
Labor & Employment Law Alert – New York State Labor Department Issues Order Increasing State Minimum Wage for Tipped Employees

New York State's Acting Labor Commissioner issued an order on February 24, 2015 implementing several recommendations of the 2014 Hospitality Wage Board including an increase in the state minimum cash wage amount for tipped workers to \$7.50 per hour effective December 31, 2015. Tipped workers in the state are paid a required base wage rate which, when tips are added, is intended to equal or exceed the minimum wage for non-tipped workers.

The order also now makes uniform the tipped cash wage amount for all tipped workers in the State's hospitality industry so that the same rate will now apply to food service workers, service employees and service employees in resort hotels. Different rates applied to each group in the past.

Organized labor has applauded the increase while hospitality industry employers have stated some objections.

The New York State minimum wage for non-tipped employees is currently \$8.75 per hour and is scheduled to increase to \$9.00 per hour effective December 31, 2015.

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