Labor Law Compliance Center
NEW YORK
## New York Labor Law Posters

### Bilingual

<table>
<thead>
<tr>
<th>Posting Name &amp; ID</th>
<th>Posting Requirements</th>
<th>Published Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Labor NY01-02</td>
<td>Note: The employer must make a schedule for all minors and post it in a conspicuous place. The schedule sets forth the hours minors start and end work and time allotted for meals. The hours of work can be changed, as long as the changes are posted on the schedule. Minors may work only on the days and at the times posted on the schedule.</td>
<td>09/16</td>
</tr>
<tr>
<td>Criminal Convictions Records NY03</td>
<td>All employers</td>
<td></td>
</tr>
<tr>
<td>Discrimination NY04</td>
<td>All employers</td>
<td>01/20</td>
</tr>
<tr>
<td>Job Safety &amp; Health NY05</td>
<td>PUBLIC EMPLOYERS</td>
<td>07/17</td>
</tr>
<tr>
<td></td>
<td>Special size requirement: reproductions or facsimiles of this poster must be at least 8.5 x 14 inches with 10 point type Designed to be 11 x 17 inches in dimension</td>
<td></td>
</tr>
<tr>
<td>Minimum Wage NY06</td>
<td>All employers</td>
<td>01/21</td>
</tr>
<tr>
<td>Notice of Fringe Benefits &amp; Hours NY07</td>
<td>Employers are generally required to notify employees of the employer’s policies regarding sick leave, vacation, personal leave, holidays, and hours in writing or by publicly posting such policies. The Division of Labor Standards has issued guidelines to assist employers in complying with this requirement.</td>
<td>08/19</td>
</tr>
<tr>
<td>Prevailing Rate of Wages NY08</td>
<td>PUBLIC CONTRACTORS</td>
<td>01/11</td>
</tr>
<tr>
<td></td>
<td>Must be posted at the start of every public works contract on each job site</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Note: In addition to this notice, the current Prevailing Rate Schedule must be: posted on the site of the public works project where workers can see and access it; encased in (or made of) weatherproof materials; and titled “PREVAILING RATE OF WAGES” in letters at least 2” x 2”.</td>
<td></td>
</tr>
<tr>
<td>Time Off to Vote NY09</td>
<td>All employers</td>
<td>04/20</td>
</tr>
</tbody>
</table>
# New York Labor Law Posters

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<thead>
<tr>
<th>Posting Name &amp; ID</th>
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</thead>
<tbody>
<tr>
<td><strong>Unemployment Insurance NY10</strong></td>
<td>Contact: New York State Department of Labor Registration Subsection State Office Building Campus Albany, NY 12240-0339 Phone: (518) 485-8589 Fax: (518) 485-8010</td>
<td>-</td>
</tr>
<tr>
<td><strong>Rights of Nursing Mothers NY11</strong></td>
<td>All employers</td>
<td>05/19</td>
</tr>
<tr>
<td><strong>Deductions from Wages NY12-14</strong></td>
<td>Employer engaged in the sale or service of food or beverages</td>
<td>08/19</td>
</tr>
<tr>
<td><strong>Tip Appropriation NY15</strong></td>
<td>Employer engaged in the sale or service of food or beverages</td>
<td>08/20</td>
</tr>
<tr>
<td><strong>Equal Pay NY16-18</strong></td>
<td>All employers</td>
<td>08/20</td>
</tr>
<tr>
<td><strong>Workers’ Compensation, Disability Benefits, &amp; Paid Family Leave NY19</strong></td>
<td>Notice of Compliance (white) for Workers’ Compensation Notice of Compliance (blue) for Disability Benefits Notice of Compliance for Paid Family Leave (each notice is supplied by employer’s insurance carrier)</td>
<td>-</td>
</tr>
<tr>
<td><strong>Westchester County Earned Sick Leave NY20</strong></td>
<td>Employers with five or more employees in Westchester County</td>
<td>04/19</td>
</tr>
<tr>
<td><strong>Westchester County Safe Time Leave NY21</strong></td>
<td>Employers in Westchester County</td>
<td>10/19</td>
</tr>
</tbody>
</table>
**Permitted Working Hours for Minors Under 18 Years of Age**

The following chart is a summary of the permitted working hours provisions of the New York State Labor Law relating to minors less than 18 years of age:

<table>
<thead>
<tr>
<th>Age of Minor (Boys and Girls)</th>
<th>Industry or Occupation</th>
<th>Maximum Daily Hours</th>
<th>Maximum Weekly Hours</th>
<th>Maximum Days Per Week</th>
<th>Permitted Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minors Attending School</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>When School is in Session</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 and 15</td>
<td>All occupations except farm work, newspaper carrier and street trades</td>
<td>3 hours on school days</td>
<td>18</td>
<td>6</td>
<td>7 AM to 7 PM</td>
</tr>
<tr>
<td>16 and 17</td>
<td>All occupations except farm work, newspaper carrier and street trades</td>
<td>4 hours on days preceding school days (i.e., Mon., Tues., Weds., Thurs.(^2)), 8 hours on Fri., Sat., Sun. and Holidays. (^4)</td>
<td>28(^4)</td>
<td>6(^4)</td>
<td>6 AM to 10 PM(^6)</td>
</tr>
<tr>
<td>When School is Not In Session (Vacation)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 and 15</td>
<td>All occupations except farm work, newspaper carrier and street trades</td>
<td>8 hours</td>
<td>40</td>
<td>6</td>
<td>7 AM to 9 PM June 21 to Labor Day</td>
</tr>
<tr>
<td>16 and 17</td>
<td>All occupations except farm work, newspaper carrier and street trades</td>
<td>8 hours(^4)</td>
<td>48(^4)</td>
<td>6(^4)</td>
<td>6 AM to Midnight(^6)</td>
</tr>
<tr>
<td>Minors Not Attending School</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 and 17</td>
<td>All occupations except farm work, newspaper carrier and street trades</td>
<td>8 hours(^4)</td>
<td>48(^4)</td>
<td>6(^4)</td>
<td>6 AM to Midnight(^6)</td>
</tr>
<tr>
<td>Farm Work</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 and 13</td>
<td>Hand harvest of berries, fruits and vegetables</td>
<td>4 hours</td>
<td></td>
<td></td>
<td>7 AM to 7 PM June 21 to Labor Day</td>
</tr>
<tr>
<td>14 to 18</td>
<td>Any farm work</td>
<td></td>
<td></td>
<td></td>
<td>9 AM to 4 PM Day after Labor Day to June 20</td>
</tr>
<tr>
<td>Newspaper Carriers 11 to 18</td>
<td>Delivers, or sells and delivers newspapers, shopping papers or periodicals to homes or business places</td>
<td>4 hours on school days</td>
<td></td>
<td></td>
<td>5 AM to 7 PM or 30 minutes prior to Sunset, whichever is later</td>
</tr>
<tr>
<td>Street Trades 14 to 18</td>
<td>Self-employed work in public places selling newspapers or work as a bootblack</td>
<td>4 hours on school days</td>
<td></td>
<td></td>
<td>6 AM to 7 PM</td>
</tr>
</tbody>
</table>

\(^1\) Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session.

\(^2\) Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday when school is in session, as long as the hours are in conjunction with the Program.

\(^3\) 6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non-school day with written parental consent.

\(^4\) This provision does not apply to minors employed in resort hotels or restaurants in resort areas.

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**A Schedule of Hours of Work for Minors Under 18 Years of Age Must Be Posted in the Establishment by the Employer.**

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LS 171 (09/16) See Other Page NY01
Additional Child Labor Law Information

An Employment Certificate (Working Paper) is required for all minors under 18 years of age who are employed.

There are numerous prohibited occupations for minors in New York State. Contact any of the offices listed below for further information.

Civil penalties for violations of Child Labor Laws are:

First Violation - maximum $1,000*
Second Violation - maximum $2,000*
Third or Subsequent Violation - maximum $3,000*

* If a minor is seriously injured or dies while illegally employed, the penalty is treble the maximum penalty allowable under the law for such violation.

Section 14A of the Workers’ Compensation Law provides double compensation and death benefits for minors illegally employed.

Inquiries concerning these laws and other provisions of the New York State Labor Law may be addressed to the Department of Labor, at one of the offices of the Division of Labor Standards listed below:

<table>
<thead>
<tr>
<th>Albany District</th>
<th>Binghamton</th>
<th>New York City District</th>
<th>Garden City District</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Office Campus Bldg. 12 Room 185A Albany, NY 12240 (518) 457-2730</td>
<td>Sub-District 44 Hawley Street Binghamton, NY 13901 (607) 721-8014</td>
<td>75 Varick Street 7th Floor New York, NY 10013 (212) 775-3880</td>
<td>400 Oak Street Suite 101 Garden City, NY 11530 (516) 794-8195</td>
</tr>
<tr>
<td><strong>Buffalo District</strong></td>
<td><strong>Rochester</strong></td>
<td><strong>Syracuse District</strong></td>
<td><strong>White Plains District</strong></td>
</tr>
<tr>
<td>65 Court Street Room 202 Buffalo, NY 14202 (716) 847-7141</td>
<td>Sub-District 276 Waring Road Room 104 Rochester, NY 14609 (585) 258-4550</td>
<td>333 East Washington Street Room 121 Syracuse, NY 13202 (315) 428-4057</td>
<td>120 Bloomingdale Road White Plains, NY 10605 (914) 997-9521</td>
</tr>
</tbody>
</table>

DOL Website Homepage
http://www.labor.ny.gov
NEW YORK CORRECTION LAW
ARTICLE 23-A
LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 750. Definitions.
751. Applicability.

752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

753. Factors to be considered concerning a previous criminal conviction; presumption.

754. Written statement upon denial of license or employment.

755. Enforcement.

§750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

(1) “Public agency” means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) “Private employer” means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) “Direct relationship” means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) “License” means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that “license” shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) “Employment” means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that “employment” shall not, for the purposes of this article, include membership in any law enforcement agency.

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual’s having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of “good moral character” when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) The issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.
ALL EMPLOYERS (until February 8, 2020, only employers with 4 or more employees are covered), EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; familial status; pregnancy-related conditions; and contraceptives. Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

Also covered: domestic workers are protected from harassment and retaliation; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

Rental, Lease or Sale of Housing, Land and Commercial Space, Including Activities of Real Estate Brokers and Sales People

All prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting. Reasonable accommodations and modifications for persons with disabilities may also be required. Does not apply to:

(1) rental of a room in an owner-occupied two-family house
(2) rentals of all rooms in a housing accommodation to individuals of the same sex
(3) rental of a room by the occupant of a house or apartment
(4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

All Credit Transactions Including Financing for Purchase, Maintenance and Repair of Housing

Places of Public Accommodation Such as Restaurants, Hotels, Hospitals and Medical Offices, Clubs, Parks and Government Offices

Exception: Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required.

Education Institutions

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations.

Advertising and Applications Relating to Employment, Real Estate, Places of Public Accommodation and Credit Transactions May Not Express Any Discrimination

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division’s services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

For Further Information, Write or Call the Division’s Nearest Office, Headquarters:
One Fordham Plaza, 4th Floor, Bronx, NY 10458
The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

**Employers**
Employers must provide employees with a workplace that is:
- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

**Employees**
Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

**Enforcement**
The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department’s Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

**Inspection**
When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

**Order to Comply**
If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined.

The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

**Complaint**
Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:
- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: Ask.SHNYPESH@labor.ny.gov. On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation. These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: www.osha.gov.

**Discrimination**
Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

**Voluntary Activity**
The Department of Labor encourages employers and employees to voluntarily:
- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: Ask.SHNYPESH@labor.ny.gov.

Additional information may be obtained from the nearest DOSH District Office below:

- **Albany District**
  State Office Campus
  Bldg. 12, Rm. 158
  Albany, NY 12240
  Tel: (518) 457-5508

- **Binghamton District**
  44 Hawley St., Rm. 901
  Binghamton, NY 13901
  Tel: (607) 721-8211

- **Buffalo District**
  65 Court Street
  Buffalo, NY 14202
  Tel: (716) 847-7133

- **Garden City District**
  400 Oak Street
  Garden City, NY 11550
  Tel: (516) 228-3970

- **New York City District**
  75 Varick St., 7th Floor
  New York, NY 10013
  Tel: (212) 775-3554

- **Rochester District**
  109 S. Union St., Rm. 402
  Rochester, NY 14607
  Tel: (585) 258-8806

- **Syracuse District**
  450 South Salina Street
  Syracuse, NY 13202
  Tel: (315) 479-3212

- **Utica District**
  207 Genesee Street
  Utica, NY 13501
  Tel: (315) 793-2258

- **White Plains District**
  120 Bloomingdale Road
  White Plains, NY 10605
  Tel: (914) 997-9514

Post Conspicuously

A Division of the New York State Department of Labor

NY05

Labor Law Compliance Center
(800) 801-0597
www.laborlawcc.com
### Minimum Wage Poster

#### New York City

<table>
<thead>
<tr>
<th>Category</th>
<th>Large Employers (11 or more employees)</th>
<th>Small Employers (10 or less employees)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Wage</strong></td>
<td><strong>$15.00</strong></td>
<td><strong>$15.00</strong></td>
</tr>
<tr>
<td>Overtime after 40 hours</td>
<td><strong>$22.50</strong></td>
<td><strong>$22.50</strong></td>
</tr>
<tr>
<td>Tipped workers</td>
<td><strong>$15.00</strong></td>
<td><strong>$15.00</strong></td>
</tr>
<tr>
<td>Overtime after 40 hours</td>
<td><strong>$22.50</strong></td>
<td><strong>$22.50</strong></td>
</tr>
</tbody>
</table>

#### Long Island and Westchester County

<table>
<thead>
<tr>
<th>Category</th>
<th><strong>$14.00</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime after 40 hours</td>
<td><strong>$21.00</strong></td>
</tr>
<tr>
<td>Tipped workers</td>
<td><strong>$14.00</strong></td>
</tr>
<tr>
<td>Overtime after 40 hours</td>
<td><strong>$21.00</strong></td>
</tr>
</tbody>
</table>

#### Remainder of New York State

<table>
<thead>
<tr>
<th>Category</th>
<th><strong>$12.50</strong></th>
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<tbody>
<tr>
<td>Overtime after 40 hours</td>
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<td>Overtime after 40 hours</td>
<td><strong>$18.75</strong></td>
</tr>
</tbody>
</table>

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**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not change you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

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If you have questions, need more information or want to file a complaint, please visit [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call: 1-888-469-7365.

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### Atención, Empleados de Industrias Diversas

#### Ciudad de Nueva York

<table>
<thead>
<tr>
<th>Category</th>
<th><strong>$15.00</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salario mínimo</strong></td>
<td><strong>$15.00</strong></td>
</tr>
<tr>
<td>Horas extras después de las 40 horas</td>
<td><strong>$22.50</strong></td>
</tr>
<tr>
<td>Trabajadores con propina</td>
<td><strong>$15.00</strong></td>
</tr>
<tr>
<td>Horas extras después de las 40 horas</td>
<td><strong>$22.50</strong></td>
</tr>
</tbody>
</table>

#### Resto del Estado de Nueva York

<table>
<thead>
<tr>
<th>Category</th>
<th><strong>$12.50</strong></th>
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<tbody>
<tr>
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</tbody>
</table>

Si tiene alguna pregunta, necesita más información o desea presentar una reclamación, visite [www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) o llame al: 1-888-469-7365.

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**Créditos y subsidios** que podrían hacer que el pago sea inferior a las tarifas mínimas que se muestran arriba:

- **Consejos** – A partir del 31 de diciembre de 2020, su empleador debe pagar el salario mínimo aplicable en su totalidad, y no puede aplicar un crédito por propinas.
- **Comidas y alojamiento**: el empleador podría reclamar una cantidad limitada de su salario si le provee comidas y alojamiento, siempre y cuando no le cobre un monto por abiertado por esto. Las tarifas y los requisitos se encuentran en las órdenes y en los resúmenes de salarios, los cuales están disponibles en línea.

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**Pagos extras** que se le pudieran deber además de las tarifas mínimas que se muestran arriba:

- **Horas extras**: si el día laboral dura más de diez horas, usted podría tener derecho a un pago diario extra. La tarifa diaria equivale a una hora de pago a la tarifa del salario mínimo.
- **Pago por disponibilidad**: si usted se presenta a trabajar en el horario estipulado y su empleador lo envía a casa más temprano, podría tener derecho al pago de horas extras a la tarifa del salario mínimo por ese día.
- **Difusión de Horas**: si el día laboral dura más de diez horas, usted podría tener derecho a un pago diario extra. La tarifa diaria equivale a una hora de pago a la tarifa del salario mínimo.
- **Mantenimiento del uniforme**: si usted lava/mantiene su propio uniforme, podría tener derecho a un pago semanal adicional. Las tarifas semanales están disponibles en línea.
NOTICE REQUIREMENT FOR
FRINGE BENEFITS AND HOURS

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows:

“Every employer shall notify his employees in writing or by public posting the employer’s policy on sick leave, vacation, personal leave, holidays, and hours.”

Written Information Regarding

Fringe Benefits and Hours Are Located At

Location(s)

Supervisor(s)
Attention Employees

THIS IS A: PUBLIC WORK PROJECT

If you are employed on this project as a worker, laborer, or mechanic you are entitled to receive the prevailing wage and supplements rate for the classification at which you are working.

Chapter 629 of the Labor Laws of 2007:

These wages are set by law and must be posted at the work site. They can also be found at: www.labor.ny.gov

If you feel that you have not received proper wages or benefits, please call our nearest office.*

- Albany (518) 457-2744
- Binghamton (607) 721-8005
- Buffalo (716) 847-7159
- Garden City (516) 228-3915
- New York City (212) 775-3568
- Newburgh (845) 568-5398
- Patchogue (631) 687-4886
- Rochester (585) 258-4505
- Syracuse (315) 428-4056
- Utica (315) 793-2314
- White Plains (914) 997-9507

* For New York City government agency construction projects, please contact the Office of the NYC Comptroller at (212) 669-4443, or www.comptroller.nyc.gov – click on Bureau of Labor Law.

Contractor Name:

Project Location:

PW 101 (01/11)
ATTENTION ALL EMPLOYEES
TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY

N.Y. ELECTION LAW SECTION 3-110\(^1\) STATES THAT:

- **IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.**

- **YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.**

- **YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.**

\(^1\) Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.
REQUIRED NOTICE!

Unemployment Insurance Notice:

Contact:
New York State Department of Labor
Registration Subsection State Office Building Campus
Albany, NY 12240-0339
Phone: (518) 485-8589
Fax: (518) 485-8010
Guidelines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Work Place

Section 206-c of the New York State Labor Law provides as follows:

Right of Nursing Mothers to Express Breast Milk.

An employer shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace.
§ 193. Deductions from Wages

Section 193 of the New York State Labor Law

1. No employer shall make any deduction from the wages of an employee, except deductions which:

   a) are made in accordance with the provisions of any law or any rule or regulation issued by any governmental agency including regulations promulgated under paragraph c and paragraph d of this subdivision; or

   b) are expressly authorized in writing by the employee and are for the benefit of the employee, provided that such authorization is voluntary and only given following receipt by the employee of written notice of all terms and conditions of the payment and/or its benefits and the details of the manner in which deductions will be made. Whenever there is a substantial change in the terms or conditions of the payment, including but not limited to, any change in the amount of the deduction, or a substantial change in the benefits of the deduction or the details in the manner in which deductions shall be made, the employer shall, as soon as practicable, but in each case before any increased deduction is made on the employee's behalf, notify the employee prior to the implementation of the change. Such authorization shall be kept on file on the employer's premises for the period during which the employee is employed by the employer and for six years after such employment ends. Notwithstanding the foregoing, employee authorization for deductions under this section may also be provided to the employer pursuant to the terms of a collective bargaining agreement. Such authorized deductions shall be limited to payments for:

   (i) insurance premiums and prepaid legal plans;

   (ii) pension or health and welfare benefits;

   (iii) contributions to a bona fide charitable organization;

   (iv) purchases made at events sponsored by a bona fide charitable organization affiliated with the employer where at least twenty percent of the profits from such event are being contributed to a bona fide charitable organization;

   (v) United States bonds;

   (vi) dues or assessments to a labor organization;

   (vii) discounted parking or discounted passes, tokens, fare cards, vouchers, or other items that entitle the employee to use mass transit;

   (viii) fitness center, health club, and/or gym membership dues;

   (ix) cafeteria and vending machine purchases made at the employer's place of business and purchases made at gift shops operated by the employer, where the employer is a hospital, college, or university;

   (x) pharmacy purchases made at the employer's place of business;

   (xi) tuition, room, board, and fees for pre-school, nursery, primary, secondary, and/or post-secondary educational institutions;

   (xii) day care, before-school and after-school care expenses;

   (xiii) payments for housing provided at no more than market rates by non-profit hospitals or affiliates thereof; and

   (xiv) similar payments for the benefit of the employee.
c) are related to recovery of an overpayment of wages where such overpayment is due to a mathematical or other clerical error by the employer. In making such recoveries, the employer shall comply with regulations promulgated by the commissioner for this purpose, which regulations shall include, but not be limited to, provisions governing: the size of overpayments that may be covered by this section; the timing, frequency, duration, and method of such recovery; limitations on the periodic amount of such recovery; a requirement that notice be provided to the employee prior to the commencement of such recovery; a requirement that the employer implement a procedure for disputing the amount of such overpayment or seeking to delay commencement of such recovery; the terms and content of such a procedure and a requirement that notice of the procedure for disputing the overpayment or seeking to delay commencement of such recovery be provided to the employee prior to the commencement of such recovery.

d) repayment of advances of salary or wages made by the employer to the employee. Deductions to cover such repayments shall be made in accordance with regulations promulgated by the commissioner for this purpose, which regulations shall include, but not be limited to, provisions governing: the timing, frequency, duration, and method of such repayment; limitations on the periodic amount of such repayment; a requirement that notice be provided to the employee prior to the commencement of such repayment; a requirement that the employer implement a procedure for disputing the amount of such repayment or seeking to delay commencement of such repayment; the terms and content of such a procedure and a requirement that notice of the procedure for disputing the repayment or seeking to delay commencement of such repayment be provided to the employee at the time the loan is made.

2. Deductions made in conjunction with an employer sponsored pre-tax contribution plan approved by the IRS or other local taxing authority, including those falling within one or more of the categories set forth in paragraph b of subdivision one of this section, shall be considered to have been made in accordance with paragraph a of subdivision one of this section.

3. a. No employer shall make any charge against wages, or require an employee to make any payment by separate transaction unless such charge or payment is permitted as a deduction from wages under the provisions of subdivision one of this section or is permitted or required under any provision of a current collective bargaining agreement.

b. Notwithstanding the existence of employee authorization to make deductions in accordance with subparagraphs (iv), (ix), and (x) of paragraph b of subdivision one of this section and deductions determined by the commissioner to be similar to such deductions in accordance with subparagraph (xiv) of paragraph b of subdivision one of this section, the total aggregate amount of such deductions for each pay period shall be subject to the following limitations: (i) such aggregate amount shall not exceed a maximum aggregate limit established by the employer for each pay period; (ii) such aggregate amount shall not exceed a maximum aggregate limit established by the employee, which limit may be any amount (in ten dollar increments) up to the maximum amount established by the employer under subparagraph (i) of this paragraph; (iii) the employer shall not permit any purchases within these categories of deduction by the employee that exceed the aggregate limit established by the employee or, if no limit has been set by the employee, the limit set by the employer; (iv) the employee shall have access within the workplace to current account information detailing individual expenditures within these categories of deduction and a running total of the amount that will be deducted from the employee’s pay during the next applicable pay period. Information shall be available in printed form or capable of being printed should the employee wish to obtain a listing. No employee may be charged any fee, directly or indirectly, for access to, or printing of, such account information.

c. With the exception of wage deductions required or authorized in a current existing collective bargaining agreement, an employee’s authorization for any and all wage deductions may be revoked in writing at any time. The employer must cease the wage deduction for which the employee has revoked authorization as soon as practicable, and, in no event more than four pay periods or eight weeks after the authorization has been withdrawn, whichever is sooner.

4. Nothing in this section shall justify noncompliance with article three-A of the personal property law relating to assignment of earnings, with section two hundred twenty-one of this chapter relating to company stores or with any other law applicable to deductions from wages.
For more information, call or write the nearest office of the Division of Labor Standards:

<table>
<thead>
<tr>
<th>District</th>
<th>Address</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Albany District</td>
<td>State Office Campus Building 12 Room 185A</td>
<td>(518) 457-2730</td>
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<td>Albany, NY 12240</td>
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<tr>
<td>New York City District</td>
<td>75 Varick Street 7th Floor New York, NY 10013</td>
<td>(212) 775-3880</td>
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<tr>
<td>Binghamton Sub-District</td>
<td>State Office Building 44 Hawley Street</td>
<td>(607) 721-8014</td>
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<td>Binghamton, NY 13901</td>
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<tr>
<td>Buffalo District</td>
<td>65 Court Street Room 202 Buffalo, NY 14202</td>
<td>(716) 847-7141</td>
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<tr>
<td>Garden City District</td>
<td>400 Oak Street Suite 101 Garden City, NY 11530</td>
<td>(516) 794-8195</td>
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<tr>
<td>Rochester Sub-District</td>
<td>276 Waring Road Room 104 Rochester, NY 14609</td>
<td>(585) 258-4550</td>
</tr>
<tr>
<td>Syracuse District</td>
<td>333 East Washington Street Room 121 Syracuse, NY 13202</td>
<td>(315) 428-4057</td>
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<tr>
<td>White Plains District</td>
<td>120 Bloomingdale Road White Plains, NY 10605</td>
<td>(914) 997-9521</td>
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NY14
Tip Appropriation

Section 196-d of the New York State Labor Law

Section 196-d. Gratuities. No employer or his agent or an officer or agent of any corporation, or any other person shall demand or accept, directly or indirectly, any part of the gratuities, received by an employee, or retain any part of a gratuity or of any charge purported to be a gratuity for an employee. This provision shall not apply to the checking of hats, coats or other apparel. Nothing in this subdivision shall be construed as affecting the allowances from the minimum wage for gratuities in the amount determined in accordance with the provisions of article nineteen of this chapter nor as affecting practices in connection with banquets and other special functions where a fixed percentage of the patron’s bill is added for gratuities which are distributed to employees, nor to the sharing of tips by a waiter with a busboy or similar employee.

For more information, call or write the nearest office of the Division of Labor Standards, of the New York State Department of Labor, listed below:

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<td>New York City District</td>
<td>75 Varick Street</td>
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<td>White Plains District</td>
<td>120 Bloomingdale Rd.</td>
<td>(914) 997-9521</td>
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<td>White Plains, NY 10605</td>
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<tr>
<td>Buffalo District</td>
<td>290 Main Street</td>
<td>(716) 847-7141</td>
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<td>Room 226</td>
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<td>Rochester District</td>
<td>Sub-District</td>
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Equal Pay Provision of the New York State Labor Law

Article 6, Section 194

§ 194. Differential in rate of pay because of protected class status prohibited.

1. No employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same protected class or classes in the same establishment is paid for: (a) equal work on a job the performance of which requires equal skill, effort and responsibility, and which is performed under similar working conditions, or (b) substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions; except where payment is made pursuant to a differential based on:
   (i) a seniority system;
   (ii) a merit system;
   (iii) a system which measures earnings by quantity or quality of production;
   (iv) a bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor:
      (A) shall not be based upon or derived from a differential in compensation based on status within one or more protected class or classes and
      (B) shall be job-related with respect to the position in question and shall be consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates
         (1) that an employer uses a particular employment practice that causes a disparate impact on the basis of status within one or more protected class or classes,
         (2) that an alternative employment practice exists that would serve the same business purpose and not produce such differential, and
         (3) that the employer has refused to adopt such alternative practice.

2. For the purpose of subdivision one of this section:
   (a) "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question, and
   (b) "protected class" shall include age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law.
3. For the purposes of subdivision one of this section, employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no larger than a county, taking into account population distribution, economic activity, and/or the presence of municipalities.

4. (a) No employer shall prohibit an employee from inquiring about, discussing, or disclosing the wages of such employee or another employee.

(b) An employer may, in a written policy provided to all employees, establish reasonable workplace and workday limitations on the time, place and manner for inquires about, discussion of, or the disclosure of wages. Such limitations shall be consistent with standards promulgated by the commissioner and shall be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another employee without such employee's prior permission.

(c) Nothing in this subdivision shall require an employee to disclose his or her wages. The failure of an employee to adhere to such reasonable limitations in such written policy shall be an affirmative defense to any claims made against an employer under this subdivision, provided that any adverse employment action taken by the employer was for failure to adhere to such reasonable limitations and not for mere inquiry, discussion or disclosure of wages in accordance with such reasonable limitations in such written policy.

(d) This prohibition shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action under this chapter, including an investigation conducted by the employer.

(e) Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law or collective bargaining agreement.
For questions, write or call your nearest office, (listed below), of the:

**New York State Department of Labor**  
**Division of Labor Standards**

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(585) 258-4550 |                    |
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(315) 428-4057 |                    |
| **White Plains District** | 120 Bloomingdale Road  
White Plains, NY 10605  
(914) 997-9521 |                    |

For more information, visit the Labor Law Compliance Center  
(800) 801-0597  
[www.laborlawcc.com](http://www.laborlawcc.com)
REQUIRED NOTICES!

1. Notice of Compliance for Workers’ Compensation
2. Notice of Compliance for Disability Benefits
3. Notice of Compliance for Paid Family Leave

are supplied by the employer’s insurance carrier.
Under Westchester County’s Earned Sick Leave Law, employers with five or more employees in Westchester County must provide paid sick leave.

**YOU HAVE A RIGHT TO SICK LEAVE, WHICH YOU CAN USE FOR THE CARE AND TREATMENT OF YOURSELF OR A FAMILY MEMBER.**

- **AFTER 80 HOURS WORKED**
  - All employees who work in Westchester County for more than 80 hours in a calendar year, full-time or part-time, including those in the subsidized private sector and non-for-profit sector, are covered by the Earned Sick Leave Law.
  - You begin to accrue sick leave on July 10, 2019 or on your first day of employment, whichever is later. An employer has the right to delay your ability to use earned sick time until you have worked for the employer for 90 days.

- **YOU CAN USE SICK LEAVE WHEN:**
  - You have a mental or physical illness, injury or health condition; you need to get a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; you need to get preventative medical care.
  - You must care for a family member who needs a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventative medical care.
  - Your employer’s business closes due to a public health emergency or you need to care for a child whose school or child care provider has closed due to a public health emergency.

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If you think you’ve been subjected to a violation of any rights granted under the Earned Sick Leave Law, please contact the Westchester County Department of Consumer Protection. Visit [www.consumer.westchestergov.com](http://www.consumer.westchestergov.com) or call (914) 995-2155.
UNDER WESTCHESTER COUNTY’S SAFE TIME LEAVE LAW, COVERED EMPLOYERS IN WESTCHESTER COUNTY MUST PROVIDE PAID SAFE TIME LEAVE.

In general, covered employees who work for a covered employer in Westchester County for more than 90 days in a year, full-time or part-time, are covered by the Safe Time Leave Law and entitled to take up to 40 hours of paid safe time leave in full days or increments. Certain exceptions apply.

VICTIMS OF DOMESTIC VIOLENCE AND/OR HUMAN TRAFFICKING CAN USE SAFE TIME LEAVE TO:

• Attend or testify in criminal and/or civil court proceedings relating to domestic violence;
• Attend or testify in criminal and/or civil court proceedings relating to human trafficking; and/or
• Move to a safe location.

YOU HAVE THE RIGHT TO BE FREE FROM RETALIATION FROM YOUR EMPLOYER FOR:

• Using safe time leave;
• Requesting safe time leave;
• Informing other employees of their rights under the law; and/or
• Filing a complaint alleging a violation of the law.

COVERED EMPLOYEES ARE ELIGIBLE TO USE SAFE TIME LEAVE WHEN THEY HAVE WORKED FOR A COVERED EMPLOYER FOR 90 DAYS.

• Employees who have already worked for an employer for 90 days by October 30, 2019 can use leave starting October 30, 2019.
• Newly or recently hired employees are eligible 90 days after the first day of employment.

If you think you’ve been subjected to a violation of any rights granted under the Safe Time Leave Law, please contact the Westchester County Department of Consumer Protection. Visit www.consumer.westchestergov.com or call (914) 995-2155. For general information about the law, contact the Human Rights Commission at (914) 995-7710 or by email at humanrights@westchestergov.com. FAQs can be found at www.humanrights.westchestergov.com/resources.