

Trending!

State, County & City Minimum Wage Increases Continue ...



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Posting Compliance Overview

- All employers must post federal, state and local (if applicable) postings
- Mandatory federal posters include:
 - EEOC
 - OSHA
 - FMLA
 - USERRA
 - FLSA
 - EPPA
- Up to 15 additional state-specific posters
- Up to 9 additional posters for city/county compliance
- Additional posters for government contractors and certain industries

There's no “one-stop” shop for free government posters

- There are 175 different agencies responsible for issuing more than 370 posters (federal and state)
- In a single state, up to 21 postings issued by up to 9 different agencies for federal/state compliance
- Approximately 22,000 local jurisdictions have authority to issue their own posting requirements

Posting changes are on the rise

- Approximately 150 state-specific poster changes per year (50% require immediate mandatory replacements)
- Hundreds of new city/county ordinances issued each year
- Government agencies do not notify you when changes occur
- Posting requirements (including size, font and color mandates, as well as foreign language requirements) and change notifications can be buried in statutes, regulations, case law, and agency website pages

Preemption Laws

- “Preemption laws” are state laws that prohibit cities from imposing requirements on employers that are more restrictive than under existing federal and state law
- Local ordinances also may be preempted through court decisions
- Adds to the complexity of compliance and creates confusion; many local laws have been repealed after employers have implemented them

Minimum Wage Basics

- Federal minimum wage has been \$7.25/hour since July 2009
- Certain federal contractors must pay \$10.20/hour; increasing to \$10.35 on 1/1/2018 (mandatory poster update)
- 29 states have higher minimum wage rates than federal law
- More than half the states and hundreds of cities have at least one bill pending that will impact minimum wage rates in 2018
- Most states and cities/counties with minimum wage laws have additional posting requirements
- As an employer, you must pay the highest rate that applies, but display all required postings (even if the posters seem to conflict)

Recent (2017) MW Increases: State Law

State	New Minimum Wage	Effective Date	Poster Status
Alaska	\$9.80	January 1, 2017	Poster Updated
Arizona	\$10.00	January 1, 2017	Poster Updated
Arkansas	\$8.50	January 1, 2017	No Update for 2017
California	\$10.50 (for employers with 26+ employees)	January 1, 2017	Poster Updated
Colorado	\$9.30	January 1, 2017	Poster Updated
Connecticut	\$10.10	January 1, 2017	No Update for 2017
District of Columbia	\$12.50	July 1, 2017	No Update for 2017
Florida	\$8.10	January 1, 2017	Poster Updated
Hawaii	\$9.25	January 1, 2017	No Update for 2017
Maine	\$9.00	January 1, 2017	Poster Updated
Maryland	\$9.25	July 1, 2017	No Update for 2017
Massachusetts	\$11.00	January 1, 2017	No Update for 2017
Michigan	\$8.90	January 1, 2017	Poster Updated
Missouri	\$7.70	January 1, 2017	Poster Updated
Montana	\$8.15	January 1, 2017	Poster Updated
New Jersey	\$8.44	January 1, 2017	Poster Updated
New York	Variable rates based on location	December 31, 2016	Poster Updated
Ohio	\$8.15	January 1, 2017	Poster Updated
Oregon	Variable rates based on location	July 1, 2017	Poster Updated
South Dakota	\$8.65	January 1, 2017	No Poster Required
Vermont	\$10.00	January 1, 2017	No Update for 2017
Washington	\$11.00	January 1, 2017	No Poster Required

Recent (2017) MW Increases: Local Law

City/County	New Minimum Wage	Effective Date	Poster Status
Arizona			
Flagstaff	\$10.50	July 1, 2017	Poster Updated
California			
Los Angeles	\$12.00 (employers with 26+ employees)	July 1, 2017	Poster Updated
Mountain View	\$13.00	January 1, 2017	Poster Updated
Oakland	\$12.86	January 1, 2017	Poster Updated
Pasadena	\$12.00 (employers with 26+ employees)	July 1, 2017	Poster Updated
Richmond	\$12.30 (w/o benefits)	January 1, 2017	Poster Updated
San Diego	\$11.50	January 1, 2017	Poster Updated
San Francisco	\$14.00	July 1, 2017	Poster Updated
San Jose	\$12.00	July 1, 2017	Poster Updated
Santa Clara	\$11.10	January 1, 2017	Poster Updated
Sunnyvale	\$13.00	January 1, 2017	Poster Updated
Illinois			
Cook County	\$10.00	July 1, 2017	Poster Updated
Maine			
Portland	\$10.68	January 1, 2017	Poster Updated
New Mexico			
Albuquerque	\$8.80 (w/o benefits)	January 1, 2017	Poster Updated
Bernalillo County	\$8.70 (w/o benefits)	January 1, 2017	Poster Updated
Las Cruces	\$9.20	January 1, 2017	Poster Updated
Washington			
Tacoma	\$11.15	January 1, 2017	Poster Updated

Upcoming MW Increases: State Law

State	New Minimum Wage	Effective Date	Poster Status
Alaska	\$9.84	January 1, 2018	Poster Update Pending
Arizona	\$10.50	January 1, 2018	Poster Update Pending
California	\$11.00 (employers with 26+ employees)	January 1, 2018	Previous Poster Acceptable
Colorado	\$10.20	January 1, 2018	Poster Update Pending
District of Columbia	\$13.25	January 1, 2018	Previous Poster Acceptable
Florida	\$8.25	January 1, 2018	Poster Updated
Hawaii	\$10.10	January 1, 2018	Previous Poster Acceptable
Maine	\$10.00	January 1, 2018	Poster Update Pending
Maryland	\$10.10	July 1, 2018	Previous Poster Acceptable
Michigan	\$9.25	January 1, 2018	Previous Poster Acceptable
Minnesota	\$9.65 (annual gross revenues of \$500,000+)	January 1, 2018	Poster Updated
Missouri	\$7.85	January 1, 2018	Poster Update Pending
Montana	\$8.30	January 1, 2018	Poster Updated
New Jersey	\$8.60	January 1, 2018	Poster Updated
New York	Variable rates based on location	December 31, 2017	Poster Update Pending
Ohio	\$8.30	January 1, 2018	Poster Updated
Oregon	Variable rates based on location	July 1, 2018	Poster Update Pending
Rhode Island	\$10.10	January 1, 2018	Poster Update Pending
South Dakota	\$8.85	January 1, 2018	No Poster Required
Vermont	\$10.50	January 1, 2018	Previous Poster Acceptable
Washington	\$11.50	January 1, 2018	No Poster Required

Upcoming MW Increases: Local Law

City/County	New Minimum Wage	Effective Date	Poster Status
Arizona			
Flagstaff	\$11.00	January 1, 2018	Poster Update Pending
California			
Mountain View	\$15.00	January 1, 2018	Poster Updated
Oakland	\$13.23 (estimate – subject to change)	January 1, 2018	
Richmond	\$13.41 (w/o benefits)	January 1, 2018	Poster Updated
San Jose	\$13.50	January 1, 2018	Poster Updated
San Mateo	\$13.50 (for profit employer)	January 1, 2018	Poster Updated
Santa Clara	\$13.00	January 1, 2018	Poster Updated
Sunnyvale	\$15.00	January 1, 2018	Poster Updated
Minnesota			
Minneapolis	\$10.00 (more than 100 employees)	January 1, 2018	Poster Updated
New Mexico			
Albuquerque	\$8.95 (w/o benefits)	January 1, 2018	Poster Updated
Bernalillo County	\$8.85 (w/o benefits)	January 1, 2018	Poster Update Pending
Las Cruces	\$9.45	January 1, 2018	Poster Update Pending
Washington			
Seattle	\$15.45 (>500 employees w/o benefits)	January 1, 2018	Poster Update Pending
	\$15.00 (>500 employees w/benefits)		
	\$14.00 (<501 employees w/o benefits)		
	\$11.50 (<501 employees w/benefits)		
Tacoma	\$12.00	January 1, 2018	Poster Updated

Tips to Manage Your Business

1. Conduct an internal audit of your payroll practices to ensure compliance with federal, state and local minimum wage laws
2. Follow the provisions of each applicable law that are most generous to the employee
3. Address any areas that require policy adjustments
4. Consider uniform practices across locations (consistency vs. cost)
5. Display local postings in addition to mandatory federal and state postings, even if the information conflicts
6. Assign internal resources or use an outsourced partner for posting compliance to stay abreast of changing federal, state and local minimum wage laws



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