

THE EXPANDED NEW YORK HEALTHY TERMINALS ACT IS HERE: WHAT EMPLOYERS MUST KNOW ABOUT THE NEW RULES AND LATEST GUIDANCE

Insights
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Now that the expanded New York Healthy Terminals Act (HTA) has officially kicked in, employers must make sure they understand their obligations and which workers are covered. Just before the updated rules took effect January 1, the New York State Department of Labor (NYSDOL) released guidance that may help employers comply with these complex requirements. We'll cover everything you need to know about the HTA updates.

Quick Background

The HTA establishes specific standards for wage and benefit rates for covered airport workers at LaGuardia and JFK International Airports. Effective January 1, 2026, the [state law was amended](#) to expand worker coverage, implement new wage and benefit standards, and provide robust paid leave requirements. Just before the new HTA requirements took effect, the NYSDOL issued [guidance](#) on the latest changes.

Who Is Covered by the HTA?

The NYSDOL guidance explains that the HTA applies to any worker who works at **least 50% of their time** during any workweek at:

- LaGuardia or JFK International airports; or
- Locations that prepare or deliver food to be consumed on airplanes departing from LaGuardia or JFK International airports.

Related People



Nicole Espin

Associate

[908.516.1037](tel:908.516.1037)



Sarah Wieselthier

Partner

[908.516.1064](tel:908.516.1064)

All employers with covered workers, regardless of size and industry, must comply with the HTA's paid leave requirements. However, the wage and benefit rate standards only apply to employers with **11 or more employees**.

What Is the Wage and Benefit Rate?

Under the HTA, the minimum wage for covered airport workers cannot be less than:

- The wage rate designated by the NYS Commissioner of Labor based on determinations of the federal Department of Labor pursuant to the McNamara-O'Hara Service Contract Act (SCA). These rates are based on geographic location and position and can be found [here](#).
- The [minimum wage set by the Port Authority of New York and New Jersey](#), which is currently \$21.25.

The HTA also requires employers to make a minimum supplemental contribution to health care or supplemental wages in an amount determined by the SCA. On December 3, 2025, the health and welfare rate increased to \$5.55 per hour, for up to 40 hours per week (\$222.00 per week or \$962.00 per month). Covered employees will need to review the SCA wage order annually for any changes to the minimum wage and health and welfare benefit rates.

[NYS DOL FAQs](#) clarify that the HTA permits an employer to choose whether to pay the supplemental wage rate or contribute that amount to an employer-sponsored health care plan. If an employer sponsors a health care plan, airport workers are not required to participate to receive the supplemental wage rate.

What Are the Paid Leave Requirements?

Like the wage and benefit standards, the paid leave requirements are based on the SCA. Currently, employers must provide at least 12 paid holidays and paid vacation time (based on years worked) to all covered employees.

Unless an employer communicates an alternative holiday schedule with at least 12 paid holidays to employees, it is assumed that the employer will provide the following paid holidays:

- New Year's Day

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- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Christmas Day

Employers must also provide employees with paid vacation based on their number of years worked. All paid vacation is earned in full each year, on the anniversary of the employee's start date.

Years of Employment	Paid Vacation Owed P
1 year	2 weeks
5 years	3 weeks
10 years	4 weeks
20 years	5 weeks

What Are the Posting Requirements?

Covered employers are required to display a poster summarizing the HTA. The poster, [LS208](#), is available in 17 languages and should be placed where other notices and posters are present in the workplace.

What Should Employers Do Now?

1. Review Wages and Fringe Benefits. Confirm you meet your minimum pay obligations of the greater of \$21.25 per hour or the SCA wage determination ([here](#)). Compare your health insurance and other benefits against the \$5.55/hour supplemental threshold. Consult with legal counsel to

determine whether the health and welfare benefits currently provided by the company can be used to set off the fringe benefit obligation.

2. Check York Workplace Postings. Confirm that you have the required wage rate poster ([Miscellaneous Industries LS208](#)) posted in a conspicuous place.

3. Update Leave Policies. Ensure your vacation accrual and holiday schedules comply with the law. If you follow an alternative holiday schedule, ensure it is communicated clearly to employees.

4. Audit Your Handbooks and Training. Amend internal policies, CBA terms, or onboarding materials as needed.

5. Loop In Legal and Payroll Teams. This isn't just an HR issue – finance, legal, and vendor management teams should all be in the loop.

Conclusion

If you have any questions about these minimum wage laws and how these changes may impact your business, please contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [New Jersey](#) or [New York](#) offices. Make sure you are subscribed to the [Fisher Phillips Insight System](#) to get the most up-to-date information.