

Special Minimum Wage Report

State and Federal Minimum Wage Rate Increases Are Set to Take Effect this Summer: Are Your HR and Payroll Personnel Ready?

Fair Labor Standards Act amendments last year set the Federal Minimum Wage to increase in three steps: to \$5.85 per hour effective July 24, 2007; to **\$6.55 per hour effective July 24, 2008**; and to \$7.25 per hour effective July 24, 2009. The minimum wage rates in many states will increase accordingly.

Subscribers have asked where they can find more information about the Minimum Wage rates in their states. In response, we have prepared this **Special Minimum Wage Report**, bringing together the relevant current and future **State and Federal** Minimum Wage Rate information, all in one place for quick and easy reference.

Minimum Wage Rate Increases

State and Federal Minimum Wage Set to Increase This Summer

The **Fair Labor Standards Act** (FLSA) establishes federal standards for minimum wages, overtime pay, record-keeping and child labor. These standards affect more than 100 million workers, both full-time and part-time, in the private and public sectors. [[Fair Labor Standards Act of 1938 \(FLSA\)](#), as amended (29 USC §201 et seq.; 29 CFR 510-794)]

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE		
\$5.85 PER HOUR	\$6.55 PER HOUR	\$7.25 PER HOUR
BEGINNING JULY 24, 2007	BEGINNING JULY 24, 2008	BEGINNING JULY 24, 2009

OVERTIME PAY At least 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

YOUTH EMPLOYMENT An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor.

TIP CREDIT Employers of "tipped employees" must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

ENFORCEMENT The Department of Labor may recover back wages either administratively or through court action, for the employees that have been subjected to violation of the law. Violations may result in civil or criminal action. One money penalty of up to \$11,200 per violation may be assessed against employers who violate the youth employment provisions of the law and up to \$1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law provides administrative appeal or discharge remedies for a complainant or participant in any proceedings under the Act.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
- State laws provide greater employee protections; employees must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$5.15 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain full-time students, student teachers, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

For additional information:

1-866-4-USWAGE 
 (1-866-487-9243) TTY: 1-877-983-5627
WWW.WAGEHOUR.DOL.GOV
 U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

FLSA amendments last year set the **Federal Minimum Wage Rate** to increase in three steps: to \$5.85 per hour effective July 24, 2007; to **\$6.55 per hour effective July 24, 2008**; and to \$7.25 per hour effective July 24, 2009. A separate provision of the bill brings about phased increases to the minimum wage in the CNMI and American Samoa, with the goal of bringing the minimum wage in those locations up to the general federal minimum wage over a number of years. For historical information on the Minimum Wage, [click here](#).

The minimum wage rates in many [states](#) will increase accordingly. *Where there is no state-prescribed minimum wage rate, the **Federal Minimum Wage Rate Applies**. In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates.* So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply for covered workers in that state. [Fair Labor Standards Act, 29 U. S. C. A § 218].¹

A number of states key their Minimum Wage to the [Consumer Price Index \(CPI\)](#). The Index is developed and released by the U.S. Department of Labor's [Bureau of Labor Statistics \(BLS\)](#).

More information about the FLSA, including copies of explanatory brochures and regulatory and interpretative materials, is available from local [Wage and Hour Division offices](#). Additional information is available [here](#).

¹ Like the Federal wage and hour law, State law often exempts particular occupations or industries from the minimum labor standard generally applied to covered employment. Particular exemptions are not identified in the table below. Readers are encouraged to consult the laws of their particular State in determining whether the State's minimum wage applies to a particular employment. This information often may be found at the websites maintained by State labor departments. Links to these websites are available at www.dol.gov/esa/contacts/state_of.htm.

Click on a State link below to go directly to Minimum wage information:

Alabama	Hawaii	Massachusetts	New Mexico	South Dakota
Alaska	Idaho	Michigan	New York	Tennessee
Arizona	Illinois	Minnesota	North Carolina	Texas
Arkansas	Indiana	Mississippi	North Dakota	Utah
California	Iowa	Missouri	Ohio	Vermont
Colorado	Kansas	Montana	Oklahoma	Virginia
Connecticut	Kentucky	Nebraska	Oregon	Washington
D.C.	Louisiana	Nevada	Pennsylvania	West Virginia
Delaware	Maine	New Hampshire	Rhode Island	Wisconsin
Florida	Maryland	New Jersey	South Carolina	Wyoming
Georgia				

Minimum Wage and Overtime Pay² Standards Applicable to Non-supervisory Non-farm *Private Sector* Employment Under State and Federal Laws

Alabama Minimum Wage Rates



No state minimum wage law.

Future Effective Date

Basic Minimum Rate (per hour)

Premium Pay After Designated Hours²

Daily

Weekly

Federal Minimum Wage Rate Applies

Note: Where there is no state-prescribed minimum wage rate, the *Federal Minimum Wage Rate* applies: \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009).

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Alaska Minimum Wage Rates



Future Effective Date

Basic Minimum Rate (per hour)

Premium Pay After Designated Hours²

Daily

Weekly

\$7.15

8

40

Under a voluntary flexible work hour plan approved by the Alaska Department of Labor, a 10 hour day, 40 hour workweek may be instituted with premium pay after 10 hours a day instead of after 8 hours. The premium overtime pay requirement on either a daily or weekly basis is not applicable to employers of fewer than 4 employees.

[Click here](#) for more information regarding the minimum wage standard and overtime hours or contact Alaska's Department of Labor and Workforce Development, Wage & Hour Section at (907) 269-4900.

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Arizona Minimum Wage Rates



Future Effective Date

Basic Minimum Rate (per hour)

Premium Pay After Designated Hours²

Daily

Weekly

\$6.90

² Overtime "Premium Pay" rate is the rate of pay for work on Saturdays, Sundays, and other "special days". The overtime premium rate is generally one and one-half times the employee's regular rate, unless otherwise specified. For more on premium pay rates, [click here](#).

Arizona's minimum wage increased 15 cents to \$6.90 an hour, effective Jan. 1, 2008. The state's minimum wage law, which went into effect last January, requires the minimum wage be adjusted each January based on the over-the-year change in the U.S. All-Urban Consumer Price Index (CPI-U) for August of the previous year. Based on a 2.0 percent over-the-year increase in the August CPI, the rate would have gone to \$6.88 an hour in 2008, but the state law also requires the rate to be adjusted to the nearest nickel, so the rate will be adjusted up to \$6.90 an hour.*

Prior to January 2007, Arizona had no minimum wage law and followed the federal minimum wage standard.

The highest wage (federal or state) will always take precedence for Arizona workers. Click on the following link to see a [table](#) (PDF) comparing the two rates.

For specific information on the state's law, [contact](#) the Arizona Industrial Commission's Labor Department, which oversees the law's enforcement and has issued regulations concerning the new law: Phone – Phoenix, 602-542-4515, Tucson, 520-628-5459; Web - www.ica.state.az.us/minimumwage

For specific information on the federal minimum wage law, go to the U.S. Department of Labor's Web site: www.dol.gov/esa/whd; or call the Phoenix office of the U.S. Labor Department's Wage and Hour Division, 602-514-7100.

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Arkansas Minimum Wage Rates



(Applicable to employers of 4 or more employees)

Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.25	N/A	40

Note: In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the higher of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply. [Fair Labor Standards Act, 29 U. S. C. A § 218].

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California Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$8.00	8 Over 12 (double time)	40 7th day: First 8 hours (time and half) Over 8 hours (double time)

Although there are some exceptions, almost all employees in California must be paid the minimum wage as required by state law. Effective January 1, 2008, the minimum wage in California is \$8.00 per hour. There are some employees who are exempt from the minimum wage law, such as outside salespersons, individuals who are the parent, spouse, or child of the employer, and apprentices regularly indentured under the State Division of Apprenticeship Standards. [Minimum Wage Order \(MW-2007\)](#).

There is an exception for [learners](#), regardless of age, who may be paid not less than 85% of the minimum wage rounded to the nearest nickel during their first 160 hours of employment in occupations in which they have no previous similar or related experience.

There are also exceptions for employees who are mentally or physically disabled, or both, and for nonprofit organizations such as sheltered workshops or rehabilitation facilities that employ disabled workers. Such individuals and organizations may be issued a special license by the Division of Labor Standards Enforcement authorizing employment at a wage less than the legal minimum wage. [Labor Code Sections 1191 and 1191.5](#)

Overtime is due after 8 hours per day or 40 hours per week unless an alternative workweek of no more than 4 days of 10 hours was established prior to 7/1/99. Premium pay on 7th day not required for employee whose total weekly work hours do not exceed 30 and whose total hours in any one work day thereof do not exceed 6, in specific wage and hour orders.

Most employers in California are subject to both the federal and state minimum wage laws. The effect of this dual coverage is that when there are conflicting requirements in the laws, the employer must follow the stricter standard; that is, the one that is the most beneficial to the employee. Thus, since California's current law requires a higher minimum wage rate than does the federal law, all employers in California who are subject to both laws must pay the state minimum wage rate unless their employees are exempt under California law.

For more CA state wage information, [click here](#).

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Colorado Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.02	12	40

Minimum wage rate and overtime provisions applicable to retail and service, commercial support service, food and beverage, and health and medical industries.

Article XVIII, Section 15, of the Colorado Constitution requires the Colorado minimum wage to be adjusted annually for inflation.

Effective January 1, 2008, Colorado Minimum Wage Order Number 24 establishes a new state minimum wage rate of \$7.02, which is adjusted for inflation, in accordance with Article XVIII, Section 15, of the Colorado Constitution.

- [Minimum Wage Fact Sheet](#)
- [Colorado Minimum Wage Number Order 24](#)
- [Minimum Wage Poster](#)

For more CO state wage information, [click here](#).

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Connecticut Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.65		40

The Connecticut (CT) minimum wage is \$7.65 an hour, as of January 1, 2007.

The Connecticut minimum wage rate automatically increases to ½ of 1 percent above the Federal rate if the Federal minimum wage rate equals or becomes higher than the State minimum.

In restaurants and hotel restaurants, for the 7th consecutive day of work, premium pay is required at time and one half the minimum rate.

A special rate of 85% of the minimum may be applied to minors (under 18 years of age) working in agriculture or government, and may also be applied to the first 200 hours for minors working in other industries. For more information about Minors' Wages, [click here](#).

For more information

- Connecticut (CT) state Wage & Workplace information
- CT Minimum Wage Posters
 - [Poster in English](#) - PDF format
 - [Poster in En Español](#) - PDF format
- State of Connecticut's wage payment laws, [here](#).

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Delaware Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.15		

Note: In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply. [Fair Labor Standards Act, 29 U. S. C. A § 218].

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District of Columbia Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.00		40
7/24/2008	\$7.55		

In the District of Columbia, the rate is automatically set at \$1 above the Federal minimum wage rate if the DC rate is lower.

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Florida Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.79		N/A

Note: In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply. [Fair Labor Standards Act, 29 U. S. C. A § 218].

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Georgia Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
(Applicable to employers of 6 or more employees)	\$5.15		

Note: In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply. [Fair Labor Standards Act, 29 U. S. C. A § 218].

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Hawaii Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.25		40

An employee earning a guaranteed monthly compensation of \$2,000 or more is exempt from the State minimum wage and overtime law.

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Idaho Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.85		
7/24/2008	\$6.55		
7/24/2009	\$7.25		

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Illinois Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
<i>(Applicable to employers of 4 or more employees, excluding family members)</i>	\$7.50		40
	\$7.75		
	\$8.00		
	\$8.25		

Illinois Minimum Wage law guarantees a minimum wage of \$7.50 per hour for workers 18 years of age and older; workers under 18 may be paid \$.50 per hour less than the adult minimum wage. Credit for tips may not exceed 40% of the applicable minimum wage. Employers may apply for licenses to pay sub-minimum rates to learners and certain workers with physical and mental limitations. Overtime must be paid after 40 hour of work per week at time and one-half the regular rate.


IL Employee Rights Links and Resources

- [State Labor Laws Enforced](#)
- [Discrimination](#)

- [Required Posters](#)
- [Minimum Wage](#)
- [Child Labor Laws](#)
- [Equal Pay Act](#)

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Indiana Minimum Wage Rates

	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
<i>(Applicable to employers of 2 or more employees)</i>	7/24/2008	\$5.85		40
	7/24/2009	\$6.55		
	7/24/2009	\$7.25		

The State law excludes any employment that is subject to the Federal Fair Labor Standards Act.

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Iowa Minimum Wage Rates

	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
		\$7.25		

The Iowa minimum wage is automatically replaced with the Federal minimum wage rate if it is higher than the State minimum.

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Kansas Minimum Wage Rates

	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
		\$2.65 <i>(not a typo)</i>		46

Note: In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply. [Fair Labor Standards Act, 29 U. S. C. A § 218].

All employees not covered by the Federal Fair Labor Standard Act must pay Kansas minimum wage. Contact Federal Wage and Hour at (913) 551-5721 to inquire about coverage whether your company is covered by the Federal Fair Labor Standards Act.

Employers must pay employees at least once a month, on regular paydays and inform employees of paydays in advance.

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Kentucky Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.85		40 7th day
7/01/2008	\$6.55		
7/01/2009	\$7.25		

The 7th day overtime law, which is separate from the minimum wage law, differs in coverage from that in the minimum wage law and requires premium pay on the seventh day for those employees who work seven days in any one workweek.

The state adopts the Federal minimum wage rate by reference if the Federal rate is greater than the State rate.

Compensating time in lieu of overtime is allowed upon written request by an employee of any county, charter county, consolidated local government, or urban-county government, including an employee of a county-elected official.

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Louisiana Minimum Wage Rates



There is no state minimum wage law.

Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	Federal Minimum Wage Rate Applies		N/A

Note: Where there is no state-prescribed minimum wage rate, the [Federal Minimum Wage Rate applies](#): \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009).

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Maine Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
7/24/2009	\$7.00		40
	\$7.25		

The Maine minimum wage is automatically replaced with the Federal minimum wage rate if it is higher than the State minimum with the exception that any such increase is limited to no more than \$1.00 per hour above the current legislated State rate.

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Maryland Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
7/24/2008	\$6.15		
7/24/2009	\$6.55		40
	\$7.25		

The Maryland minimum wage is automatically replaced with the Federal minimum wage rate if it is higher than the State minimum wage rate.

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Massachusetts Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$8.00		40

The Division of Occupational Safety (DOS) administers the Commonwealth's Minimum Fair Wage Law, Mass. Gen. L. ch. 151, sec. 1 through 22. In this capacity, DOS promulgates the Minimum Wage Regulations, 455 CMR 2.00, and interprets the Minimum Fair Wage Law and Regulations.

The Minimum Fair Wage Law and Regulations address not only the payment of the basic minimum wage but also overtime; the minimum wage for tipped employees; reporting pay; on-duty or on-call time; travel time and expenses; deductions for lodging, meals, and uniforms; and wage records that employers are required to keep. If you have a question about the meaning of a provision in the Minimum Wage Law or

Regulations, call DOS at 617-626-6975 and ask to speak to Lisa Price, Deputy General Counsel, or send an e-mail to Lisa.Price@state.ma.us.

The Massachusetts Minimum Wage is \$8.00 per hour. The Service Rate is \$2.63 per hour. The Massachusetts minimum wage rate automatically increases to 10 cents above the rate set in the Fair Labor Standards Act if the Federal minimum wage equals or becomes higher than the State minimum.

For more information and current rates, [click here](#).

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Michigan Minimum Wage Rates



	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
(Applicable to employers of 2 or more employees)	7/01/2008	\$7.15 \$7.40		40

The State law excludes from coverage any employment that is subject to the Federal Fair Labor Standards Act unless the State wage rate is higher than the Federal.

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Minnesota Minimum Wage Rates



	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
Large employer (enterprise with annual receipts of \$625,000 or more)		\$6.15		48
Small employer (enterprise with annual receipts of less than \$625,000)		\$5.25		48

In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply. [Fair Labor Standards Act, 29 U. S. C. A § 218].

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Mississippi Minimum Wage Rates



No state minimum wage law.

Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	Federal Minimum Wage Rate Applies		N/A

Note: Where there is no state-prescribed minimum wage rate, the *Federal Minimum Wage Rate* applies: \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009).

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Missouri Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.65		40

In addition to the exemption for federally covered employment, the law exempts, among others, employees of a retail or service business with gross annual sales or business done of less than \$500,000.

Premium pay required after 52 hours in seasonal amusement or recreation businesses.

Minimum wage is to be increased or decreased by a cost of living factor starting January 1, 2008 and every January 1 thereafter.*

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Montana Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
State Law	\$6.25		40
7/24/2008	\$6.55		
<i>Except businesses with gross annual sales of \$110,000 or less</i>	\$4.00		

Minimum wage is subject to a cost of living adjustment by September 30 of each year and effective on January 1 of the following year.*

In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply.

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Nebraska Minimum Wage Rates



(Applicable to employers of 4 or more employees)

Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
7/24/2008	\$5.85		
7/24/2009	\$6.55		
	\$7.25		

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Nevada Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.33	8	40

The premium overtime pay requirement on either a daily or weekly basis is not applicable to employees who are compensated at not less than one and one-half times the minimum rate or to employees of enterprises having a gross annual sales volume of less than \$250,000.

The basic hourly rate may remain at \$5.30 when the employer offers the employee a qualified health plan.

In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates. So, if the state rate is lower than \$6.55 per hour (effective July 24, 2008; or \$7.25 per hour effective July 24, 2009) the Federal rate will apply.

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New Hampshire Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.50		40
9/01/2008	\$7.25		

The New Hampshire minimum wage is automatically replaced with the Federal minimum wage rate if it is higher than the State minimum.

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New Jersey Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
7/24/2009	\$7.15		40
	\$7.25		

The hourly minimum wage for the state of New Jersey increased to [\\$7.15](#) per hour, effective October 1, 2006, and will rise to \$7.25, as of July 24, 2009. Prior to 2005, the State's minimum wage was keyed to the Federal minimum wage rate. For additional information [click here](#).

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New Mexico Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
1/01/2009	\$6.50		40
	\$7.50		

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New York Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
7/24/2009	\$7.15		40
	\$7.25		

The New York minimum wage is automatically replaced with the Federal minimum wage rate if it is higher than the State minimum. "Wages," as defined by New York law, means the earnings of an employee for labor or services rendered, regardless of whether the amount of earnings is determined on a time, piece, commission or other basis.

The [New York State minimum wage](#) was increased to \$6.75 per hour as of January 1, 2006, and increased to \$7.15 per hour as of January 1, 2007. As of July 24, 2009, minimum wage will rise again to \$7.25 per hour.

Frequency of payments. Employers must pay wages in accordance with the following provisions:

Manual workers must generally be paid weekly and not later than seven calendar days after the end of the week in which the wages are earned. Certain employers, including non-profit organizations may pay workers in accordance with the agreed terms of employment, but not less frequently than semi-monthly.

Commission salespeople must be generally be paid the wages, salary, drawing account, commissions and all other monies earned or payable in accordance with the agreed terms of employment, but not less frequently than once in each month and not later than the last day of the month following the month in which they are earned; provided, however, that if monthly or more frequent payment of wages, salary, drawing accounts or commissions are substantial, then additional compensation earned, including but not limited to extra or incentive earnings, bonuses and special payments, may be paid less frequently than once in each month, but in no event later than the time provided in the employment agreement or compensation plan.

Clerical and other workers must be paid the wages earned in accordance with the agreed terms of employment, but not less frequently than semi-monthly, on regular pay days designated in advance by the employer.

If employment is terminated, the employer shall pay the wages not later than the regular pay day for the pay period during which the termination occurred, as established in accordance with the provisions of this section. If requested by the employee, such wages shall be paid by mail.

Posters and Wage Summaries listing the new rates are now available in the [Document Center](#).

For additional information:

- [New York Labor Laws](#)
- [Click here](#) for more information on New York's Minimum Wage.
- [Click here](#) for additional general New York wage information.
- [Click here](#) for additional New York Labor Law and Wage information.
- [Minimum Wage Poster](#)
- [Farm Minimum Wage Poster](#)
- [Links & Resources](#)

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North Carolina Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.15		
7/24/2008	\$6.55		40
7/24/2009	\$7.25		

Premium pay is required after 45 hours a week in seasonal amusements or recreational establishments.

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North Dakota Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.85		40
7/24/2008	\$6.55		
7/24/2009	\$7.25		

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Ohio Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.00		40

Non-tipped employees must receive \$7.00 per hour; while tipped employees are entitled to \$3.50 per hour, plus tips. For more information, [click here](#).

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Oklahoma Minimum Wage Rates



	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
<i>Employers of ten or more full-time employees at any one location and employers with annual gross sales over \$100,000 irrespective of number of full time employees.</i>		\$5.85		
	7/24/2008	\$6.55		
	7/24/2009	\$7.25		
All other employers.		\$2.00		

The Oklahoma state minimum wage law does not contain current dollar minimums. Instead the state adopts the Federal minimum wage rate by reference.

The State law excludes from coverage any employment that is subject to the Federal Fair Labor Standards Act.

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Oregon Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.95		40

Premium pay required after 10 hours a day in nonfarm canneries, driers, or packing plants and in mills, factories or manufacturing establishments (excluding sawmills, planing mills, shingle mills, and logging camps).

As of January 1, 2004, the rate is adjusted annually for inflation by a calculation using the U.S. City Average [Consumer Price Index](#) for All Urban Consumers for All Items. The wage amount established will be rounded to the nearest five cents.*

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Pennsylvania Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.15		40
July 2009	\$7.25		

The Pennsylvania Minimum Wage Act, as amended in 2006, establishes a fixed Minimum Wage and Overtime Rate for employees in Pennsylvania. It also sets forth compliance-related duties for the Department of Labor & Industry and for employers. In addition, the Minimum Wage Act provides penalties for noncompliance. For more information, [click here](#).

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Rhode Island Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.40		40

Exceptions:

1.) Full-time students under 19 years of age working in nonprofit religious, educational, library, or community service organizations:

As of 1/1/07 - \$6.66 per hour (90% of applicable minimum)

2.) 14 and 15 year olds who do not work more than 24 hours in a week. (For any week in which a 14 or 15 year old works more than 24 hours the higher applicable minimum rate must be paid for all hours worked in that week.)

As of 1/1/07 - \$5.55 per hour (75% of applicable minimum)

3.) Workers employed in: domestic service in or about a private home, Federal service, voluntary service in educational, charitable, religious or nonprofit organizations where employer/employee relationships do not exist, newspaper carriers on home delivery, shoe shine persons, caddies on golf courses, ushers in theaters, traveling or outside sales occupations.

Also: Service performed by an individual employed by son or daughter, or minor child employed by parent. Occupations in resort establishments serving meals to the general public that are not open more than six (6) months during the year-between May 1 and October 1 only - and any individual employed by an organized camp having a structured program including but not limited to recreation, education and religion, or any combination thereof. Such an individual must not be employed by the organization on an annual full-time basis and such a camp must not operate for more than seven (7) months in any calendar year. This exemption does not apply to employees of trailer camps. (G.L.28-12)

Time and one-half premium pay for work on Sundays and holidays in retail and certain other businesses is required under two laws that are separate from the minimum wage law. [Click here](#) for more information.

- [Rhode Island Minimum Wage Laws](#)
- [Minimum Wage Updated Law](#) (PDF)
- Minimum Wage Poster (PDF) [English](#) | [Spanish](#)

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South Carolina Minimum Wage Rates



No state minimum wage law.

Future Effective Date

Basic Minimum Rate (per hour)

Premium Pay After Designated Hours²

Daily

Weekly

[Federal Minimum Wage Rate Applies](#)

N/A

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South Dakota Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.85		
7/24/2008	\$6.55		
7/24/2009	\$7.25		

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Tennessee Minimum Wage Rates



No state minimum wage law.

Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	Federal Minimum Wage Rate Applies		N/A

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Texas Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.85		
7/24/2008	\$6.55		
7/24/2009	\$7.25		

The Texas State minimum wage law does not contain current dollar minimums. Instead, the State adopts the Federal minimum wage rate by reference.

Since there is no state minimum wage in Texas, according to federal law, covered nonexempt workers are entitled to a minimum wage of not less than \$5.85 an hour. Overtime pay at a rate of not less than one and one-half times their regular rates of pay is required after 40 hours of work in a workweek. Minimum wage in Texas will increase to \$6.55, as of July 24, 2008, and then will rise again to \$7.25 per hour, as of July 24, 2009.

Pursuant to Texas Labor Code §61.011, employers must pay wages to exempt employees at least once a month. Employers must pay wages to non-exempt employees at least twice a month. If employers pay twice a month, each pay period must be as near as possible to an equal number of days.

For more information

- [Texas State Minimum Wage Information](#)
- [Texas Payday Law](#),
- [Texas Payday Law Rules](#)
- [Texas Child Labor Law](#).
- [Texas Minimum Wage Act](#).
- [Texas Minimum Wage Act - Labor Code Chapter 62](#)
- [Required Posters at the Workplace](#)
- [Get the new Federal minimum wage poster here.](#)
- [Find State Minimum Wage Rates here.](#)
- [Texas Labor Laws Information](#)

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Utah Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.85		
7/24/2008	\$6.55		
7/24/2009	\$7.25		

The Utah state minimum wage law does not contain current dollar minimums. Instead, the state law authorizes the adoption of the Federal minimum wage rate via administrative action.

The State law excludes from coverage any employment that is subject to the Federal Fair Labor Standards Act.

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Vermont Minimum Wage Rates



(Applicable to employers of two or more employees)

Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$7.68		40


The State overtime pay provision has very limited application because it exempts numerous types of establishments, such as retail and service; seasonal amusement/recreation; hotels, motels, restaurants; and transportation employees to whom the Federal (FLSA) overtime provision does not apply.

The Vermont minimum wage is automatically replaced with the Federal minimum wage rate if it is higher than the State minimum.

Beginning January 1, 2007, and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the [Consumer Price Index](#), or city average, not seasonally adjusted.*

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Virginia Minimum Wage Rates


	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
<i>(Applicable to employers of 4 or more employees)</i>	7/24/2008	\$5.85		
	7/24/2009	\$6.55		
		\$7.25		

The Virginia state minimum wage law does not contain current dollar minimums. Instead the state adopts the Federal minimum wage rate by reference.

The State law excludes from coverage any employment that is subject to the Federal Fair Labor Standards Act.

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Washington Minimum Wage Rates

	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
		\$8.07		40

Premium pay not applicable to employees who request compensating time off in lieu of premium pay. The rate is adjusted for inflation by a calculation using the [Consumer Price Index](#) for urban wage earners and clerical workers for the prior year. [Click here for details.](#)*

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West Virginia Minimum Wage Rates

	Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
			Daily	Weekly
<i>(Applicable to employers of 6 or more employees at one location)</i>	7/01/2008	\$6.55		40
		\$7.25		

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Wisconsin Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$6.50		40

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Wyoming Minimum Wage Rates



Future Effective Date	Basic Minimum Rate (per hour)	Premium Pay After Designated Hours ²	
		Daily	Weekly
	\$5.15		

Note: In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates.

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Note:

Where there is no state-prescribed minimum wage rate, the [Federal Minimum Wage Rate Applies](#).

In states where an employee is subject to both the state and federal minimum wage laws, the employee is generally entitled to the **higher** of the two minimum wage rates.

Various minimum wage exceptions apply under specific circumstances to [workers with disabilities](#), [full-time students](#), [youth under age 20](#) in their first 90 consecutive calendar days of employment, [tipped employees](#) and [student-learners](#).

More detailed information about the FLSA, including copies of explanatory brochures and regulatory and interpretative materials, is available from local [Wage and Hour Division offices](#), which are listed in most telephone directories under U.S. Government, Department of Labor, Wage and Hour Division. Compliance assistance information may also be obtained on the [Wage and Hour Division's Web site](#). The elaws [Fair Labor Standards Act Advisor](#) answers questions about workers and businesses that are subject to the FLSA.

*Consumer Price Index and the Minimum Wage

A number of states key their Minimum Wage to the U.S. City Average Consumer Price Index for All Urban Consumers for All Items (CPI-U). The Index is developed and released by the U.S. Department of Labor's [Bureau of Labor Statistics](#) (BLS). The BLS is the principal fact-finding agency for the Federal Government in the broad field of labor economics and statistics. The BLS [Division of Consumer Prices and Price](#)

[Indexes](#) is responsible for [the Consumer Price Indexes](#) (CPI) program, and produces monthly data on changes in the prices paid by urban consumers for a representative basket of goods and services.*

These and other Indexes are available from the [BLS](#):

- [Inflation & Consumer Spending](#)
- [Consumer Price Index](#)
- [Inflation Calculator](#)
- [Contract Escalation](#)
- [Producer Price Indexes](#)
- [Consumer Expenditures](#)
- [Wages, Earnings, & Benefits](#)
- [Wages by Area and Occupation](#)
- [Earnings by Industry](#)
- [Employee Benefits](#)
- [Employment Costs](#)
- [State and County Wages](#)
- [National Compensation Data](#)
- [Wage Calculator](#)
- [Compensation Research](#)

For more information

- [See the DOL Wage & Hour FLSA page.](#)
- [Check your state's minimum wage rate](#)
- [Minimum Wage FAQs](#)
- [Questions and Answers About the Fair Labor Standards Act](#)
- [General Information on the FLSA](#)
- [History of Changes to the Minimum Wage Law](#)
- [Chart of Minimum Wage Increases](#)
- [American Samoa Wage Rates](#)
- [Minimum Wage Laws In the States](#)

Workplace Posters

- [Fair Labor Standards Act \(FLSA\) Minimum Wage Poster](#)
- [Fair Labor Standards Act \(FLSA\) Minimum Wage Poster \(Chinese version, PDF\)](#)
- [Cartel del Salario Federal Minimo bajo la Ley de Normas Justas de Trabajo \(Spanish language FLSA Poster\)](#)
- [Notice to Workers with Disabilities/Special Minimum Wage Poster](#)
- [Aviso para Trabajadores con Impedimentos/ Cartel de Sueldos Mínicos Especiales \(Spanish language Workers with Disabilities/Special Minimum Wage Poster\)](#)

Forms

- [Combined instructions for WH-200, WH-201, and WH-202](#)
- [WH-200 \(PDF\)](#)
Application for Authority to Employ Full-Time Students at Subminimum Wages in Retail or Service Establishments or Agriculture Under Regulations 29 CFR Part 519
- [WH-201 \(PDF\)](#)
Application for Authority for an Institution of Higher Education to Employ its Full-Time Students at Subminimum Wages Under Regulations 29 CFR Part 519
- [WH-202 \(PDF\)](#)
Application for Authority to Employ Six or Fewer Full-Time Students at Subminimum Wages in Retail or Service Establishments or Agriculture Under Regulations 29 CFR Part 519

This publication is for general information only and is not to be relied upon for legal compliance purposes. For current wage and additional information, visit the DOL Wage-Hour website: www.wagehour.dol.gov and/or call the Wage-Hour toll-free information and helpline, available 8am to 5pm in your time zone, 1-866-4USWAGE (1-866-487-9243).

For more information, please see the [State Resources Pages](#) on [HR & Benefits Essentials.com](#).

About HR & Benefits Essentials

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