

**Notice and Acknowledgement of Wage Rate(s) / Temporary Help Agencies**  
**Pursuant to Labor Law § 195(1)**

Section 195(1) of the Labor Law requires employers to provide written notice to employees, upon hiring, of their regular and overtime rates of pay. Since employees at temporary help agencies rates of pay often vary for each assignment, this notice provides the expected ranges of pay he/she will receive. Employees will be notified of the actual rates of pay for each assignment prior to commencing work on each assignment.

| <b><u>Temporary Help Firm</u></b> | <b><u>Applicant-Employee</u></b> |
|-----------------------------------|----------------------------------|
| Company Name: _____               | Name: _____                      |
| FEIN: _____                       | Street address: _____            |
| Street address: _____             | Apt.: _____ City: _____          |
| City: _____ State: _____          | State: _____ Zip: _____          |
| Zip: _____                        | Phone: (_____) _____ - _____     |
| Phone: (_____) _____ - _____      |                                  |
| Preparer's Name: _____            |                                  |
| Preparer's Title: _____           |                                  |

**Wage range(s):** \_\_\_\_\_

*The wage range may not be excessively broad and should be based on the typical wages earned by similarly qualified employees who worked at assignments similar to those for which the applicant is eligible and likely to be placed with.*

**Designated pay day:** \_\_\_\_\_

*If designated pay day is unknown because it is based on the pay day of the organization assigned, state "unknown."*

I hereby certify that I have read the above and the information contained in this form is true and accurate to the best of my knowledge and belief. Any false statements knowingly made are punishable as a class A misdemeanor (Section 210.45 of the New York State Penal Law). I affirm that the above statements are true.

Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_.  
[mm / dd / yyyy]

\_\_\_\_\_  
[Preparer's Signature]

**Rules Governing Overtime Pay in New York:**

Most employees in New York must be paid wages of 1½ times their regular rate of pay for all overtime hours worked over 40 per workweek. (44 hours for residential employees.) The number of hours worked is the total number of hours worked in all of the employee's assignments for the temporary help firm.

Some employees are not eligible to receive overtime wages of 1½ times their regular rate of pay for overtime. Those employees may instead receive overtime wages of 1½ times the minimum wage. Very few employees (mostly executive, administrative, or salaried employees) may not be eligible for overtime pay at all. Your employer will inform you of the overtime rate that will apply to a specific assignment when you receive it. If you are not eligible for overtime based upon your assignment, the employer will explain the reason why at that time.

I hereby certify that I have read the above, and the information contained in this form is true and accurate to the best of my knowledge and belief.

Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_.  
[mm / dd / yyyy]

\_\_\_\_\_  
[Employee-Applicant Signature]

*A duplicate signed copy of this form is to be provided to the employee-applicant. Original must be kept by the employer.*