

WE ARE YOUR DOL



Division of Labor Standards

NYS Minimum Wages

All Industries (Hospitality, Miscellaneous, Farm, Building Service, Non-Profit)

- Fast Food
- Home Care Aides
- Wage Parity for Home Care Aides
- Covered Airport Workers

www.labor.ny.gov/minimum_wage

fact sheets, wage orders, posters, faqs, look up tool, webinars

NYS Unpaid Wages

Earned wages (regular wages or Minimum Wage)

Illegal deductions or separate transactions

Fringe benefits

Paid sick leave

Withheld tips

Overtime pay

[Unpaid/Withheld Wages and Wage Supplements | Department of Labor \(ny.gov\)](https://www.labor.ny.gov/unpaidwages)

File a Claim

Labor Standards Complaint form (LS 223)

[English](#), [Arabic](#), [Bengali](#), [Chinese](#), [French](#), [Haitian-Creole](#), [Italian](#), [Korean](#), [Polish](#), [Russian](#), [Spanish](#), [Urdu](#), [Yiddish](#)

NYS Child Labor

State vs Federal

Work hours limitations

Jobs/duties restrictions

Number of work days limitation

General concerns

The Employer must post a schedule of work hours for minors under 18 years old in the establishment.

An Employment Certificate (Working Paper) is required for all employed minors under 18 years old.

Penalties for Child Labor Laws violations:

- First violation: maximum \$1,000*
- Second violation: maximum \$2,000*
- Third or more violations: maximum \$3,000*

*If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty.

Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed.

NYS Child Labor

dol.ny.gov/employment-minors

Language: English

* Indicates required fields

MINOR DETAILS

If this is involving a prohibited occupation or unsafe working environment for a minor, please check here.

IS THE MINOR UNDER 18? * YES NO

APPROXIMATE AGE OF MINOR *

DOB (IF KNOWN)

mm/dd/yyyy

IS THE MINOR UNDER 18 THE CHILD OF THE BUSINESS OWNER? *

YES NO UNKNOWN

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NYS Child Labor Task Force

March 2, 2023

The new task force is a collaborative effort led by NYSDOL, in partnership with the New York State Police, New York State Education Department, New York Department of State's Office for New Americans, New York State Division of Human Rights, New York State Office of Temporary and Disability Assistance, New York State Office of Children and Family Services, Workers Compensation Board, and the New York State Division of Homeland Security and Emergency Services.

NYS Anti-Retaliation Protections Labor Law Section 215

- Expert staff
- Special training
- Work with State, Local, and Federal agencies

Disciplinary action (points system)

Dismissal from employment

Cut in work hours or pay

Reassignment or change in schedule

More intensive supervision or assignment

Demotion or transfer

Withdrawal of previously allowed privileges

Physical assault or threats of violence by the employer, or employer representatives

Threats of lawsuits, contacting police or immigration

NYS Anti-Retaliation Protections Labor Law Section 215

Protected Absences

effective 2/19/23

Senate Bill S1958A

SIGNED BY GOVERNOR

2021-2022 Legislative Session

Clarifies that workers shall not be punished or subjected to discipline by employers for lawful absences

[DOWNLOAD BILL TEXT PDF](#)

Lawful absences = absences protected under federal, state, or local law, including time off covered by New York State Paid Family Leave and New York State Paid Sick Leave.

Coordinated Enforcement / Task Forces

- **Wage Theft Task Force**
- **Joint Task Force**
- **Child Labor Task Force**
- **Enforcement/Regulatory Partners**

Investigations

Information sharing

Information searching

Strategizing

Collections

Consequences for violators

U.S. Dept of Homeland Security and Statements of Interest

https://www.dhs.gov/news/2023/01/13/dhs-announces-process-enhancements-supporting-labor-enforceme... A



News » Press Releases » DHS Announces Process Enhancements for Supporting Labor Enforcement Investigations

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DHS Announces Process Enhancements for Supporting Labor Enforcement Investigations

Release Date: January 13, 2023

En español

Changes Strengthen Efforts to Hold Unscrupulous Employers Accountable

WASHINGTON – The U.S. Department of Homeland Security (DHS) has announced that noncitizen workers who are victims of, or witnesses to, the violation of labor rights, can now access a streamlined and expedited deferred action request process. Deferred action protects noncitizen workers from threats of immigration-related retaliation from the exploitive employers. Effective immediately, this process will improve DHS’s longstanding practice of using its discretionary authority to consider labor and employment agency-related requests for deferred action on a case-by-case basis. Workers will be able to visit [DHS.gov](https://www.dhs.gov) for additional information in English

NYSDOL and Labor Enforcement Investigations

USDHS Deferred Action

- Assists victims of labor violations under investigation by a labor agency
- Assists witnesses to labor violations under investigation by a labor agency
- Assists labor agencies by:
 - ✓ Eliminating threats
 - ✓ Supporting investigations
 - ✓ Leveling the playing field

NYSDOL Process

- Division of Immigrant Policies and Affairs is administering DOL responses program
- Email requests to SOIrequest@labor.ny.gov.

NYS New Laws or Amendments

Effective June 7, 2023

SECTION 206-C

Right of nursing mothers to express breast milk

Labor (LAB) CHAPTER 31, ARTICLE 7

Effective June 19, 2023

ARTICLE 21-A

Warehouse Worker Protection Act

Labor (LAB) CHAPTER 31

NYS New Laws or Amendments

Effective September 17, 2023

SECTION 194-B

Mandatory disclosure of compensation or range of compensation

Labor (LAB) CHAPTER 31, ARTICLE 6

a.k.a. salary transparency

NYS New Laws or Amendments

Adult Use Cannabis and the Workplace (Effective March 31, 2021)

SECTION 201-D

Discrimination against the engagement in certain activities

Labor (LAB) CHAPTER 31, ARTICLE 7

Cannabis FAQ P420

Contact Us

[Contact the DOL | Department of Labor \(ny.gov\)](#) (quick links, posting requirements, phone numbers)

Information about filing a claim: LS223.2 www.labor.ny.gov/labor-standards

Labor Standards Complaints: LS 223 www.labor.ny.gov/labor-standards

Complainant Representative Letter: LS 11

[Unpaid/Withheld Wages and Wage Supplements | Department of Labor \(ny.gov\)](#)

Submitting a claim: U.S. mail or e-mail labor.sm.LSClaim.Intake@labor.ny.gov

Questions: lsask@labor.ny.gov or maura.mccann@labor.ny.gov

Telephone: 1-888-469-7365

WE ARE YOUR DOL



**Department
of Labor**

