

NEW YORK



LABOR LAW POSTINGS

English and Spanish

WE ARE YOUR DOL

Attention Miscellaneous 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)	
Minimum Wage	\$15.00	Minimum Wage	\$15.00
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$22.50
Tipped workers	\$15.00	Tipped workers	\$15.00
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$22.50

Long Island and Westchester County		Remainder of New York State	
Minimum Wage	\$15.00	Minimum Wage	\$13.20
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$19.80
Tipped workers	\$15.00	Tipped workers	\$13.20
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$19.80

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.gov/minimumwage or call: **1-888-469-7365**.

Credits and Allowances that may reduce your pay below the minimum wage rates shown above:

- **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging** – Your employer may claim 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:

- **Overtime** – You must 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: 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.

WE ARE YOUR DOL

Atención, Empleados de Industrias Diversas

Salario mínimo por hora vigente para el período comprendido entre el 12/31/2021 y el 12/30/2022

Ciudad de Nueva York			
Grandes empleadores (11 o más empleados)		Pequeños empleadores (10 o menos empleados)	
Salario mínimo	\$15.00	Salario mínimo	\$15.00
Horas extras después de las 40 horas	\$22.50	Horas extras después de las 40 horas	\$22.50
Trabajadores con propina	\$15.00	Trabajadores con propina	\$15.00
Horas extras después de las 40 horas	\$22.50	Horas extras después de las 40 horas	\$22.50

Long Island y Condado de Westchester		Resto del Estado de Nueva York	
Salario mínimo	\$15.00	Salario mínimo	\$13.20
Horas extras después de las 40 horas	\$22.50	Horas extras después de las 40 horas	\$19.80
Trabajadores con propina	\$15.00	Trabajadores con propina	\$13.20
Horas extras después de las 40 horas	\$22.50	Horas extras después de las 40 horas	\$19.80

Si tiene alguna pregunta, necesita más información o desea presentar una reclamación, visite www.labor.ny.gov/minimumwage o llame al: **1-888-469-7365**.

Créditos y subsidios que podrían hacer que el pago sea inferior a las tarifas mínimas que se muestran arriba:

- **Consejos:** A partir del 31 de diciembre de 2020, su empleador debe pagar el salario mínimo aplicable en su totalidad, y no puede aplicar un crédito por propinas.
- **Comidas y alojamiento:** el empleador podría reclamar una cantidad limitada de su salario si le provee comidas y alojamiento, siempre y cuando no le cobre un monto por adelantado por esto. Las tarifas y los requisitos se encuentran en las órdenes y en los resúmenes de salarios, los cuales están disponibles en línea.

Pagos extras que se le pudieran deber además de las tarifas mínimas que se muestran arriba:

- **Horas extras:** se le debe pagar 1½ veces la tarifa regular por hora (no menos de las tarifas de horas extras que figuran arriba) cuando se superen las 40 horas semanales (o las 44 horas para los empleados residenciales).

Excepciones: el pago de horas extras no es obligatorio para profesionales asalariados ni para ejecutivos y personal administrativo cuyo salario semanal supere 75 veces el salario mínimo.

- **Pago por disponibilidad:** si usted se presenta a trabajar en el horario estipulado y su empleador lo envía a casa más temprano, podría tener derecho al pago de horas extras a la tarifa del salario mínimo por ese día.
- **Difusión de Horas:** si el día laboral dura más de diez horas, usted podría tener derecho a un pago diario extra. La tarifa diaria equivale a una hora de pago a la tarifa del salario mínimo.
- **Mantenimiento del uniforme:** si usted lava/mantiene su propio uniforme, podría tener derecho a un pago semanal adicional. Las tarifas semanales están disponibles en línea.



Division of Human Rights

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, DISABILITY OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES ALSO IS PROHIBITED.

ALL EMPLOYERS (until February 8, 2020, only employers with 4 or more employees are covered), EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; familial status; pregnancy-related conditions; domestic violence victim status.

Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

Also covered: domestic workers are protected from harassment and retaliation; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting

Reasonable accommodations and modifications for persons with disabilities may also be required.

1-888-392-3644
WWW.DHR.NY.GOV

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK PROHÍBE LA DISCRIMINACIÓN POR EDAD, RAZA, CREDO, COLOR, ORIGEN NACIONAL, ORIENTACIÓN SEXUAL, ESTATUS MILITAR, SEXO, EMBARAZO, IDENTIDAD O EXPRESIÓN DE GÉNERO, DISCAPACIDAD O ESTADO CIVIL. TAMBIÉN ESTÁ PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES PROTEGIDAS.

TODOS LOS EMPLEADORES (hasta el 8 de febrero de 2020, solo los empleadores de cuatro o más personas), AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES

Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; el estado civil; las condiciones relacionadas con el embarazo.

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.

También están cubiertos: trabajadores domésticos están protegidos en casos acoso y represalias; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAÍCES Y VENDEDORES

También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.

Does not apply to:

- (1) rental of an apartment in an owner-occupied two-family house
- (2) restrictions of all rooms in a housing accommodation to individuals of the same sex
- (3) rental of a room by the occupant of a house or apartment
- (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES

Exception:

Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required.

EDUCATION INSTITUTIONS

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations.

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.

Excepciones:

- (1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño
- (2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo
- (3) alquiler de una habitación por parte del ocupante de una casa o apartamento
- (4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

También se prohíbe: discriminación en vivienda sobre la base del estado civil (por ejemplo, familias con hijos).

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMIENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.

Excepción:

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

INSTITUCIONES EDUCATIVAS

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas.

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

Si desea presentar una demanda formal ante la División de Derechos Humanos, debe hacerlo dentro de un año desde que ocurra la discriminación. Los servicios de la División se ofrecen sin cargo.

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

Summary of New York State Child Labor Law, Permitted Working Hours for Minors Under 18 Years of Age

Age of Minor Girls and Boys		Industry or Occupation	Maximum			Permitted Hours
			Daily Hours	Weekly Hours	Days per Week	
Attending School, When school is in session:	14 and 15	All occupations except farm work, newspaper carrier and street trades	3 hours on school days. 8 hours on other days.	18 ¹	6	7 AM to 7 PM
	16 and 17	All occupations except farm work, newspaper carrier and street trades.	4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday ² . 8 hours on: Friday, Saturday, Sunday and Holidays. ⁴ .	28 ⁴	6 ⁴	6 AM to 10 PM ³
Attending School, When school is not in session (vacation):	14 and 15	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day
	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours ⁴	48 ⁴	6 ⁴	6 AM to Midnight ⁴
Not Attending School:	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours ⁴	48 ⁴	6 ⁴	6 AM to Midnight ⁴
Farm Work:	12 and 13	Hand harvest of berries, fruits and vegetables.	4 hours	--	--	June 21 to Labor Day, 7 AM to 7 PM. Day after Labor Day to June 20, 9 AM to 4 PM.
	14 to 18	Any farm work	--	--	--	--
Newspaper Carriers:	11 to 18	Delivers, or sells and delivers newspapers, shopping papers or periodicals to homes or business places.	4 hours on school days. 5 hours on other days.	--	--	5 AM to 7 PM or 30 minutes prior to sunset, whichever is later
Street Trades:	14 to 18	Self-employed work in public places selling newspapers or work as a bootblack	4 hours on school days. 5 hours on other days.	--	--	6 AM to 7 PM

¹ Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session.

² Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday when school is in session, as long as the hours are in conjunction with the Program.

³ 6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non- school day with written parental consent.

⁴ This provision does not apply to minors employed in resort hotels or restaurants in resort areas.

Additional Child Labor Law Information

The Employer must post a schedule of work hours for minors under 18 years old in the establishment.

An Employment Certificate (Working Paper) is required for all employed minors under 18 years old.

Penalties for Child Labor Laws violations:

- First violation: maximum \$1,000*
- Second violation: maximum \$2,000*
- Third or more violations: maximum \$3,000*

*If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty.

Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed.

Note: There are many prohibited occupations for minors in New York State.

For more information about New York State Child Labor Laws and provisions please visit the Department of Labor's website at <http://www.labor.ny.gov>. If you have questions, please send them to one of the offices listed below at:

New York State Department of Labor, Division of Labor Standards:

Albany District
State Office Campus
Bldg. 12 Room 185A
Albany, NY 12240
(518) 457-2730

Rochester
Sub-District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

Buffalo District
290 Main Street
Room 226
Buffalo, NY 14202
(716) 847-7141

Syracuse District
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

Garden City District
400 Oak Street
Suite 101
Garden City, NY 11530
(516) 794-8195

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

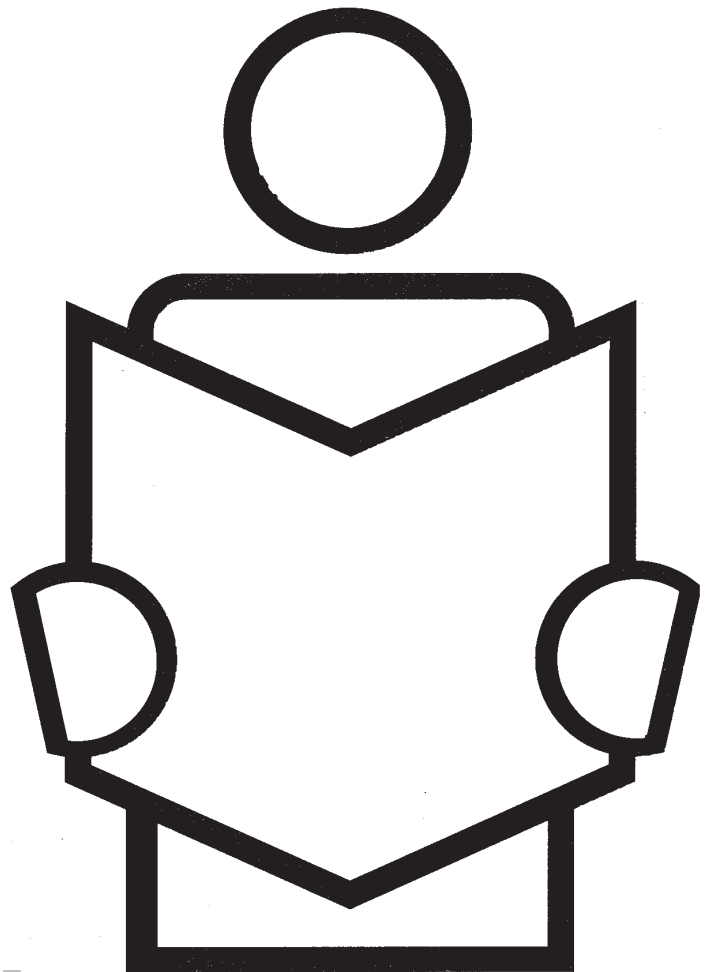
New York City District
75 Varick Street
7th Floor
New York, NY 10013
(212) 775-3880

YOU HAVE A RIGHT TO KNOW!

**Your employer must inform
you of the health
effects and hazards
of toxic substances
at your
worksite.**

**Learn all
you can
about toxic
substances
on your job.**

**For more
information,
contact:**



Name

Location & Phone Number

THE RIGHT TO KNOW LAW WORKS FOR YOU.
NEW YORK STATE DEPARTMENT OF HEALTH

Public Employees Job Safety & Health Protection

The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers

Employers must provide employees with a workplace that is:

- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

Employees

Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

Enforcement

The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSHS) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

Inspection

When DOSHS staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSHS staff must speak with a fair number of employees about the safety and health conditions in the workplace.

Order to Comply

If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined.

The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

Complaint

Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:

- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSHS office or by email to: Ask.SHNYPESH@labor.ny.gov. On request, DOSHS will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: www.osha.gov.

Discrimination

Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSHS office. File this complaint within 30 days of the discrimination incident.

Voluntary Activity

The Department of Labor encourages employers and employees to voluntarily:

- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: Ask.SHNYPESH@labor.ny.gov.

Additional information may be obtained from the nearest DOSHS District Office below:

Albany District

State Office Campus
Bldg. 12, Rm. 158
Albany, NY 12240
Tel: (518) 457-5508

Binghamton District

44 Hawley St., Rm. 901
Binghamton, NY 13901
Tel: (607) 721-8211

Buffalo District

65 Court Street
Buffalo, NY 14202
Tel: (716) 847-7133

Garden City District

400 Oak Street
Garden City, NY 11550
Tel: (516) 228-3970

New York City District

75 Varick St., 7th Floor
New York, NY 10013
Tel: (212) 775-3554

Rochester District

109 S. Union St., Rm. 402
Rochester, NY 14607
Tel: (585) 258-8806

Syracuse District

450 South Salina Street
Syracuse, NY 13202
Tel: (315) 479-3212

Utica District

207 Genesee Street
Utica, NY 13501
Tel: (315) 793-2258

White Plains District

120 Bloomingdale Road
White Plains, NY 10605
Tel: (914) 997-9514

Post Conspicuously

A Division of the New York State Department of Labor



NO SMOKING NO VAPING

New York State Public Health Law - Article 13E

SMOKING PERMITTED

New York State Public Health Law - Article 13E

STATE OF NEW YORK

NOTICE TO EMPLOYEES

STANDARDS FOR PROTECTION AGAINST RADIATION



YOUR EMPLOYER'S RESPONSIBILITY

The transfer, receipt, possession or use of all sources of ionizing radiation in the State of New York is controlled by the applicable rules, regulations and orders of either the New York State Department of Health or the New York City Department of Health and Mental Hygiene. These agencies require either the registration or licensing of all significant radiation sources, and they require your employer to post or otherwise make available to you a copy of the applicable regulations, license and registration and the operating procedures applying to the work in which you are engaged and to explain relevant provisions to you. The applicable regulations for this installation are found in Part 16 of the New York State Sanitary Code and Code Rule 38 of the New York State Industrial Code.

YOUR RESPONSIBILITY AS A WORKER

You should familiarize yourself with the provisions of Part 16, Code Rule 38, the license or registration and the operating procedures, which apply to the work in which you are engaged. You should observe these provisions for your own protection and the protection of your co-workers.

WHAT IS COVERED BY THESE REGULATIONS

1. Limits on exposure to radiation and radioactive material in controlled and uncontrolled areas;
2. Measures to be taken after accidental exposure;
3. Personnel monitoring, surveys and equipment;
4. Caution signs, labels and safety interlock equipment;
5. Exposure records and reports; and
6. Related matters.

REPORTS ON YOUR EXPOSURE TO RADIATION

If you work where personnel monitoring equipment is required, your employer is required to provide you, upon request, a written report of your exposure to radiation both annually and at the time that you terminate employment. Your employer is required to give you a written report if you receive any exposure in excess of the limits set for occupational exposure.

INSPECTIONS

All activities licensed or registered with the regulatory agencies in the State of New York are subject to inspection by representatives from these agencies.

INQUIRIES

Inquiries dealing with matters outlined above can be directed to:

Bureau of Environmental Radiation Protection New
York State Department of Health
Corning Tower, Empire State Plaza, 12th Floor
Albany, NY 12237
(518) 402-7550
BERP@health.ny.gov

POSTING REQUIREMENT

Copies of this notice must be posted where employees working in or frequenting any portion of controlled areas can observe a copy on the way to or from their place of employment. Copies of Part 16, Code Rule 38 and other applicable documents, if not posted, are available for review at the following location:

ATTENTION ALL EMPLOYEES
TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY
N.Y. ELECTION LAW SECTION 3-110¹ STATES THAT:

- IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.
- YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.
- YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.

Revised 4.14.2020

¹Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

NOTICE REQUIREMENT FOR

FRINGE BENEFITS AND HOURS

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows: "Every employer shall notify his employees in writing or by public posting the employer's policy on sick leave, vacation, personal leave, holidays and hours."

Written Information Regarding

Fringe Benefits and Hours Are Located At

Location(s)

Supervisor(s)

Deductions from Wages

Section 193 of the New York State Labor Law

§ 193. Deductions from wages.

1. No employer shall make any deduction from the wages of an employee, except deductions which:

- a) are made in accordance with the provisions of any law or any rule or regulation issued by any governmental agency including regulations promulgated under paragraph c and paragraph d of this subdivision; or
 - b) are expressly authorized in writing by the employee and are for the benefit of the employee, provided that such authorization is voluntary and only given following receipt by the employee of written notice of all terms and conditions of the payment and/or its benefits and the details of the manner in which deductions will be made. Whenever there is a substantial change in the terms or conditions of the payment, including but not limited to, any change in the amount of the deduction, or a substantial change in the benefits of the deduction or the details in the manner in which deductions shall be made, the employer shall, as soon as practicable, but in each case before any increased deduction is made on the employee's behalf, notify the employee prior to the implementation of the change. Such authorization shall be kept on file on the employer's premises for the period during which the employee is employed by the employer and for six years after such employment ends. Notwithstanding the foregoing, employee authorization for deductions under this section may also be provided to the employer pursuant to the terms of a collective bargaining agreement. Such authorized deductions shall be limited to payments for:
 - (i) insurance premiums and prepaid legal plans;
 - (ii) pension or health and welfare benefits;
 - (iii) contributions to a bona fide charitable organization;
 - (iv) purchases made at events sponsored by a bona fide charitable organization affiliated with the employer where at least twenty percent of the profits from such event are being contributed to a bona fide charitable organization;
 - (v) United States bonds;
 - (vi) dues or assessments to a labor organization;
 - (vii) discounted parking or discounted passes, tokens, fare cards, vouchers, or other items that entitle the employee to use mass transit;
 - (viii) fitness center, health club, and/or gym membership dues;
 - (ix) cafeteria and vending machine purchases made at the employer's place of business and purchases made at gift shops operated by the employer, where the employer is a hospital, college, or university;
 - (x) pharmacy purchases made at the employer's place of business;
 - (xi) tuition, room, board, and fees for pre-school, nursery, primary, secondary, and/or post-secondary educational institutions;
 - (xii) day care, before-school and after-school care expenses;
 - (xiii) payments for housing provided at no more than market rates by non-profit hospitals or affiliates thereof; and
 - (xiv) similar payments for the benefit of the employee.
 - c) are related to recovery of an overpayment of wages where such overpayment is due to a mathematical or other clerical error by the employer. In making such recoveries, the employer shall comply with regulations promulgated by the commissioner for this purpose, which regulations shall include, but not be limited to, provisions governing: the size of overpayments that may be covered by this section; the timing, frequency, duration, and method of such recovery; limitations on the periodic amount of such recovery; a requirement that notice be provided to the employee prior to the commencement of such recovery; a requirement that the employer implement a procedure for disputing the amount of such overpayment or seeking to delay commencement of such recovery; the terms and content of such a procedure and a requirement that notice of the procedure for disputing the overpayment or seeking to delay commencement of such recovery be provided to the employee prior to the commencement of such recovery.
 - d) repayment of advances of salary or wages made by the employer to the employee. Deductions to cover such repayments shall be made in accordance with regulations promulgated by the commissioner for this purpose, which regulations shall include, but not be limited to, provisions governing: the timing, frequency, duration, and method of such repayment; limitations on the periodic amount of such repayment; a requirement that notice be provided to the employee prior to the commencement of such repayment; a requirement that the employer implement a procedure for disputing the amount of such repayment or seeking to delay commencement of such repayment; the terms and content of such a procedure and a requirement that notice of the procedure for disputing the repayment or seeking to delay commencement of such repayment be provided to the employee at the time the loan is made.
- 2. Deductions made in conjunction with an employer sponsored pre-tax contribution plan approved by the IRS or other local taxing authority, including those falling within one or more of the categories set forth in paragraph b of subdivision one of this section, shall be considered to have been made in accordance with paragraph a of subdivision one of this section.**

3. a. No employer shall make any charge against wages, or require an employee to make any payment by separate transaction unless such charge or payment is permitted as a deduction from wages under the provisions of subdivision one of this section or is permitted or required under any provision of a current collective bargaining agreement.
- b. Notwithstanding the existence of employee authorization to make deductions in accordance with subparagraphs (iv), (ix), and (x) of paragraph b of subdivision one of this section and deductions determined by the commissioner to be similar to such deductions in accordance with subparagraph (xiv) of paragraph b of subdivision one of this section, the total aggregate amount of such deductions for each pay period shall be subject to the following limitations: (i) such aggregate amount shall not exceed a maximum aggregate limit established by the employer for each pay period; (ii) such aggregate amount shall not exceed a maximum aggregate limit established by the employee, which limit may be any amount (in ten dollar increments) up to the maximum amount established by the employer under subparagraph (i) of this paragraph; (iii) the employer shall not permit any purchases within these categories of deduction by the employee that exceed the aggregate limit established by the employee or, if no limit has been set by the employee, the limit set by the employer; (iv) the employee shall have access within the workplace to current account information detailing individual expenditures within these categories of deduction and a running total of the amount that will be deducted from the employee's pay during the next applicable pay period. Information shall be available in printed form or capable of being printed should the employee wish to obtain a listing. No employee may be charged any fee, directly or indirectly, for access to, or printing of, such account information.
- c. With the exception of wage deductions required or authorized in a current existing collective bargaining agreement, an employee's authorization for any and all wage deductions may be revoked in writing at any time. The employer must cease the wage deduction for which the employee has revoked authorization as soon as practicable, and, in no event more than four pay periods or eight weeks after the authorization has been withdrawn, whichever is sooner.
4. Nothing in this section shall justify noncompliance with article three-A of the personal property law relating to assignment of earnings, with section two hundred twenty-one of this chapter relating to company stores or with any other law applicable to deductions from wages.

For more information, call or write the nearest office of the Division of Labor Standards:

Albany District
State Office Campus
Building 12
Room 185A
Albany, NY 12240
(518) 457-2730

Buffalo District
290 Main Street
Room 226
Buffalo, NY 14202
(716) 847-7141

Garden City District
400 Oak Street
Suite 101
Garden City, NY 11530
(516) 794-8195

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

New York City District
75 Varick Street
7th Floor
New York, NY 10013
(212) 775-3880

Rochester
Sub-District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

Syracuse District
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

TIP APPROPRIATION

SECTION 196-d OF THE NEW YORK STATE LABOR LAW

Section 196-d. Gratuities. No employer or his agent or an officer or agent of any corporation, or any other person shall demand or accept, directly or indirectly, any part of the gratuities, received by an employee, or retain any part of a gratuity or of any charge purported to be a gratuity for an employee. This provision shall not apply to the checking of hats, coats or other apparel. Nothing in this subdivision shall be construed as affecting the allowances from the minimum wage for gratuities in the amount determined in accordance with the provisions of article nineteen of this chapter nor as affecting practices in connection with banquets and other special functions where a fixed percentage of the patron's bill is added for gratuities which are distributed to employees, nor to the sharing of tips by a waiter with a busboy or similar employee.

For more information, call or write the nearest office of the Division of Labor Standards, of the New York State Department of Labor, listed below:

Albany District

State Office Campus
Bldg. 12, Room 185A
Albany, NY 12240
(518) 457-2730

New York City District

75 Varick Street
7th Floor
New York, NY 10013
(212) 775-3880

Garden City District

400 Oak Street
Suite 101
Garden City, NY 11530
(516) 794-8195

White Plains District

120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

Buffalo District

290 Main Street
Room 226
Buffalo, NY 14202
(716) 847-7141

Rochester

Sub-District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

Syracuse District

333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

**NEW YORK CORRECTION LAW
ARTICLE 23-A**

**LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY
CONVICTED OF ONE OR MORE CRIMINAL OFFENSES**

Section 750. Definitions.

751. Applicability.

752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

753. Factors to be considered concerning a previous criminal conviction; presumption.

754. Written statement upon denial of license or employment.

755. Enforcement.

§750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.



Required Notice under Article 25-B of the Labor Law

**ATTENTION ALL EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS:
YOU ARE COVERED BY THE CONSTRUCTION INDUSTRY FAIR PLAY ACT**

The law says that you are an employee unless:

- You are free from direction and control in performing your job, **and**
- You perform work that is not part of the usual work done by the business that hired you, **and**
- You have an independently established business.

Your employer cannot consider you to be an independent contractor unless all three of these facts apply to your work.

It is against the law for an employer to misclassify employees as independent contractors or pay employees off the books.

Employee Rights. If you are an employee, you are entitled to state and federal worker protections. These include:

- Unemployment Insurance benefits, if you are unemployed through no fault of your own, able to work, and otherwise qualified,
- Workers' compensation benefits for on-the-job injuries,
- Payment for wages earned, minimum wage, and overtime (under certain conditions),
- Prevailing wages on public work projects,
- The provisions of the National Labor Relations Act, and
- A safe work environment.

It is a violation of this law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a private lawsuit or both.

Independent Contractors: If you are an independent contractor, **you must pay all taxes and Unemployment Insurance contributions required by New York State and Federal Law.**

Penalties for paying off the books or improperly treating employees as independent contractors:

- **Civil Penalty** First Offense: up to \$2,500 per employee.
Subsequent Offense(s): up to \$5,000 per employee.
- **Criminal Penalty** First Offense: Misdemeanor - up to 30 days in jail, up to a \$25,000 fine and debarment from performing Public Work for up to one year.
Subsequent Offense(s): Misdemeanor - up to 60 days in jail, up to a \$50,000 fine and debarment from performing Public Work for up to 5 years.

If you have questions about your employment status or believe that your employer may have violated your rights and you want to file a complaint, call the Department of Labor at (866) 435-1499 or send an email to dol.misclassified@labor.ny.gov. All complaints of fraud and violations are taken seriously. You can remain anonymous.

Employer Name:



Aviso obligatorio en virtud del artículo 25-B del derecho laboral

**Atención a todos los empleados, contratistas y subcontratistas:
Usted está cubierto por la Construction Industry Fair Play Act
(Ley de Actividad Justa de la Industria de la Construcción).**

La ley dice que usted es empleado, a menos que:

- usted no esté sujeto a dirección y control al realizar su trabajo; y
- usted realice trabajos que no son parte del trabajo habitual realizado por la empresa que lo contrató; y
- usted tenga una empresa independiente.

Su empleador no puede considerarlo contratista independiente, a menos que estos tres hechos se apliquen a su trabajo.

Es ilegal que un empleador clasifique incorrectamente a los empleados como contratistas independientes o que pague a los empleados extraoficialmente.

Derechos de los empleados: si usted es empleado, tiene derecho a las protecciones estatales y federales de los trabajadores. Estas incluyen lo siguiente:

- Beneficios del Seguro de desempleo (Unemployment Insurance) si está desempleado por motivos ajenos a su voluntad, puede trabajar y está calificado.
- Beneficios de Compensación del trabajador (Workers' Compensation) para las lesiones sufridas en el trabajo.
- Pago de los salarios ganados, del salario mínimo y de las horas extra (bajo ciertas condiciones).
- Salarios predominantes en proyectos de obras públicas.
- Las disposiciones de la National Labor Relations Act (Ley Nacional de Relaciones Laborales).
- Un ambiente de trabajo seguro.

Constituye una violación de esta ley que los empleadores tomen represalias contra las personas que ejerzan sus derechos en virtud de la ley. Las represalias someten a un empleador a sanciones civiles, a un juicio privado o a ambos.

Contratistas independientes: si usted es contratista independiente, debe pagar todos los impuestos y todas las contribuciones del Seguro de desempleo exigidos por la ley del estado de Nueva York y la ley federal.

Sanciones por pagar extraoficialmente a los trabajadores o tratar incorrectamente a los empleados como contratistas independientes:

- **Sanción civil**
Primera infracción: multa de hasta \$2,500 por empleado

Infracción(es) posterior(es): multa de hasta \$5,000 por empleado
- **Sanción penal**
Primera infracción: en caso de delito menor, hasta 30 días de prisión o hasta \$25,000 de multa e inhabilitación para realizar obras públicas hasta por un año.

Infracción(es) posterior(es): Infracción(es) posterior(es): en caso de delito menor, hasta 60 días de prisión o hasta \$50,000 de multa e inhabilitación para realizar obras públicas hasta por 5 años.

Si tiene preguntas sobre su condición laboral o cree que su empleador pudo haber violado sus derechos y desea presentar una denuncia, comuníquese con el Departamento de Trabajo (Department of Labor) llamando al (866) 435-1499 o envíe un correo electrónico a dol.misclassified@labor.ny.gov. Todas las denuncias de fraude e infracciones se toman en serio. Puede mantener el anonimato.

Nombre del empleador:

IA 999S (09/16)

Attention Farm Workers

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

New York City

All Employers

Minimum Wage

\$15.00

Overtime after 60 hours \$22.50*

Long Island and Westchester County

Minimum Wage \$15.00
Overtime after 60 hours \$22.50*

Remainder of New York State

Minimum Wage \$13.20
Overtime after 60 hours \$19.80*

If you have questions, need more information or want to file a complaint, please 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:

- **Meals and lodging** – Your employer may claim 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 in wage orders and summaries, which are available online.

Exception: Employers may not claim any of your wages for lodging if you are a migrant seasonal worker.

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

- **Overtime** – You must be paid 1 1/2 times your regular rate of pay (no less than the overtime amounts shown above) for hours worked over 60 in a calendar week and/or for any hours worked on your day of rest.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.
- **Federal Law** – If you are an employee covered under the federal Fair Labor Standards Act, you must be paid according to state law and also according to higher federal requirements, if they apply.

Atención trabajadores agrícolas

Tarifas por hora para el salario mínimo con vigencia del 31 de diciembre de 2021 al 30 de diciembre de 2022

New York Ciudad

Todos los empleadores

Salario mínimo

\$15.00

Horas extras después de las 60 horas \$22.50*

Condados de Long Island y Westchester

Salario mínimo \$15.00

Horas extras después de las 60 horas \$22.50*

Recordatorio del Estado de New York

Salario mínimo \$13.20

Horas extras después de las 60 horas \$19.80*

Si tiene preguntas, necesita más información o desea presentar una queja, visite www.labor.ny.gov/minimumwage o llame al:

(888) 469-7365.

Créditos y asignaciones que pueden reducir su salario por debajo de los salarios mínimos que se muestran arriba:

- **Comidas y alojamiento:** su empleador puede reclamar una cantidad limitada de su salario por las comidas y el alojamiento que le proporcionan, siempre que no le cobren nada más. Las tarifas y los requisitos están en las ordenanzas y resúmenes sobre el salario, que están disponibles en línea.

Excepción: los empleadores no pueden reclamar ninguno de sus salarios por alojamiento si usted es un trabajador migratorio estacional.

Pago adicional que se le puede adeudar además de las tasas de salario mínimo que se muestran arriba:

- **Horas extras:** Se le debe pagar 1 1/2 veces su tarifa de pago regular (no menos que las cantidades de horas extras que se muestran arriba) por las horas trabajadas que superen las 60 horas en una semana calendario y/o por las horas trabajadas en su día de descanso.
- **Mantenimiento de uniformes:** si limpia su propio uniforme, puede tener derecho a un pago semanal adicional. Las tarifas semanales se encuentran disponibles en línea.
- **Ley federal:** si es un empleado amparado por la Ley federal de normas laborales justas, se le debe pagar de acuerdo con la ley estatal y también de acuerdo con los requisitos federales más altos, si corresponde.



Attention Employees

THIS IS A: **PUBLIC WORK PROJECT**

If you are employed on this project as a **worker, laborer, or mechanic** you are entitled to receive the **prevailing wage and supplements rate** for the classification at which you are working.

Your pay stub and wage notice received upon hire must clearly state your wage rate and supplement rate.

Chapter 629 of
the Labor Laws
of 2007:

These wages are set by law and must be posted at the work site. They can also be found at:

www.labor.ny.gov/prevailingwage

If you feel that you have not received proper wages or benefits,
please call our nearest office.

Albany	(518) 457-2744	Patchogue	(631) 687-4886
Binghamton	(607) 721-8005	Rochester	(585) 258-4505
Buffalo	(716) 847-7159	Syracuse	(315) 428-4056
Garden City	(516) 228-3915	Utica	(315) 793-2314
New York City	(212) 775-3568	White Plains	(914) 997-9507
Newburgh	(845) 568-5398		

* For New York City government agency construction projects, please
contact the Office of the NYC Comptroller at (212) 669-4443, or
www.comptroller.nyc.gov – click on Bureau of Labor Law.

Contractor Name: _____

Project Location: _____

WE ARE YOUR DOL



Required Notice under Article 25-C of the Labor Law

Attention All Drivers of Commercial Vehicles: If You Transport Goods, You are Covered by the Commercial Goods Transportation Industry Fair Play Act

The law says that you are an employee unless:

- Payment for your services is reported on a federal income tax form 1099, if required by law
- **And either:**
 - You are a separate business entity as defined by law, or
 - You are free from direction and control in performing your job,
 - You are performing work that is not part of the usual work done by the business that hired you, **and**
 - You have an independently established business.

It is against the law for an employer to misclassify employees as independent contractors or pay employees off the books.

Employee Rights: If you are an employee, you are entitled to state and federal worker protections. These include:

- Unemployment Insurance benefits, if you are unemployed through no fault of your own, able to work and otherwise qualified,
- Workers' Compensation benefits for on-the-job injuries,
- Payment for wages earned, minimum wage and overtime (under certain conditions),
- Prevailing wages on public work projects,
- The provisions of the National Labor Relations Act, and
- A safe work environment

It is a violation of the law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a private lawsuit or both.

Independent Contractors: If you are an independent contractor, **you must pay all taxes and Unemployment Insurance contributions required by New York State and federal Law.**

Penalties for paying workers off the books or improperly treating employees as independent contractors:

- **Civil Penalty** First offense: Up to \$2,500 per employee
Subsequent offense(s): Up to \$5,000 per employee
- **Criminal Penalty** First offense: Misdemeanor - up to 30 days in jail or up to a \$25,000 fine and debarment from performing public work for up to one year.
Subsequent offense(s): Misdemeanor - up to 60 days in jail or up to a \$50,000 fine and debarment from performing public work for up to five years.

If you have questions about your employment status or believe that your employer may have violated your rights and you want to file a complaint, call the Department of Labor at 1(866) 435-1499 or send an email to dol.misclassified@labor.ny.gov. All complaints of fraud and violations are taken seriously. You can remain anonymous.

Employer Name:

IA 998 (05/22)

WE ARE YOUR DOL



Aviso obligatorio en virtud del artículo 25-C del derecho laboral

Atención a todos los conductores de vehículos comerciales: Si transporta mercaderías, está cubierto por la Commercial Goods Transportation Industry Fair Play Act (Ley de Actividad Justa de la Industria del Transporte de Mercaderías).

La ley dice que usted es empleado, a menos que:

- el pago de sus servicios se declare en el formulario de impuestos federales a las ganancias n.º 1099, si así lo exige la ley;
- Y:
 - usted sea una entidad comercial independiente, tal como lo define la ley; **o**
 - usted no esté sujeto a dirección y control al realizar su trabajo;
 - usted realice trabajos que no son parte del trabajo habitual realizado por la empresa que lo contrató; **y**
 - usted tenga una empresa independiente.

Es ilegal que un empleado clasifique incorrectamente a los empleados como contratistas independientes o que pague a los empleados extraoficialmente.

Derechos de los empleados: si usted es empleado, tiene derecho a las protecciones estatales y federales de los trabajadores. Estas incluyen lo siguiente:

- Beneficios del Seguro de desempleo (Unemployment Insurance) si está desempleado por motivos ajenos a su voluntad, puede trabajar y está calificado.
- Beneficios de Compensación del trabajador (Workers' Compensation) para las lesiones sufridas en el trabajo.
- Pago de los salarios ganados, del salario mínimo y de las horas extra (bajo ciertas condiciones).
- Salarios predominantes en proyectos de obras públicas.
- Las disposiciones de la National Labor Relations Act (Ley Nacional de Relaciones Laborales).
- Un ambiente de trabajo seguro.

Constituye una violación de la ley que los empleadores tomen represalias contra las personas que ejerzan sus derechos en virtud de la ley. Las represalias someten a un empleador a sanciones civiles, a un juicio privado o a ambos.

Contratistas independientes: si usted es contratista independiente, debe pagar todos los impuestos y todas las contribuciones del Seguro de desempleo exigidos por la ley del estado de Nueva York y la ley federal.

Sanciones por pagar extraoficialmente a los trabajadores o tratar incorrectamente a los empleados como contratistas independientes:

- **Sanción civil**
Primera infracción: multa de hasta \$2,500 por empleado.
Infracción(es) posterior(es): multa de hasta \$5,000 por empleado.
- **Sanción penal**
Primera infracción: en caso de delito menor, hasta 30 días de prisión o hasta \$25,000 de multa e inhabilitación para realizar obras públicas hasta por un año.
Infracción(es) posterior(es): en caso de delito menor, hasta 60 días de prisión o hasta \$50,000 de multa e inhabilitación para realizar obras públicas hasta por 5 años.

Si tiene preguntas sobre su condición laboral o cree que su empleador pudo haber violado sus derechos y desea presentar una denuncia, comuníquese con el Departamento de Trabajo (Department of Labor) llamando al (866) 435-1499 o envíe un correo electrónico a dol.misclassified@labor.ny.gov. Todas las denuncias de fraude e infracciones se toman en serio. Puede mantener el anonimato.

Nombre del empleador:

IA 998S (05/22)

WE ARE YOUR DOL



Department
of Labor

A proud partner of the American Job Center network

BILL OF RIGHTS FOR NAIL WORKERS

MINIMUM WAGE:

You **MUST** be paid for **EVERY** hour you work, including overtime, even if you are paid on “commission” or are not experienced.

THESE ARE YOUR RIGHTS REGARDLESS OF IMMIGRATION STATUS

If you do not have a license, you should obtain a nail trainee license, which you can do for free. Please contact the hotline to learn more.

CALL FOR INFORMATION OR HELP:
(888) 469-7365

EMPLOYERS SHOULD NEVER:

- Take your tips or wages
- Pay you less than minimum wage
- Make you pay for a job or training, as punishment or any other reason
- Deny you a meal break
- Deny your right to wear a mask and/or gloves
- Punish you in **ANY** way for complaining about your wages or working conditions

FOR YOUR SAFETY, OWNERS MUST PROVIDE TO WORKERS:

- A respirator (special mask) for use when buffing/filing artificial nails or when using artificial nail powder
- Gloves for use when handling chemicals or waste, during cleanup, and when performing any service that could break a customer’s skin
- Eye protection for use when preparing, transferring, or pouring chemicals

Location	First 40 hours per week, at least:	After 40 hours per week, at least:
New York City	\$15.00/hour	\$22.50/hour
Long Island and Westchester County	\$15.00/hour	\$22.50/hour
Remainder of New York State	\$13.20/hour	\$19.80/hour

WE ARE YOUR DOL



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)	
Minimum Wage \$15.00		Minimum Wage \$15.00	
Overtime after 40 hours \$22.50		Overtime after 40 hours \$22.50	
Fast Food Worker	\$15.00	Fast Food Worker	\$15.00
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$22.50
*Service Employee	\$12.50	*Service Employee	\$12.50
Overtime after 40 hours	\$20.00	Overtime after 40 hours	\$20.00
Resort – minimum tips	\$8.40	Resort – minimum tips	\$8.40
Others – minimum tips	\$3.25	Others – minimum tips	\$3.25
*Food Service Worker	\$10.00	*Food Service Worker	\$10.00
Overtime after 40 hours	\$17.50	Overtime after 40 hours	\$17.50

Long Island and Westchester County		Remainder of New York State	
Minimum Wage \$15.00		Minimum Wage \$13.20	
Overtime after 40 hours \$22.50		Overtime after 40 hours \$19.80	
Fast Food Worker	\$15.00	Fast Food Worker	\$15.00
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$22.50
*Service Employee	\$12.50	*Service Employee	\$11.00
Overtime after 40 hours	\$20.00	Overtime after 40 hours	\$17.60
Resort – minimum tips	\$8.40	Resort – minimum tips	\$7.40
Others – minimum tips	\$3.25	Others – minimum tips	\$2.85
*Food Service Worker	\$10.00	*Food Service Worker	\$8.80
Overtime after 40 hours	\$17.50	Overtime after 40 hours	\$15.40

If you have questions or want to file a complaint, visit www.labor.ny.gov/minimumwage or call: 1-888-469-7365.

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.

WE ARE YOUR DOL



Atención, empleados de la industria de la hostelería

Salario mínimo por hora vigente para el período comprendido entre el 12/31/2021 y el 12/30/2022

Ciudad de Nueva York

Grandes empleadores (11 o más empleados)		Pequeños empleadores (10 o menos empleados)	
Salario mínimo \$15.00		Salario mínimo \$15.00	
Horas extras después de las 40 horas \$22.50		Horas extras después de las 40 horas \$22.50	
Trabajador de restaurante de comida rápida	\$15.00	Trabajador de restaurante de comida rápida	\$15.00
Horas extras después de las 40 horas	\$22.50	Horas extras después de las 40 horas	\$22.50
*Empleado de servicios	\$12.50	*Empleado de servicios	\$12.50
Horas extras después de las 40 horas	\$20.00	Horas extras después de las 40 horas	\$20.00
Complejo turístico: propinas mínimas	\$8.40	Complejo turístico: propinas mínimas	\$8.40
Otros: propinas mínimas	\$3.25	Otros: propinas mínimas	\$3.25
*Trabajador de servicios de alimentos	\$10.00	*Trabajador de servicios de alimentos	\$10.00
Horas extras después de las 40 horas	\$17.50	Horas extras después de las 40 horas	\$17.50

Long Island y Condado de Westchester

Salario mínimo \$15.00	
Horas extras después de las 40 horas \$22.50	
Trabajador de restaurante de comida rápida	\$15.00
Horas extras después de las 40 horas	\$22.50
*Empleado de servicios	\$12.50
Horas extras después de las 40 horas	\$20.00
Complejo turístico: propinas mínimas	\$8.40
Otros: propinas mínimas	\$3.25
*Trabajador de servicios de alimentos	\$10.00
Horas extras después de las 40 horas	\$17.50

Resto del Estado de Nueva York

Salario mínimo \$13.20	
Horas extras después de las 40 horas \$19.80	
Trabajador de restaurante de comida rápida	\$15.00
Horas extras después de las 40 horas	\$22.50
*Empleado de servicios	\$11.00
Horas extras después de las 40 horas	\$17.60
Complejo turístico: propinas mínimas	\$7.40
Otros: propinas mínimas	\$2.85
*Trabajador de servicios de alimentos	\$8.80
Horas extras después de las 40 horas	\$15.40

Si tiene alguna pregunta, necesita más información o desea presentar una reclamación, visite www.labor.ny.gov/minimumwage o llame al: **1-888-469-7365**.

Créditos y subsidios que podrían hacer que el pago sea inferior a las tarifas mínimas que se muestran arriba:

- **Propinas:** el empleador puede utilizar una cantidad limitada de sus propinas para reducir su salario. Esto se denomina crédito por propinas. Su empleador puede tomar un crédito por propinas solo si sus propinas más su salario suman al menos el salario mínimo. De todas maneras, aún debe pagarle al menos las tarifas mostradas arriba.

Excepciones: no se puede tomar crédito por propinas de los trabajadores de restaurantes de comida rápida, incluidos los empleados que realizan entregas, ni de los empleados de servicios en restaurantes cuyas propinas semanales sean en promedio inferiores a los montos mínimos por hora mostrados arriba. El crédito por propinas no cambia para las horas extras.

- **Comidas y alojamiento:** el empleador puede reclamar una cantidad limitada de su salario si le provee comidas y alojamiento, siempre y cuando no le cobre un monto por adelantado por esto. Las tarifas y los requisitos se encuentran en las órdenes y en los resúmenes de salarios, los cuales están disponibles en línea.

Pagos extras que se le pudieran deber además de las tarifas mínimas que se muestran arriba:

- **Tarifa por hora y horas extras:** a usted se le debe pagar por hora (no un salario ni una tarifa diaria). También se le debe pagar 1½ veces la tarifa regular (no menos de las tarifas que figuran arriba) cuando se superen las 40 horas semanales (o las 44 horas para empleados residenciales).

Excepciones: el pago de horas extras y de tarifas por hora no es obligatorio para profesionales asalariados ni para ejecutivos y personal administrativo cuyo salario semanal supere 75 veces el salario mínimo.

- **Pago por disponibilidad:** si usted se presenta a trabajar en el horario estipulado y su empleador lo envía a casa más temprano, podría tener derecho al pago de horas extras a la tarifa del salario mínimo por ese día.
- **Difusión de Horas:** si el día laboral dura más de diez horas, usted podría tener derecho a un pago diario extra. La tarifa diaria equivale a una hora de pago a la tarifa del salario mínimo.
- **Mantenimiento del uniforme:** si usted lava/mantiene su propio uniforme, podría tener derecho a un pago semanal adicional. Las tarifas semanales están disponibles en línea.



Department
of Labor

Attention Building Service Industry Employees

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

New York City

All Employers
Minimum Wage

\$15.00

Overtime after 40 hours \$22.50

Janitor minimum rate per unit \$10.00
or
Janitor minimum weekly salary \$638.00

Long Island and Westchester County

Minimum Wage \$15.00

Overtime after 40 hours \$22.50

Janitor minimum rate per unit \$10.00
or
Janitor minimum weekly salary \$638.00

Remainder of New York State

Minimum Wage \$13.20

Overtime after 40 hours \$19.80

Janitor minimum rate per unit \$8.80
or
Janitor minimum weekly salary \$561.40

If you have questions, need more information or want to file a complaint, please 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:

- **Apartment and utilities** – Your employer may claim a credit from your wages for an apartment and utilities that they provide to you. The rates and requirements are in wage orders and summaries, which are available online.
- **Telephone** – Your employer may claim a credit from your wages for the amount they pay that is over the minimum billing amount.
- **Tips** – No tip credit is available.

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

- **Overtime** – You must be paid 1½ times your regular rate of pay (not less than the overtime amounts shown above) for weekly hours over 40.
Exceptions: Overtime is not required for janitors in residential buildings, for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times 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.

Atención Empleados de la Industria de Servicios de Edificios

Salario mínimo por hora vigente para el período comprendido entre el 12/31/2021 y el 12/30/2022.

Ciudad de Nueva York

Todos los empleadores

Salario mínimo

\$15.00

Horas extras después de las 40 horas \$22.50

Conserje: tarifa mínima por unidad \$10.00

o

Conserje: salario mínimo semanal \$638.00

Long Island y Condado de Westchester

Salario mínimo \$15.00

Horas extras después de las 40 horas \$22.50

Conserje: tarifa mínima por unidad \$10.00

o

Conserje: salario mínimo semanal \$638.00

Resto del Estado de Nueva York

Salario mínimo \$13.20

Horas extras después de las 40 horas \$19.80

Conserje: tarifa mínima por unidad \$8.80

o

Conserje: salario mínimo semanal \$561.40

Si tiene alguna pregunta, necesita más información o desea presentar una reclamación, visite www.labor.ny.gov/minimumwage o llame al: **1-888-469-7365**

Créditos y subsidios que podrían hacer que el pago sea inferior a las tarifas mínimas que se muestran arriba:

- **Apartamento y Servicios:** su empleador puede reclamar un crédito de su salario si le provee con los servicios públicos necesarios.
La cantidad y los requisitos se encuentran en las órdenes y en los resúmenes de salarios, los cuales están disponibles en el internet.
- **Teléfono:** su empleador puede reclamar un crédito de su salario por el monto que pague si este excede el monto mínimo de facturación.
- **Propinas:** no existen créditos por propinas.

Pagos extras que se le pudieran deber además de las tarifas mínimas que se muestran arriba:

- **Horas extras:** se le debe pagar 1½ veces la tarifa regular por hora (no menos de las tarifas de horas extras que figuran arriba) cuando se superen las 40 horas semanales.
Excepciones: el pago de horas extras no es obligatorio para conserjes en edificios residenciales, para profesionales asalariados o para ejecutivos y personal administrativo cuyo salario semanal supere 75 veces la tarifa del salario mínimo.
- **Mantenimiento del uniforme:** si usted lava/mantiene su propio uniforme, podría tener derecho a un pago semanal adicional. Las tarifas semanales están disponibles en línea.

WE ARE YOUR DOL



Attention Apparel 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)
Minimum Wage \$15.00 Overtime after 40 hours \$22.50	Minimum Wage \$15.00 Overtime after 40 hours \$22.50
Long Island and Westchester County	Remainder of New York State
Minimum Wage \$15.00 Overtime after 40 hours \$22.50	Minimum Wage \$13.20 Overtime after 40 hours \$19.80

If you have questions, need more information or want to file a complaint.

By Phone: (518) 457-9000 | (888) 4-NYSDOL (888-469-7365) | 711 TTY/TDD

Credits and Allowances that may reduce your pay below the minimum wage rates shown above:

- **Meals and lodging** – Your employer may claim 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 in wage orders and summaries, which are available online.

Other rules your employer must follow:

- **Safety** – Your employer must comply with local, state and federal safety and health laws and fire codes. Fire exits must be unlocked and easy to get to during work hours.
- **Homework** – No work is to be taken out of the factory to be worked on at home. No work is to be distributed directly to home workers
- **Registration** – Your employer must be registered with the Department of Labor. They must post their annual registration certificate where you can see it.

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

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than overtime amounts shown above) for weekly hours over 40 (or 44 for residential employees).

Exceptions: 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.

Atención, empleados de la industria textil

Salario mínimo por hora vigente para el período comprendido entre el 12/31/2021 y el 12/30/2022

Ciudad de Nueva York	
Grandes empleadores (11 o más empleados)	Pequeños empleadores (10 o menos empleados)
Salario mínimo \$15.00	Salario mínimo \$15.00
Horas extras después de las 40 horas \$22.50	Horas extras después de las 40 horas \$22.50

Long Island y Condado de Westchester	Resto del Estado de Nueva York
Salario mínimo \$15.00	Salario mínimo \$13.20
Horas extras después de las 40 horas \$22.50	Horas extras después de las 40 horas \$19.80

Si tiene preguntas, necesita más información o desea presentar una queja.

Por teléfono: (518) 457-9000 | (888) 4-NYSDOL (888-469-7365) | 711 TTY/TDD

Créditos y subsidios que podrían hacer que el pago sea inferior a las tarifas mínimas que se muestran arriba:

- **Comidas y alojamiento:** el empleador puede reclamar una cantidad limitada de su salario si le provee comidas y alojamiento, siempre y cuando no le cobre un monto por adelantado por esto. Las tarifas y los requisitos se encuentran en las órdenes y en los resúmenes de salarios, los cuales están disponibles en línea.

Otras normas que debe acatar el empleador:

- **Seguridad:** el empleador debe cumplir con las leyes de salud y seguridad y con los códigos de prevención de incendios locales, estatales y federales. Las salidas de emergencia deben estar desbloqueadas y se debe tener un fácil acceso a estas durante las horas de trabajo.
- **Trabajo en el hogar:** no se debe llevar trabajo de la fábrica para continuarlo en el hogar. No se debe distribuir trabajo directamente a los trabajadores a domicilio.
- **Registro:** su empleador debe estar registrado en el Departamento del Trabajo (Department of Labor). Este debe desplegar el certificado de registro anual en un lugar donde pueda verlo.

Pagos extras que se le pudieran deber además de las tarifas mínimas que se muestran arriba:

- **Horas extras:** se le debe pagar 1½ veces la tarifa regular por hora (no menos de las tarifas de horas extras que figuran arriba) cuando se superen las 40 horas semanales (o las 44 horas para los empleados residenciales).

Excepciones: el pago de horas extras no es obligatorio para profesionales asalariados ni para ejecutivos y personal administrativo cuyo salario semanal supere 75 veces el salario mínimo.

- **Pago por disponibilidad:** si usted se presenta a trabajar en el horario estipulado y su empleador lo envía a casa más temprano, podría tener derecho al pago de horas extras a la tarifa del salario mínimo por ese día.
- **Difusión de Horas:** si el día laboral dura más de diez horas, usted podría tener derecho a un pago diario extra. La tarifa diaria equivale a una hora extra de pago a la tarifa del salario mínimo.
- **Mantenimiento del uniforme:** si usted lava/mantiene su propio uniforme, podría tener derecho a un pago semanal adicional. Las tarifas semanales están disponibles en línea.

WE ARE YOUR DOL



New York State Department of Labor Division of Labor Standards

Guidelines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Work Place

Section 206-c of the New York State Labor Law provides as follows:

Right of Nursing Mothers to Express Breast Milk.

An employer shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace.

This law is applicable to all public and private employers in New York State, regardless of the size or nature of their business. In administering this statute, the Department applies the following interpretations and guidelines:

I. Notice

A. Employers shall provide written notification of the provisions of Labor Law §206-c to employees who are returning to work, following the birth of a child, and their right to take unpaid leave for the purpose of expressing breast milk. Such notice may either be provided individually to affected employees or to all employees generally through publication of such notice in the employee handbook or posting of the notice in a central location.

B. An employee wishing to avail herself of this benefit is required to give her employer advance notice. Such notice shall preferably be provided to the employer prior to the employee's return to work following the birth of the child in order to allow the employer an opportunity to establish a location and schedule leave time amongst multiple employees if needed.

II. Reasonable Unpaid Break Time

A. Reasonable unpaid break time is sufficient time to allow the employee to express breast milk. Each break shall generally be no less than twenty minutes. If the room or other location is not in close proximity to the employee's work station (e.g. as in a shared work location with a common lactation room) each break shall generally be no less than thirty minutes. Employees can elect to take shorter unpaid breaks for this purpose.

B. The number of unpaid breaks an employee will need to take for expression purposes varies depending on the amount of time the employee is separated from the nursing infant and the mother's physical needs. In most circumstances, employers shall provide unpaid break time at least once every three hours if requested by the employee.

C. Upon election of the employee, unpaid break time may run concurrently with regularly scheduled paid break or meal periods.

D. Upon election of the employee, an employer shall allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid break time(s) for the expression of breast milk so long as such additional time requested falls within the employer's normal work hours.

E. This benefit is available to the employee during their basic work week and any overtime or additional hours worked.

F. An employee may be required to postpone scheduled unpaid break time for no more than thirty minutes if she cannot be spared from her duties until appropriate coverage arrives.

III. Reasonable Efforts and Privacy

A. All employers are required to make reasonable efforts to provide a private room or other location for the purpose of expression of breast milk. "Reasonable effort" requires that the room or other location must be provided for use of employees expressing breast milk so long as it is neither significantly impracticable, inconvenient, or expensive to the employer to do so. Relevant factors in determining significant impracticability, inconvenience, or expense include but are not limited to:

1. The nature of work performed at the business;
2. The overall size and physical layout of the business;
3. The type of facility where the business is housed;
4. The size and composition of the employer's workforce;
5. The business' general hours of operation and the employees' normal work shifts;
6. The relative cost of providing a room or other space for the dedicated purpose.

B. The room or location provided by the employer for this purpose cannot be a restroom or toilet stall.

C. An employer may dedicate one room or other location for the expression of breast milk and establish a schedule to accommodate the needs of multiple employees needing access thereto.

D. An employer who is unable to provide a dedicated lactation room or other location under these guidelines, may allow the use of a vacant office or other available room on a temporary basis for the expression of breast milk, provided the room is not accessible to the public or other employees while the nursing employee is using the room for expression purposes.

E. As a last resort, an employer who is unable to provide a dedicated lactation room or other location under these guidelines may make available a cubicle for use by individuals expressing breast milk, provided the cubicle is fully enclosed with a partition and is not E. As a last resort, an employer who is unable to provide a dedicated lactation room or other location under these guidelines may make available a cubicle

for use by individuals expressing breast milk, provided the cubicle is fully enclosed with a partition and is not otherwise accessible to the public or other employees while it is in use for expression purposes. The cubicle walls shall be at least seven feet tall to insure the nursing employee's privacy.

F. Each room or other location used for the expression of breast milk under these guidelines shall be well lit at all times through either natural or artificial light. If the room has a window, it shall be covered with a curtain, blind, or other covering to ensure privacy for the mother as she is expressing breast milk. The room shall contain, at a minimum, a chair and small table, desk, counter, or other flat surface. In addition, employers are encouraged to provide an outlet, clean water supply, and access to refrigeration for the purposes of storing the expressed milk.

G. An employer is not responsible for insuring the safekeeping of expressed milk stored in any refrigerator on its premises. The employee is required to store all expressed milk in closed containers, regardless of the method of storage and to bring such milk home with her each evening.

H. The employer must maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.

I. An employer may not deny an employee this benefit due to difficulty in finding a location for purposes of the same.

J. For the purposes of this provision: "Private" shall mean that the room or other location shall not be open to other individuals frequenting the business, whether as employees, customers, or other members of the public. To insure privacy, the room or location should have a door equipped with a functional lock. If a door with a functional lock is not available (in the case of a fully enclosed cubicle) as a last resort an employer must utilize a sign advising the room or location is in use and not accessible to other employees or the public.

IV. Close Proximity

A. Any room or location provided for the expression of breast milk must be in close proximity to the work area of the employee(s) using it for the expression of breast milk.

B. Close proximity means the room or location must be in walking distance and the distance to the location should not appreciably lengthen the break time.

C. Should an employer have more than one employee at a time needing access to a lactation room or other location, the employer may dedicate a centralized location for use by all such employees, provided however, that the employer shall make every effort to locate such space at a reasonable distance from the employees using it.

D. Employers located in shared work areas such as office buildings, malls, and similar premises may cooperate with one another to establish and maintain a dedicated lactation room, provided however, that such rooms must be located at a reasonable distance from the employees using the room. Each employer utilizing such common dedicated lactation room will retain individual responsibility for ensuring that it meets all the requirements of these guidelines with regard to their employees. Use of a common dedicated lactation room pursuant to this paragraph will not reduce, mitigate, or otherwise affect the employer's obligations under these guidelines.

V. Non-Discrimination

No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace. Encouraging or allowing a work environment that is hostile to the right of nursing mothers to take leave for the purpose of expressing breast milk could constitute discrimination within the meaning of this section of the guidelines.

VI. Suggested Employer Activities

A. In addition to the activities set forth in the guidelines above, an employer may consider implementing one or more of the following activities in connection with the needs of employees who are breast feeding children:

1. Providing educational information in the lactation room or area regarding the benefits of breastfeeding and tips on expressing and storing breast milk including posters, newsletters, books, and referral information to health education programs about breastfeeding.
2. Allowing flexible work hours, job sharing, and/or part-time scheduling to accommodate employees with children of nursing age.
3. Providing an easily accessible sink to wash tubing used for pumping breast milk.
4. Allowing mothers of nursing children attending on-site day care to take breaks to breast feed in lieu of pumping.
5. Providing a listing of lactation consultants whom breastfeeding mothers could contact for assistance.
6. Including protection for pregnant and breastfeeding mothers in the company's sexual harassment policy.
7. Designation of a breastfeeding coordinator to allow consistent and coordinated implementation of this benefit in the workplace.

B. Not all questions can be anticipated; therefore these guidelines may not cover all situations that may arise. For additional assistance or information please contact the Division of Labor Standards office nearest you.

Albany District
State Office Campus
Bldg. 12 Room 185A
Albany, NY 12240
(518) 457-2730

Binghamton
Sub-District
44 Hawley Street
Binghamton, NY 13901
(607) 721-8014

New York City District
75 Varick Street
7th Floor
New York, NY 10013
(212) 775-3880

Garden City District
400 Oak Street
Suite 101
Garden City, NY 11530
(516) 794-8195

Buffalo District
65 Court Street
Room 202
Buffalo, NY 14202
(716) 847-7141

Rochester
Sub-District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

Syracuse District
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

DOL WEBSITE HOMEPAGE
<http://www.labor.ny.gov>

Sexual Harassment Prevention Notice



Combating Sexual Harassment

Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and [] is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, [] has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status. You are receiving this notice, as required by law, either at the time of hiring or during your annual sexual harassment prevention training.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, manager or [] so we can take action.

Our complete policy ☐ is enclosed/attached ☐ may be found at the link below:

Our training materials ☐ are enclosed/attached ☐ may be found at the link below:

Our Complaint Form ☐ are enclosed/attached ☐ may be found at the link below:

If you have questions and to make a complaint, please contact:

[]

[]

For more information and additional resources, please visit:
www.ny.gov/programs/combating-sexual-harassment-workplace

10/19 Version

NEW YORK STATE PAID SICK AND SAFE LEAVE

All private sector workers in New York State are now covered under the state's new sick and safe leave law, regardless of industry, occupation, part-time status, overtime exempt status, and seasonal status.

The law requires employers with five or more employees to provide their employees with paid sick and safe leave. Businesses with fewer than five employees and a net income of \$1 million or less must provide unpaid sick and safe leave to employees.

AMOUNT OF LEAVE

Employees will receive an amount of sick and safe leave depending on the size of their employer:

Number of Employees	Employer Leave Requirements
0 - 4	If net income is \$1 million or less in the previous tax year, the employer is required to provide up to 40 hours of unpaid sick leave per calendar year.
0 - 4	If net income is greater than \$1 million in the previous tax year, the employer is required to provide up to 40 hours of paid sick leave per calendar year.
5 - 99	Up to 40 hours of paid sick leave per calendar year.
100+	Up to 56 hours of paid sick leave per calendar year.

A January 1 – December 31 calendar year must be used for purposes of counting employees. Small employers who reported net income of less than \$1 million do not need to pay their employees sick leave, but must provide the additional allotted leave time. For other purposes, including use and accrual of leave, employers may set a calendar year to mean any 12-month period.

SAFE LEAVE

After January 1, 2021, employees may use accrued leave following a verbal or written request to their employer for sick or safe leave for reasons impacting the employee or a member of their family for whom they are providing care or assistance with care.

Safe leave may be used for an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:

- to obtain services from a domestic violence shelter, rape crisis center, or other services program;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

CAN AN EMPLOYEE USE SAFE LEAVE IF THE POLICE HAVE NOT BEEN CONTACTED OR THE PERPETRATOR HAS NOT BEEN CONVICTED?

Yes. An employee's eligibility for safe leave is not dependent on reporting to law enforcement or a criminal conviction.

WHO QUALIFIES AS A "FAMILY MEMBER" FOR THE PURPOSES OF THIS LAW?

"Family member" is defined as an employee's child, spouse, domestic partner, parent, sibling, grandchild, or grandparent; and the child or parent of an employee's spouse or domestic partner. "Parent" is defined as a biological, foster, step- or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. "Child" is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

DOES AN EMPLOYEE'S IMMIGRATION STATUS AFFECT WHETHER THEY ARE ENTITLED TO SICK OR SAFE LEAVE UNDER THE LAW?

No. An employee's immigration status has no effect on their eligibility for sick or safe leave benefits under this law.

DO EMPLOYEES CONTINUE TO EARN SICK OR SAFE LEAVE WHILE USING PAID SICK OR SAFE LEAVE UNDER THIS LAW?

No. Employees are only required to be credited with leave time for hours worked, and not for hours spent using sick or safe leave time under this law.

MAY PAID FAMILY LEAVE BE USED CONSECUTIVELY WITH PAID SICK LEAVE (E.G. THREE DAYS OF PAID SICK LEAVE, TWO DAYS OF PAID FAMILY LEAVE)?

An employee can only choose to use sick leave during Paid Family Leave (PFL) if the employer allows it. Taking sick leave at the same time as PFL may allow the employee to receive their full salary for all or part of the leave. However, an employee cannot receive more than their full wages while receiving PFL benefits.

CAN AN EMPLOYER HAVE A POLICY THAT PERMITS EMPLOYEES TO DONATE UNUSED LEAVE TO OTHER EMPLOYEES?

Yes. An employer can have a policy that allows employees to donate unused leave to other employees, if the policy is entirely voluntary.

WHAT DO I DO IF MY EMPLOYER ISN'T PROVIDING ME WITH SICK OR SAFE LEAVE AS REQUIRED BY THE LAW?

Employees may file a complaint with the Department of Labor by calling **888-469-7365**.

For more information about New York State's Paid Sick and Safe Leave, including additional FAQs, regulations, and more, please visit ny.gov/paidsickleave.

To get additional help, please visit New York State's Office for the Prevention of Domestic Violence at opdv.ny.gov.

Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740

Prohibited Retaliatory Personnel Action by Employers

Effective January 26, 2022

§740. Retaliatory action by employers; prohibition.

1. Definitions. For purposes of this section, unless the context specifically indicates otherwise:
 - a. "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.
 - b. "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.
 - c. "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.
 - d. "Public body" includes the following:
 - i. the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;
 - ii. any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
 - iii. any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;
 - iv. any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;
 - v. any federal, state or local department of an executive branch of government; or
 - vi. any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.
 - e. "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.
 - f. "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.
2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:
 - a. discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
 - b. provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
 - c. objects to, or refuses to participate in any such activity, policy or practice.
3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:
 - a. there is an imminent and serious danger to the public health or safety;
 - b. the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
 - c. such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
 - d. the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
 - e. the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.
4. Violation; remedy.
 - a. An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
 - b. Any action authorized by this section may be brought in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
 - c. It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.
5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:
 - a. an injunction to restrain continued violation of this section;
 - b. the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;
 - c. the reinstatement of full fringe benefits and seniority rights;
 - d. the compensation for lost wages, benefits and other remuneration;
 - e. the payment by the employer of reasonable costs, disbursements, and attorney's fees;
 - f. a civil penalty of an amount not to exceed ten thousand dollars; and/or
 - g. the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.
6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.
7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.
8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

**To Be Posted Conspicuously in easily accessible and well-lighted places
customarily frequented by employees and applicants for employment.**

Attention Covered Airport Workers in the Miscellaneous Industries

LaGuardia Airport, John F. Kennedy International Airport,
and related locations where covered airport workers are employed

Minimum Applicable Standard Hourly Wage Rates

The greater of:		
New York State Minimum Wage in Effect as of:	12/31/19	\$15.00 /hr.
Or	9/1/21	\$17.00 /hr.
Port Authority Minimum Wage in Effect as of:	9/1/22	\$18.00 /hr.
Plus		
Standard Benefits Supplement Rate in Effect as of: (for the first 40 hours, including time off toward the cost of minimum essential coverage under an employer-sponsored health care plan)	7/1/21	\$4.54 /hr.

If you have questions, need more information or want to file a complaint, please visit
www.labor.ny.gov/minimumwage or call: **1-888-469-7365**.

Covered Airport Workers are any persons employed to perform work at a covered airport location who work at least ½ of their weekly hours at a covered location, were employed as of 12/30/20 and work an average of 30 hours per week. Covered airport workers in the Miscellaneous Industries perform the following work: cleaning and related services, security related services, in terminal passenger services and baggage handling. Salaried professionals, or executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate, **are not covered airport workers**. Detailed descriptions are available at www.labor.ny.gov

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:

Credits and Allowances

- **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they
- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40.
- **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.

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LS208 (03/22)

www.labor.ny.gov

Atención trabajadores aeroportuarios cubiertos en sectores varios

El Aeropuerto LaGuardia, el Aeropuerto Internacional John F. Kennedy
y los lugares relacionados que emplean a trabajadores aeroportuarios cubiertos

Sueldos mínimos por hora estándar aplicables

La cantidad mayor entre:		
El salario mínimo vigente en el estado de Nueva York al:	31/Dic/19	\$15.00 /hora
O	1/Sep/21	\$17.00 /hora
El salario mínimo de la Autoridad Portuaria vigente al:	1/Sep/22	\$18.00 /hora
Más		
Tarifa estándar de beneficios suplementarios en vigor al: (por las primeras 40 horas, incluyendo tiempo libre, para compensar el costo de la cobertura mínima esencial de un plan de salud patrocinado por el empleador)	1/Jul/21	\$4.54 /hora

Si tiene preguntas, necesita más información o desea presentar una queja, visite:
www.labor.ny.gov/minimumwage o llame al: **1-888-469-7365**

Los trabajadores aeroportuarios cubiertos son todas las personas empleadas para desempeñar trabajo en un aeropuerto cubierto y que trabajen al menos ½ de sus horas semanales en un lugar cubierto, estuvieron empleadas al 30/Dic/20 y trabajen un promedio de 30 horas a la semana. Los trabajadores aeroportuarios cubiertos en sectores varios desempeñan los siguientes trabajos: limpieza y servicios relacionados, servicios relacionados con la seguridad, servicios a pasajeros en terminales y manejo de equipajes. Los profesionales asalariados, así como el personal directivo y administrativo cuyo salario semanal sea mayor a 75 veces el salario mínimo, **no son trabajadores aeroportuarios cubiertos**. Hay descripciones detalladas disponibles en www.labor.ny.gov.

Créditos y prestaciones

- **Propinas** – A partir del 31 de diciembre de 2020, su empleador debe pagar el salario aplicable en su totalidad, y no puede aplicar un crédito por propinas a su sueldo.
- **Comidas y alojamiento:** su empleador puede reclamar una cantidad limitada de su salario por las comidas y el alojamiento que le proporcionan, siempre que

no le cobren nada más. Las tarifas y los requisitos se establecen en las ordenanzas sobre salarios y en resúmenes, que están disponibles en línea.

Pagos adicionales que se le pueden adeudar además de los salarios mínimos que se muestran arriba:

- **Tiempo extra:** deben pagarle 1½ veces su sueldo regular (por lo menos las cantidades que se muestran arriba) por las horas excedentes a 40 en cada semana.
- **Pago por disponibilidad:** si asiste a trabajar en su horario programado y su empleador lo envía a casa antes de su hora de salida, usted puede tener derecho a que le paguen horas adicionales por ese día, al salario mínimo.
- **Horario prolongado:** Si su día laboral dura más de diez horas, usted puede tener derecho a un pago adicional diario. El pago diario equivale a una hora de salario mínimo.
- **Mantenimiento de uniformes:** si limpia su propio uniforme, puede tener derecho a un pago semanal adicional. Las tarifas semanales se encuentran disponibles en línea.

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LS208S (03/22)

www.labor.ny.gov

LNy116

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Print Date: 4/22

Attention Covered Airport Workers in the Hospitality Industry

LaGuardia Airport, John F. Kennedy International Airport,
and related locations where airline catering* workers are employed

*airline catering includes work related to the preparation or delivery of food or beverage for consumption on
airplanes departing from a covered airport location or related location.

Minimum Applicable Standard Hourly Wage Rates

The greater of:		12/31/19	\$15.00 /hr.
New York State Minimum Wage in Effect as of:			Overtime after 40 hours \$22.50
Fast Food Worker	\$15.00 /hr.	*Service Employee	\$12.50 /hr.
Overtime after 40 hours	\$22.50	Overtime after 40 hours	\$20.00
		Tip threshold (non-resort)	\$3.25
		*Catering Food Service Worker	\$10.00 /hr.
		Overtime after 40 hours	\$17.50
Or		9/1/21	\$17.00 /hr.
Port Authority Minimum Wage in Effect as of:		9/1/22	\$18.00 /hr.
Plus		7/1/21	\$4.54 /hr.
Standard Benefits Supplement Rate in Effect as of: (toward the cost of minimum essential coverage under an employer-sponsored health care plan for the first 40 hours, including time off)			

If you have questions, need more information or want to file a complaint, please visit
www.labor.ny.gov/minimumwage or call: **1-888-469-7365**.

Covered Airport Workers are any persons employed to perform work at a covered airport location who work at least ½ of their weekly hours at a covered location, were employed as of 12/30/20 and work an average of 30 hours per week. Covered airport workers in the Miscellaneous Industries perform the following work: cleaning and related services, security related services, in terminal passenger services and baggage handling. Salaried professionals, or executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate, **are not covered airport workers**. Detailed descriptions are available at www.labor.ny.gov

Credits and Allowances

- **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. The tip credit amount is the same for overtime hours.
- **Meals and lodging** – Your employer may claim 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:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40.
- **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.

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LS209 (03/22)

www.labor.ny.gov

LNY117

GovDocs
Print Date: 4/22

Atención trabajadores aeroportuarios cubiertos en el sector de la hospitalidad

El Aeropuerto LaGuardia, el Aeropuerto Internacional John F. Kennedy y los lugares relacionados que emplean a trabajadores de servicios alimenticios para aerolíneas*

*los servicios alimenticios para aerolíneas incluyen los trabajos relacionados con la preparación o entrega de alimentos o bebidas para su consumo en aviones que parten de un aeropuerto cubierto o lugar relacionado.

Sueldos mínimos por hora estándar aplicables

La cantidad mayor entre:		31/Dic/19	\$15.00 /hora
El salario mínimo vigente en el estado de Nueva York al:			Horas extras después de 40 horas \$22.50
Trabajadores de comidas rápidas	\$15.00 / hora	*Empleados de servicios	\$12.50 / hora
Horas extra después de 40 horas	\$22.50	Horas extra después de 40 horas	\$20.00
		Umbral de propinas (fuera de resorts)	\$3.25
		*Trabajadores de servicio de alimentos	\$10.00 / hora
		Horas extra después de 40 horas	\$17.50
O		1/Sep/21	\$17.00 /hora
El salario mínimo de la Autoridad Portuaria vigente al:		1/Sep/22	\$18.00 /hora
Más		1/Jul/21	\$4.54 /hora
Tarifa estándar de beneficios suplementarios en vigor al: (para compensar el costo de la cobertura mínima esencial de un plan de salud patrocinado por el empleador para las primeras 40 horas, incluyendo tiempo libre)			

Si tiene preguntas, necesita más información o desea presentar una queja, visite:
www.labor.ny.gov/minimumwage o llame al: **1-888-469-7365**.

Los trabajadores aeroportuarios cubiertos son todas las personas empleadas para desempeñar trabajo en un aeropuerto cubierto (incluyendo lugares relacionados) y que trabajen al menos ½ de sus horas semanales en un lugar cubierto, estuvieron empleadas al 30/Dic/20 y trabajen un promedio de 30 horas a la semana. Los trabajadores aeroportuarios cubiertos en el sector de la hospitalidad desempeñan los siguientes trabajos: servicios de alimentos para aerolíneas y servicios en salas de espera del aeropuerto. Los profesionales asalariados, así como el personal directivo y administrativo cuyo salario semanal sea mayor a 75 veces el salario mínimo, **no son trabajadores aeroportuarios cubiertos**. Hay descripciones detalladas disponibles en www.labor.ny.gov.

Créditos y prestaciones

- **Propinas:** su empleador puede usar una cantidad limitada de sus propinas para reducir su sueldo. Eso se conoce como un crédito por propinas. Su empleador sólo puede tomar un crédito por propinas si sus propinas más su sueldo suman por lo menos el salario mínimo. Aún debe pagarle por lo menos el sueldo que se indica arriba. El importe del crédito por propinas es el mismo para las horas de tiempo extra.
- **Comidas y alojamiento:** su empleador puede reclamar una

cantidad limitada de su salario por las comidas y el alojamiento que le proporcionan, siempre que no le cobren nada más. Las tarifas y los requisitos se establecen en las ordenanzas sobre salarios y en resúmenes, que están disponibles en línea.

Pagos adicionales que se le pueden adeudar además de los salarios mínimos que se muestran arriba:

- **Tiempo extra:** deben pagarle 1½ veces su sueldo regular (por lo menos las cantidades que se muestran arriba) por las horas excedentes a 40 en cada semana.
- **Pago por disponibilidad:** si asiste a trabajar en su horario programado y su empleador lo envía a casa antes de su hora de salida, usted puede tener derecho a que le paguen horas adicionales por ese día, al salario mínimo.
- **Horario prolongado:** Si su día laboral dura más de diez horas, usted puede tener derecho a un pago adicional diario. El pago diario equivale a una hora de salario mínimo.
- **Mantenimiento de uniformes:** si limpia su propio uniforme, puede tener derecho a un pago semanal adicional. Las tarifas semanales se encuentran disponibles en línea.

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Print Date: 4/22

NEW YORK STATE NOTICE OF ELECTRONIC MONITORING

Employees are advised that any and all telephone conversations or transmissions, electronic mail or transmissions, Internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic or photoelectronic or photo-optical systems may be subject to monitoring at any and all time and by any lawful means.

N.Y. Civ. Rights Law § 52-c.

NEW YORK



LABOR LAW POSTINGS Westchester County

Chapter 586 - SAFE TIME LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE AND HUMAN TRAFFICKING

Sec. 586.01. - Short title.

This Chapter shall be known as and may be cited as the "Safe Time Leave Law"

Sec. 586.02. - Purpose.

The purpose of this legislation is to provide victims of domestic violence and human trafficking with safe time leave in order to attend criminal and civil court proceedings and/or to relocate to a safe location.

Sec. 586.03. - Definitions.

For purposes of this chapter:

1. "Calendar year" shall mean from January 1 to December 31 in any given year.
2. "Domestic violence" shall mean a pattern of violent or abusive behavior used by one person to gain or maintain control over another. Abusive behavior includes, but is not limited to, family offense matters.
3. "Employee" shall mean any person employed for hire by an employer in any employment within Westchester County for more than 90 days in a calendar year who performs work on a full-time or part-time basis, including work performed in subsidized private sector and not-for-profit employment programs, but not including:
 - a. Work performed as a participant in a work experience program established by a social services district;
 - b. Work performed pursuant to work study programs under 42 U.S.C. Section 2753;
 - c. Work performed by employees compensated by or through qualified scholarships as defined in 26 U.S.C. Section 117.
4. "Employer" shall mean any "employer" as defined in Section 190(3) of New York State Labor Law, except that an employer includes Westchester County government for its employees that are not subject to a collective bargaining agreement.
5. "Family offense matter" shall mean acts or threats of disorderly conduct, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision 1 of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree,

safe location.

2. The safe time leave provided for in section 1. above, shall be in addition to, sick leave provided for under Westchester County's Earned Sick Leave Law.

Sec. 586.05. - Procedures relating to the request to use safe time leave.

1. Safe time leave shall be provided upon the request of an employee. Such request may be made orally, in writing, by electronic means or by any other means acceptable to the employer. When possible, the request shall include the expected duration of the absence.
2. When the use of safe time leave is foreseeable, the employee shall make a good faith effort to provide notice to the employer in advance and, when possible, shall make a reasonable effort to schedule the use of safe time leave in a manner that does not unduly disrupt the operations of the employer.
3. An employer may not require, as a condition of an employee's use of safe time leave, that the employee find another employee to work during the time of the employee's absence.
4. An employer may require the employee to provide reasonable documentation that the safe time leave has been used for a purpose covered by section 586.04(1) above. Documentation provided by the employee may include any one of the following:
 - (1) A court appearance ticket or subpoena;
 - (2) A copy of a police report;
 - (3) An affidavit from an attorney involved in the court proceeding relating to the issue of domestic violence and/or human trafficking; or
 - (4) An affidavit from an authorized person from a reputable organization known to provide assistance to victims of domestic violence and victims of human trafficking (such as My Sisters' Place).

Sec. 586.06. - Exercise of rights protected; retaliatory personnel actions prohibited.

1. It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, the right to use safe time leave.
2. It shall be unlawful for an employer to include safe time leave as an absence that may lead to or result in discipline, discharge, demotion, or suspension.
3. An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has requested to use or has used safe time leave.
4. An employer shall not take retaliatory personnel

hearing officer shall have the power to:

- a. Dismiss the complaint if not proven by a preponderance of the evidence;
- b. Adjust the matter upon consent; or
- c. Determine a violation has occurred and impose any of the following penalties and any other penalties as may be provided for in this chapter:
 - i. Require the employer to pay the employee three times the wages that should have been paid under this chapter or two hundred fifty dollars, whichever is greater for each instance of safe time leave taken by an employee but unlawfully not compensated by the employer;
 - ii. Require the employer to pay the employee five hundred dollars for each instance of safe time leave requested by an employee but unlawfully denied by the employer and not taken by the employee or unlawfully conditioned upon searching for or finding another employee to work;
 - iii. Grant such additional relief, as it deems appropriate, including any actual damages suffered as the result of the employer's violation of the Safe Time Leave Law, reasonable attorney's fees, the cost of the administrative hearing, and other monetary or equitable relief as may be appropriate, without limitation, reinstatement to employment and back pay.

The determination of the hearing officer shall be served upon the parties. The aggrieved party may appeal said determination to a court of competent jurisdiction by the commencement of a proceeding within 30 days after service of said order upon the aggrieved party. If the court finds an unlawful violation has occurred, the court may impose the penalties set forth in this subdivision.

3. In lieu of the procedures set forth in subdivision 1. and 2. above, any person who claims to have been aggrieved by a violation of this Chapter may commence a civil action in the appropriate court of jurisdiction not later than one (1) year after the occurrence of an alleged violation. If the court finds an unlawful violation has occurred, the court may impose the penalties set forth in subdivision 2. above.

Sec. 586.09. - Confidentiality and nondisclosure.

1. Information about an employee or family member obtained solely for the purposes of utilizing safe time leave shall be treated as confidential and shall not be disclosed except with the written permission of the affected employee, unless such disclosure is otherwise required by law.
2. Any health or safety information possessed by an

menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree or coercion in the second degree as set forth in subdivisions 1, 2 and 3 of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household.

6. "Human trafficking" involves the use of force, fraud, or coercion to obtain some type of labor or commercial sex act.

7. "Members of the same family or household" shall mean (i) persons related by consanguinity or affinity; (ii) persons legally married to or in a domestic partnership with one another; (iii) persons formerly married to or in a domestic partnership with one another regardless of whether they still reside in the same household; (iv) persons who have a child in common, regardless of whether such persons have been married or domestic partners or have lived together at any time; and (v) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time.

8. "Retaliatory personnel action" means denial of any right guaranteed under this chapter or any threat, discharge, suspension, demotion, reduction of hours, reporting or threatening to report an employee's suspected citizenship or immigration status, or the suspected citizenship or immigration status of a family member of the employee to a federal, state or local agency, or any other adverse action against an employee for the exercise of any right guaranteed herein including any sanctions against an employee who is the recipient of public benefits for rights guaranteed under this chapter. Retaliation shall also include interference with or punishment for in any manner participating in or assisting an investigation, proceeding or hearing under this chapter.

9. "Year", other than "calendar year" means a regular and consecutive 12-month period as determined by the employer.

Sec. 586.04. - Safe time leave for victims of domestic violence and human trafficking.

1. Employees who are victims of domestic violence or victims of human trafficking are entitled to take up to 40 hours of paid leave, in any year or calendar year, which can be utilized in full days and/or increments in order to: attend/ testify in criminal and/or civil court proceedings relating to domestic violence or human trafficking and/or to move to a

action or discriminate against an employee that has filed a complaint regarding an employer's alleged violation of Safe Time Leave Law.

5. An employer shall not take retaliatory personnel action or discriminate against an employee that has informed another employee of his or her rights under the Safe Time Leave Law.

6. There shall be a rebuttable presumption of unlawful retaliatory personnel action whenever an employer takes adverse action against an employee within 90 days of the filing of a complaint regarding an employer's alleged violation of this Safe Time Leave Law.

Sec. 586.07. - Notice and posting.

1. At the commencement of employment or within 90 days of the effective date of this law, whichever is later, all employers shall give employees a copy of the Safe Time Leave Law and written notice of how the law applies to that employee.

2. Employers shall display a copy of the Safe Time Leave Law and a poster in English, Spanish and any other language deemed appropriate by the County of Westchester, in a conspicuous location accessible to the employee.

3. An employer who willfully violates the notice and posting requirements of this section shall be subject to a civil fine in an amount not to exceed \$500.00 for each separate offense.

Sec. 586.08. - Enforcement, civil action and penalties.

1. The Department of Weights and Measures - Consumer Protection (hereinafter referred to in this section as the "Department") shall establish a process to receive complaints from a person alleged to have been aggrieved by an employer's non-compliance with this Chapter. Such complaint must be filed within one (1) year after the occurrence of the alleged violation. Once a complaint is received, the Department shall investigate the complaint, and if the Department finds probable cause to support that a violation has occurred, it shall attempt to facilitate a resolution.

2. If there has been no resolution of the matter in accordance with subdivision 1. above, then the Department shall issue a summons to the employer in the form of an appearance ticket that shall give notice of alleged violation and set forth the time and place of the hearing on such complaints, which shall not be less than eight days following service of the summons. Such hearing shall be held before a hearing officer who shall hear testimony and examine exhibits as may be offered and received in evidence, but shall not be required to follow strict rules of evidence. The

employer regarding an employee or employee's family member must be maintained on a separate form and in a separate file from other personnel information.

Sec. 586.10. - Other legal requirements.

This chapter provides minimum requirements pertaining to safe time leave and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, or policy that provides for greater accrual or use by employees of safe time or that extends other protections to employees. In addition, nothing in this chapter shall be construed to prevent, interfere or conflict with any rights of an employee under any other law, including but not limited to, the New York State Paid Family Leave Benefits Law.

Sec. 586.11. - Public education and outreach.

The Westchester County Human Rights Commission shall develop and implement a multilingual outreach program to inform the public, including employees, and persons providing and/or receiving emergency assistance relating to domestic violence or human trafficking about the availability of safe time leave under this chapter. This program shall include the distribution of notices and other written materials in English and Spanish and any language deemed appropriate by the Westchester County Human Rights Commission to elder care providers, domestic violence shelters, hospitals, community health centers, office of court administration and legal service providers in Westchester County.

Sec. 586.12. - Reverse preemption.

This local law shall be null and void on the day that Statewide or Federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or Federal administrative agency issues and promulgates regulations preempting such action by the County of Westchester. The County Board of Legislators may determine via resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Sec. 586.13. - Severability.

If any provision of this chapter or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared severable.

Westchester County's

Safe Time Leave Law

Effective October 30, 2019

UNDER WESTCHESTER COUNTY'S SAFE TIME LEAVE LAW, COVERED EMPLOYERS IN WESTCHESTER COUNTY MUST PROVIDE PAID SAFE TIME LEAVE.

In general, covered employees who work for a covered employer in Westchester County for more than 90 days in a year, full-time or part-time, are covered by the Safe Time Leave Law and entitled to take up to 40 hours of paid safe time leave in full days or increments. Certain exceptions apply.

VICTIMS OF DOMESTIC VIOLENCE AND/OR HUMAN TRAFFICKING CAN USE SAFE TIME LEAVE TO:

- Attend or testify in criminal and/or civil court proceedings relating to domestic violence;
- Attend or testify in criminal and/or civil court proceedings relating to human trafficking; and/or
- Move to a safe location.

YOU HAVE THE RIGHT TO BE FREE FROM RETALIATION FROM YOUR EMPLOYER FOR:

- Using safe time leave;
- Requesting safe time leave;
- Informing other employees of their rights under the law; and/or
- Filing a complaint alleging a violation of the law.

COVERED EMPLOYEES ARE ELIGIBLE TO USE SAFE TIME LEAVE WHEN THEY HAVE WORKED FOR A COVERED EMPLOYER FOR 90 DAYS.

- Employees who have already worked for an employer for 90 days by October 30, 2019 can use leave starting October 30, 2019.
- Newly or recently hired employees are eligible 90 days after the first day of employment.

If you think you've been subjected to a violation of any rights granted under the Safe Time Leave Law, please contact the Westchester County Department of Consumer Protection. Visit www.consumer.westchestergov.com or call (914) 995-2155. For general information about the law, contact the Human Rights Commission at (914) 995-7710 or by email at humanrights@westchestergov.com. FAQs can be found at www.humanrights.westchestergov.com/resources.

Westchester
gov.com

George Latimer, County Executive
James Maisano, Director
Department of Consumer Protection

Tejash V. Sanchala, Esq., Executive Director
Human Rights Commission

Ley De Licencia de Tiempo Seguro

Effective October 30, 2019

BAJO LA LEY DE AUSENCIA DE TIEMPO SEGURO DEL CONDADO DE WESTCHESTER, LOS EMPLEADORES CUBIERTOS DEL CONDADO DE WESTCHESTER DEBEN PROPORCIONAR SALIDA DE TIEMPO SEGURO PAGADO.

En general, los empleados cubiertos que trabajan para un empleador cubierto en el condado de Westchester durante más de 90 días en un año, a tiempo completo o parcial, están cubiertos por la Ley de tiempo asegurado por ausencia y tienen derecho a tomar hasta 40 horas de tiempo pagado en días completos o incrementos. Se aplican ciertas excepciones.

LAS VÍCTIMAS DE VIOLENCIA DOMÉSTICA Y / O TRÁFICO HUMANO PUEDEN UTILIZAR UN TIEMPO SEGURO PARA:

- Asistir o testificar en procesos judiciales penales y / o civiles relacionados con violencia doméstica;
- Asistir o testificar en procesos judiciales penales y / o civiles relacionados con la trata de personas; y/o
- Muévase a un lugar seguro.

TIENE DERECHO A ESTAR LIBRE DE REPRESALIAS DE SU EMPLEADOR PARA:

- Uso de tiempo seguro de Ausencia;
- Solicitar permiso de tiempo seguro;
- Informar a otros empleados de sus derechos bajo la ley; y/o
- Presentar una queja alegando una violación de la ley.

LOS EMPLEADOS CUBIERTOS SON ELEGIBLES PARA USAR TIEMPO ASEGURADO POR AUSENCIA CUANDO HAN TRABAJADO PARA UN EMPLEADOR CUBIERTO POR 90 DÍAS.

- Los empleados que ya han trabajado para un empleador durante 90 días antes del 30 de octubre de 2019 pueden usar la licencia a partir del 30 de octubre de 2019.
- Los empleados contratados recientemente son elegibles 90 días después del primer día de empleo.

Si cree que ha sido objeto de una violación de los derechos otorgados en virtud de la Ley de Tiempo Asegurado por Ausencia, comuníquese con el Departamento de Protección al Consumidor del Condado de Westchester. Visite www.consumer.westchestergov.com o llame al (914) 995-2155. Para obtener información general sobre la ley, comuníquese con la Comisión de Derechos Humanos al (914) 995-7710 o por correo electrónico a humanrights@westchestergov.com. Las preguntas frecuentes se pueden encontrar en www.humanrights.westchestergov.com/resources.



George Latimer, County Executive

James Maisano, Director
Department of Consumer Protection

Tejash V. Sanchala, Esq., Executive Director
Human Rights Commission

NEW YORK



LABOR LAW POSTINGS Buffalo

SMOKING PROHIBITED

**Under Penalty of a Fine
Section 18.12 Fire Prevention Code
By Order of the Fire Prevention Bureau**

NEW YORK



LABOR LAW POSTINGS New York City

No Smoking or Electronic Cigarette Use

This is a smoke-free establishment.



To report violations of the law, call 311
or visit nyc.gov/health

For help quitting smoking, call 866 NY QUITs

NOTICE

Pregnancy Accommodations at Work

The NYC Human Rights Law requires all employers with four or more employees, or one or more domestic worker, to provide reasonable accommodations to employees related to pregnancy, childbirth, and related medical conditions to enable them to continue working and/or return to work promptly while maintaining a healthy pregnancy. Employers are required to provide written notice of employees' rights under the Law, and can use this document to satisfy that requirement. As such, it should be posted in the workplace.

EMPLOYERS

Provide a clear policy and protocol for employees to request a reasonable accommodation. Work with your pregnant employee to promptly agree on a reasonable accommodation that:

- Values your employee's contributions to the workplace
- Helps your employee satisfy the essential requisites of her job
- Keeps them in the workplace for as long as they are able to continue working
- Is right for your employee and does not cause undue hardship to your business

Ignoring a request for a reasonable accommodation, failing to respond quickly, punishing, or firing your employee after they request one can expose you to damages and civil penalties. Employers are prohibited from asking for proof of pregnancy. Employers may request a doctor's note only when the accommodations requested by the employee involve time away from the workplace and when not otherwise prohibited by city, state, or federal law, including the NYC Earned Sick Time Act.

EMPLOYEES

If you need a reasonable accommodation to continue working or remain employed, you can request one. Examples include, but are not limited to:

- Breaks (e.g. to use the bathroom, eat or drink, or provide necessary rest)
- Changes to your work environment such as a seat or a fan
- Assistance with physically demanding tasks
- Time off or schedule adjustments
- A private, clean, non-bathroom space and breaks for expressing breast milk
- Light duty or a temporary transfer to a different position
- Time off to recover from childbirth

The type of reasonable accommodation appropriate for an employee should be tailored to the needs of the employee and the employer. If your request for a reasonable accommodation has been ignored or denied without an appropriate alternative, we can help. Call the NYC Commission on Human Rights at 212-416-0197 to report it.

NYC.gov/HumanRights or call 212-416-0197



NYC Commission on
Human Rights



AVISO

ACOMODACIONES EN EL TRABAJO RELATIVAS AL EMBARAZO

La Ley de Derechos Humanos de la Ciudad de Nueva York requiere que todos los empleadores con cuatro o más empleados o uno o más trabajadores doméstico ofrezcan acomodaciones razonables a sus empleadas/os relativas al embarazo y el nacimiento de un bebé y las condiciones médicas relacionadas con estas etapas de la vida para que puedan continuar trabajando y/o regresar al trabajo rápidamente y que al mismo tiempo estos empleados disfruten de un embarazo saludable. Los empleadores están obligados a proporcionar un aviso por escrito sobre los derechos de los empleados según la Ley. Este documento puede usarse para satisfacer ese requerimiento. Como tal, este aviso debe publicarse en el lugar de trabajo.

EMPLEADORES

Proporcione una política clara y un protocolo para que los empleados soliciten una acomodación razonable. Trabaje con su empleada/o embarazada/o para que establezcan un acuerdo inmediato sobre una acomodación razonable que:

- Valore las contribuciones de la/el empleada/o al lugar de trabajo
- Ayude a la/al empleada/o a satisfacer los requisitos esenciales de su trabajo
- Permita a la/al empleada/o seguir trabajando la mayor parte del tiempo que le sea posible
- Sea apropiado para el/la empleada/o y no causa dificultades excesivas en su lugar de trabajo

Ignorar una solicitud de acomodación razonable, tomarse mucho tiempo para responder, castigar o despedir a su empleado (a) después de que ha hecho la solicitud puede exponerlo a tener que pagar daños emocionales y sanciones civiles. Los empleadores tienen prohibido pedir pruebas de embarazo y solo pueden solicitar una nota médica cuando las acomodaciones solicitados por la/el empleada (o) implican tiempo fuera del lugar de trabajo y cuando esto no esté prohibidos por leyes locales, estatales o federales, incluida la Ley de Horas de Enfermedad Ganados de Nueva York (NYC Earned Sick Time Act).

EMPLEADOS

Usted puede solicitar una acomodación razonable para continuar trabajando o seguir siendo empleado por su trabajo. Por ejemplo:

- Descansos (por ejemplo, para usar el baño, comer o beber, o asegurar el descanso necesario)
- Cambios en su entorno de trabajo (por ejemplo, una silla o un ventilador)
- Asistencia con tareas físicamente exigentes
- Tiempo libre o ajustes de horario
- Un espacio privado y limpio que no sea un baño para descansos y para extraer leche materna
- Trabajo ligero o una transferencia temporal a una posición diferente
- Tiempo libre para recuperarse del parto

El tipo de acomodación razonable apropiado para una/una empleada/o debe adaptarse a las necesidades del empleado y del empleador. Si su solicitud de ajuste razonable ha sido ignorada o denegada sin una alternativa adecuada, podemos ayudarlo. Llame a la Comisión de Derechos Humanos de la Ciudad de Nueva York al 212-416-0197 y reportarlo.

NYC.gov/HumanRights or call 212-416-0197



NYC Comisión de
Derechos Humanos

Food allergies can be serious

Even a tiny amount of the allergy-causing food can be harmful

The 8 most common allergy-causing foods:



Peanuts



Eggs



Tree Nuts



Milk



Fish



Wheat



Shellfish



Soy

When a customer informs a server of a food allergy, the server should:

- Ask the chef or manager if the allergy-causing food is in, or came into contact with, the dish ordered
- Tell the customer what the chef or manager said
- *Never guess! Ask questions!*

How kitchen staff and servers can prevent cross-contamination:

- Check all ingredients; read labels on packaged foods
- Wash hands
- Change gloves
- Clean work surfaces
- Never use any equipment or utensils that were used to prepare other foods
- Never use oils that were used to prepare other foods
- Prevent splashes and spills
- Keep the finished dish separate from other dishes

Las alergias a los alimentos pueden ser graves

Hasta una pequeña cantidad del alimento que produce una alergia puede ser perjudicial•

Los 8 alimentos más comunes•
que producen alergias son:•



Maníes•



Huevos•



Frutos secos•



Leche•



Pescado•



Trigo•



Moluscos•



Soja•

Si un cliente le informa a un mesero•
que tiene una reacción alérgica a
un alimento, el mesero deberá:•

Preguntarle al chef o al encargado si el•
alimento que causa la alergia se encuentra•
en la comida que el cliente ordenó o si ese•
alimento estuvo en contacto con el plato•
que el cliente pidió•

Decirle al cliente lo que el chef o el•
encargado le informó•

¡Nunca adivine! ¡Debe hacer preguntas!

El personal de cocina y los meseros•
pueden hacer lo siguiente para prevenir•
la contaminación cruzada:•

Controlar todos los ingredientes y leer las•
etiquetas de los alimentos envasados•

Lavarse las manos•

Cambiarse los guantes•

Limpiar las superficies de trabajo•

Nunca usar un equipo o los utensilios que•
se utilizaron para preparar otras comidas•

Nunca usar los aceites que se utilizaron•
para preparar otras comidas•

Evitar salpicaduras y derrames•

Mantener el plato terminado lejos de los•
demás pedidos•

Choking

Ask "Are you choking?"

Call 911 if person can't speak or breathe

CHOKING



PERSON IS AWAKE

Make a fist.

Place it above the person's belly button, well below the rib cage.

Pull sharply, inward and upward.

Continue until the food comes out or the person can breathe.

Ask "Are you choking?"

Call 911 if person can't speak or breathe

Person is awake

Make a fist.

Place it above the person's belly button, well below the rib cage.

Pull sharply, inward and upward.

Continue until the food comes out or the person can breathe.

PERSON STOPS RESPONDING

Open the mouth. If food is there, take it out. If food is not visible, tilt the person's head back.

Pinch the person's nose. Place your mouth over the person's mouth and give two breaths.

Push hard repeatedly in chest center for 20 seconds. Check breathing. Repeat from start.

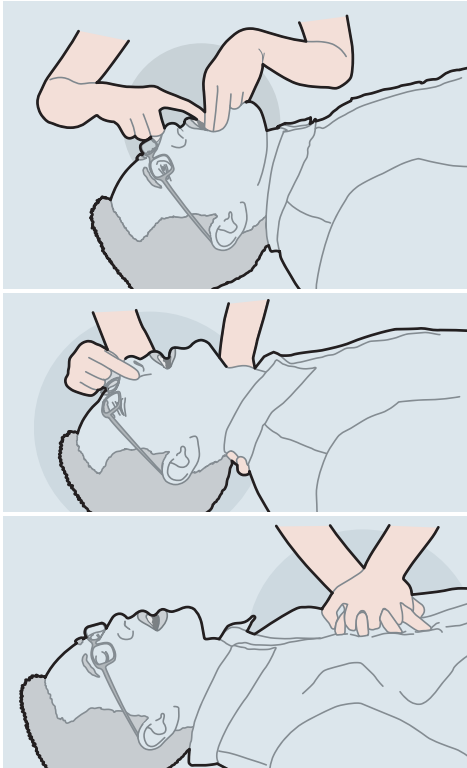


Person stops responding

Open the mouth. If food is there, take it out. If food is not visible, tilt the person's head back.

Pinch the person's nose. Place your mouth over the person's mouth and give two breaths.

Push hard repeatedly in chest center for 20 seconds. Check breathing. Repeat from start.



NYC
Health

Poster design by Steve Duenes Gotham typeface by Hoefler & Frere-Jones



ALL EMPLOYEES MUST WASH HANDS

- **after using the toilet**
- **before handling food**
- **whenever they are soiled**

Notice of Employee Rights: Safe and Sick Leave

If you work part time or full time at any size business or nonprofit in NYC or if you work in an NYC household as a domestic worker, you have the right to safe and sick leave to care for yourself or anyone you consider family. You have this right regardless of your immigration status. Your employer must give you this notice explaining your rights.

Amount of Safe and Sick Leave:

- All employers must provide up to **40 hours** of safe and sick leave each calendar year.

Beginning January 1, 2021:

- Employers with 100 or more employees** must provide up to **56 hours** of safe and sick leave each calendar year.

Your employer's calendar year is: _____ to _____
First month Last month

You earn safe and sick leave at a rate of **1 hour for every 30 hours worked**.

You have a right to **PAID** safe and sick leave if:

- Your employer has 5 or more employees.
- Your employer has fewer than 5 employees but a net income of \$1 million or more.
(effective January 1, 2021)
- You work in someone's home as a domestic worker; for example, babysitter, housekeeper, or companionship worker.
Note: The law covers 1 or more domestic workers working in a household.

You have a right to **UNPAID** safe and sick leave if:

- Your employer has fewer than 5 employees and a net income of less than \$1 million.

You can carry over unused safe and sick leave to the next calendar year.

Use of Safe and Sick Leave:

- Use it for your health, including to get medical care or to recover from illness or injury.
- Use it to care for a family member who is sick or has a medical appointment.
- Use it when your job or your child's school closes due to a public health emergency.
- Use it for your safety or for a family member's safety because of domestic violence, unwanted sexual contact, stalking, or human trafficking.

Your employer can require you to give advance notice of a planned use of safe and sick leave; for example, to attend a scheduled doctor's appointment or court hearing. You do not have to give advance notice of an unexpected use of safe and sick leave; for example, a sudden illness or medical emergency.

You have a right to privacy. You do not have to give your employer details about why you used safe or sick leave.

If you use more than three workdays in a row of safe and sick leave, your employer can require documentation. Your employer must reimburse you for any fees you pay for required documentation. Documentation should *not* include the details of your private medical or personal situation.

Required Written Disclosures about Safe and Sick Leave:

Your employer must:

- Give you a written safe and sick leave policy that explains how to use your benefits.
- Tell you how much safe and sick leave you have used and have left each pay period.

No Retaliation:

It is illegal to punish or fire employees for requesting or using safe and sick leave or for reporting violations.



Eric L. Adams
Mayor

**Consumer and
Worker Protection**

Vilda Vera Mayuga
Commissioner

Contact Consumer and Worker Protection to learn more or to file a complaint.

Visit nyc.gov/workers | Call **311** and ask for "Paid Safe and Sick Leave"

You can also make an ANONYMOUS tip.

Aviso de derechos de los empleados: ausencia laboral debido a seguridad y enfermedad

Si trabaja a tiempo parcial o tiempo completo en una empresa de cualquier tamaño o en una organización sin fines de lucro en la ciudad de Nueva York o si trabaja en una casa de la ciudad de Nueva York como trabajador doméstico, tiene derecho a la ausencia laboral debido a seguridad y enfermedad para cuidar de usted mismo o de cualquier persona que considere parte de su grupo familiar. Tiene este derecho independientemente de su estado migratorio. Su empleador debe darle este aviso explicando sus derechos.

Duración de ausencia laboral debido a seguridad y enfermedad:

- Todos los empleadores deben dar hasta **40 horas** de ausencia laboral debido a seguridad y enfermedad cada año calendario.

A partir del 1 de enero de 2021:

- Los empleadores con 100 empleados o más** deben dar hasta **56 horas** de ausencia laboral debido a seguridad y enfermedad cada año calendario.

El año calendario de su empleador es: _____ a _____
Primer mes Último mes

Usted gana la ausencia laboral debido a seguridad y enfermedad a razón de **1 hora por cada 30 horas trabajadas**.

Tiene derecho de ausencia laboral debido a seguridad y enfermedad **PAGADA** si:

- Su empleador tiene 5 empleados o más.
- Su empleador tiene menos de 5 empleados pero un ingreso neto de \$1 millón o más.
(Fecha de entrada en vigor 1 de enero de 2021)
- Trabaja en la casa de alguien como empleada doméstica; por ejemplo, niñera, ama de llaves o acompañante.
Nota: La ley cubre a 1 o más trabajadores domésticos que trabajan en una casa.

Tiene derecho de ausencia laboral debido a seguridad y enfermedad **NO PAGADA** si:

- Su empleador tiene menos de 5 empleados y un ingreso neto de menos de \$1 millón.

Puede transferir la ausencia laboral debido a seguridad y enfermedad no usada al próximo año calendario.

Uso de ausencia laboral debido a seguridad y enfermedad:

- Úsela para su salud, incluso para recibir atención médica o para recuperarse de una enfermedad o lesión.
- Úsela para cuidar a un familiar que está enfermo o tiene una cita médica.
- Úsela cuando su trabajo o la escuela de su hijo cierren debido a una emergencia médica pública.
- Úsela para su seguridad o para la seguridad de un familiar por violencia doméstica, contacto sexual no deseado, acecho o trata de personas.

Su empleador puede exigirle que avise con antelación el uso planificado de ausencia laboral debido a seguridad y enfermedad; por ejemplo, para asistir a una cita médica programada o una audiencia judicial. No es necesario que avise con antelación el uso inesperado de ausencia laboral debido a seguridad y enfermedad; por ejemplo, una enfermedad repentina o una emergencia médica.

Tiene derecho a la privacidad. No es necesario que le dé a su empleador información sobre por qué usó la ausencia laboral debido a seguridad o enfermedad.

Si usa más de tres días laborales seguidos de ausencia laboral debido a seguridad y enfermedad, su empleador puede exigir documentación. Su empleador debe reembolsarle las tarifas que pague por la documentación requerida. La documentación *no* debe incluir la información de su situación médica ni personal privada.

Revelaciones exigidas por escrito sobre la ausencia laboral debido a seguridad y enfermedad:

Su empleador debe:

- Darle una política de ausencia laboral debido a seguridad y enfermedad por escrito que explique cómo usar sus beneficios.
- Decirle cuánto de ausencia laboral debido a seguridad y enfermedad usó y cuánto le queda en cada período de pago.

Sin represalias:

Es ilegal castigar o despedir a los empleados por pedir o usar la ausencia laboral debido a seguridad y enfermedad o por denunciar violaciones.



Consumer and Worker Protection
Lorelei Salas
Commissioner

Comuníquese con Protección al Consumidor y al Trabajador para obtener más información o para presentar una queja.

Visite nyc.gov/workers | Llame a 311 y pregunte por la "Ausencia laboral debido a seguridad y enfermedad"

También puede hacer un aviso ANÓNIMO.

THERE'S NO ROOM FOR HOUSING DISCRIMINATION IN NYC

Discrimination may sound like this:

"Installing a ramp is expensive and would ruin the appearance of the building."

"I don't accept vouchers."

"I don't have to make that repair; undocumented tenants don't have the same rights as other tenants."

"They told me the apartment was available, but then when they saw I was black, they changed their mind."

The NYC Human Rights Law makes it illegal to discriminate against a resident or housing applicant based on



National Origin,
Immigration Status,
Religion



Gender, Gender Identity,
Gender Expression,
Sexual Orientation



Disability



Occupation,
Source of Income



Presence of Children, Marital or Partnership Status, Age,
Race, Color, Pregnancy, Status as Victim of Domestic
Violence, Sexual Violence, and Stalking (as of 7/26/16)

FAIR HOUSING. It's Your Right. It's Your Responsibility. It's the Law.



Commission on
Human Rights

Department of
Housing Preservation
and Development

@NYCCHR @NYCHousing

If you have experienced discrimination, call 311 and ask for the Commission on Human Rights or call the Commission's Infoline at (212) 416-0197. Visit nyc.gov/fairhousingnyc.

#FairHousingNYC

NO HAY LUGAR PARA LA DISCRIMINACIÓN EN LA VIVIENDA EN LA CIUDAD DE NUEVA YORK

La discriminación puede sonar así:

“Instalar una rampa es costoso y dañaría la apariencia del edificio.”

“Yo no acepto cupones de vivienda.”

“No tengo que hacer esa reparación.”

Los inquilinos indocumentados no tienen los mismos derechos.”

“Me dijeron que el apartamento estaba disponible.

Luego cuando vieron que era negro, me dijeron que ya lo habían alquilado.”

Bajo la Ley de Derechos Humanos de la Ciudad de Nueva York es ilegal discriminar en contra de un residente o un solicitante de vivienda basado en



Origen Nacional,
Estatus Migratorio,
Religión



Género, Identidad de Género,
Expresión de Género,
Orientación Sexual



Discapacidad



Ocupación,
Fuente de Ingreso



Presencia de Niños, Estatus Marital o Civil, Edad, Color,
Raza, Embarazo, Estatus de Víctima de Violencia
Doméstica, Violencia Sexual y Acecho (a partir de 7/26/16)

EQUIDAD DE VIVIENDA. Es su derecho. Es su responsabilidad. Es la ley.



Comisión de
Derechos Humanos

Departamento de
Conservación y
Desarrollo de Viviendas

@NYCCHR @NYCHousing

Si usted cree que ha sido discriminado, llame al 311 y solicite hablar con la Comisión de Derechos Humanos o llame a la línea de información de la Comisión al (212) 416-01097. Visite nyc.gov/fairhousingnyc.

#FairHousingNYC



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER

EMPLOYER: _____

WORKSITE ADDRESS: _____

This worksite is covered by New York City prevailing wage/living wage requirements.

Under applicable law, workers employed on this site must be paid prevailing wages (or living wages) and benefits or supplements as set forth in the attached schedules.

If you believe that you have not received the required wages and benefits or supplements, please contact the New York City Comptroller's Office:

- Call (212) 669-4443 or
- Pick up a complaint form in our office:
1 Centre Street, Room 651, New York, NY 10007 or
- Download our complaint form and view all of our prevailing wage and living wage schedules at our website: comptroller.nyc.gov/wages

If you file a written complaint with our office, we will investigate.

It shall be unlawful for any employer to retaliate against, discharge, demote, suspend, take adverse employment action in the terms and conditions of employment or otherwise discriminate against any employee for reporting or asserting a prevailing wage/living wage violation, for seeking or communicating information regarding the employees' legal right to prevailing wages/living wages, or for participating in any investigatory or court proceeding relating to non-payment of prevailing wages/living wages.

WAGE SCHEDULES ATTACHED: _____



CIUDAD DE NUEVA YORK
OFICINA DEL CONTRALOR

EMPLEADOR: _____

DIRECCIÓN DEL LUGAR DE TRABAJO: _____

Este lugar de trabajo está cubierto por los requisitos de salario prevaleciente/salario vital de la ciudad de Nueva York.

Conforme a las leyes vigentes, los trabajadores empleados en este lugar deben recibir el salario prevaleciente (o salario vital) y los beneficios o complementos establecidos en las listas adjuntas.

Si cree que no ha recibido los salarios y beneficios o complementos adecuados, comuníquese con la Oficina del Contralor de la Ciudad de Nueva York:

- Llame al (212) 669-4443 o
- Complete un formulario de quejas en nuestra oficina:
1 Centre Street, Room 651, New York, NY 10007 o
- Descargue nuestro formulario de quejas y vea todas nuestras listas de salario prevaleciente y salario vital en nuestro sitio web:
comptroller.nyc.gov/wages

Si presenta una queja por escrito en nuestra oficina, la investigaremos.

Será una práctica ilícita para cualquier empleador tomar represalias, despedir, degradar, suspender, adoptar medidas laborales adversas en relación con los términos y condiciones de empleo o bien discriminar a cualquier empleado por denunciar o reclamar la violación de su salario prevaleciente/salario vital, por buscar o transmitir información relativa al derecho legal del empleado a percibir el salario prevaleciente/salario vital o por participar en cualquier investigación o procedimiento judicial relativo al salario prevaleciente/salario vital.

LISTAS DE SALARIO ADJUNTAS: _____



Rev. 4/21

103360

New York City's Living Wage Laws

Know Your Rights

- ▶ Employees of private companies that provide Homecare, Day Care, Head Start services and Services to Persons with Cerebral Palsy under contract with New York City government agencies are entitled to living wages and benefits:

\$10.00 per hour and a health care benefits package for the employee and the employee's family or an additional \$1.50 per hour

- ▶ If a business with annual gross revenues of \$5 million or more receives \$1 million or more in financial assistance from the City of New York, then the business, its tenants, sub-tenants, contractors, subcontractors and concessionaires may be required to pay their employees living wages and benefits:*

\$11.60 per hour and \$2.00 per hour in health benefits or additional pay

**Rates are valid through December 31, 2021.*

If you perform homecare, day care, head start or cerebral palsy support services for a NYC government contractor, or you work for a business that receives financial assistance from the City of New York and you believe your employer is not complying with the law, contact us. Currently, the New York State minimum wage rate for New York City is \$15.00 per hour, which is higher than both living wage rates. To file a claim for underpayment of minimum wage, contact the New York State Department of Labor at 1-888-4-NYSDOL (1-888-469-7365).



Bureau of Labor Law

Office of the New York City Comptroller
(212) 669-4443 (All calls will remain confidential)
laborlaw@comptroller.nyc.gov



Visit us online

View other job titles, complaint forms and more information
www.comptroller.nyc.gov/prevailingwage



NEW YORK CITY COMPTROLLER



Leyes del Salario Digno de la Ciudad de Nueva York

Conozca Sus Derechos

- ▶ Los empleados de empresas privadas que presten servicios de cuidado de salud en el hogar, guardería infantil, programas Head Start y servicio a personas con parálisis cerebral, y que estén bajo contrato con agencias gubernamentales de la ciudad de Nueva York, tienen derecho a salarios y prestaciones dignos:

\$10.00 por hora y prestaciones de salud para empleados y sus familias, o \$1.50 adicionales por hora.

- ▶ Si una empresa tiene ingresos brutos anuales de \$5 millones o más, y recibe al menos \$1 millón en asistencia financiera de la Ciudad de Nueva York, dicha empresa, sus inquilinos, sub-inquilinos, contratistas, sub-contratistas y concesionarios podrían ser requeridos a pagar a sus empleados la siguiente tarifa de salarios y prestaciones dignos:

\$11.60 por hora y \$2.00 por hora en prestaciones de salud o pago adicional.

**Tarifas vigentes hasta el 31 de diciembre de 2021.*

Si realiza servicios de cuidado de salud en casa, guardería, programas Head Start o apoyo a personas con parálisis cerebral, trabaja para un contratista con el gobierno de la ciudad de Nueva York o para un negocio que recibe asistencia financiera de la ciudad de Nueva York y sospecha que su empleador no está cumpliendo con la ley, contáctenos. En la actualidad, el Salario Mínimo en el estado de Nueva York es de \$15 por hora; es decir, es más alto que ambas tarifas de Salario Digno. Para presentar una queja por pago insuficiente de Salario Mínimo, contacte al Departamento del Trabajo del Estado de Nueva York, al 1-888-4-NYSDOL (1-888-469-7365).



BURÓ DE DERECHO LABORAL

Oficina del Contralor de la Ciudad de Nueva York
(212) 669-4443 (todas las llamadas serán confidenciales)
laborlaw@comptroller.nyc.gov



VISÍTENOS EN LÍNEA

Vea otros cargos laborales, formularios de denuncia, e información adicional: www.comptroller.nyc.gov/prevailingwage



NEW YORK CITY COMPTROLLER



Construction Workers Know Your Rights

Construction workers employed by private contractors on NYC public works projects are entitled to prevailing wages and benefits.

For example:

Job Title	Hourly Wage	Hourly Benefits
Hazardous Material Handler	\$38.05	\$17.75
Carpenters (Building)	\$54.75	\$47.13
Electricians (Street Lighting)	\$58.00	\$56.83
Iron Workers (Ornamental)	\$46.15	\$59.62
Laborers (Excavation)	\$43.50	\$48.63
Laborers (Mason Tender)	\$39.20	\$31.24
Painters (Brush & Roller)	\$43.00	\$36.70
Plumbers	\$71.25	\$39.95

Most rates are valid through 6/30/2022.

If you perform construction, replacement, maintenance or repair work for a NYC government contractor and you believe your employer is not complying with the law, contact us.



Bureau of Labor Law

Office of the New York City Comptroller
(212) 669-4443 (All calls will remain confidential)
laborlaw@comptroller.nyc.gov



Visit us online

View other job titles, complaint forms and more information
comptroller.nyc.gov/wages



NEW YORK CITY COMPTROLLER



Trabajadores de Construcción Conozcan Sus Derechos

Los trabajadores de construcción empleados por contratistas privados en proyectos gubernamentales de la Ciudad de Nueva York tienen derecho a salarios y beneficios prevalecientes. Por ejemplo:

Cargo	Salario por hora	Beneficios por hora
Manipuladores De Asbestos	\$38.05	\$17.75
Carpinteros (de edificios)	\$54.75	\$47.13
Electricistas: (A)	\$58.00	\$56.83
Techeros Metálicos	\$46.15	\$59.62
Obreros (de excavación)	\$43.50	\$48.63
Obreros (de edificios)	\$39.20	\$31.24
Pintores: (con brocha y rodillo)	\$43.00	\$36.70
Plomeros	\$71.25	\$39.95

Estas tasas de pago serán vigentes hasta 6/30/2022.

Si usted trabaja en construcción, hace repuestos, mantenimiento, o reparaciones para un contratista del gobierno de la Ciudad de Nueva York, y piensa que su empleador está incumpliendo con la ley, contáctenos.



AGENCIA DE LEYES LABORALES

Oficina del Contralor de la Ciudad de Nueva York
(212) 669-4443 (todas las llamadas serán confidenciales)
laborlaw@comptroller.nyc.gov



Visítenos en línea

Vea otros cargos laborales, formularios de denuncia, e información adicional: comptroller.nyc.gov/wages



NEW YORK CITY COMPTROLLER



Building Service Employees Know Your Rights

Building service workers may be entitled to prevailing wages and benefits if they are employed by:

- ▶ Private companies under contract with NYC government agencies
- ▶ Landlords receiving 421-a tax abatements in buildings with 50 or more dwelling units built after 2007
- ▶ Landlords leasing office space to NYC government agencies
- ▶ Businesses receiving financial assistance from the City of New York

For example:

Job Title	Hourly Wage	Hourly Benefits
Office Building Class "C" Cleaner/Porter	\$28.57	\$14.34
Building HVAC Service Operator – Fireperson	\$35.17	\$21.10
Landscaper/Groundskeeper	\$22.34	\$2.16
Mover – Office Furniture and Equipment – Light Truck Driver	\$23.22	\$5.68
Security Guard (Unarmed) 0-36 months	\$16.02	\$7.26
Refuse Remover	\$32.90	\$5.68

Rates are valid through 6/30/2022, except where noted.

If you perform building service work for a NYC government contractor, a landlord that leases to a NYC government agency or a business that receives financial assistance from the City of New York and you believe your employer is not complying with the law, contact us.



Bureau of Labor Law

Office of the New York City Comptroller
(212) 669-4443 (All calls will remain confidential)
laborlaw@comptroller.nyc.gov



Visit us online

View other job titles, complaint forms and more information
comptroller.nyc.gov/wages



NEW YORK CITY COMPTROLLER



Trabajadores de Edificios

Conozcan Sus Derechos

Trabajadores de servicios en edificios puedan tener derecho a salarios y beneficios prevalecientes si son empleados por:

- ▶ Empresas privadas bajo contrato con agencias gubernamentales de la Ciudad de Nueva York
- ▶ Propietarios de edificios que reciben reducciones de impuestos bajo ley de tax 421-a, en edificios que tienen 50 o más apartamentos, construidos después del 2007
- ▶ Propietarios arrendando espacio de oficinas a agencias del gobierno de la Ciudad de Nueva York
- ▶ Empresas recibiendo asistencia financiera de la Ciudad de Nueva York

Por ejemplo:

Cargo	Salario por hora	Beneficios por hora
Porteros de edificios/personal de limpieza de edificios de oficinas Clase "C"	\$28.57	\$14.34
Asistentes de operadores de sistemas de climatización de edificios	\$35.17	\$21.10
Jardineros	\$22.34	\$2.16
Cargador de muebles y equipos de oficina – conductor de camiones pequeños	\$23.22	\$5.68
Guardia de seguridad (sin arma) 0 a 36 meses	\$16.02	\$7.26
Removedor de basura	\$32.90	\$5.68

Estas tasas de pago serán vigentes hasta 6/30/2022, excepto en donde es notado.

Si usted trabaja haciendo servicios en edificios, para un contratista del gobierno de la Ciudad de Nueva York, para un propietario alquilándole espacio a una agencia de la ciudad o para una empresa que recibe asistencia financiera de la Ciudad y piensa que su empleador está incumpliendo con la ley, contáctenos.



AGENCIA DE LEYES LABORALES

Oficina del Contralor de la Ciudad de Nueva York
(212) 669-4443 (todas las llamadas serán confidenciales)
laborlaw@comptroller.nyc.gov



Visítenos en línea

Vea otros cargos laborales, formularios de denuncia, e información adicional: www.comptroller.nyc.gov/prevailingwage



NEW YORK CITY COMPTROLLER

NYC FAST FOOD WORKERS' RIGHTS

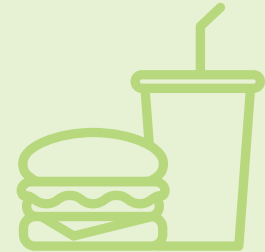
Under NYC's **Fair Workweek Law**, employers must give workers predictable schedules and the chance to work more hours. **The law now prohibits wrongful discharge.** Specifically, employers cannot fire or lay off workers or reduce their hours by more than 15% without just cause or a legitimate economic reason. Employers must post this notice where employees can easily see it at each NYC workplace.

Fast Food Workers Covered by the Law

Employees who perform at least one of the following tasks at a fast food establishment in NYC:

- cleaning
- cooking
- customer service
- food or drink preparation
- off-site delivery
- routine maintenance duties
- security
- stocking supplies or equipment

The law applies regardless of immigration status.



Your Rights



No firing or reduction of hours without just cause (Effective 7/4/2021)

Except for illegal or dangerous behavior, employers:

- Must give workers who passed their probation period retraining and an opportunity to improve.
- Can only fire underperforming workers after giving them multiple disciplinary warnings in a year.



No layoffs except for economic reasons (Effective 7/4/2021)

Layoffs must be in reverse order of seniority, with longest-serving workers laid off last.



Written explanation for firing, reduction of hours, or layoff (Effective 7/4/2021)



Written long-term regular schedule

Your regular schedule must be stable week to week so you know when you are expected to work. Your employer must give you an updated regular schedule if there are changes.



2 weeks' advance notice of work schedule

Work schedules must show all shifts for at least 7 calendar days and reflect your regular schedule, unless you requested



Priority to laid-off or current workers to work newly available shifts

- Your employer must advertise open shifts on posters in the restaurant and by text or email.
- Your employer may only hire new workers if no laid-off or current NYC workers accept the shifts by the posted deadline.

or agreed to any changes.



\$100 premium to work “clopening” shifts and the right to say no

A clopening involves closing and opening a restaurant on back-to-back shifts. You can agree to work and get premium pay or you can refuse.



Premium pay for schedule changes by employer with less than 14 days’ notice and the right to say no to additional hours

Amount of notice	Rate for additional hours	Rate if no impact on hours	Rate for reduced hours
Less than 14 days’ notice	\$10 per change	\$10 per change	\$20 per change
Less than 7 days’ notice	\$15 per change	\$15 per change	\$45 per change
Less than 24 hours’ notice	\$15 per change	\$15 per change	\$75 per change

You do not give up your right to premium pay when you agree to a schedule change.

Premium pay is not required when:

1. Your employer closes due to: threats to worker safety or employer property; public utility failure; shutdown of public transportation; fire, flood, or other natural disaster; government-declared state of emergency.
2. You request a schedule change to a shift in writing.
3. You trade shifts with another employee.
4. Your employer must pay overtime for a changed shift.

No Retaliation

It is illegal to punish or fire employees for exercising their rights under the law. Workers should immediately contact DCWP about retaliation.

File a Complaint

The Department of Consumer and Worker Protection (DCWP) enforces the law. For more information or to file a complaint:

- Visit nyc.gov/workers
- Contact **311** (212-NEW-YORK outside NYC) and ask for “Fair Workweek Law”
- Email OLPS@dca.nyc.gov

DCWP will keep your identity confidential unless disclosure is required by law.

You can also file an action in court. However, you cannot have a complaint with DCWP and a claim in court at the same time.



06/2021

DERECHOS DE LOS TRABAJADORES DE EMPRESAS DE COMIDA RÁPIDA DE LA CIUDAD DE NUEVA YORK (NYC)

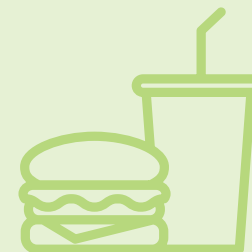
Según la **Ley de Semana Laboral Justa** (Fair Workweek Law) de NYC, los empleadores deben darles a los trabajadores horarios predecibles y la oportunidad de trabajar más horas. **La ley ahora prohíbe los despidos injustificados.** Específicamente, los empleadores no pueden despedir, suspender por razones de recorte de personal, ni reducir las horas de los trabajadores en más del 15 % sin causa justa o sin razones económicas legítimas. Los empleadores deben poner este aviso en un lugar donde los empleados puedan verlo fácilmente, en cada lugar de trabajo de NYC.

Trabajadores de empresas de comida rápida que cubre la ley

Los empleados que hacen al menos una de las siguientes tareas en un establecimiento de comida rápida en NYC:

- limpieza
- cocina
- servicio al cliente
- preparación de comidas o bebidas
- entregas fuera del lugar
- tareas de mantenimiento de rutina
- seguridad
- surtido de suministros o de equipo

La ley se aplica independientemente de la situación migratoria.



Sus derechos



No se puede despedir a los trabajadores ni reducir sus horas sin causa justa

(Entrada en vigor el 7/4/2021)

Excepto en el caso de conductas ilegales o peligrosas, los empleadores:

- A los trabajadores que han superado el período de prueba se les debe dar una nueva capacitación y oportunidad de mejorar.
- Solo se puede despedir a los trabajadores que tengan bajo rendimiento después de darles varias advertencias disciplinarias en un año.



Explicación escrita del despido, de la reducción de horas o de la suspensión por recorte de personal (Entrada en vigor el 7/4/2021)



Horario regular de largo plazo escrito

Su horario regular debe ser estable semana a semana para que sepa cuándo debe trabajar. Su empleador debe darle un horario regular actualizado si hay cambios.



No están permitidas las suspensiones por recortes de personal salvo por razones económicas (Entrada en vigor el 7/4/2021)

Las suspensiones por recorte de personal deben hacerse en orden inverso a la antigüedad, y los trabajadores más antiguos deben ser los últimos a quienes se suspenda.



Aviso del horario laboral con 2 semanas de antelación

Los horarios laborales deben mostrar todos los turnos durante al menos 7 días naturales y reflejar su horario regular, a menos que usted haya pedido o acordado algún cambio.



Se les debe dar prioridad a los trabajadores suspendidos por recorte de personal o actuales para trabajar en los nuevos turnos disponibles

- Su empleador debe anunciar que hay turnos disponibles mediante letreros en el restaurante y por mensaje de texto o correo electrónico.
- Su empleador solo puede contratar nuevos trabajadores si ningún empleado de NYC actual o suspendido por recorte de personal acepta el turno antes de la fecha límite anunciada.



Prima de \$100 por trabajar turnos “clopening” y derecho a decir que no

Un turno clopening implica cerrar y abrir un restaurante en turnos consecutivos. Usted puede aceptar trabajar y que le paguen una prima o puede negarse.



Pago de primas por cambios de horario que haga el empleador con menos de 14 días de aviso previo y derecho a rechazar las horas adicionales

Aviso previo	Tarifa por horas adicionales	Tarifa si no afecta a las horas	Tarifa por horario reducido
Aviso con menos de 14 días de antelación	\$10 por cambio	\$10 por cambio	\$20 por cambio
Aviso con menos de 7 días de antelación	\$15 por cambio	\$15 por cambio	\$45 por cambio
Aviso con menos de 24 horas de antelación	\$15 por cambio	\$15 por cambio	\$75 por cambio

Usted no renuncia a su derecho al pago de la prima cuando acepta un cambio de horario.

El pago de la prima no es obligatorio cuando:

1. Su empleador cierra por: amenazas a la seguridad de los trabajadores o a su propiedad; interrupción de los servicios públicos; corte del servicio de transporte público; incendio, inundación u otro desastre natural; estado de emergencia declarado por el gobierno.
2. Usted pide por escrito un cambio de horario para un turno.
3. Usted intercambia turnos con otro empleado.
4. Su empleador debe pagar horas extra por un turno cambiado.

Prohibición de las represalias

Es ilegal sancionar o despedir a los empleados por ejercer sus derechos según la ley. Los trabajadores deben comunicarse inmediatamente con el DCWP si se toman represalias.

Cómo presentar una queja

El Departamento de Protección al Consumidor y al Trabajador (DCWP) hace cumplir la ley. Para obtener más información o para presentar una queja:

- Visite **nyc.gov/workers**
- Llame al **311** (212-NEW-YORK desde fuera de NYC) y pregunte por la “Fair Workweek Law” (Ley de Semana Laboral Justa)
- Envíe un correo electrónico a **OLPS@dca.nyc.gov**

El DCWP mantendrá la confidencialidad de su identidad salvo que la ley exija que se revele.

También puede iniciar acciones judiciales. Sin embargo, no podrá presentar una queja al DCWP e iniciar acciones judiciales a la vez.



07/2021

YOU HAVE A RIGHT TO A PREDICTABLE WORK SCHEDULE

Under NYC's Fair Workweek Law, certain retail employers must give their employees predictable work schedules. Retailers must post this notice where employees can easily see it at each NYC workplace.*

Retail Employees Covered by the Law

All employees who work at a retail business that primarily sells consumer goods and employs at least 20 workers in NYC.

The law applies regardless of immigration status.

Retail Employees NOT Covered by the Law

Employees covered by certain collective bargaining agreements.



Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

Your Rights



72 Hours' Advance Notice of Work Schedule

Your employer must:

- Give you your written work schedule at least 72 hours before the start of the schedule in the way your employer usually contacts you, which may include text and email.
- Post the schedule at your workplace where all workers can see it.



No Shift Additions with Less than 72 Hours' Notice

If your employer wants to add time or shifts to your schedule less than 72 hours before the change, you have the right to accept or decline the change. If you accept an additional shift, you must do so in writing.

- Include dates, shift start and end times, and location(s) of all shifts in the work schedule.
- Update and repost the schedule and contact all affected workers if the schedule changes.



No On-call Shifts

Your employer cannot require you to:

- Be ready and available to work at any time the employer demands, regardless of whether you actually work or report to work.
- “Check in” within 72 hours of a scheduled shift to find out if you should report for the shift.



No Shift Cancellations with Less than 72 Hours' Notice

Your employer cannot cancel a shift less than 72 hours before the start of the shift.

Exceptions:

Your employer may change your schedule with less than 72 hours' notice due to a closing under the following circumstances:

- Threats to worker safety or employer property
- Public utility failure
- Shutdown of public transportation
- Fire, flood, or other natural disaster
- Government-declared state of emergency

Your employer may also grant you time off at your request or allow you to trade shifts with another retail employee.

File a Complaint

The Department of Consumer Affairs (DCA) Office of Labor Policy & Standards (OLPS) enforces the Fair Workweek Law and other NYC labor laws.

To file a complaint with OLPS, go to nyc.gov/dca or **contact 311** (212-NEW-YORK outside NYC) and ask for “Fair Workweek Law.” OLPS will conduct an investigation and try to resolve your complaint. **OLPS will keep your identity confidential unless disclosure is necessary to complete an investigation or is required by law.**

You can also file an action in court. However, you cannot have a complaint with OLPS and a claim in court at the same time.

Contact OLPS

Visit nyc.gov/dca, email FWW@dca.nyc.gov, or **contact 311** and ask for “Fair Workweek Law.”



**Consumer
Affairs**
Lorelei Salas
Commissioner

**Your employer must also post this notice in any language that is the primary language of at least 5 percent of the workers at your workplace if available on the DCA website.*

TIENE DERECHO A UN HORARIO LABORAL PREDECIBLE

De conformidad con la Fair Workweek Law (Ley de Semana Laboral Justa) de NYC, los empleadores de comercios minoristas deben darles a sus empleados horarios laborales predecibles. Los comercios minoristas deben publicar este aviso en un lugar en el que los empleados puedan verlo fácilmente, en cada lugar de trabajo de NYC.*

Empleados de comercios minoristas a los que protege la ley

Todos los empleados que trabajen en un comercio minorista que venda principalmente bienes de consumo y que emplee al menos a 20 trabajadores en NYC.

Se aplica la ley independientemente de la condición migratoria.

Empleados de comercios minoristas a los que NO protege la ley

Los empleados cubiertos por ciertos tipos de contrato colectivo.



Los empleadores no pueden castigar, penalizar, tomar represalias ni medidas en contra de los empleados que puedan impedirles o disuadirlos de ejercer sus derechos de conformidad con la ley. Los trabajadores deben contactar inmediatamente a la Oficina de Normas y Asuntos Laborales (Office of Labor Policy & Standards, OLPS) en caso de recibir represalias. Ver a continuación.

Sus derechos



Notificación del horario laboral con 72 horas de antelación

Su empleador debe:

- Darle su horario laboral por escrito al menos 72 horas antes de comenzar su primer turno del horario y de la manera en la que su empleador suela contactarlo, la cual



No se pueden añadir turnos con menos de 72 horas de aviso

Si su empleador quiere añadir horas o turnos a su horario en menos de 72 horas antes del cambio, usted tiene derecho a aceptar o rechazar el cambio. Si usted acepta un turno adicional, debe hacerlo por escrito.

- puede incluir mensajes de texto y correo electrónico.
- Publique el horario en su lugar de trabajo de manera que todos los trabajadores puedan verlo.
- Incluya las fechas, las horas de inicio y finalización de cada turno y las ubicaciones de todos los turnos.
- Actualice y vuelva a publicar el horario y contacte a todos los trabajadores afectados si el horario cambia.



No se permiten los turnos de guardia

Su empleador no puede exigirle:

- Que esté listo y disponible en cualquier momento en el que se lo exija el empleador, independientemente de si usted realmente trabaja o se presenta a trabajar.
- “Reportarse” en el transcurso de 72 horas antes de un turno programado para saber si tiene que presentarse para el turno.



No se permite cancelar los turnos con menos de 72 horas de notificación previa

Su empleador no puede cancelar un turno en menos de 72 horas antes del inicio de este.

Excepciones:

Su empleador podrá cambiar su horario con menos de 72 horas de notificación previa si se vio obligado a cerrar por alguna de las siguientes circunstancias:

- Amenazas a la seguridad de los empleados o a su propiedad
- Fallas en los servicios públicos
- Paro de transporte público
- Incendio, inundación u otro desastre natural
- Estado de emergencia declarado por el gobierno

Su empleador también puede concederle tiempo libre a su solicitud o permitirle intercambiar turnos con otro empleado del comercio minorista.

Presentar un reclamo

La Oficina de Normas y Asuntos Laborales (OLPS) del Departamento de Asuntos del Consumidor (Department of Consumer Affairs, DCA) hace cumplir la Fair Workweek Law y otras leyes laborales de NYC.

Para presentar un reclamo en la OLPS, visite nyc.gov/dca o llame al 311 (212-NEW-YORK fuera de NYC) y pregunte por la “Fair Workweek Law”. La OLPS llevará a cabo una investigación e intentará resolver su reclamo. **La OLPS mantendrá la confidencialidad de su identidad a menos que su divulgación sea necesaria para llevar a cabo alguna investigación o lo exija la ley.**

También puede presentar una demanda ante el tribunal. Sin embargo, no puede tener un reclamo en la OLPS y una demanda en el tribunal al mismo tiempo.

Contacte a la OLPS

Visite nyc.gov/dca, envíe un correo electrónico a FWW@dca.nyc.gov o llame al 311 y pregunte por la “Fair Workweek Law”.



Bill de Blasio
Mayor

**Consumer
Affairs**

Lorelei Salas
Commissioner

**Su empleador también debe publicar este aviso en cualquier otro idioma que sea la lengua materna de al menos 5% de los trabajadores del lugar de trabajo, en caso de estar disponible en el sitio web del DCA.*

08/2018



NOTICE OF RIGHTS

This establishment is subject to the New York City Human Rights Law (“NYCHRL”) which is Title 8 of the Administrative Code of the City of New York.

If you wish to file a complaint with the Commission on Human Rights, you must do so within one year of the last alleged act of discrimination. The Commission’s services are provided free of charge. To schedule an appointment, please call 311 or (212) 416-0197.

If you wish to file a complaint in State Court, you must do so within three years after the last alleged act of discrimination. You may not file both with the Commission and in State Court.

To request a training, or to learn more about the Commission’s work, visit NYC.gov/HumanRights

EMPLOYMENT

It is illegal to discriminate against employees, interns, job seekers, and independent contractors on the basis of:

Age • Arrest or Conviction Record • Caregiver Status • Color • Credit History • Disability • Gender • Gender Identity • Immigration Status • Marital or Partnership Status • Military Service • National Origin • Pregnancy • Pre-employment Marijuana Testing • Race • Religion/Creed • Salary History • Sexual & Reproductive Health Decisions • Sexual Orientation • Status as Victim of Domestic Violence, Sexual Violence, or Stalking • Unemployment Status

HOUSING

It is illegal to discriminate against tenants, apartment seekers, and home buyers on the basis of:

Age • Color • Disability • Gender • Gender Identity • Immigration Status • Lawful Occupation • Lawful Source of Income (including housing subsidies) • Marital or Partnership Status • Military Service • National Origin • Pregnancy • Presence of Children • Race • Religion/Creed • Sexual Orientation • Status as Victim of Domestic Violence, Sexual Violence, or Stalking

PUBLIC ACCOMMODATIONS

It is illegal to discriminate in public spaces like stores, restaurants, parks, libraries, or taxis on the basis of:

Age • Color • Disability • Gender • Gender Identity • Immigration Status • Marital or Partnership Status • Military Service • National Origin • Pregnancy • Race • Religion/Creed • Sexual Orientation

DISCRIMINATORY HARASSMENT

It is illegal to physically threaten or use force against someone or to damage property because of:

Age • Color • Disability • Gender • Gender Identity • Immigration Status • Marital or Partnership Status • National Origin • Pregnancy • Presence of Children • Race • Religion/Creed • Sexual Orientation

BIAS-BASED PROFILING BY LAW ENFORCEMENT

It is illegal for law enforcement to target someone because of:

Age • Color • Disability • Gender • Gender Identity • Housing Status • Immigration Status • National Origin • Pregnancy • Race • Religion/Creed • Sexual Orientation

LENDING PRACTICES

It is illegal to discriminate in lending practices or terms because of:

Age • Color • Disability • Gender • Gender Identity • Immigration Status • Marital or Partnership Status • Military Service • National Origin • Pregnancy • Presence of Children • Race • Religion/Creed • Sexual Orientation

RETALIATION

The law prohibits retaliation for opposing a discriminatory practice, filing a complaint of discrimination, assisting in an investigation of discrimination, or testifying in a proceeding related to a discrimination case.



Carmelyn P. Malalis,
Chair/Commissioner

Bill de Blasio,
Mayor

AVISO DE DERECHOS

Este establecimiento está sujeto a la Ley de Derechos Humanos de la Ciudad de Nueva York la cual corresponde al Título 8 del Código Administrativo de la Ciudad de Nueva York.

Si usted quiere presentar una querrela con el Comision de Derechos Humanos, tiene que presentar dentro un año de discriminacion accion de acusacion. Los servicios del Comision son gratis. Para programar una cita, por favor llamar **311** o **(212) 416-0197**.

Si usted quiere presentar una querrela en Tribunal Estado, tiene que presentar dentro tres años despues de discriminacion accion de acusacion. No puede presentar con el Comision y en Tribunal Estado.

Para preguntar formado, o aprender, mas acerca el trabajo del Comision, mira NYC.gov/DerechosHumanos

EMPLEO

Es ilegal discriminar en contra de empleados, pasantes, personas que buscan trabajo y contratistas independientes por:

Edad • Expediente de arrestos o condenas • Ser encargado del cuidado • Color • Historial crediticio • Discapacidad • Sexo • Identidad de género • Estado migratorio • Estado civil o de relación • Servicio militar (vigente a partir del 18 de noviembre) • Nacionalidad de origen • Embarazo • Prueba de Marihuana antes del Empleo • Raza • Religión/credo • Historial salarial • Decisiones sobre la salud sexual y reproductiva • Orientación sexual • Ser víctima de violencia doméstica, violencia sexual o acoso • Estar desempleado

VIVIENDA

Es ilegal discriminar en contra de los inquilinos, personas que buscan alquilar apartamento y propietarios de viviendas por:

Edad • Color • Discapacidad • Sexo • Identidad de género • Estado migratorio • Trabajo legal • Fuente de ingresos legal (incluidos los subsidios para la vivienda) • Estado civil o de relación • Servicio militar (vigente a partir del 18 de noviembre) • Nacionalidad de origen • Embarazo • Presencia de niños • Raza • Religión/credo • Orientación sexual • Ser víctima de violencia doméstica, violencia sexual o acoso

ARREGLOS PÚBLICOS

Es ilegal discriminar en espacios públicos, como tiendas, restaurantes, parques, bibliotecas o taxis, por:

Edad • Color • Discapacidad • Sexo • Identidad de género • Estado migratorio • Estado civil o de relación • Servicio militar (vigente a partir del 18 de noviembre) • Nacionalidad de origen • Embarazo • Raza • Religión/credo • Orientación sexual

ACOSO DISCRIMINATORIO

No es legal para amenazar físicamente o use fuerza en contra alguien o danar propiedad porque de:

Edad • Color • Discapacidad • Sexo • Identidad de género • Estado migratorio • Estado civil o de relación • Nacionalidad de origen • Embarazo • Presencia de niños • Raza • Religión/credo • Orientación sexual

ELABORACIÓN DE PERFIL SESGADA POR PARTE DE LOS CUERPOS DEL ORDEN PÚBLICO

No es legal para aplicacion de la ley concentrar alguien porque de:

Edad • Color • Discapacidad • Sexo • Identidad de género • Estado de vivienda • Estado migratorio • Nacionalidad de origen • Embarazo • Raza • Religión/credo • Orientación sexual

PRÁCTICAS DE PRÉSTAMOS

No es legal discriminar a alguien en acciones de prestamo o condiciones porque de:

Edad • Color • Discapacidad • Sexo • Identidad de género • Estado migratorio • Estado civil o de relación • Servicio militar (vigente a partir del 18 de noviembre) • Nacionalidad de origen • Embarazo • Presencia de niños • Raza • Religión/credo • Orientación sexual

REPRESALIAS

La ley prohíbe tomar represalias por oponerse a una práctica discriminatoria, presentar una queja por discriminación, ayudar con una investigación de discriminación o testificar en un proceso relacionado con un caso de discriminación.



@NYCCHH

Carmelyn P. Malalis,
Presidenta y Comisionada

Bill de Blasio,
Alcalde

You Have a Right to Temporary Changes to Your Work Schedule

Under NYC's Temporary Schedule Change Law, covered employees have a right to temporary changes to their work schedule for certain "personal events." Employers must post this notice where employees can easily see it at each NYC workplace.

Employees Covered by the Law

All employees who work 80+ hours per calendar year in NYC *and* who have been employed by their employer 120 or more days

The law applies regardless of immigration status.

Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

Employees NOT Covered by the Law

- Government employees
- Certain employees subject to a collective bargaining agreement
- Certain employees in motion picture, television, and live entertainment industries

Definitions

Personal event

A "personal event" can be any of the following:

- The need to care for a child under the age of 18
- The need to care for a "care recipient," a person with a disability who is a family or household member and relies on you for medical care or to meet the needs of daily living

- The need to attend a legal proceeding or hearing for public benefits to which the employee, a family member, or the employee's minor child or care recipient is a party
- Any other reason for which the employee may use leave under NYC's Paid Safe and Sick Leave Law

Temporary change

A "temporary change" means an adjustment to your usual schedule. This can include: using short-term unpaid leave, paid time off, working remotely, or swapping or shifting working hours.

Your Rights

Temporary change to work schedule on up to two (2) occasions each calendar year



The change must be to accommodate a *personal event*. See Definitions. Your employer must grant requests for up to:

- Two (2) separate occasions, each totaling one (1) business day
- OR
- One (1) occasion for up to two (2) business days

Freedom from retaliation for additional schedule change requests



You can request additional changes to your schedule. Employers are not required to grant additional requests; however, they cannot retaliate against you.

Ability to propose type of temporary change

You can propose the type of *temporary change* you would like when you request it. See Definitions.

Your employer must:

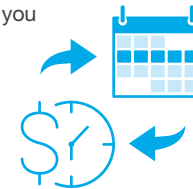
- Approve your proposal.
- OR
- Provide leave without pay.

Your employer may:

- Offer you the ability to use paid time off.
Note: The law does not require employers to offer paid time off, and you do not need to accept such an offer.

Your employer may NOT:

- Require you to use leave earned under NYC's Paid Safe and Sick Leave Law for a temporary schedule change.



If you need a temporary change to your work schedule:

As soon as you become aware of the need for a temporary schedule change, request one from your employer or direct supervisor either orally or in writing. Your request should include the date of the change, that the change is due to a personal event, and propose the type of temporary change you want (for example, to work from home), unless you would like to use leave without pay.

- Your employer must respond immediately.
- ***If you requested the schedule change orally (for example, in person or by phone),*** you must submit a written request no later than the second business day after you return to work. Include in the written request the date of the temporary schedule change and that the change was due to a personal event. Your employer must provide a written response within 14 days. *If you do not submit a written request, your employer is not required to provide a written response but cannot deny your request because you did not submit a written request.*
- Make sure to keep all of your schedules and any communications with your employer about scheduling.

File a Complaint

The Department of Consumer Affairs (DCA) Office of Labor Policy & Standards (OLPS) enforces NYC's Temporary Schedule Change Law and other NYC workplace laws.

To file a complaint with OLPS, go to nyc.gov/dca or **contact 311** (212-NEW-YORK outside NYC) and ask for "Temporary Schedule Change Law." OLPS will conduct an investigation and try to resolve your complaint. **OLPS will keep your identity confidential unless disclosure is necessary to complete an investigation or is required by law.**

You can also file an action in court. However, you cannot have a complaint with OLPS and a claim in court at the same time.

Contact OLPS

Visit nyc.gov/dca, email olps@dca.nyc.gov, or **contact 311** (212-NEW-YORK outside NYC) and ask for "Temporary Schedule Change Law."



Bill de Blasio
Mayor

**Consumer
Affairs**

Lorelei Salas
Commissioner

You have a right to be given this notice in English and in any language that is the primary language of at least 5 percent of the workers at your workplace if the translation is available on the DCA website.

07/2018

STOP SEXUAL HARASSMENT ACT NOTICE

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the poster requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, require the violator to undergo training, and mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers

out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 212-416-0197 or visit NYC.gov/HumanRights to learn how to file

- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak

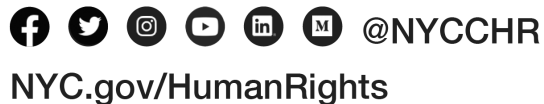
a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law, where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at www.dhr.ny.gov.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at www.eeoc.gov.



AVISO SOBRE LA LEY PARA DETENER EL ACOSO SEXUAL

Todos los empleadores deben proporcionar un aviso por escrito sobre los derechos de los empleados de conformidad con la Ley de Derechos Humanos de la Ciudad de Nueva York mediante un afiche exhibido y una hoja de información distribuida a cada empleado en el momento de la contratación. Este documento cumple con el requisito del afiche.

La Ley de Derechos Humanos de la Ciudad de Nueva York

La Ley de Derechos Humanos de la Ciudad de Nueva York, una de las leyes más rigurosas contra la discriminación del país, protege a todas las personas contra la discriminación debido al género, lo que incluye el acoso sexual en el lugar de trabajo, la vivienda y espacios públicos, como tiendas y restaurantes. Quienes infrinjan esta ley pueden ser responsables de sanciones civiles de hasta \$250,000 en el caso de una infracción intencionada. La Comisión también puede evaluar concederle a la víctima una indemnización por daños y perjuicios debido a angustia emocional y otros recursos, exigirle al infractor asistir a una capacitación y ordenar otras medidas, como servicio comunitario.

El Acoso Sexual Según la Ley

El acoso sexual, una forma de discriminación en función del género, es el comportamiento físico o verbal no deseado en relación con el género de una persona.

La Ley Prohíbe Represalias

Es contrario a la ley que un empleador tome medidas en su contra por oponerse o expresarse en contra del acoso sexual en el lugar de trabajo. La Ley de Derechos Humanos de la Ciudad de Nueva York prohíbe a los empleadores tomar represalias o discriminar “de cualquier forma a una persona” por oponerse a una práctica discriminatoria ilegal. Las represalias pueden manifestarse a través de acciones directas, como descensos o despidos, o a través de comportamientos más sutiles, como un aumento en la carga de trabajo o la transferencia a un lugar menos deseable. La Ley de Derechos Humanos de la Ciudad de Nueva York protege contra las represalias a las personas que creen de buena fe que el comportamiento de su empleador es ilegal, incluso si resultan estar equivocadas.

Denuncie el Acoso Sexual

Si cree que es víctima de acoso sexual, infórmele lo antes posible a un gerente, al representante de igualdad de oportunidades laborales de su lugar de trabajo o al Departamento de Recursos Humanos.

Algunos Ejemplos de Acoso Sexual

- Tocar a los empleados o clientes de manera inapropiada.
- Amenazar o actuar de manera adversa luego de que una persona rechaza una insinuación sexual.
- Hacer comentarios lascivos o sexuales sobre el aspecto, cuerpo o la forma de vestir de una persona.
- Condicionar ascensos u otras oportunidades en función de favores sexuales.
- Mostrar imágenes, dibujos o grafitis pornográficos en computadoras, correos electrónicos, teléfonos celulares, tableros de anuncios, etc.
- Hacer comentarios sexistas o despectivos en función del género.

Denuncie el acoso sexual ante la Comisión de Derechos Humanos de la Ciudad de Nueva York. Llame al 212-416-0197 o visite NYC.gov/HumanRights para saber cómo presentar una queja o denunciar un acto de discriminación. Usted puede presentar una queja de forma anónima.

Recursos del Gobierno Estatal y Federal

El acoso sexual también es ilegal en virtud de la ley estatal y federal.

Para presentar una queja ante la División de Derechos Humanos del Estado de Nueva York, visite el sitio web de la División en www.dhr.ny.gov.

Para presentar cargos ante la Comisión para la Igualdad de Oportunidades en el Empleo (EEOC) de los EE. UU., visite el sitio web de la EEOC en www.eeoc.gov.



NYC.gov/DerechosHumanos



**Comisión de
Derechos Humanos**



ARE YOU EMPLOYED ON ANY OF THE FOLLOWING?

- Construction work on New York City public work projects such as streets, parks, public schools, subway stations, etc.
- Street excavations by utilities such as Con Edison or National Grid.
- Building service work such as janitor or doorman in City office buildings or residential apartment buildings receiving certain property tax exemption benefits.
- Food services or temporary office services at City agencies.

You may qualify for prevailing wage: A wage and benefit rate set annually by the New York City Comptroller for each trade or occupation for employers performing the above-described work. Prevailing wage rates are significantly higher than minimum wage and are published at www.comptroller.nyc.gov/wages.

CONSTRUCTION WORKER PREVAILING WAGE RATE

EXAMPLE

Laborer (Foundation, Concrete, Excavating,
Street Pipe Layer and Common)

Wage Rate Per Hour: **\$43.00**

Supplemental Benefit Wage Rate Per Hour: **\$46.63**

Effective Period: 7/1/2020 - 6/30/2021

BUILDING SERVICE EMPLOYEE PREVAILING WAGE RATE

EXAMPLE

Residential Building Cleaner/Porter, Doorman,
Elevator Operator (43+ months of employment)

Wage Rate Per Hour: **\$25.65**

Supplemental Benefit Wage Rate Per Hour: **\$13.25**

Effective Period: 7/1/2020 - 12/31/2020

New York City Minimum Wage Rate Per Hour: \$15.00

WHAT TO KNOW:

- Workers are entitled to unpaid prevailing wages **REGARDLESS OF IMMIGRATION STATUS**.
- The Office of the NYC Comptroller **DOES NOT** inquire about immigration status and does not allow employers to raise the issue at hearings.
- We **DO NOT** disclose the names or identities of complaining workers unless necessary for settlement or hearing. Workers have the option of remaining anonymous.
- You can still submit a complaint even if your employer has offered you a settlement, but you feel the amount is not correct.

**IF YOU BELIEVE YOUR WAGES WERE STOLEN, PLEASE CONTACT
THE NEW YORK CITY COMPTROLLER'S OFFICE, BUREAU OF LABOR LAW:**

- Call us at (212) 669-4443 or
- Email us at laborlaw@comptroller.nyc.gov
- Visit our website: www.comptroller.nyc.gov/wages

All calls and communications will remain confidential.





¿USTED TRABAJA EN ALGUNA DE LAS SIGUIENTES ACTIVIDADES?

- Construcción de obra pública en la ciudad de Nueva York, como parques, escuelas, pavimento, estaciones del subway, etc.
- Excavación de calles por servicios públicos como Con Edison o el National Grid.
- Empleo en edificios, como portero o conserje, que tengan oficinas de la ciudad; o en edificios residenciales construidos con ciertos beneficios de exención fiscal.
- Servicios culinarios y servicios temporales de oficina en agencias de la ciudad.

Usted podría calificar para salario prevaleciente: éste es una tasa salarial y de prestaciones (o beneficios) que fija anualmente el Contralor de la ciudad de Nueva York para que los contratistas que realizan las actividades descritas arriba asignen a cada oficio u ocupación que lo requiera. Los salarios prevalecientes son considerablemente superiores al salario mínimo y pueden consultarse en: **www.comptroller.nyc.gov/wages**.

SALARIO PREVALECIENTE PARA TRABAJADOR DE CONSTRUCCIÓN

EJEMPLO

Obrero (cimientos, concreto, drenaje y general)

Tasa salarial por hora: **\$43.00**

Tasa de prestaciones suplementarias por hora: **\$46.63**

Periodo vigente: 7/1/2020 - 6/30/2021

SALARIO PREVALECIENTE PARA EMPLEADO DE EDIFICIOS

EJEMPLO

Limpiador de edificio residencial, conserje, portero,
operador de elevadores (43+ meses de empleo)

Tasa salarial por hora: **\$25.65**

Tasa de prestaciones suplementarias por hora: **\$13.25**

Periodo vigente: 7/1/2020 - 12/31/2020

Tasa de salario mínimo por hora en la ciudad de Nueva York: \$15.00

QUÉ DEBEMOS SABER:

- Los trabajadores tienen derecho a compensación por falta de pago de salarios prevalecientes SIN IMPORTAR SU ESTATUS MIGRATORIO.
- No revelamos nombres o identidades de trabajadores que ingresan quejas, a menos que sea indispensable para una audiencia o acuerdo. Los trabajadores conservan la opción de permanecer anónimos.
- Aunque el contratista ofrezca llegar a un acuerdo, usted aún puede ingresar su queja si considera que la cantidad ofrecida no es suficiente.

SI SOSPECHA SER VÍCTIMA DE ROBO SALARIAL, POR FAVOR CONTACTE AL BURÓ DE DERECHOS LABORALES DE LA CONTRALORÍA DE LA CIUDAD DE NUEVA YORK:

- Comuníquese al (212)669-4443
- Envíe un correo electrónico a: **laborlaw@comptroller.nyc.gov**
- Visite nuestra liga electrónica: **www.comptroller.nyc.gov/wages**

Todas las llamadas y demás comunicaciones permanecerán anónimas.

