

NEW YORK STATE INCREASES MINIMUM WAGE AND MODIFIES OTHER SALARY REQUIREMENTS

Hodgson Russ Labor & Employment Alert
December 22, 2023 - CORRECTED*

Each year, from 2024 through 2026, the minimum hourly wage rate in New York State will increase as follows:

For New York City and Nassau, Suffolk, and Westchester Counties:

January 1, 2024 - \$16.00

January 1, 2025 - \$16.50

January 1, 2026 - \$17.00

For Remainder of New York State:

January 1, 2024 - \$15.00

January 1, 2025 - \$15.50

January 1, 2026 - \$16.00

*The Alert we distributed earlier today had incorrect amounts for upstate NY for 2025 and 2026.

Proposed Increases in Salary Exemption Threshold

In proposed regulations that are expected to be adopted, the New York State Department of Labor (“NYSDOL”) has increased the salary level threshold for executive and administrative employees (who must also be paid on a salary basis) to be exempt from overtime. This salary level threshold is higher than that required under the federal Fair Labor Standards Act (“FLSA”). New York does not have a salary level threshold for professional employees. However, professional employees in New York must still meet the salary threshold under the FLSA (currently \$684 each week (\$35,568 annually)).

The New York State salary threshold amounts are:

For New York City, Nassau County, Suffolk County, and Westchester County:

January 1, 2024 – \$1,200.00/week (\$62,400.00 per year)

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January 1, 2025 – \$1,237.50/week (\$64,350.00 per year)

January 1, 2026 – \$1,275.00/week (\$66,300.00 per year)

For Remainder of New York State:

January 1, 2024 – \$1,124.20/week (\$58,458.40 per year)

January 1, 2025 – \$1,161.65/week (\$60,405.80 per year)

January 1, 2026 – \$1,199.10/week (\$62,353.20 per year)

Home Care Aides

For home care aides in New York State, the minimum wage under New York Public Health Law § 3614c will rise in each of the next three years.

The home care aide minimum wage will increase as follows:

For New York City, Nassau County, Suffolk County, and Westchester County:

January 1, 2024 - \$18.55

January 1, 2025 - \$19.10

January 1, 2026 - \$19.65

For Remainder of New York State:

January 1, 2024 - \$17.55

January 1, 2025 - \$18.10

January 1, 2026 - \$18.65

Please note that under New York State's Home Care Worker Wage Parity Law, that covers only home care work in New York City, and Nassau, Suffolk, and Westchester Counties that is Medicaid-reimbursed, the supplemental wage or benefit amount for home care aides will decrease on January 1, 2024. In New York City, that supplemental amount will drop from \$4.09 to \$2.54. In Nassau, Suffolk, and Westchester Counties, that supplemental amount will fall from \$3.22 to \$1.67.

If you have any questions about these minimum wage and exempt salary threshold issues, please contact [Charles H. Kaplan](#) (646.218.7513), [Kinsey A. O'Brien](#) (716.848.1287), or [Glen P. Doherty](#) (518.433.2433), or any other member of [Hodgson Russ LLP's Labor & Employment Practice](#).

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