



**NEW YORK STATE  
RESTAURANT  
ASSOCIATION**

# WAGE AND HOUR REGULATORY CHANGES

Effective December 31, 2022

## Businesses in New York City with eleven (11) or more employees:

Non-tipped Employees	Service Workers	Food Service Workers	Minimum Weekly Salary For Exempt Employees
Minimum Wage: \$15.00 Overtime Rate: \$22.50	Cash Wage: \$12.50 Tip Credit: \$2.50 Overtime Rate: \$20.00	Cash Wage: \$10.00 Tip Credit: \$5.00 Overtime Rate: \$17.50	\$1,125.00

## Businesses in New York City with ten (10) or fewer employees:

Non-tipped Employees	Service Workers	Food Service Workers	Minimum Weekly Salary For Exempt Employees
Minimum Wage: \$15.00 Overtime Rate: \$22.50	Cash Wage: \$12.50 Tip Credit: \$2.50 Overtime Rate: \$20.00	Cash Wage: \$10.00 Tip Credit: \$5.00 Overtime Rate: \$17.50	\$1,125.00

## Businesses in Nassau, Suffolk, and Westchester Counties:

Non-tipped Employees	Service Workers	Food Service Workers	Minimum Weekly Salary For Exempt Employees
Minimum Wage: \$15.00 Overtime Rate: \$22.50	Cash Wage: \$12.50 Tip Credit: \$2.50 Overtime Rate: \$20.00	Cash Wage: \$10.00 Tip Credit: \$5.00 Overtime Rate: \$17.50	\$1,125.00

## Businesses not in NYC, Nassau, Suffolk, or Westchester Counties:

Non-tipped Employees	Service Workers	Food Service Workers	Minimum Weekly Salary For Exempt Employees
Minimum wage: \$14.20 Overtime rate: \$21.30	Cash Wage: \$11.85 Tip Credit: \$2.35 Overtime Rate: \$18.95	Cash Wage: \$9.45 Tip Credit: \$4.75 Overtime Rate: \$16.55	\$1064.25

## Fast Food Employees:\*

New York City	Rest of the State
Minimum wage: \$15.00 Overtime rate: \$22.50	Minimum wage: \$15.00 Overtime rate: \$22.50

\*Fast food employees, even if they receive tips, are not eligible for a tip credit.

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## NYS RESTAURANT ASSOCIATION

Supporting restaurant owners across New York State with access to the resources, support, and effective advocacy they need to succeed.

website:

[www.nysra.org](http://www.nysra.org)

Email:

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**800.452.5212**