

NY Wage Theft Prevention Form

NOTICE AND ACKNOWLEDGMENT OF PAY RATE AND PAYDAY UNDER SECTION 195.1 OF THE NEW YORK STATE LABOR LAW

Notice for Employees Paid Salary for Varying Hours, Day Rate, Piece Rate, Flat Rate or Other Non-Hourly Pay

EMPLOYER INFORMATION			
Name	Doing Business As (DBA) Name(s)		
FEIN (optional)	Phone		
Physical Address			
Mailing Address			
WAGE DETAILS			
Notice Given	At Hiring	Before a change in pay rate(s), allowances claimed or payday	Regular Payday
Employee's Pay Rate (specify the basis for the rate paid, i.e. salary for varying hours, day rate, etc.)			
\$		per	
Employers may not pay a non-hourly rate to a non-exempt employee in the Hospitality Industry, except for commissioned sales people.			
Allowances Taken	None	Tips: per hour	Meals: per meal
	Lodging:	Other:	
Pay Is	Weekly	Bi-weekly	Other:
<p>Overtime Pay Rate: In most cases the overtime rate will be 1½ times the regular rate of pay for the week. The regular rate of pay is the total weekly pay divided by the hours worked in the week. In most cases, it is illegal to pay a fixed weekly rate for varying hours worked over 40 per week. The Department of Labor strongly discourages weekly rates for non-exempt employees, since underpayments often result.</p>			
EMPLOYEE ACKNOWLEDGMENT			
On this day, I received notice of my pay rate, overtime rate (if eligible), allowances, and designated payday. I told my employer what my primary language is.			
I have been given this pay notice in English because it is my primary language. My primary language is:			
I have been given this pay notice in English only, because the Department of Labor does not yet offer a pay notice form in my primary language.			
Employee Signature	Date		
Preparer Name	Preparer Title		
Check this box if employee declined to sign this form.			

The employee must receive a signed copy of this form. The employer must keep the original for 6 years.