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New York State Department of Labor Guidelines for Permissible Wage Deductions Are Effective October 9, 2013

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The New York State Department of Labor recently issued proposed regulations providing further guidance about the permissible scope of wage deductions. The amended statute, N.Y. Labor Law §193, became effective in November 2012, as we covered previously in [August 2012](#) and [September 2012](#). Now, after much delay, the corresponding regulations take effect on October 9, 2013.

The regulations were adopted without any substantive modifications from the proposed version that we analyzed in [June 2013](#). In pertinent part, wage deductions remain narrowly circumscribed under New York law and require strict adherence to the various permitted categories and circumstances. By way of example, employers should pay careful attention to the narrow regulations for recovery of inadvertent overpayments (e.g., recovery may not exceed 12.5 percent of gross wages earned in a wage payment). Prior to instituting a wage deduction under any permitted category, employers should carefully review N.Y. Labor Law §193 and the corresponding regulations to ensure compliance.

To view the full text of the regulation on the New York State Department of Labor website, click [here](#).

Note: This article was published in the [October 9, 2013 issue](#) of the *New York eAuthority*.

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