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Department  
of Labor

# MINIMUM WAGE FOR FAST FOOD WORKERS

As of July 1, 2021

## **\$15.00 STATEWIDE**

As of July 1, 2021, all fast food workers in New York State must make at least \$15.00 per hour.

## **WHAT IS A FAST FOOD ESTABLISHMENT?**

A fast food establishment is any business that meets the following criteria:

- Primarily serves food or drinks, including coffee shops, juice bars, donut shops, and ice cream parlors
- Offers limited service, where customers order and pay before eating, including restaurants with tables but without full table service, and places that only provide take-out service
- Is part of a chain of 30 or more locations, including individually owned establishments associated with a brand that has 30 or more locations nationally

## **EXAMPLES**

Examples of fast food establishments include Ben & Jerry's, Chipotle, Dunkin Donuts, Golden Krust Caribbean Bakery and Grill, Jamba Juice, KFC, McDonald's, Nathan's Famous, Pizza Hut, Quiznos, Shake Shack, Starbucks, Subway, Taco Bell, Tim Hortons, Uno Pizzeria & Grill, Wendy's, and White Castle.

For more information on the definition of a fast food establishment and what is considered a chain, please see the Hospitality Industry Regulations available at <https://dol.ny.gov/hospitality-industry-wage-order-cr-146>.

## **FREQUENTLY ASKED QUESTIONS**

### **WHAT TYPE OF WORKERS DOES THIS MINIMUM WAGE AFFECT?**

This affects everyone who works at a fast food chain location that meets the criteria described. This applies to workers who prepare food, work security, stock shelves, clean, and perform other tasks.

### **ARE MEAL CREDITS AND UNIFORM MAINTENANCE REIMBURSEMENT RATES DIFFERENT FOR FAST FOOD WORKERS THAN FOR OTHER HOSPITALITY INDUSTRY WORKERS?**

No, these rates are the same for fast food and hospitality workers.

### **WHAT ABOUT THE RATE OF PAY FOR CALL-IN AND SPREAD-OF-HOURS REQUIREMENTS?**

Fast food workers are subject to the call-in pay and spread-of-hours requirements at the minimum wage rate for fast food workers.

### **ARE FAST FOOD WORKERS ELIGIBLE FOR OVERTIME PAY?**

Yes, fast food workers must be paid at time-and-one-half the regular rate of pay for any hours worked over 40 per week.

### **FOR MORE INFORMATION**

If you need additional assistance, or want to file a complaint, please call: **1-888-4NYSDOL (1-888-469-7365)** or visit: [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage).