

Minimum Wage for Fast Food Workers

December 31, 2017 through December 30, 2018

\$13.50

New York City

\$11.75

Rest of the State

A new minimum wage for fast food workers will go into effect on December 31, 2017, with the rates shown above. These rates will increase annually until they reach \$15.00 at the end of 2018 for New York City and in the middle of 2021 for the rest of the state. This fact sheet provides additional information about this new minimum wage.

What is a Fast Food Establishment?

A fast food establishment is any business that meets the following criteria:

- Primarily serves food or drinks, including coffee shops, juice bars, donut shops, and ice cream parlors; and
- Offers limited service, where customers order and pay before eating, including restaurants with tables but without full table service, and places that only provide take-out service; and
- Is part of a chain of 30 or more locations, including individually owned establishments associated with a brand that has 30 or more locations nationally.

Examples:

Examples of fast food establishments include Ben & Jerry's, Chipotle, Dunkin Donuts, Golden Krust Caribbean Bakery and Grill, Jamba Juice, KFC, McDonald's, Nathan's Famous, Pizza Hut, Quiznos, Shake Shack, Starbucks, Subway, Taco Bell, Tim Hortons, Uno Pizzeria & Grill, Wendy's, and White Castle.

A larger list of businesses was published as part of the Wage Board Report and Recommendations, and is available at www.labor.ny.gov/fastfoodwageboard. This list is subject to change and is intended to provide examples of employers believed to be fast food establishments.

For more information on the definition of a fast food establishment and what is considered a chain, please see the Hospitality Industry Regulations available at www.labor.ny.gov/formsdocs/wp/CR146.pdf.

The full schedule of increases in the hourly minimum wage rate for fast food workers is below:

Date	New York City	Rest of the State
12/31/2017	\$13.50	\$11.75
12/31/2018	\$15.00	\$12.75
12/31/2019	\$15.00	\$13.75
12/31/2020	\$15.00	\$14.50
07/01/2021	\$15.00	\$15.00

Frequently Asked Questions:

What type of workers does this increase in minimum wage affect?

This change affects everyone who works at a fast food chain location that meets the criteria described on Page 1. This increase applies to workers who prepare food, work security, stock shelves, clean, and perform other tasks.

Does this change apply to an owner of a single franchise location?

This change applies to all fast food chain locations, regardless of ownership, if there are 30 or more locations nationally.

Are meal credits and uniform maintenance reimbursement rates different for fast food workers than for other Hospitality Industry workers?

No, these rates are the same for fast food and the hospitality workers.

What about the rate of pay for call-in and spread-of-hours requirements?

Fast food workers are subject to the call-in pay and spread-of-hours requirements at the applicable minimum wage rate for fast food workers.

Are fast food workers eligible for overtime pay?

Yes, fast food workers must be paid at time-and-one-half the regular rate of pay for any hours worked over 40 per week.

For more information:

If you need additional assistance, or want to file a complaint, please call: 1-888-4NYS DOL (1-888-469-7365) or visit: www.labor.ny.gov/minimumwage.