

## Wage Theft Prevention Act Wage Notices

Pursuant to the Wage Theft Prevention Act, effective April 9, 2011, all employers in New York State must issue appropriate written wage notices to all employees by February 1 of each year. The written notices must include the following: (i) the employee's rate of pay, including overtime rates if applicable; (ii) how the employee is paid (e.g., hourly, per shift, salaried, commission, etc.); (iii) the regular payday and whether it is weekly, bi-weekly, or other; (iv) the employer's official name and any other business names (e.g., "doing business as"); (v) the address and telephone number of the employer's main or principal location; and (vi) any allowances taken from the minimum wage (e.g., tips).

The New York State Department of Labor website <http://www.labor.ny.gov/formsdocs/wp/ellsformsandpublications.shtml> provides a variety of model wage forms for different types of pay arrangements. The appropriate notices must be provided to employees in English as well as the employee's primary language (if not English), provided that the Department of Labor offers a notice translated in the applicable language. All written notices must be distributed on or before February 1, 2012 to avoid monetary penalties. Employers must have each employee sign and date a completed notice and retain it in their payroll records for six years. The employer must also give a copy to each employee.

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If you have any questions, please contact the GW attorney with whom you regularly consult.

### About Garfunkel Wild, P.C.

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