
Empire State Restaurant & Tavern Association

Report From The Executive Director...Scott Wexler

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SLA Sets November 16th Deadline for All Night Permit Applications - On-premises licensees (bars, taverns, restaurants, etc.) seeking to remain open after the county closing hours on New Year's Eve must file a permit application with the SLA at least 45 days prior to the event. The application for an All Night Permit is available on the Liquor Authority website. Notice of the licensee's intent to apply for the permit must be sent to the local police department or, if there is no local police department, to the County Sheriff's Department. Licensees located in New York City also must send notice to the Local Community Board. Proof that the notice was mailed to the police department (and the community board if applicable) must be included with the application.

The SLA's Licensing Bureau will review each application within 10 days of receiving it based on criteria that includes the licensee's disciplinary history and whether adequate security plans are in place for the event. If the Licensing Bureau denies the application, the licensee may request review of the decision by a Member of the Authority. A Member of the Authority will review the decision and make a final determination within 10 business days of receipt of the request. All Night Permits are not as popular as they once were, but get your application in soon if you are looking for one this year.

New Applicants Eligible for Temporary Permit Extensions - In the Authority's ongoing effort to assist applicants and reduce the number of applications that must be filed, the Authority is offering applicants the opportunity to request multiple 30-day extensions at once when renewing their original 90 day Temporary Operating (ST) permit. The nonrefundable fee required under Section 97-a of the Alcoholic Beverage Control Law will be multiplied by the number of extensions requested by the applicant and the extension periods will be bundled by the Authority.

When renewing their ST permit, applicants may choose from the following options for extensions:

Type of License	Beer Licenses	All Other Retail Licenses
One (1) 30-day extension	\$64	\$96
Two (2) 30-day extensions	\$128	\$192
Three (3) 30-day extensions	\$192	\$288

The State Liquor Authority continues to allow permittees to request additional extensions up to 15-days after the expiration of their ST permit. It's also important to remember that an ST permit may be canceled or suspended by the Authority for good cause and that all fees for ST permits are nonrefundable, even if the permit is not used for the entire extension period.

Department of Labor Publishes New Wage Rates - A new minimum wage law was adopted as part of the state budget earlier this year. It raises the minimum wage over the next three years – up to \$17.00 downstate and \$16.00 upstate – after which the minimum wage will be "indexed" to the cost of living. A formula specified in the law ties the minimum wage to the cost of living. As the cost of living increases, so will the minimum wage. The objective is to have wages keep up with costs

The New York State Department of Labor, as part of implementing the new law taking effect at the start of the year, has published proposed changes to the wage and hour rules & regulations to implement the first three statutory steps - the specific increases provided in the law. They've also published the proposed cash wages for foodservice and service workers, required uniform maintenance payments, and meal credits.

You can start planning for 2024 to include these new provisions:

New minimum wage rates:

	<i>Downstate*</i>	<i>Upstate**</i>
January 1, 2024	\$16.00	\$15.00
January 1, 2025	\$16.50	\$15.50
January 1, 2026	\$17.00	\$16.00

Foodservice workers minimum wage rates:

	<i>Downstate*</i>	<i>Upstate**</i>
January 1, 2024	\$10.65	\$10.00
January 1, 2025	\$11.00	\$10.35
January 1, 2026	\$11.35	\$10.70

Service workers minimum wage rates:

	<i>Downstate*</i>	<i>Upstate**</i>
January 1, 2024	\$13.35	\$12.50
January 1, 2025	\$13.75	\$12.90
January 1, 2026	\$14.15	\$13.30

* *Downstate includes New York City & Nassau, Suffolk, and Westchester Counties*

***Upstate includes the remainder of New York State*

Similar proportional increases in required uniform maintenance payments and meal credits are also included as part of this proposal.

The Department of Labor has established a 60-day public comment period after which we expect they will adopt these new rates - just in time for the New Year!