

## Know Your Rights As a Worker

### How To Prevent Labor Violations In The Workplace

If you know your rights under the New York State Labor Law, you can protect yourself in the workplace. Here are some basic facts and tips to keep in mind when you accept a job.

#### Wages

No matter what the job is, or who the worker may be, everyone has a right to earn at least the minimum wage. In New York State, most workers should earn \$7.25 an hour. There are exceptions for minors, farmers, and workers who earn tips.

- Most full-time jobs can be up to 40 hours a week.
- There are exceptions for farmers and home care workers.
- If you work more than 40 hours a week, you should get extra pay for the extra time you are working.

The minimum wage and overtime laws apply to ALL WORKERS, even if you:

- Are undocumented
- Get paid hourly, daily, or weekly
- Get paid in cash or check
- Are paid off the books

If you think you don't get paid at least minimum wage, or you aren't getting more money for the extra time you work, call us and ask about filing a claim at 1-888-525-2267.

#### Workers' Compensation

If you are injured on the job, you can receive worker's compensation regardless of immigrant status. It is best to contact the Advocate for Injured Workers at 1-888-580-6665.

#### Protect Yourself

Write down as much information as you can, in case you need to make a claim. This includes:

- Employer's FULL name (first and last)
- Address and/or phone number of the place you worked
- State and number of car plates (if you get picked up for a job)
- Contact information for your coworkers (they may have the information you are missing)
- Times you start and stop working (include how much time you had for breaks)
- How much the employer agreed to pay you
- If you can ask for a business card, the employer knows you have his/her information and will be less likely to violate any labor laws with you.
- If you have a camera phone, you can take pictures of the workplace and the people you were with, which can be very helpful with a claim.

#### Warning Signs

There are many red flags that can warn you about possible labor violations. You may be a victim of wage theft, if:

- don't receive a record of hours worked (whether you get paid by check or cash),
- get charged for equipment needed to work, or for damaging property,
- don't get paid for weeks,
- work at least six hours straight and don't have at least a half-hour to eat .

If you have a work-related problem with an employer, the Department of Labor can help you make a claim. The Bureau of Immigrant Workers' Rights DOES NOT SHARE INFORMATION with other government agencies.

### **For Help**

If you would like to make a claim, call the Labor Department of the state where you worked. These are the Departments of Labor in:

New York: (212) 775-3880

New Jersey: (609) 292-2305

Connecticut: (860) 263-6790

Pennsylvania: (717) 787-4671

Bureau of Immigrant Workers' Rights  
New York State Department of Labor  
75 Varick Street  
New York, NY 10013  
1(800) 447-3992

PROTECT *all Workers*  
ASSIST *the Unemployed*  
CONNECT *Employers and Workers*

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[www.labor.ny.gov](http://www.labor.ny.gov)

