

LABOR AND EMPLOYMENT LAW

INFORMATION MEMO

DECEMBER 21, 2023

Reminder: The New York Minimum Wage Will Increase on Jan. 1, 2024

Effective on Jan. 1, 2024, the minimum hourly wage in New York will increase from \$15 to \$16 in downstate New York (New York City and Nassau, Suffolk and Westchester counties), and from \$14.20 to \$15 in upstate New York. In all regions of New York, the minimum wage will increase by \$0.50 on Jan. 1, 2025, and by another \$0.50 on Jan. 1, 2026.

The New York State Department of Labor (NYSDOL) has issued proposed regulations to increase the minimum weekly salary for employees to qualify for the executive and administrative exemptions. We expect the proposed regulations will be published as final regulations soon. Assuming the proposed regulations are adopted, the following increases to the minimum weekly salary to qualify for the executive and administrative exemptions will occur:

- Effective on Jan. 1, 2024 – \$1,200 in downstate New York and \$1,124.20 in upstate New York;
- Effective on Jan. 1, 2025 – \$1,237.50 in downstate New York and \$1,161.65 in upstate New York; and
- Effective on Jan. 1, 2026 – \$1,275 in downstate New York and \$1,199.10 in upstate New York.

There is no minimum weekly salary under New York law to qualify for the professional exemption. However, with a few exceptions (such as for teachers, doctors and lawyers), employers still must comply with the federal minimum weekly salary in order to classify employees as exempt under the professional exemption. The federal minimum weekly salary is currently \$684, but the U.S. Department of Labor has issued [proposed regulations](#) to increase that amount.

If you have any questions about the information contained in this memo, please contact [Subhash Viswanathan](#), any attorney in Bond's [labor and employment practice](#) or the Bond attorney with whom you are in regular contact.

