



## ***Employment Law Client Alert***

***New York employers are required to provide all employees with wage and employment information, in writing, and have the employees sign a form acknowledging receipt of the information, between January 1 and February 1 of each year.***

***January 1, 2012***

---

**By Peter R. Porcino, Esq.**

### **FOR THE IMMEDIATE ATTENTION OF ALL NEW YORK EMPLOYERS**

New York law requires employers to give notice to all employees of their wage rates at the time of hire.

Beginning January 1, 2012, the Wage Theft Prevention Act (the "Act") now requires New York employers to give all employees a written notice by February 1 of each year, have each employee sign and date the form, and provide a copy to the employee.

The notice must contain the following information:

- Rate or rates of pay, including overtime rate of pay (if the employee is entitled to earn overtime)
- How the employee is paid: by the hour, shift, day, week, commission, etc.
- The regular pay date
- The correct name of the employer and any other assumed business names used by the employer
- Address and phone number of the employer's main office or principal location
- Allowances taken as part of the minimum wage (tips, meal and lodging deductions)

The notice must appear both in English and in the employee's primary language (if the Labor Department offers a translation in that language).

If the employer changes any of the data in the notice during the year, the employer must inform the employees at least a week in advance unless the paystub carries the notice when the change is made. Employees must be informed in writing if the wage rate is to be reduced.

Employers must retain payroll records and copies of the notices to employees for a period of six years. The law also imposes substantial damages and penalties for non-compliance with the notice and record-keeping requirements.

Please contact one of our employment law attorneys if you require further information or assistance regarding compliance with the Act.

For further information on this or other employment law matters, please contact

**Peter Porcino** (212-790-9208, prp@cfl.com), **Robert J. Giordanella** (212-790-9234, rjg@cfl.com), **Simon Gerson** (212-790-9206, sxg@cfl.com) or **Ronald W. Meister** (212-790-9255, rwm@cfl.com).