

MINIMUM WAGE INCREASE TO TAKE EFFECT ON JULY 24, 2009

REMINDER: Pursuant to the 2007 amendments to the Fair Labor Standards Act, the Federal minimum wage will be increased from \$6.55 to \$7.25 per hour effective July 24, 2009. Under New York law, the New York State minimum wage will automatically increase to match any increase in the Federal minimum wage when the Federal minimum wage increases to an amount higher than the minimum wage in New York State. At this time, no additional increase to the New York minimum wage (currently \$7.15 for most employees) has been enacted.

The minimum wage that is applicable to tip-earning food service employees in New York remains at \$4.60 per hour; however, as of July 24, 2009, these employees must earn at least an additional \$2.65 per hour in tips, or be paid the difference necessary to reach \$7.25 per hour. Under New York law, alternative minimum wages may apply to employees in certain industries, including restaurants, hotels, and building services.

For more information, contact Sean P. Beiter at the Firm's Buffalo office at 716.843.3805 or sbeiter@jaeckle.com

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