NEW YORK STATE MINIMUM WAGE

AS A WORKER, WHAT IS MY MINIMUM WAGE?

From 01/01/2026 to 12/31/2026, the New York State basic minimum wage is:

- $17.00 per hour in New York City
- $17.00 per hour in Long Island and Westchester County
- $16.00 per hour in the Remainder of New York State

And, the minimum wage for fast food workers* is:

- $17.00 per hour in all of New York City, Long Island and Westchester County
- $16.00 per hour in the rest of New York State

Private sector employees in the state, including domestic workers (in most cases), must receive the basic minimum wage.

SPECIAL CIRCUMSTANCES

The basic rate may change under rules known as “wage orders” that set minimum pay for jobs in:

- The hospitality, building service and farming industries
- All other industries and occupations

The wage orders set:

- Hourly rates
- Overtime rates
- Credits for meals and lodging, if supplied by the employer

The Hospitality wage order sets lower hourly minimum pay rates if workers regularly receive tips. Wage orders are published on the Department of Labor website at **www.labor.ny.gov/minimumwage**.

When workers take care of their own required uniforms, they must be paid an added amount over minimum wage.

Employees who do piecework should be paid at a rate that brings them to at least the basic minimum wage.

A standard work week is 40 hours. If employees work any hours beyond that, then the employer must pay them at 1 ½ times the regular wage.

AS AN EMPLOYER, HOW DO I COMPLY WITH THE MINIMUM WAGE LAW?

To comply with minimum wage laws, employers should:

- Determine who must be paid the minimum wage, as some occupations and categories of employees are specifically exempt.
- Consider tips as part of the minimum wage for tipped employees.
- Regularly review pay rates and working hours to ensure compliance.
- Calculate wages based on hours worked and applicable minimum wage rates.
- Ensure the NYS minimum wage poster is visible to all employees in the workplace.

WHAT PENALTIES MAY EMPLOYERS FACE WHEN THEY VIOLATE MINIMUM WAGE LAWS?

The Labor Department helps collect back wages for workers who have not received the minimum wage. Employers that break the Minimum Wage Law may be subject to orders to pay:

- Back wages
- Interest
- Liquidated damages
- Fines

They may also be subject to criminal prosecution and penalties. The fines for violations can total up to 200 percent of the missing wages. They may also have to pay 16 percent interest on the unpaid wages.

Employers with questions or concerns about obeying the Minimum Wage Law can contact the Labor Department at **888-469-7365** for help, between 8 am and 5 pm, Monday through Friday.

*A fast food worker is any person employed or permitted to work at, or for, a fast food establishment by any employer where such person’s job duties include at least one of the following: customer service, cooking, food or drink preparation, delivery, security, stocking supplies or equipment, cleaning, or routine maintenance.

The New York State Department of Labor is an Equal Opportunity Employer/Program.
Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886.