

Publications

Labor and Employment Alert: Minimum Wages for 2013

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Labor and Employment

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As the year draws to a close, all states that tie their minimum wage to inflation have now issued their new minimum wage rates for 2013. The following chart sets out the minimum wage rates effective January 1, 2013, for employees and tipped employees. If a state is not listed, it does not have a minimum wage rate or the state's minimum wage rate is lower than the federal minimum wage.^[1] Minimum wage rates lower than the federal rate are applicable to certain small employers. This chart does not address circumstances where a lower minimum wage is paid to employees under the age of 18 or employees who are training or in a probationary period of employment. If you have questions about the minimum wage or any other aspect of employment or labor law, please contact your Vorys lawyer.

State Minimum Wage Tipped Wage

Alaska	\$7.75	State minimum wage law does not allow any credit for tipped employees.
Arizona	\$7.80	\$4.80
California	\$8.00	State minimum wage law does not allow any credit for tipped employees.
Colorado	\$7.78	\$4.76
Connecticut	\$8.25	

\$5.69 for service employees, other than bartenders, who are employed in the restaurant and hotel industry.

\$7.34 for bartenders.

\$7.90 in any other industry.

Delaware	\$7.25	\$2.23
District of Columbia	\$8.25	\$2.77
Florida	\$7.79	\$4.77
Hawaii	\$7.25	\$7.00 so long as the combined amount of wages and tips is at least \$0.50 more than the applicable minimum wage.
Idaho	\$7.25	\$3.35
Illinois	\$8.25	\$4.95, which is 60% of the applicable minimum wage.
Indiana	\$7.25	\$2.13
Iowa	\$7.25	\$4.35, which is 60% of the applicable minimum wage.
Kansas	\$7.25	\$2.13
Kentucky	\$7.25	\$2.13
Maine	\$7.50	\$3.75, which is 50% of the applicable minimum wage.
Maryland	\$7.25	\$3.63, which is 50% of the applicable minimum wage.
Massachusetts	\$8.00	\$2.63
Michigan	\$7.40	\$2.65
Missouri	\$7.35	\$3.68, which is 50% of the applicable minimum wage.
Montana	\$7.80	State minimum wage law does not allow any credit for tipped employees.
Nebraska	\$7.25	\$2.13
Nevada		

\$8.25 if the employer does not offer health insurance.

\$7.25 if the employer offers health insurance.^[2] State minimum wage law does not allow any credit for tipped employees. New Hampshire \$7.25 \$3.26, which is 45% of the applicable minimum wage. New Jersey \$7.25 The hourly wage plus tips must equal the minimum wage per hour. New Mexico \$7.50 \$2.13 New York \$7.25

\$5.65 for service employees.

\$4.90 for resort hotel employees.

\$5.00 for food service workers. North Carolina \$7.25 \$2.13 North Dakota \$7.25 \$4.86, which is 67% of the applicable minimum wage. Ohio \$7.85 \$3.93 Oklahoma \$7.25 \$3.63, which is 50% of the applicable minimum wage. Oregon \$8.95 State minimum wage law does not allow any credit for tipped employees. Pennsylvania \$7.25 \$2.83 Rhode Island \$7.75 \$2.89 South Dakota \$7.25 \$2.13 Texas \$7.25 \$2.13 Utah \$7.25 \$2.13 Vermont \$8.60 \$4.17 Virginia \$7.25 Wages plus tips must equal the minimum wage. Washington \$9.19 State minimum wage law does not allow any credit for tipped employees. West Virginia \$7.25 \$5.80, which is 80% of the applicable minimum wage. Wisconsin \$7.25 \$2.33 **City Minimum Wage Tipped Wage** San Francisco, CA \$10.55 City ordinance and state minimum wage law do not allow any credit for tipped employees. San Jose, CA \$10.00, the ordinance is scheduled to go into effect on March 11, 2013. State minimum wage law does not allow any credit for tipped employees. Albuquerque, NM

\$8.50 for employers who do not provide healthcare and/or childcare benefits.

\$7.50 for employers who provide healthcare and/or childcare benefits.

\$3.83 for employers who do not provide healthcare and/or childcare benefits.

\$3.38 for employers who provide healthcare and/or childcare benefits. Santa Fe, NM \$10.29 For employees that make more than \$100 per month in tips, any tips received and retained by the employee shall be counted as wages and credited to the satisfaction of the minimum wage.

[1] Two states that have minimum wages lower than the federal minimum wage have minimum wage rates for tipped employees that are different than federal law. In Arkansas the minimum wage rate for a tipped employee is \$2.63 per hour. Minnesota does not allow tip credits.

[2] Nevada will announce its new minimum wage rates on April 1, 2013. The new rates become effective on July 1, 2013.