



LOEB & LOEB adds Depth.

Reminder: New York's Wage Theft Prevention Act Annual Notice Requirement

December 2011

In our [March 2011](#) and [April 8, 2011](#) client alerts, we advised that New York's Wage Theft Prevention Act (WTPA) requires employers to furnish their employees working in New York with written notices of their rates of pay and other information, both at the time of hire and annually thereafter on or before February 1 of each calendar year, beginning in 2012. **By way of this client alert, we remind you of the upcoming obligation to send these notices to New York employees between January 1, 2012 and February 1, 2012.**

While the New York Department of Labor (NYDOL) has published templates for the required notices, Loeb & Loeb has modified these templates to reflect more accurately the statutory requirements and to eliminate unnecessary, and potentially confusing and misleading, information. Additionally, we also remind you of the foreign language requirements of the statute. If an employee's primary language is one for which the NYDOL has prepared a template (*i.e.*, Chinese, Creole, Korean, Polish, Russian and Spanish), then you must provide the notice both in English and in such foreign language.

As noted in our March 2011 alert, failure to provide the annual notices required by the WTPA may subject the employer to various penalties and damages, including damages of \$50 per week for each employee to whom a notice was not provided, plus costs and attorneys' fees.

Loeb & Loeb attorneys are available to assist you in understanding and complying with the WTPA and to provide you with our alternate forms should you wish to use them.



LOEB & LOEB adds Depth.

This client alert is a publication of Loeb & Loeb LLP and is intended to provide information on recent legal developments. This client alert does not create or continue an attorney client relationship nor should it be construed as legal advice or an opinion on specific situations.

Circular 230 Disclosure: To assure compliance with Treasury Department rules governing tax practice, we inform you that any advice (including in any attachment) (1) was not written and is not intended to be used, and cannot be used, for the purpose of avoiding any federal tax penalty that may be imposed on the taxpayer, and (2) may not be used in connection with promoting, marketing or recommending to another person any transaction or matter addressed herein.

This publication may constitute "Attorney Advertising" under the New York Rules of Professional Conduct and under the law of other jurisdictions.

© 2011 Loeb & Loeb LLP. All rights reserved.