



The Solidarity Group, Inc.

A NOT-FOR-PROFIT ORGANIZATION

234 East Merrick Road Freeport, New York 11520 p. 516.442.5111 email: Mary@insolidarityny.org

Know Your Rights

NY DOL:

- **Minimum Wage and Hour Rights**

- **Overtime pay:** Time and a half pay for working more than 40 hours in a week.
- **Call-in pay:** Pay for being sent home early.
- **Split shift and spread of hours pay:** Pay when the beginning of your workday and the end are more than 10 hours apart.
- **Uniform maintenance pay:** Pay if you clean your own uniform.
- **Your employer must:**
 - give you a written notice of pay rate when you're hired.
 - give you a detailed wage statement (pay stub) each payday.

You have additional rights and protections related to:

- **illegal deductions from wages.**
- **rest and breaks.**
- **employment of workers under the age of 18.**

Minimum Wage Rates				
Location	Minimum Wage as of 12/31/2022**	Minimum Wage as of 01/01/2024**	Tipped Service Employees as of 01/01/2024*	Tipped Food Service Workers as of 01/01/2024*
New York City	\$15.00	\$16.00	\$13.35 Cash Wage \$2.65 Tip Credit	\$10.65 Cash Wage \$5.35 Tip Credit
Long Island & Westchester	\$15.00	\$16.00	\$13.35 Cash Wage \$2.65 Tip Credit	\$10.65 Cash Wage \$5.35 Tip Credit
Remainder of New York State	\$14.20	\$15.00	\$12.50 Cash Wage \$2.50 Tip Credit	\$10.00 Cash Wage \$5.00 Top Credit

*Only hospitality employers are allowed to take credit from minimum wage.

- **Prevailing Wage**

Under State and City laws, contractors must meet higher minimum pay and benefits requirements for workers under certain public work contracts and certain private projects receiving public funding or tax benefits.

- **Paid Family Leave**

Your employer must provide up to 12 weeks of job-protected paid time off to:

- Bond with a newly born, adopted, or fostered child;
- care for a family member with a serious health condition; or
- assist loved ones when a spouse, domestic partner, child, or parent is deployed abroad on active military service.

- **Family and Medical Leave Act**



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Employers with 50 or more employees must provide eligible employees up to 12 weeks of unpaid family and medical leave.

- **Workers' Compensation and Disability Benefits**

You have the right to cash benefits and/or medical care if you become ill or injured as a direct result of your job.

Your employer must also provide temporary disability benefits for off-the-job injuries or illnesses, including pregnancy- or delivery-related disabilities.

- **No Forced Labor**

Forced labor, also known as human trafficking, is a serious crime. Victims work against their will because of force, fraud, or coercion.

- **Safe and Healthy Workplace (OSHA)**

- You have the right to speak up about hazards without fear of retaliation. You also have the right to:
 - Receive workplace safety and health training in a **language you understand**.
 - Work on machines that are safe.
 - Refuse to work in a situation in which you would be exposed to a hazard.
 - Receive required safety equipment, such as gloves or a harness and lifeline for falls.
 - Be protected from toxic chemicals.
 - Request an OSHA inspection and speak to the inspector.
 - Report an injury or illness and get copies of your medical records.
 - Review records of work-related injuries and illnesses
 - See results of tests taken to find workplace hazards.

- **Discrimination-free workplace**

City, State, and federal laws prohibit sexual harassment and employment discrimination. The NYC anti-discrimination law covers employees, independent contractors, interns, and job applicants.

In NYC, it is illegal for employers to discriminate based on protected categories, including but not limited to:

- age
- conviction history (in many cases)
- disability
- gender
- immigration or citizenship status
- national origin
- pregnancy
- race
- religion
- sexual orientation

Reasonable Accommodation

Employers in NYC must provide reasonable accommodations in the workplace based on:

- disability (physical or mental)
- pregnancy, childbirth, breastfeeding
- religious observance



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- status as victim of domestic violence (including economic abuse), sexual violence, or stalking.

Reasonable accommodations can include a change to a work schedule, duties, and/or equipment.

- Right to Organize

You can join together with your coworkers to improve your working conditions, including organizing a union. Employers can't take action against you for organizing or talking with your coworkers about working conditions.

- Unemployment Benefits

Your employer must carry unemployment insurance which provides temporary income, up to 26 weeks, if you lose your job through no fault of your own and are actively seeking work. You must have legal authorization to work to qualify for unemployment benefit.

- Health Insurance

If your employer offers health insurance, you may have the right to continue health benefits when you lose coverage or change jobs.

- Correct Worker Classification (Employee or Independent Contractor)

If you receive direct orders from your employer like what time you start, what to do in the jobsite, what time you take lunch, what time you leave home. You are employee and must receive a W2.

Resources:

NYC Workers' Bill of Rights:

<https://www.nyc.gov/site/dca/workers/workersrights/know-your-worker-rights.page>

OSHA Know Your Rights:

<https://www.osha.gov/workers/>