

# Important Information for Immigrant Workers

If you work in NYC, you have rights regardless of immigration status, national origin, or country of origin.



## Paid Safe and Sick Leave

If you work in NYC for more than 80 hours a year, you can earn up to 40 hours of safe and sick leave each year. Use leave for yourself or to help anyone you consider family for care and treatment, or to seek help or take other safety measures for any act or threat of domestic violence, unwanted sexual contact, stalking, or human trafficking.



## Minimum Wage

You must be paid for every hour you work, including work before and/or after your scheduled shift and time spent traveling during the workday.

As of December 31, 2018, these minimum wages apply:

Minimum Wages in New York City – Rate Schedule	12/31/18	12/31/19
<b>Fast Food Employers</b>		
Any number of workers	\$15.00	
<b>All Other Employers</b>		
10 or fewer workers	\$13.50	\$15.00
11 or more workers	\$15.00	

There are special rates for tipped workers.



## Overtime

If you work more than 40 hours in a week, your employer must pay at least 1.5 times your regular rate of pay for hours worked over 40.

## Right to Organize



You can join together with your coworkers in a range of activities about work issues that matter to you, including whether you want to be represented by a union. Employers cannot threaten, discriminate against, or otherwise take action against you for organizing or talking with your coworkers about working conditions.

## Safe and Healthy Workplace



Your workplace must be free of known health and safety hazards. You also have the right to receive information and training about job hazards.

## Discrimination-free Workplace



City, state, and federal law prohibit discrimination and harassment on many bases, including a worker's actual or perceived:

- Immigration Status
- Race
- National Origin
- Religion/Creed
- Color
- Disability
- Sex, Gender
- Gender Identity
- Pregnancy
- Sexual Orientation
- Arrest or Conviction Record
- Status as a Victim of Domestic Violence
- Caregiver Status

Independent contractors who are not themselves employers are also protected from discrimination and harassment.

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Bill de Blasio  
Mayor

**Consumer Affairs**

Lorelei Salas  
Commissioner

**Mayor's Office of Immigrant Affairs**

Bitta Mostofi  
Commissioner

**Commission on Human Rights**

Carmelyn P. Malalis  
Commissioner/Chair



## Pay for Work Done as an Independent Contractor

If you are a freelance worker in NYC, you have legal rights that include:

- **Written contract** for work totaling \$800 or more in any 120-day period
- **Timely payment**
- **Right to sue** if you are not timely paid for your work  
*You have a right to collect double the amount you weren't paid, damages for retaliation, and payment of attorneys' fees and costs.*

### Things to know if U.S. Immigration and Customs Enforcement (ICE) comes to your workplace:

- Stay calm.
- If you speak to ICE, be aware that anything you say can be used against you.
- If the ICE agents do not have a judicial warrant, they must get consent to enter private areas.

### Things to know if you are detained by immigration authorities:

- You may ask to speak to a lawyer.
- You may speak to your lawyer before signing anything.
- If you speak to ICE, be aware that anything you say can be used against you.

**Note: NYPD does not conduct immigration enforcement.**

For more information, contact the Mayor's Office of Immigrant Affairs at 1-212-788-7654.

## Have questions or need assistance?

### Workplace Rights

The Department of Consumer Affairs (DCA) Office of Labor Policy & Standards is NYC's central resource for workers. To contact DCA:

- Call **311** (212-NEW-YORK outside NYC). Ask for Paid Safe and Sick Leave, Freelance Workers, or Fair Workweek Law.
- Email **OLPS@dca.nyc.gov**
- Visit **nyc.gov/dca**

### Immigration Legal Services

ActionNYC provides safe, free immigration legal screenings in your community, in your own language. To contact ActionNYC:

- Call **311** and say "ActionNYC."
- Visit **nyc.gov/actionnyc**

You can get free legal help with citizenship applications through NYCcitizenship. You must schedule an appointment. To contact NYCcitizenship:

- Call **311** and say "citizenship appointment."

The Mayor's Office of Immigrant Affairs (MOIA) promotes the well-being of immigrant communities and provides information about legal and City services for immigrants. To contact MOIA:

- Visit **nyc.gov/immigrants**

### Discrimination Protection

The New York City Commission on Human Rights is charged with the enforcement of the Human Rights Law and with educating the public and encouraging positive community relations.

If you have experienced or witnessed discrimination or harassment at work, contact the Commission:

- Call **311** or **1-212-416-0197**
- Visit **nyc.gov/humanrights**



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