New York scheduling checklist

For hotels and restaurants. Four state rules to look at before the week is posted.

Day of rest · Labor Law, Section 161

- ☐ Every person has at least 24 hours in a row off in each calendar week (Sunday to Saturday).
- ☐ If the business is open on Sunday, each person has a named day of rest, was told it in advance, and has no shift on it.

Meal periods · Labor Law, Section 162

- ☐ A shift of more than 6 hours that runs across 11 am to 2 pm has at least 30 minutes for a meal in that window.
- ☐ A shift of more than 6 hours that starts between 1 pm and 6 am has at least 45 minutes for a meal, midway through.
- ☐ A shift that starts before 11 am and runs past 7 pm has a further 20 minutes between 5 pm and 7 pm.

Spread of hours · 12 NYCRR 146-1.6

- ☐ For each day, the time from the first start to the last finish, breaks and gaps included, has been measured.
- ☐ Where it is more than 10 hours, payroll knows that one more hour of pay at the basic minimum hourly rate is due for that day.

Call-in pay · 12 NYCRR 146-1.5

- ☐ A shift shorter than 3 hours has been looked at twice: a person who reports for work is paid for at least 3 hours for one shift, or for their regularly scheduled shift if that is shorter.
- ☐ Sending someone home early does not remove that pay.

Sources

Day of rest: New York Labor Law, Section 161; NYS Department of Labor, "Day of Rest and Meal Periods" (dol.ny.gov/day-rest-and-meal-periods).

Meal periods: New York Labor Law, Section 162; NYS Department of Labor, "Guidelines for Meal Periods", form LS 443 (12/25).

Spread of hours and call-in pay: Hospitality Industry Wage Order, 12 NYCRR 146-1.6 and 146-1.5, NYS Department of Labor publication CR 146 (dol.ny.gov/wage-orders).

This checklist is general information, not legal advice. It covers four rules only, was checked against the sources above on November 10, 2026, and leaves out exceptions, such as resort hotels, permits from the Commissioner of Labor and union agreements. Rules change: confirm the details with the Department of Labor or your counsel.

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