

# KANE KESSLER, P.C.

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## MEMORANDUM

### CONFIDENTIAL

**DATE:** December 20, 2011

**TO:** Kane Kessler Clients

**FROM:** Kane Kessler, P.C.  
Labor & Employment Dept.

**RE:** Wage Theft Protection Act for Employees in New York State

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As we notified you in our memoranda dated December 21, 2010 and April 6, 2011, the annual notice to all employees in New York State that is required under the newly enacted Wage Theft Protection Act (“WTPA”) must be distributed to employees between January 1 and February 1, 2012 and every year thereafter at the same time of the year.

As we previously notified you, the New York State Department of Labor has published templates for the notices in English and six (6) other languages (Spanish, Chinese, Korean, Haitian Creole, Russian and Polish). The templates can be found at: <http://www.labor.ny.gov.formsdocs/wp/ellsformsandpublications.shtm>. For employees whose primary language is one of these six (6) languages, you must provide the notices in both English and their primary language. If the employee’s primary language is other than the six (6) for which DOL has provided templates, you need only provide the notice in English. Employees must acknowledge receipt of the notice and you must retain the acknowledgments for six (6) years.

If you have any questions about the WTPA notices or need guidance on how to complete and distribute them, or if you would like additional copies of our memoranda, please do not hesitate to contact David R. Rothfeld, Judith A. Stoll, Robert L. Sacks, Lois M. Traub, Niki J. Franzitta or Alexander Soric in our Labor & Employment Department.