

New York Labor Code Section 195(1)

Rev. 05-07-2012

Written Notice and Acknowledgement of Pay Rate and Designated Payday

Effective April 09, 2011, the New York State Wage Theft Prevention Act requires that ALL employees be given written notice of their regular rate of pay, wage status and designated payday at time of hire and annually, prior to February 1 each year. For production employees, a written notice must be provided for each project on which the employee is hired. The employee must be paid the agreed rate of pay for all work in the hired category for that project. If the employee's job changes, the agreed rate of pay can change, but a new written notice or other written communication (such as a wage statement) indicating the changes must be provided.

Production Co./Employer _____ FEIN (Optional) _____
 Physical address _____ City _____ State _____ Zip _____ Phone (____) ____ - _____
 Mailing address _____ City _____ State _____ Zip _____ Phone (____) ____ - _____
Payroll Company _____
 Address 30 West 22nd Street, 5th Floor City New York State NY Zip 10010 Phone (212) 366 - 9390

Employee Name _____ E-mail Address _____
 Address _____ City _____ State _____ Zip _____
 Your Job/Occupation Category is _____ Hire Date _____
 Project Name (Job) / Number _____

Non-Exempt Employees: Regular rate(s) of pay \$ _____ per hour. Multiple rate(s), if applicable: _____
Weekly Overtime: Rate of pay \$ _____ per hour, for all hours over 40.
Daily Overtime (if applicable): After _____ hours \$ _____ per hour, and after _____ hours \$ _____ per hour.
If working under a CBA: Other terms and conditions per CBA _____ Agmt/Local.
 ----- OR -----
 Exempt Employees: Rate(s) of pay \$ _____ (State if pay is based on a weekly salary, day rate, piece rate, or other basis.)
If working under a CBA: Other terms and conditions per CBA _____ Agmt/Local.
 Rate by: Hour Day Week Other (provide specifics): _____
 Employment agreement is: Oral Written
Allowances Taken: None Meals _____ per meal Lodging _____ Other _____
Designated Payday _____ Weekly Bi- Weekly Other _____ if more frequent.
Notice Given: At Hiring Before a change in pay rate(s), allowances claimed, or payday.

Employee Acknowledgement: On this date, I received written notice of my pay rate, overtime rate (if eligible), allowances, and designated payday. I told my employer what my primary language is.

Check one:

- I have been given this notice in English because it is my primary language.
- My primary language is _____. I have been given this notice in English only, because the Department of Labor does not yet offer a notice form in my primary language.

Employee Signature _____ Date: _____

Preparer's Name and Title _____

This notice form is an adaptation of the template notice form issued by the NY DOL on April 9, 2011 which may be found at www.labor.ny.gov/formsdocs/wp/ellsformsandpublications.shtm#Claim_Forms. This notice form is made available as an aid to be in compliance with section 195(1) of the New York Labor Code. It is not intended as legal advice or as a substitute for review by legal counsel.

A signed copy to be provided to the employee and payroll company. Original should be retained by the production company/employer for at least 3 years.