

Protecting Your Right to get Paid—How to Keep Good Wage and Hour Records

NELP

Fact Sheet for Workers

Advocating for the working poor and the unemployed

January 2002

Know Your Rights

Employment Law Clinic for Low-Wage and Immigrant Workers

Free legal assistance is available by appointment. Call:

(212) 417-3800 on Mondays & Wednesdays

(888) 218-6974 on Tuesdays & Thursdays

The clinic is a joint project with the Legal Aid Society and MFY Legal Services

National Employment Law Project
www.nelp.org

Keeping a good record of your work hours and pay can help you succeed in a claim for unpaid wages. You can use the sample forms on the back of this fact sheet to start your records.

Your records are evidence in a claim for unpaid wages!

Many employers do not follow the legal requirement to maintain accurate records showing how many hours their employees worked, wages earned and payroll deductions. If the employer fails to keep a record of your employment, a judge or Department of Labor investigator will rely on the records you maintained as evidence.

Spread the word!

If you are not getting paid, your co-workers are probably not getting paid either. Encourage your co-workers to keep records to protect their rights. The more workers there are, the more pressure there is on the employer to obey the law.

If you think that your wage and hour rights have been violated and want free legal assistance, call the number for the **Employment Law Clinic** on the front of this fact sheet.

See also, NELP's fact sheets:

Your Right to Be Paid
Filing an claim for unpaid wages with the New York State Department of Labor
The Rights of Tipped Employees
Rights Begin at Home: Protecting Yourself as a Domestic Worker

You can also file a claim for unpaid wages with the **United States Department of Labor** or the **New York State Department of Labor**. The relevant offices to contact are:

**U.S. Dept. of Labor,
Wage & Hour Division**
26 Federal Plaza, Room 3838
New York NY 10278
(212) 264-8185

**NY State Department of Labor,
Wage & Hour Division**
345 Hudson Street
New York, NY 10014
(212) 352-6700

If your claim is for less than \$3,000 you may also file a lawsuit in Small Claims Court.

Manhattan (New York County)
111 Centre Street
New York, NY 10013-4389
(212) 347-5779

Bronx (Bronx County)
851 Grand Concourse
Bronx, NY 10451
(718) 590-3000

Brooklyn (Kings County)
141 Livingston St.
Brooklyn, NY 11201
(718) 643-5069

Queens (Queens County)
120-55 Queens Blvd
Kew Gardens, NY 11424
(718) 520-4741

Staten Island (Richmond County)
927 Castleton Ave
Staten Island, NY 10310
(718) 390-5416

If you are seeking to enforce your rights and are concerned about your immigration status, make an appointment to see an attorney at the Employment Law Clinic.

Sample Work Records

Employer Information	
Name of Company: _____	Address: _____ City: _____
Zip: _____	
Name of supervisor: _____	Phone number: _____
	Pager: _____
Job Description: _____	
License Plate No. and type of vehicle: _____	Address where work was performed: _____
City: _____	Zip: _____

Employee name: _____

Date	Time In	Time Out	Pay Rate	Actual Payment	Tips

RECORD KEEPING STRATEGIES!

- Keep any business cards or letterhead with your employer's contact information.
- If you are working as a day laborer or construction worker, record the license plate number of the contractor.
- Keep any payroll stubs or receipts you get from your employer.
- Share this sample form with friends and co-workers.

Make copies of all of this form for your own records.