

Tip Appropriation

Section 196-d of the New York State Labor Law

Section 196-d. Gratuities. No employer or his agent or an officer or agent of any corporation, or any other person shall demand or accept, directly or indirectly, any part of the gratuities, received by an employee, or retain any part of a gratuity or of any charge purported to be a gratuity for an employee. This provision shall not apply to the checking of hats, coats or other apparel. Nothing in this subdivision shall be construed as affecting the allowances from the minimum wage for gratuities in the amount determined in accordance with the provisions of article nineteen of this chapter nor as affecting practices in connection with banquets and other special functions where a fixed percentage of the patron's bill is added for gratuities which are distributed to employees, nor to the sharing of tips by a waiter with a busboy or similar employee.

For more information, call or write the nearest office of the Division of Labor Standards, of the New York State Department of Labor, listed below:

Albany District
1220 Washington Ave.
Bldg. 12 Room 185A
Albany, NY 12226
(518) 457-2730

Buffalo District
295 Main Street
Suite 914
Buffalo, NY 14203
(716) 847-7141

New York City District
55 Hanson Place
11th Floor
Brooklyn, NY 11217
(212) 775-3880

Syracuse District
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

Bronx District
55 Hanson Place
11th Floor
Brooklyn, NY 11217
(212) 775-3597

Garden City District
400 Oak Street
Suite 102
Garden City, NY 11530
(516) 794-8195

Rochester District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521