

TYPES NOT MAPPED YET December 26, 2024 | TTR not mapped yet | Howard S. Lavin

New Year/New Requirements: Upcoming New York Employment Law Changes

New York employers should be aware of several upcoming changes, including to wage and hour laws and regulations.

Minimum Wage Increase

Effective January 1, 2025, the minimum wage in New York City, Westchester and Long Island will be \$16.50 per hour—a 50 cent per hour increase from the current level. In the rest of the state, the minimum wage will increase from \$15 to \$15.50 per hour.

Salary Level Increase for Exempt Status Under New York Labor Law

There is also an upcoming increase in the salary threshold to be exempt from overtime under the New York Labor Law. Effective January 1, 2025, the salary threshold to be an exempt executive and administrative employee will increase:

- in New York City and Long Island from \$1,200 per week to \$1,237.50 per week or \$64,350; and
- in the rest of New York state from \$1,124.20 per week to \$1,161.65 per week or \$60,405.80 annually.

Nationwide Injunction Blocking Salary Level Increase Under Federal Fair Labor Standards Act (FLSA)

Under New York wage and hour law and regulations, professional employees are not subject to the salary threshold. Professional employees, however, are subject to the federal exempt salary threshold, which is \$684 per week or \$35,568 per year.

On November 15, 2024, in *State of Texas and Plano Chamber of Commerce et al., v U.S. Department of Labor et al.*, Civ No. 4:24-cv-499; 4:2024-cv 468) (E.D. Tex. 2024), the U.S. District Court for the Eastern District of Texas issued a nationwide injunction blocking enforcement of the United States Department of Labor (USDOL) Final Rule, which:

- effective July 1, 2024, increased the salary level to \$844 per week, and
- effective January 1, 2025, would have increased the salary level to \$1,128 per week.

The court held that the USDOL exceeded its authority when enacting the Final Rule, reasoning that the Final Rule effectively read the duties test out of the FLSA and regulations.

Now, the FLSA salary threshold drops to \$35,568, which equals \$684 per week—the level in effect before July 1, 2024.

On November 26, 2024, the USDOL appealed the district court decision to the U.S. Court of Appeals for the Fifth Circuit. Stay tuned for what the Trump USDOL and Secretary of Labor nominee Lori Chavez-DeRemer will do, with some speculating that the Trump USDOL will drop the appeal.

New York Paid Prenatal Leave Becomes Effective January 1, 2025

As we previously posted, effective January 1, 2025, all private sector employers in New York state are required to provide employees with 20 hours of paid prenatal leave in a 52-week period for medical appointments related to their pregnancy. For details, please read our recent post: [New York DOL Issues Paid Prenatal Leave FAQs.](#)



authorsTest

howard

Howard S. Lavin