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Reminder: Florida Minimum Wage is Now \$10.00 Per Hour



Date Oct 11, 2021

Florida voters on November 3, 2020, passed Amendment 2, which will, over a period of years, increase Florida's minimum wage to \$15.00 per hour. The first annual increase was effective September 30, 2021, and increased the minimum wage to \$10.00 per hour. Subsequent increases of \$1.00 are scheduled to take place each September 30, until the hourly rate reaches \$15.00 on September 30, 2026.

Florida's minimum wage law applies to all employees in the state of Florida who are covered by the federal minimum wage law. For "tipped employees" who meet eligibility requirements for the tip credit under the federal Fair Labor Standards Act (FLSA), employers may take a "tip credit" of up to \$3.02 per hour, for tips actually received by the employee, but must still pay employees a direct wage. Applying this formula, the minimum direct hourly wage for tipped employees in Florida is \$6.98 beginning September 30, 2021.

Both Florida's minimum wage rate and the direct hourly wage rate for tipped employees are higher than the federal rates, so Florida employees must be paid the higher Florida rates.

Employers who must pay their employees the Florida minimum wage must post a notice of the state minimum wage requirement (in addition to posting a notice as required by the FLSA). The notice is available at <http://www.floridajobs.org/business-growth-and-partnerships/for-employers/display-posters-and-required-notices>.

If you have any questions regarding the increased minimum wage rate or other labor or employment-related issues, please feel free to contact [Shane Muñoz](mailto:smunoz@fordharrison.com), smunoz@fordharrison.com, who is a partner in our Tampa office. You may also contact the FordHarrison attorney with whom you usually work.

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