



**Attorney General of
the State of New York
Eric T. Schneiderman**

MINIMUM WAGE INCREASE

**As of July 24 2009, the New York State
Minimum Wage Is \$7.25/Hour.**

Minimum

Minimum Overtime

3/00- 12/04: \$5.15/hour	\$7.73 overtime/hour
2005: \$6.00/hour	\$9.00 overtime/hour
2006: \$6.75/hour	\$10.13 overtime/hour
2007: \$7.15/hour	\$10.73 overtime/hour
7/24/09: \$7.25/hour	\$10.88 overtime/hour

Overtime: Overtime hours are hours worked after you have already worked forty hours in one work week. For example, if you work more than 40 hours in a work week, you are entitled to be paid 1 and 1/2 times your regular hourly rate. If you earn the minimum wage and work 50 hours during one work week:

$$40 \text{ hours} \times \$7.25 = \$290.00$$

$$\underline{10 \text{ hours overtime} \times \$10.88} = \underline{\$108.80}$$

$$\text{Total wages owed} = \$398.80/\text{week}$$

Tipped employees: If you regularly receive tips from customers, your employer may deduct a limited amount of money—called a “**tip credit**”—from the minimum wage that would otherwise be required. The allowable tip credits vary by industry and may depend on your job duties. **These are the minimum wages allowed for most tipped workers. (HOWEVER, even if your employer takes a tip credit, your hourly rate *including tips* must be at least equal to the minimum wage of \$7.25 per hour during each work week):**

Restaurant Waiters and Other Servers

3/00-12/04:	\$3.30/hour minimum & overtime \$5.88/hour
2005:	\$3.85/hour minimum & overtime \$6.85/hour
2006:	\$4.35/hour minimum & overtime \$7.73/hour
2007:	\$4.60/hour minimum & overtime \$8.18/hour
7/24/2009:	\$4.65/hour minimum & overtime \$8.28/hour

Other Restaurant Tipped Workers (e.g. Food Delivery Workers)

3/00-12/04:	\$3.50/hour minimum & overtime \$6.08/hour
2005:	\$4.10/hour minimum & overtime \$7.10/hour
2006:	\$4.60/hour minimum & overtime \$7.98/hour
2007:	\$4.85/hour minimum & overtime \$8.43/hour
7/24/2009:	\$4.90/hour minimum & overtime \$8.53/hour

Most Other Tipped Workers (e.g., Laundry Delivery, Spas)

3/00-12/04:	\$3.90/hour minimum & overtime \$6.48/hour
2005:	\$4.55/hour minimum & overtime \$7.55/hour
2006:	\$5.10/hour minimum & overtime \$8.48/hour
2007:	\$5.40/hour minimum & overtime \$8.98/hour
7/24/2009:	\$5.40/hour minimum & overtime \$8.98/hour

If you receive **meals or lodging**, this may affect your wages. If your **tips are less than what the law requires** for your employer to use the “tip credit,” this may also affect your wages.

Need Information? Have a Question?

If you have questions about your wage and hour or other employment rights, please call the Labor Bureau of the New York State Attorney General’s Office at (212) 416-8700 or visit us on our website at www.ag.ny.gov.