



Attention Hospitality Industry Employees

Minimum Wage hourly rates effective 12/31/2021 – 12/30/2022

| New York City | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----------------|---------------------------------|--|------------------|----------------|---------------------------------|--|-------------------|----------------|---------------------------------|--|-----------------------|--------|-----------------------|--------|----------------------|----------------|---------------------------------|--|---|---------------------|----------------|---------------------------------|--|------------------|----------------|---------------------------------|--|-------------------|----------------|---------------------------------|--|-----------------------|--------|-----------------------|--------|----------------------|----------------|---------------------------------|--|
| Large Employers (11 or more employees) | Small Employers (10 or less employees) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Minimum Wage</td> <td style="text-align: right; font-size: 24pt;">\$15.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$22.50</td> </tr> <tr> <td>Fast Food Worker</td> <td style="text-align: right;">\$15.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$22.50</td> </tr> <tr> <td>*Service Employee</td> <td style="text-align: right;">\$12.50</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$20.00</td> </tr> <tr> <td>Resort – minimum tips</td> <td style="text-align: right;">\$8.40</td> </tr> <tr> <td>Others – minimum tips</td> <td style="text-align: right;">\$3.25</td> </tr> <tr> <td>*Food Service Worker</td> <td style="text-align: right;">\$10.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$17.50</td> </tr> </table> | Minimum Wage | \$15.00 | Overtime after 40 hours \$22.50 | | Fast Food Worker | \$15.00 | Overtime after 40 hours \$22.50 | | *Service Employee | \$12.50 | Overtime after 40 hours \$20.00 | | Resort – minimum tips | \$8.40 | Others – minimum tips | \$3.25 | *Food Service Worker | \$10.00 | Overtime after 40 hours \$17.50 | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Minimum Wage</td> <td style="text-align: right; font-size: 24pt;">\$15.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$22.50</td> </tr> <tr> <td>Fast Food Worker</td> <td style="text-align: right;">\$15.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$22.50</td> </tr> <tr> <td>*Service Employee</td> <td style="text-align: right;">\$12.50</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$20.00</td> </tr> <tr> <td>Resort – minimum tips</td> <td style="text-align: right;">\$8.40</td> </tr> <tr> <td>Others – minimum tips</td> <td style="text-align: right;">\$3.25</td> </tr> <tr> <td>*Food Service Worker</td> <td style="text-align: right;">\$10.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Overtime after 40 hours \$17.50</td> </tr> </table> | Minimum Wage | \$15.00 | Overtime after 40 hours \$22.50 | | Fast Food Worker | \$15.00 | Overtime after 40 hours \$22.50 | | *Service Employee | \$12.50 | Overtime after 40 hours \$20.00 | | Resort – minimum tips | \$8.40 | Others – minimum tips | \$3.25 | *Food Service Worker | \$10.00 | Overtime after 40 hours \$17.50 | |
| Minimum Wage | \$15.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$22.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fast Food Worker | \$15.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$22.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Service Employee | \$12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$20.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resort – minimum tips | \$8.40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Others – minimum tips | \$3.25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Food Service Worker | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$17.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum Wage | \$15.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$22.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fast Food Worker | \$15.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$22.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Service Employee | \$12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$20.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resort – minimum tips | \$8.40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Others – minimum tips | \$3.25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Food Service Worker | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtime after 40 hours \$17.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Long Island and Westchester County | |
|------------------------------------|----------------|
| Minimum Wage | \$15.00 |
| Overtime after 40 hours \$22.50 | |
| Fast Food Worker | \$15.00 |
| Overtime after 40 hours \$22.50 | |
| *Service Employee | \$12.50 |
| Overtime after 40 hours \$20.00 | |
| Resort – minimum tips | \$8.40 |
| Others – minimum tips | \$3.25 |
| *Food Service Worker | \$10.00 |
| Overtime after 40 hours \$17.50 | |

| Remainder of New York State | |
|---------------------------------|----------------|
| Minimum Wage | \$13.20 |
| Overtime after 40 hours \$19.80 | |
| Fast Food Worker | \$15.00 |
| Overtime after 40 hours \$22.50 | |
| *Service Employee | \$11.00 |
| Overtime after 40 hours \$17.60 | |
| Resort – minimum tips | \$7.40 |
| Others – minimum tips | \$2.85 |
| *Food Service Worker | \$8.80 |
| Overtime after 40 hours \$15.40 | |

If you have questions or want to file a complaint, 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:

- **Tips** – Your employer may use a limited amount of your tips to reduce your wages. This is called a tip credit. Your employer may take a tip credit only if your tips plus wages add up to at least the minimum wage. They must still pay at least the *wage rates shown above.
Exceptions: No tip credit can be taken from any fast food workers, including delivery, or for service employees whose weekly tips average less than the minimum hourly amounts shown above. The tip credit amount is the same for overtime hours.
- **Meals and lodging** – Your employer may take 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 set forth in wage orders and summaries, which are available online.

Extra Pay you may be owed in addition to the minimum wage rates shown above:

- **Hourly rate and overtime** – You must be paid by the hour (not a salary or day rate). You must also be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).
Exceptions: An hourly rate and overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.