

Wage Board Resolutions

RESOLUTION 1.

I move that we recommend that the minimum wage be raised to \$15 for fast food employees in fast food establishments.

RESOLUTION 2.

I move that we recommend that new \$15 minimum wage rate be phased in to take effect by December 31, 2018, for New York City, and by July 1, 2021, for the rest of the state, on the following schedules. For New York City, the minimum wage should be increased to \$10.50 on December 31, 2015, \$12.00 on December 31, 2016, \$13.50 on December 31, 2017, and \$15.00 on December 31, 2018. For the rest of the state, the minimum wage should be increased to \$9.75 on December 31, 2015, \$10.75 on December 31, 2016, \$11.75 on December 31, 2017, \$12.75 on December 31, 2018, \$13.75 on December 31, 2019, \$14.50 on December 31, 2020, and \$15.00 on July 1, 2021.

RESOLUTION 3.

I move that we recommend that the scope of covered employees and employees be determined according to the following definitions:

“Fast Food Employee” shall mean any person employed or permitted to work at or for a Fast Food Establishment by any employer where such person’s job duties include at least one of the following: customer service, cooking, food or drink preparation, delivery, security, stocking supplies or equipment, cleaning, or routine maintenance.

“Fast Food Establishment” shall mean any establishment in the state of New York serving food or drink items: (a) where patrons order or select items and pay before eating and such items may be consumed on the premises, taken out, or delivered to the customer’s location; (b) which offers limited service; (c) which is part of a chain; and (d) which is one of thirty (30) or more establishments nationally, including: (i) an integrated enterprise which owns or operates thirty (30) or more such establishments in the aggregate nationally; or (ii) an establishment operated pursuant to a Franchise where the Franchisor and the Franchisee(s) of such Franchisor owns or operate thirty (30) or more such establishments in the aggregate nationally.

“Chain” shall mean a set of establishments which share a common brand, or which are characterized by standardized options for décor, marketing, packaging, products, and services.

“Franchisee” shall mean a person or entity to whom a franchise is granted.

“Franchisor” shall mean a person or entity who grants a franchise to another person or entity.

“Franchise” shall have the same definition as set forth in General Business Law Section 681.

“Integrated enterprise” shall mean two or more entities sufficiently integrated so as to be considered a single employer as determined by application of the following factors: (i) degree of interrelation between the operations of multiple entities; (ii) degree to which the entities share common management; (iii) centralized control of labor relations; and (iv) degree of common ownership or financial control.