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NEW YORK
STATE OF
OPPORTUNITY.

**Department
of Labor**

NEW YORK STATE'S MINIMUM WAGE

Next Scheduled Increase Effective December 31, 2022



The Minimum Wage....

- has reached \$15 per hour in New York City, Long Island & Westchester County.

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The Minimum Wage....

- will continue to increase in **stages** in the Remainder of the State. Beginning December 31, 2021, it will increase at rates determined annually until the minimum wage reaches \$15.00 per hour. Those rates will be based on a number of criteria and determined by the Division of the Budget with input from the Department of Labor.



What was the Schedule of Increases?

Increases occur on December 31 each year:

New York City Large (11 or more)	\$2.00 per year until 2018
New York City Small (10 or less)	\$1.50 per year until 2019
Westchester, Nassau & Suffolk	\$1.00 per year until 2021
• Remainder of the State	\$1.00 per year until \$14.20 in 2022

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What was the Schedule of Increases?

Fast Food increases also occur on December 31 each year:

- New York City **\$1.50** per year until **2018**
- Rest of the State **\$1.00** per year until **2019**
\$0.75 in **2020** and **\$0.50** on **7/1/21**



Rates of Pay

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Work Location

The Minimum Wage rate is based on where an employee **performs work**, NOT on the office location.

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What Are the Newest Rates?

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Minimum Wage Rates

12/31/2022

NYC Large	\$15.00
NYC Small	\$15.00
Long Island & Westchester	\$15.00
Remainder of the State	\$14.20
Fast Food (NYC only)	\$15.00
Fast Food (Rest of the State)	\$15.00

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Building Service Industry

12/31/2022

	NYC Large	NYC Small	Long Island & Westchester	Remainder of the State
Janitor Weekly Minimum	\$638.00	\$638.00	\$638.00	\$603.50
Janitor Rate per Unit	\$10.00	\$10.00	\$10.00	\$9.45
Other Employees per Hour	\$15.00	\$15.00	\$15.00	\$14.20

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What if Employees Receive Tips?

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Cash Wage Rates Per Hour – Tipped Workers

12/31/2022

Industry	NYC Large	NYC Small	Long Island and Westchester	Remainder of the State
Hospitality Food Service	\$10.00	\$10.00	\$10.00	\$9.45
Hospitality Service	\$12.50	\$12.50	\$12.50	\$11.85
Miscellaneous Industries - Service (high rate or low tips)*	\$15.00	\$15.00	\$15.00	\$14.20
Miscellaneous Industries – Service (low rate or high tips)*	\$15.00	\$15.00	\$15.00	\$14.20

The cash wage is 2/3 of the Minimum Wage

***As of 12/31/2020, an employer cannot take any tip credit and must pay the full applicable minimum wage rate.**

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Tipped Workers in the Miscellaneous Industries

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Tipped Employees – Miscellaneous Industries

As of 12/31/2020, an employer in the Miscellaneous Industries cannot take any tip credit and must pay the full applicable minimum wage rate. There is no more “cash wage” rate for Miscellaneous Industry employees.



Tipped Workers in the Hospitality Industry

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Tipped Employees – Hospitality Industry

12/31/2022

	NYC Large	NYC Small	Long Island & Westchester	Remainder of the State
Food Service Worker	\$15.00	\$15.00	\$15.00	\$14.20
Employer Credit	\$5.00	\$5.00	\$5.00	\$9.45
Employer Pays	\$10.00	\$10.00	\$10.00	\$4.75
Service Employee	\$15.00	\$15.00	\$15.00	\$14.20
Employer Credit	\$2.50	\$2.50	\$2.50	\$2.35
Employer Pays	\$12.50	\$12.50	\$12.50	\$11.85

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How Does the Minimum Wage Affect Overtime Rate of Pay?

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What is the Overtime Rate? 12/31/2022

NYC Large	\$15.00 x 1.5 =	\$22.50
NYC Small	\$15.00 x 1.5 =	\$22.50
Long Island & Westchester	\$15.00 x 1.5 =	\$22.50
Remainder of the State	\$14.20 x 1.5 =	\$21.30
Fast Food (NYC only)	\$15.00 x 1.5 =	\$22.50
Fast Food (Rest of the State)	\$15.00 x 1.5 =	\$22.50



Overtime: Administrative and Executive Employees (All Industries) 12/31/2022

Overtime Exemption Weekly Minimum Salary Threshold

NYC Large	NYC Small	Long Island & Westchester	Remainder of the State
\$1,125.00	\$1,125.00	\$1,125.00	\$1,064.25



Businesses Must:

- Pay at least the **minimum wage** for every hour worked
- Keep **accurate** time and payroll records
- Provide employees with **pay notices** and **wage statements**
- Pay **additional wages** if employees don't earn enough in tips each week
- Pay **overtime** to all eligible employees
- Not **retaliate** against employees who make a complaint



Minimum Wage

NEW YORK'S MINIMUM WAGE

Overview

All New York workers are entitled to receive at least an hourly Minimum Wage rate. This includes fast food workers, nail salon workers, tipped workers, and more. We also offer free educational seminars to employers doing business in New York State.

The Minimum Wage rate varies depending on your region, and is increasing every year until it reaches \$15.00. To find out what wage you should be earning, use our [Minimum Wage Lookup Tool](#), or refer to the following Minimum Wage Rate Schedule:

Minimum Wage Rate Schedule

Location	Minimum Wage as of 12/31/2021*, ***	Minimum Wage as of 12/31/2022*, ***	Tipped Service Employees**	Tipped Food Service Workers**
New York City	\$15.00	\$15.00	\$12.50 Cash Wage \$2.50 Tip Credit	\$10.00 Cash Wage \$5.00 Tip Credit
Long Island & Westchester	\$15.00	\$15.00	\$12.50 Cash Wage \$2.50 Tip Credit	\$10.00 Cash Wage \$5.00 Tip Credit
Remainder of New York State	\$13.20*	\$14.20*	As of 12/31/2021	As of 12/31/2021
			\$11.00 Cash Wage \$2.20 Tip Credit	\$8.80 Cash Wage \$4.40 Tip Credit
Remainder of New York State	\$13.20*	\$14.20*	As of 12/31/2022	As of 12/31/2022
			\$11.85 Cash Wage \$2.35 Tip Credit	\$9.45 Cash Wage \$4.75 Tip Credit

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

**Only hospitality employers are allowed to take credit from minimum wage.

***Effective 10/1/2022, the minimum wage for home care aides as defined in Public Health Law § 3614-c increased by \$2 per hour above the basic minimum hourly rate.

On September 22, 2022, the NYS Division of the Budget issued its report on minimum wage rates scheduled to take effect on December 31, 2022. Read the NYS [Division of the Budget Report](#), the [Order of the Commissioner of Labor](#), and the [Proposed Regulatory Text](#).

See the [History of the Minimum Wage in New York State](#) web page for minimum wage rates in previous years.



Wage Orders

Wage Order regulations set certain requirements that are industry-specific and may differ from the general rate.

OVERVIEW



HOSPITALITY INDUSTRY/FAST FOOD WORKERS



FARM WORKERS



▶ LEARN ABOUT WAGE ORDERS



Minimum Wage for Tipped Workers

Minimum wage laws operate differently for regularly tipped employees.

OVERVIEW



COMBINING CASH WAGES AND TIPS



LIMITATIONS IN HOSPITALITY INDUSTRY



▶ ARE YOU A TIPPED WORKER?



Nail Salon Industry

In May 2015, former Governor Cuomo announced a multi-pronged effort to reform the nail salon industry in NYS.

OVERVIEW



PROPER WAGES



BILL OF RIGHTS FOR NAIL WORKERS



▶ LEARN ABOUT THE NAIL SALON INDUSTRY

FACT SHEETS & POSTERS

For Industry Workers & Employers

Fact Sheet - General Minimum Wage (P700)

English, Chinese, Haitian-Creole, Italian, Korean, Polish, Russian, Spanish, Yiddish



MINIMUM WAGE

Frequently Asked Questions

Search:


Question	Answer
Are there different minimum wage rates in different parts of the State?	Yes, until the minimum wage reaches \$15.00, different minimum wage rates will be in effect in the following areas of the state: (1) New York City, (2) Westchester County and Long Island, (3) the remainder of New York State.
When will New York State's minimum wage reach \$15 per hour?	<p>The minimum wage will be phased in to reach \$15.00 for the following groups on the dates set forth below.</p> <p>Group 1: New York City Large Employers (employees who work in New York City for Fast Food Establishments and employers of 11 or more employees) – New York City Large Employers will reach \$15 on December 31, 2018;</p> <p>Group 2: New York City all others – All other employees who work in New York City will reach \$15 on December 31, 2019;</p> <p>Group 3: All other Fast Food – On July 1, 2021, for all other Fast Food Workers throughout the state;</p> <p>Group 4: Downstate - On December 31, 2021, for all employees in Westchester, Nassau and Suffolk counties;</p> <p>Group 5: All others – Employees who work in the balance of the State (outside of New York City or Nassau, Suffolk and Westchester counties, other than Fast Food Workers) will reach \$13.20 per hour on December 31, 2021.</p> <p>Employees who work in the balance of the State (outside of New York City or Nassau, Suffolk and Westchester counties, other than Fast Food Workers) will reach \$14.20 per hour on December 31, 2022.</p> <p>On December 31 of each year, starting in 2021, the minimum wage for Group 5 will be increased at rates to be determined annually until the minimum wage reaches \$15.00 per hour.</p>
What is the current minimum wage for home health aides?	In accordance with Public Health Law section 3614-f, effective October 1, 2022, the minimum wage for home health aides increased by \$2 from the basic minimum hourly rates set forth in the miscellaneous wage order. The minimum wage for health care aides effective October 1, 2022, is \$17.00 per hour in New York City, Long Island and Westchester. And \$16.20 per hour for the remainder of New York State, effective December 31, 2022. This rate must be used to calculate other wage and hour requirements such as overtime and spread of hours.
Does the minimum wage rate depend on where a business is located, or where employees work?	The minimum wage is based on where an employee performs work. Workers must be paid the minimum wage rate for their work location regardless of where the main office of their employer is located.
Does the minimum wage depend on the size of a business?	In New York City only , until December 31, 2019, there are two minimum wage rates that depend on the size of a business: one for a Small Employer, and one for a Large Employer.
For the purpose of the minimum wage and Fast Food minimum wage, what areas are included in	Bronx, Queens, Richmond, Kings and New York counties are included in New York City.



Department of Labor

Home > Calculators

Minimum Wage Lookup


 Translate



This is a tool to help you determine the minimum cash wage to be paid to you by your employer. Several factors can affect your minimum wage, including the date, the location of your employment, and any tips you receive.

While this tool does account for common scenarios, there are additional aspects of minimum wage law not covered by this tool. These aspects may result in further adjustments to your pay.

Select Date Range

Select One 

Next 

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Minimum Wage Information

www.labor.ny.gov/minimumwage

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Contact Information & To File a Complaint

Email: info.nysdol@labor.ny.gov

Phone: (888) 4-NYSDOL (888-469-7365)
711 for TTY/TTD

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