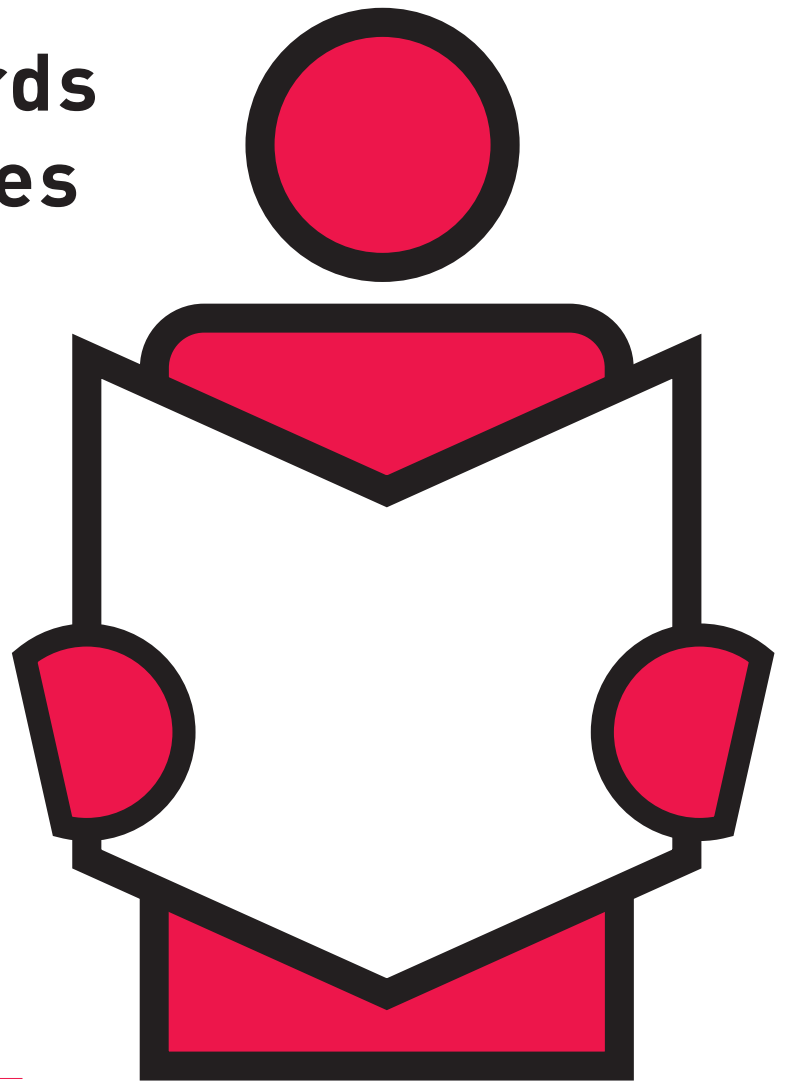
2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

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:



Name

Location & Phone Number

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

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.

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

- (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 alleged retaliatory action occurred, 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.



New York State Employer Registration for Unemployment Insurance, Withholding, and Wage Reporting for Agricultural Employment

For office use only:
Unemployment Insurance
Registration Number:

Return completed form (type or print in ink) to the
address above, or fax to (518) 485-8010.

Need Help? Call the Employer Hotline at (888) 899-8810

Part A - Employer Information

1. Legal Entity (check one):

- Sole Proprietorship Partnership Corporation (includes Sub-Chapter S)
 Limited Liability Company (LLC) Limited Liability Partnership (LLP)
 Other (please describe): _____

2. Federal Employer Identification Number (FEIN): _____ - _____

3. Telephone number: (_____) _____ - _____

4. Fax number: (_____) _____ - _____

5. Legal name of business: _____

6. Trade name (doing business as), if any: _____

7. Business email: _____ 8. Website: _____

Part B - Liability Information

1. Enter date of **first** operations in New York State: ____/____/____ (mm/dd/yyyy)

2. Enter the date of the **first** payroll you withheld (or will withhold) New York State Income Tax from your employees' pay:
____/____/____ (mm/dd/yyyy)

3. Enter the first calendar quarter in which you paid (or expect to pay) total remuneration of **\$300** or more. This includes payments to employees or to corporate and Sub-Chapter S officers for services.

Jan 1 – Mar 31 (1st) Apr 1 – Jun 30 (2nd) Jul 1 – Sep 30 (3rd) Oct 1 – Dec 31 (4th) Year _____

4. Total number of covered employees: _____

5. Do persons work for you whom you do not consider employees? Yes* No
*If yes, what services do they perform and why do you not consider them employees?

6. If you are not liable under the Unemployment Insurance Law for agricultural employment, do you wish to elect voluntary coverage? Yes No
7. Have you acquired the business of another employer liable for New York State Unemployment Insurance? Yes* No
 If Yes, did you acquire All or Part of the business? Date of acquisition: _____ / _____ / _____
 (mm/dd/yyyy)
 Prior owner's Registration Number: _____
 Prior owner's FEIN: _____
 Legal name of business: _____
 Address: _____
8. Have you changed legal entity? Yes* No
 If yes, date of legal entity change: _____ / _____ / _____ (mm/dd/yyyy)
 Prior employer's Registration Number: _____
 Prior employer's FEIN: _____

Part C - Required Addresses

1. **Mailing Address:** This is your business mailing address where your Withholding Tax and Unemployment Insurance mail will be delivered. If you elect to have your Unemployment Insurance mail directed to an address other than your place of business, complete number 4.

ATTN: _____
 Street or PO box: _____
 City: _____ State: _____ Zip code: _____
 County: _____ Country: _____

2. **Physical Address:** This is the physical location of your business, if different from the Mailing Address in number 1.

Street: _____
 City: _____ State: _____ Zip code: _____
 County: _____ Country: _____

3. **Location of Books/Records:** This is the physical location where you keep your Books and Records.

C/O (if applicable): _____
 Street: _____
 City: _____ State: _____ Zip code: _____
 County: _____ Country: _____
 Telephone number: (_____) _____ - _____ ext: _____
 Contact name: _____

Optional Addresses

4. **Agent Address (C/O):** Complete this if your Unemployment Insurance mail should be sent to an address other than your business address:

C/O: _____
Street or PO box: _____
City: _____ State: _____ Zip code: _____
County: _____ Country: _____
Telephone number: (_____) _____ - _____ ext: _____
Contact name: _____

5. **LO 400 Form - Notice of Potential Charges Address:** This is sent each time a former employee files a claim for Unemployment Insurance benefits. You can sign up for SIDES to receive this notice electronically. See instructions or visit our website at www.labor.ny.gov for additional information. Otherwise, complete below:

C/O: _____
Street or PO box: _____
City: _____ State: _____ Zip code: _____
County: _____ Country: _____
Telephone number: (_____) _____ - _____ ext: _____
Contact name: _____

Part D - Business Information

1. Complete the following for sole proprietor (owner), all partners, including partners of LP, LLP or RLLP, all members of LLC or PLLC, and corporate officers (President, Vice President, etc.). Complete this section whether or not remuneration is received, or services are performed in New York State. If needed use a separate sheet of paper.

Name	Social Security Number	Title	Residence Address and Phone Number
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. Enter the number of physical locations at which your company operates in New York State: _____. You must list the physical address and answer questions **a** and **b** below, for each location. Use a separate sheet of paper for each.

a. Location (number and street): _____
City: _____ County: _____ Zip code: _____

b. How many employees at this location? _____

3. Indicate your principle activity or farm production that produces the greatest gross sales and specify type:

Oilseed and Grain; specify type: _____

Vegetable and Melon; specify type: _____

Fruit and Tree Nut, specify type: _____

Greenhouse, Nursery and Floriculture Production, specify type: _____

Other Crop, specify type: _____

Cattle Ranching and Farming, specify type: _____

Hog and Pig Farming, specify type: _____

Poultry and Egg Production, specify type: _____

Sheep and Goat Farming, specify type: _____

Aquaculture/Other Animal Production, specify type: _____

Other: (provide details): _____

AFFIRMATION

I affirm that I have read the above questions and that the answers provided are true to the best of my knowledge and belief.

Signature of Officer, Partner, Proprietor, Member or Individual (mm/dd/yyyy)

Official Position (_____) Telephone number _____

Email address

General Information

Employers of agricultural workers become liable for unemployment insurance contributions:

- as of the first day of the calendar quarter in which they pay total remuneration of \$300 or more, or as of the date they purchase the business of another liable employer or otherwise become successor to that employer.

A farm labor crew leader would also become liable if they meet any of the conditions above and:

- They are not the employee of the farm operator, and
- They hold a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963, or substantially all of their crew operates or maintains mechanized equipment which they provide.

Agricultural work is defined in the law as all services performed:

- On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, bees, poultry, and fur-bearing animals, and wildlife.
- In the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.
- In handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any agricultural or horticultural commodity, but only if such service is performed in the employ of an operator of a farm (i) as an incident to farming operations or (ii) in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market. The provisions of this paragraph shall not apply to service performed in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

The term farm includes stock, dairy, poultry, fur bearing animals, fruit and truck farms, plantations, nurseries, greenhouses or similar structures, used primarily for the raising of agricultural or horticulture commodities, and orchards.

Instructions for NYS 100AG,
New York State Employer Registration for
Unemployment Insurance, Withholding and Wage Reporting form
for Agricultural Employment

Use the NYS 100AG form to:

- Register for Unemployment Insurance (UI) withholding and wage reporting if you are an agricultural employer

Voluntary Coverage:

- If you are not liable for Unemployment Insurance (UI) but want to provide voluntary coverage for employees, call (518) 457-2635.

How to submit the NYS 100AG:

- Mail to the address on the top of the form, or
- Fax it to the fax number on Page 1 of the form

Note: Type or print clearly in black ink

Need Help? Call the Employer Hotline at (888) 899-8810

Part A – Employer Information

Line 1 - Check what type of business organization you are.

Line 2 - Enter the nine-digit Federal Employer Identification Number (FEIN) of the business.

- The federal government assigns FEINs. This number is used to certify your payments to the Internal Revenue Service (IRS) under the Federal Unemployment Tax Act (FUTA).
- If you need a FEIN, apply on-line at www.irs.gov, or call (800) 829-4933 for an application.

Lines 3 and 4 - Enter the Phone and Fax numbers for the business.

Line 5 - Enter the legal name of the business. If employer is a:

- Sole proprietorship - enter the name of the business owner
- Partnership - enter the full name of each partner
- Corporation - enter the corporate name as shown in the Certificate of Incorporation or other official document

In the case of an estate of a decedent, insolvent, incompetent, etc., enter the name of the estate and the name of administrator or other fiduciary.

Attach a copy of Form CP 575 from the Internal Revenue Service to confirm your Federal Employer Identification Number (FEIN).

Line 6 - Enter, if applicable, the trade name or farm name used for business purposes.

Lines 7 and 8 - Enter your business email and website addresses for the business.

Part B - Liability Information

Line 1 - Enter the date the business began in New York State.

Line 2 - Enter the date of the first payroll from which you withheld (or will withhold) New York State Income Tax from your employee's pay.

- For New York State withholding tax purposes, you are an employer and must withhold income tax from compensation you pay to your employees if you:
 - Are a person or organization that qualifies as an employer based on the IRS "Publication 12 (Circular E), Employer's Tax Guide" (available at www.irs.gov) and
 - Maintain an office or transact business in New York State

Line 3 - Enter the first calendar quarter and the year you paid (or expect to pay) total remuneration of \$300 or more.

- Do not go back more than 3 years from January of the current year
- Remuneration **includes** compensation such as:
 - Salary, cash wages, commissions, bonuses
 - Payments to corporate officers for services rendered, regardless of their stock ownership and without regard to how such payments are treated under Sub-Chapter S of the IRS Code or any other tax law
- **Note: do not** include compensation paid to:
 - Daytime elementary or secondary students who work after school or during vacation periods
 - The spouse or child (under 21) of a sole proprietor
 - Children under age 14
 - Employees who perform no services in New York State
 - Non-immigrant individuals in the USA temporarily to perform agricultural services under an H-2A Visa

Line 4 - Enter the total number of covered people you employ, including corporate officers. Do not include sole proprietors (spouse and minor children under age 21), members of an LLC, or partners.

Line 5 - Answer 'Yes' if there are people who work for you that you do not consider your employees.

- Do not include those described in Part B, Line 3, of 'Note' above
- Use the space provided to explain the type of services they perform and why you do not consider them employees. Attach a separate sheet if you need more space

Line 6 - Section 561, Subdivision 1 of the Unemployment Insurance Law, permits an employer who is not liable for contributions to cover their employees on a voluntary basis. Liability begins the first day of the calendar quarter you file an approved application and continues at least until the end of the following year.

- The law does not permit partial coverage. The election must include all employees except persons in certain types of employment the law excludes such as:
 - Independent Contractors
 - The spouse or children (under 21) of an individual proprietor

Line 7 - Prior owner's information:

- Answer 'Yes' and fill in the information about the prior owner's business, if one or more of the following is true. You:
 - Employed substantially the same employees as the previous owner
 - Continued or resumed the business of the previous owner at the same or another location
 - Assumed the previous owner's obligations and/or
 - Acquired the previous owner's good will

If you answered 'Yes':

- Check if you acquired all or part of the business and enter the date you acquired it
- Enter the prior owner's New York State Employer Registration Number and/or FEIN if known
- Enter the legal name and address of prior business.

Line 8 - Change in legal entity information:

- Answer 'Yes' if the type of your legal entity has changed. Types of legal entities are listed in Part A, Line 1 of the form

If you answered 'Yes':

- Enter date of entity change
- Enter your previous seven-digit New York State Employer Registration Number and FEIN

Part C - Required Addresses

Line 1 - Mailing Address: This is YOUR business address.

- Do not enter your agent's or paid preparer's address
- All Unemployment Insurance mail and Withholding Tax mail is sent here, unless otherwise indicated in box 4 or box 5 below

Line 2 - Physical Address: This is the ACTUAL physical location of your business. Do not list a PO box.

- Enter this address if:
 - It is different from your mailing address in Box 1 or
 - Your mailing address is a PO box
- If you have more than one location, list your primary location

Line 3 - Location of Books/Records Address: This is the physical location where your books and records can be reviewed.

- Indicate if this is the same address as your mailing address (Box 1), or your physical address (Box 2).

Optional Addresses

Line 4 - Agent Address (C/O): This is your agent's address.

- Complete this only if you want all your Unemployment Insurance mail sent here

Line 5 - LO 400 Form – Notice of Potential Charges Address: If you complete this, you will receive the LO 400 form at this address. (It is sent each time a former employee files a claim for Unemployment Insurance benefits.)

If you want to receive the LO 400 electronically, sign up for SIDES:

- You will need an Unemployment Insurance Online Services (UIOS) account
 - If you do not have an UIOS account, go to <http://labor.ny.gov/ui/Authentication/index/shtm>
 - If you have an existing Department of Taxation and Finance Online Services account, you can upgrade that account by following the directions on our website at <http://labor.ny.gov/ui/Authentication/index.shtm>

For more information regarding SIDES, visit our website at www.labor.ny.gov or call the Employer Hotline at (888) 899-8810.

Part D - Business Information

Line 1 - Enter the name, Social Security Number, title, home address and phone number for each of the following legal entities, whether or not remuneration is received, or services are performed in New York State:

- Sole Proprietor (owner)
- All partners, including partners of a LP, LLP, RLLP
- All members of a LLC, PLLC
- All corporate officers (President, Vice President, etc.)

Line 2 – Enter the number of physical locations your company operates in New York State.

- You must complete a and b for each location. Use a separate sheet of paper for each location. On the top of each sheet, include your business legal name, FEIN, and Employer Registration number (if known).

Line 2a – Enter the physical location of your business

Line 2b – Enter the number of employees at each location

Line 3 - Check which produces the most gross sales, and specific type.

Be specific. See the examples below. These are all examples, if you don't find anything that fits, use the "Other" line and explain your type of business.

Aquaculture/Other Animal Production Manufacturing:

- Fish Hatcheries; Shellfish Farming; Apiculture; Horses; Fur-bearing Animals/Rabbit

Cattle Ranching

- Beef Cattle Ranching/Farming; Cattle Feedlots; Dairy Cattle and Milk Products

Fruit/Tree Nut Farming:

- Orange Groves; Citrus (except Oranges); Apple Orchards; Grape Vineyards; Strawberry Farming; Berry (except Strawberry); Tree Nut Farming

Greenhouse/Nursery/Floriculture:

- Mushroom Production; Other Food Crops Grown Under Cover; Nursery and Tree Production; Floricultural Production

Oilseed/Grain Farming:

- Soybean; Oilseed; Dry Pea and Bean; Wheat; Corn; Rice

Other Crop Farming:

- Tobacco; Cotton; Sugarcane; Hay; Sugar beet; Peanut

Poultry/Egg Production:

- Chicken Eggs; Broilers and Other Meat Type Chicken; Turkey; Poultry Hatcheries

Sheep/Goat Production:

- Sheep; Goat

Vegetable/Melon Farming:

- Potato; Other Vegetable (except Potato) and Melon

Privacy Notification

The personal information requested on form NYS 100AG New York State Employer Registration for Unemployment Insurance, Withholding, and Wage Reporting for Agricultural Employment is required for:

- the Department of Labor - Unemployment Insurance Division, and
- the Department of Taxation and Finance.

We use this information in the administration of the Unemployment Insurance program:

- To process refunds
- To collect contributions
- For any other purpose authorized by law

We have the authority to collect this information (including Social Security numbers) from:

- Section 575 of the Labor Law (Unemployment Insurance Law)
- Part 472 of 12 NYCRR (Unemployment Insurance Regulations)
- Articles 8, 22, 30, 30-A and 30-B of the Tax Law
- Article 2-E of the General City Law 42 USC 405(c)(2)(C)(i)

Failure to provide such information may subject you to both civil and criminal penalties under the Unemployment Insurance Law, the Tax Law or the Penal Law.

This information is maintained by the New York State Department of Labor and the New York State Department of Taxation and Finance at the State Office Building Campus, Albany, NY 12240.



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

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

DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, DISABILITY 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, DISCAPACIDAD O ESTADO CIVIL. TAMBIÉN ESTÁ PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES PROTEGIDAS.

ALL EMPLOYERS (until February 8, 2020, only employers with 4 or more employees are covered), 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; familial status; pregnancy-related conditions; domestic violence victim status.

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 are protected from harassment and retaliation; 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
- (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.

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

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. 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

TODOS LOS EMPLEADORES (hasta el 8 de febrero de 2020, solo los empleadores de cuatro o más personas), 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; el estado civil; 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 están protegidos en casos acoso y represalias; 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 RAÍCES 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:

- (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

También se prohíbe: discriminación en vivienda sobre la base del estado civil (por ejemplo, familias con hijos).

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 publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas.

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

Si desea presentar una demanda formal ante la División de Derechos Humanos, debe hacerlo dentro de un año desde que ocurra la discriminación. Los servicios de la División se ofrecen sin cargo.

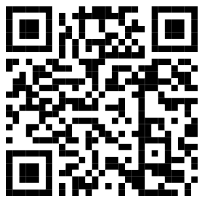
Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

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



New York State Public Health Law - Article 13E



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