

UPDATE: Employee Notices Under New York's Wage Theft Prevention Act

This is a reminder that New York employers must provide the first yearly Wage Theft Prevention Act ("WTPA") notices to employees between January 1 and February 1, 2012. (For background on The Wage Theft Prevention Act, see our previous WTPA alerts of December 2010 located at <http://www.pbwt.com/resources/publications/wage-theft-protection-act/> and April 2011 located at http://www.pbwt.com/resources/publications/nyla_wage_theft_prevention/.)

The New York Department of Labor ("NYDOL") has now published model dual language forms in Chinese, Haitian Creole, Korean, Polish, Russian, and Spanish. These forms are located on the NYDOL website at <http://www.labor.ny.gov/formsdocs/wp/ellsformsandpublications.shtm>. If an employee designates one of the above-referenced languages as his or her primary language, the notice must be given to the employee in that language as well as in English. If the employee designates as his primary language a foreign language for which the NYDOL does not provide a form notice, the notice may be given to the employee in English alone.

The NYDOL has also created a Wage Theft Prevention Act FAQ on its website at <http://www.labor.ny.gov/workerprotection/laborstandards/PDFs/wage-theft-prevention-act-faq.pdf>.

Notices must be kept by employers for six years and must be available to the NYDOL upon request. ♦

If you would like more information about this alert, please contact one of the following attorneys or call your regular Patterson contact.

Ellen M. Martin	212.336.2860	emmartin@pbwt.com
Lisa E. Cleary	212.336.2159	lecleary@pbwt.com
Krista D. Caner	212.336.2922	kcaner@pbwt.com
Sarah Levin Goodstine	212.336.2476	sgoodstine@pbwt.com
Adam E. Pinto	212.336.2156	apinto@pbwt.com
Catherine A. Williams	212.336.2207	cawilliams@pbwt.com

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