

Minimum Wage for Tipped Workers

December 31, 2016 through December 30, 2017

Hospitality Industry				
	New York City		Long Island and Westchester County	Remainder of New York State
	Large Employers (11 or more employees)	Small Employers (10 or fewer employees)		
Service Employees	\$9.15 Cash Wage	\$8.75 Cash wage	\$8.35 Cash Wage	\$8.10 Cash Wage
	\$1.85 Tip Credit	\$1.75 Tip Credit	\$1.65 Tip Credit	\$1.60 Tip Credit
Food Service Workers	\$7.50 Cash Wage	\$7.50 Cash Wage	\$7.50 Cash Wage	\$7.50 Cash Wage
	\$3.50 Tip Credit	\$3.00 Tip Credit	\$2.50 Tip Credit	\$2.20 Tip Credit

All Other Industries except Building Service			
New York City		Long Island and Westchester County	Remainder of New York State
Large Employers (11 or more employees)	Small Employers (10 or fewer employees)		
\$8.30 Cash Wage	\$7.95 Cash Wage	\$7.55 Cash Wage	\$7.35 Cash Wage
When tips are at least \$2.70 per hour	When tips are at least \$2.55 per hour	When tips are at least \$2.45 per hour	When tips are at least \$2.35 per hour
\$9.35 Cash Wage	\$8.90 Cash Wage	\$8.50 Cash Wage	\$8.25 Cash Wage
When tips are at least \$1.65 per hour, but less than \$2.70 per hour	When tips are at least \$1.60 per hour, but less than \$2.55 per hour	When tips are at least \$1.50 per hour, but less than \$2.45 per hour	When tips are at least \$1.45 per hour, but less than \$2.35 per hour

From December 31, 2016 through December 30, 2017, the minimum hourly rates that employers must pay to tipped workers under the New York State minimum wage law will increase to the “cash wage” amounts shown above. This fact sheet provides additional information about those rates and when they apply.

Combining cash wages and tip credits to satisfy the minimum wage:

New York State law allows employers in all industries other than building service to satisfy the minimum wage by combining a “cash wage” paid by the employer with a credit or allowance for tips that the employee receives from customers. For example, the minimum wage for food service workers who work for large employers in New York City is \$11.00 per hour. Their employers can satisfy the minimum wage by combining a cash wage of at least \$7.50 with a tip allowance of no more than \$3.50 per hour.

Limitations on tip credits in the Hospitality Industry:

Employers in the Hospitality Industry may not take tip credits for:

- Days when tipped workers spend more than two hours, or twenty percent of a shift, doing non-tipped work; and
- Weeks when service employees receive tips averaging less per hour than the following:

	New York City		Long Island and Westchester County	Remainder of New York State
	Large Employers (11 or more employees)	Small Employers (10 or fewer employees)		
In resort hotels	\$6.15	\$5.90	\$5.60	\$5.45
In restaurants and all-year hotels	\$2.40	\$2.30	\$2.15	\$2.10

Limitations on tip credits in other industries:

No tip credit is available in the Building Service Industry. For all other industries (different from Hospitality and Building Service), the tip credit varies by location and size of employer. Please see the “All Other Industries except Building Service” chart.

The tip credit is not available when weekly tips average less than the minimum amount specified for the location and size of employer.

Overtime:

For tipped workers, employers must pay overtime hours worked at time-and-one-half the minimum wage rate, less the applicable tip credit.

For more information:

If you need additional assistance, or want to file a complaint, please call 1-888-4NYSDOL (1-888-469-7365) or visit www.labor.ny.gov/minimumwage.