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# Empire State Restaurant & Tavern Association

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*Report From The Executive Director...Scott Wexler*

## December 2019

Minimum Wage Increase Takes Effect December 31<sup>st</sup> - As I'm sure you know another phase of the state's multi-year march to a \$15 minimum wage takes effect on December 31<sup>st</sup>. The annual increase in the minimum wage also triggers a review of the cash wage for tipped food service workers to determine if it increases (varies across New York State). It also impacts meal credit and uniform allowances. The chart below shows these various increases, broken down geographically.

### **Basic Minimum Hourly Rate (per hour)**

NYC – Large Employers (11 or more employees)	\$15.00
NYC – Small Employers (10 or less employees)	\$15.00
Long Island & Westchester	\$13.00
Rest of NYS	\$11.80

### **Cash Wage for Tipped Foodservice Workers**

NYC – Large Employers (11 or more employees)	\$10.00
NYC – Small Employers (10 or less employees)	\$10.00
Long Island & Westchester	\$ 8.65
Rest of NYS	\$ 7.85

### **Uniform Maintenance Allowances**

#### **Low (20 or fewer hours per week)**

NYC – Large Employers (11 or more employees)	\$ 8.90
NYC – Small Employers (10 or less employees)	\$ 8.90
Long Island & Westchester	\$ 7.75
Rest of NYS	\$ 7.00

#### **Medium (over 20 up to 30 hours per week)**

NYC – Large Employers (11 or more employees)	\$14.75
NYC – Small Employers (10 or less employees)	\$14.76
Long Island & Westchester	\$12.80
Rest of NYS	\$11.60

**High (over 30 hours per week)**

NYC – Large Employers (11 or more employees)	\$18.65
NYC – Small Employers (10 or less employees)	\$18.65
Long Island & Westchester	\$16.20
Rest of NYS	\$14.70

**Meal Credits (Food Service Workers)**

NYC – Large Employers (11 or more employees)	\$ 3.60
NYC – Small Employers (10 or less employees)	\$ 3.60
Long Island & Westchester	\$ 3.25
Rest of NYS	\$ 3.00

The new rates for minimum wage, cash wage, allowances and credits take effect on December 31<sup>st</sup> and employees need to be paid at these higher rates starting on December 31<sup>st</sup> – not on January 1<sup>st</sup> (a common error). In addition, any hourly employees that have their rate of pay changed as a result of the implementation of the new minimum wage must be provided with an updated Notice and Acknowledgement of Pay Rate & Payday (DOL Form LS 54).

State Liquor Authority Working to Improve Customer Service - The SLA is continuing to seek improvements in customer service and to streamline as much of the process of interacting with them. This is a necessary move, especially given their limited staffing and ongoing delays with licensing and permits, but it's a welcome move nonetheless. For years we lamented that the Liquor Authority was behind the times and should move their processes into the modern era. Over the past few years the SLA has moved most of the license and permit applications online, they've made wholesaler price listings available online, and they've posted valuable information on their website to advise the licensed community of matters of interest or concern. We applaud the latest move by the Authority - making emailboxes available for many of the key functional areas at the agency that licensees need to interact with:

licensing.information@sla.ny.gov  
permits@sla.ny.gov  
condapproval@sla.ny.gov  
refunds@sla.ny.gov  
wholesale.bureau@sla.ny.gov  
legal@sla.ny.gov

This should facilitate communications with the Authority and make it easier to address issues. Time will tell how this works out but at least the goal is a good one.