

New Hire Requirements Effective October 26, 2009

New York State recently enacted a law requiring employers to notify non-exempt employees, in writing at the time of their hiring, of (i) their regular rate of pay, (ii) their overtime rate of pay, and (iii) the employer's regular payday. The notice must be in writing and the employer must get a written acknowledgment from the employee of receipt of the notice. Failure to do so exposes the employer to a penalty of \$1,000 for the first violation, \$2,000 for the second violation, and \$3,000 for the third and each subsequent violation.

The law takes effect October 26, 2009. This requirement applies only to newly-hired employees after the effective date and not to existing employees.

If you have questions regarding this Alert, please contact [David Rabinowitz](#), Co-Chair of Moses & Singer's [Employment and Labor](#) practice, at 212.554.7815 or drabinowitz@mosessinger.com.

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