

# Workers

## Notice of Pay Rate and Payday for New Hires

### A New Labor Law

**When you are hired, your employer must give you a written notice of your pay rate and the regular payday.**

Written notice helps to avoid misunderstandings and pay disputes, and to resolve them if they occur.

Your employer **MUST** do this to comply with Labor Law, Section 195.1

#### Pay Rate

Starting on October 26, 2009, New York State Labor Law requires employers to give new employees a written notice of:

- Your rate of pay, including overtime rate of pay.
- Your regular payday.

You must get this notice when you are hired, before you do any work.

#### Overtime

If you qualify for overtime, the written notice also must include:

- Your overtime rate of pay.

Most workers must receive overtime pay at 1½ times their regular pay rate for all hours of work over 40 in a week. For example, if your regular rate is \$8 per hour, you must receive \$12 per hour for all hours over

40 per week. If you are covered by the overtime requirement, then you must receive overtime pay, even if you are paid a weekly rate.

Several very limited groups of workers are not covered by overtime, such as farm workers and professionals.

#### Payday

The regular payday must be at least:

- weekly for manual workers,
- twice a month for clerical and other workers, and
- monthly for commissioned salespeople.

#### Signed Receipt

The employer must have you sign a paper that says you got the written notice. The employer must keep your signed statement for six years.

Save the written notice of your pay rate that the employer gave you when you were hired. It will help if there is ever a question about your wages.

For more information, contact the NYS Department of Labor, Division of Labor Standards:

**Phone: 1-888-52-LABOR**

**E-mail: [labor.sm.ls.ask@labor.state.ny.us](mailto:labor.sm.ls.ask@labor.state.ny.us)**

For employer information, see other side.

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