



BOB TAFT  
Governor

STATE OF OHIO  
**MINIMUM WAGE**  
OHIO DEPARTMENT OF COMMERCE  
DIVISION OF LABOR & WORKER SAFETY  
[www.com.state.oh.us](http://www.com.state.oh.us)



GORDON GATIEN  
Director

## **NON-TIPPED EMPLOYEES**

**A Minimum Wage of  
\$6.85 per hour**

"**Non-Tipped Employees**" includes any employee who does not engage in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips from patrons or others.

"**Employers**" who gross under \$250,000.00 shall pay their employers no less than the current Federal Minimum wage rate.

"**Employees**" under the age of 16 shall be paid no less than the current federal minimum wage rate.

## **TIPPED EMPLOYEES**

**A Minimum Wage of  
\$3.43 per hour PLUS TIPS**

"**Tipped Employees**" includes any employee who engages in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips from patrons or others. The tips are proven if indicated by the employee's declaration for the purposes of the federal insurance contribution act. Including when tips are added to the employee's wage, his/her hourly pay cannot be **less** than the regular minimum wage of \$6.85 prescribed by law.

### **OVERTIME (ORC 4111.03)**

1. An employer shall pay an employee for overtime at a wage rate of one and one-half times the employee's wage rate for hours in excess of forty hours in one work week, except for employers grossing **less** than \$150,000 per year.
2. Hospitals, Nursing Homes and Day Care Centers are permitted time and one-half in excess of eighty hours in a two week period and also in excess of eight hours a day.

### **PERMANENT RECORDS TO BE KEPT BY THE EMPLOYER (ORC 4111.08)**

1. Each employer shall keep permanent records for at least three years, available for transcription and inspection by a duly authorized Deputy of the Division, showing the following facts concerning each employee:
  - A. Name
  - B. Address
  - C. Occupation
  - D. Rate of Pay
  - E. Amount paid each pay period
  - F. Hours worked each day and each work week
2. Determinations of compliance. The records may be opened for inspection or copying at any reasonable time and no employer shall hinder or delay authorized Deputies of the Division in the performance of their duties.

### **HANDICAPPED RATE (ORC 4111.06)**

To prevent the curtailment of opportunities for employment and avoid undue hardship to individuals whose earning capacity is affected or impaired by physical or mental deficiencies or injuries a sub-minimum wage may be paid, as provided in the rules and regulations set forth by the Administrator.

### **INDIVIDUALS EXEMPT FROM MINIMUM WAGE (ORC 4111.01 (D))**

1. Any individual employed by the United States;
2. Any individual employed as a baby-sitter in the employer's home, or a live-in companion to a sick, convalescing, or elderly person whose principal duties do not include housekeeping;
3. Any individual engaged in the delivery of newspapers to the consumer;
4. Any individual employed as an outside salesman compensated by commissions or in a bona fide executive, administrative, or professional capacity, or computer professionals.
5. Any employee employed in agriculture if the employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than five hundred worker days of agricultural labor;
6. Any individual who works or provides personal services of a charitable nature in a hospital or health institution for which compensation is not sought or contemplated;
7. A member of a police or fire protection agency or student employed on a part-time or seasonal basis by a political subdivision of this state;
8. Any individual in the employ of a camp or recreational area for children under eighteen years of age and owned and operated by a non-profit organization or group of organizations.
9. Employees of a solely family owned and operated business who are family members of an owner.

This summary does not include all of the requirements for minimum and overtime wages. Persons should refer to ORC 4111 for specific requirements applicable to them.

## **POST IN A CONSPICUOUS PLACE**

For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of Labor & Worker Safety, 77 South High Street, 22nd Floor, Columbus, Ohio 43215. Phone: (614) 644-2239. TTY/TDD: 1-800-750-0750.

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