

## Fringe Benefits

### Section 198c of the New York State Labor Law

#### Section 198c. Benefits or wage supplements.

1. In addition to any other penalty or punishment otherwise prescribed by law, any employer who is party to an agreement to pay or provide benefits or wage supplements to employees or to a third party or fund for the benefit of employees and who fails, neglects or refuses to pay the amount or amounts necessary to provide such benefits or furnish such supplements within thirty days after such payments are required to be made, shall be guilty of a misdemeanor, and upon conviction shall be punished as provided in section on hundred ninety-eight-a of this article. Where such employer is a corporation, the president, secretary, treasurer or officers exercising corresponding functions shall each be guilty of a misdemeanor.
2. As used in this section, the term “benefits or wage supplements” includes, but is not limited to, reimbursement for expenses; health, welfare and retirement benefits; and vacation, separation or holiday pay.
3. This section shall not apply to any person in a bona fide executive, administrative, or professional capacity whose earnings are in excess of nine hundred dollars a week.

For more information, write or call the nearest office of the Division of Labor Standards, New York State Department of Labor, listed below:

#### **Albany District**

State Office Campus  
Bldg. 12, Room 185A  
Albany, NY 12226  
(518) 457-2730

#### **Buffalo District**

295 Main Street  
Suite 914  
Buffalo, NY 14203  
(716) 847-7141

#### **Garden City District**

400 Oak Street  
Suite 102  
Garden City, NY 11530  
(516) 794-8195

#### **Syracuse District**

33 East Washington St.  
Room 121  
Syracuse, NY 13202  
(315) 428-4057

#### **Bronx District**

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3719

#### **New York City District**

55 Hanson Place  
11th Floor  
Brooklyn, NY 11217  
(212) 775-3880

#### **Rochester District**

276 Waring Road  
Room 104  
Rochester, NY 14609  
(585) 258-4550

#### **White Plains District**

120 Bloomingdale Road  
White Plains, NY 10605  
(914) 997-9521