



Minimum Wage and Other Credit and Payment Increases for Some New York Employers

By Matthew Berger

Beginning on December 31, 2021, the minimum wage — as well as the tip credit, meal credit, uniform maintenance pay and the minimum salary threshold — will increase for New York employers located outside of New York City (*i.e.*, Long Island, Westchester County and upstate New York). Failure to comply with these changes could subject an employer to substantial financial liability.

The amount of the increases to these wages, credits and payments will vary depending upon the employer's location.

Long Island and Westchester County

Wage Rates/Tip Credit	Food Service Workers (Per Hour) Minimum Wage: \$15.00 Cash Wage: \$10.00 Cash Overtime Wage: \$17.50 Tip Credit: \$5.00	Service Employee (Per Hour) Minimum Wage: \$15.00 Cash Wage: \$12.50 Cash Overtime Wage: \$20.00 Tip Credit: \$2.50 Tip Threshold: \$3.25	Fast Food/Other Employees (Per Hour) \$15.00
Uniform Pay	Work Week More than 30 Hours: \$18.65/week Work Week Between 20 – 30 Hours: \$14.75/week Work Week 20 Hours or Less: \$8.90/week		
Meal Credit	Food Service Workers (Per Meal) \$3.60	Service Employees (Per Meal) \$4.15	All Other Employees (Per Meal) \$5.15

Exempt Salary Threshold (Administrative and Executive Employees)	\$1,125.00 (\$58,500.00 annualized)
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Remainder of State

Wage Rates/Tip Credit	Food Service Workers (Per Hour) Minimum Wage: \$13.20 Cash Wage: \$8.80 Cash Overtime Wage: \$15.40 Tip Credit: \$4.40	Service Employee (Per Hour) Minimum Wage: \$13.20 Cash Wage: \$11.00 Cash Overtime Wage: \$17.60 Tip Credit: \$2.20 Tip Threshold: \$2.85	Fast Food/Other Employees (Per Hour) \$15.00
Uniform Pay	Work Week More than 30 Hours: \$16.40/week Work Week Between 20 – 30 Hours: \$13.00/week Work Week 20 Hours or Less: \$7.85/week		
Meal Credit	Food Service Workers (Per Meal) \$3.35	Service Employees (Per Meal) \$3.65	All Other Employees (Per Meal) 4.55
Exempt Salary Threshold (Administrative and Executive Employees)	\$990.00 (\$51,480.00 annualized)		

Helpful Information about Different Categories of Employees and Various Credits and Payments

For detailed information about the different categories of employees — food service workers, service employees, and fast food workers — and rules regarding tip credits, meal credits and uniform maintenance pay, please see our year-end [alert](#) from last year.

What Does this Mean for New York City Employers

Employers in New York City do not need to worry about any changes to the minimum wage, tip credit, meal credit, uniform maintenance pay or minimum salary threshold as the rates for New York City employers remain the same. As a reminder, New York City employers, regardless of the number of employees they employ, are subject to the following rates:

Location			
New York City Employers (Wage Rates/Tip Credit)	Food Service Workers (Per Hour) Minimum Wage: \$15.00 Cash Wage: \$10.00 Cash Overtime Wage: \$17.50 Tip Credit: \$5.00	Service Employees (Per Hour) Minimum Wage: \$15.00 Cash Wage: \$12.50 Cash Overtime Wage: \$20.00 Tip Credit: \$2.50 Tip Threshold: \$3.25	Fast Food/Other Employees (Per Hour) \$15.00
New York City Employers (Uniform Pay)	Work Week More than 30 Hours: \$18.65/week Work Week Between 20 – 30 Hours: \$14.75/week Work Week 20 Hours or Less: \$8.90/week		
New York City Employers (Meal Credit)	Food Service Workers (Per Meal) \$3.60	Service Employees (Per Meal) \$4.15	All Other Employees (Per Meal) \$5.15
Exempt Salary Threshold (Administrative and Executive Employees)	\$1,125.00 (\$58,500.00 annualized)		

For more information about this alert, please contact Carolyn D. Richmond at 212.878.7983 or crichmond@foxrothschild.com, Glenn S. Grindlinger at 212.905.2305 or ggrindlinger@foxrothschild.com, Matthew C. Berger at 646.601.7658 or mberger@foxrothschild.com, or any member of [Fox Rothschild's New York Labor & Employment Department](#).