
BOND INFORMATION MEMO

Labor and Employment Law

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NYS DOL Adopts Amended Minimum Wage Orders Implementing New Requirements for Employers Effective December 31, 2013

Employers should be advised that the New York State Department of Labor (“NYS DOL”) adopted new Regulations last week, amending the state’s Minimum Wage Orders. A Notice of Adoption of these changes was published in the State Register on December 11, 2013, and the corresponding amendments will take effect on December 31, 2013.

These amendments follow enactment of recent state legislation to raise the minimum wage in New York to \$8.00 per hour, also effective December 31, 2013. Accordingly, the new Minimum Wage Orders reflect this change, as well as future scheduled raises in the state minimum wage to \$8.75 per hour as of December 31, 2014, and to \$9.00 per hour as of December 31, 2015.

Notably, the new Minimum Wage Orders also increase the minimum salary basis amounts for employees to qualify for the executive and administrative exemptions to \$600.00 per week (up from \$543.75 per week), inclusive of board, lodging, and other allowances and facilities. This amount is also slated to increase to \$656.25 as of December 31, 2014, and to \$675.00 as of December 31, 2015.

Finally, employers should take note that the amended Minimum Wage Orders impose other pay-related changes for employees in certain industries, including changes to the amount of allowances that may be taken for the provision of meals, lodging, and (where applicable) tips.

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