



# Florida's Minimum Wage

(Updated September 24, 2021)

Effective September 30, 2021, the Florida minimum wage will be \$10.00 per hour.

On November 3, 2020, Florida voters approved a constitutional amendment to gradually increase the state's minimum wage each year until reaching \$15.00 per hour in September 2026. On September 30, 2021, Florida's minimum wage will increase to \$10.00 per hour. Each year, thereafter, Florida's Minimum Wage will increase by \$1.00 until the Minimum Wage reaches \$15.00 per hour on September 30, 2026.

Employers must pay their employees the hourly state minimum wage for all hours worked in Florida. The definitions of *employer*, *employee*, and *wage* for state purposes are the same as those established under the federal Fair Labor Standards Act (FLSA) and its implementing regulations. Employers of *tipped employees*, who meet eligibility requirements for the tip credit under the FLSA, may credit towards satisfaction of the minimum wage tips up to the amount of the allowable FLSA tip credit in 2003. However, the employer must pay *tipped employees* a direct wage. The direct wage is calculated as equal to the minimum wage (\$10.00) minus the tip credit of \$3.02 established in 2003, or a direct hourly wage of \$6.98 effective September 30, 2021.

Employees who are not paid the minimum wage may bring a civil action against the employer or any person violating Florida's minimum wage law. The Attorney General may also bring an enforcement action to require the State's minimum wage. FLSA information and compliance assistance can be found at: <https://www.dol.gov/agencies/whd/flsa>.

Section 448.109, Florida Statutes, requires employers who must pay their employees the Florida minimum wage to post a minimum wage notice in a visible and accessible place in each establishment where these employees work. In addition to the Florida minimum wage notice, federal law requires employers to post a notice of the federal minimum wage. Florida's minimum wage notice is available for downloading in English, Spanish, and Creole from the Florida Department of Economic Opportunity's website at: <http://www.floridajobs.org>.

The federal poster can be downloaded from the U.S. Department of Labor's website at: <https://www.dol.gov/whd/regqs/compliance/posters/flsa.htm>.

Go to the Department of Economic Opportunity's Bureau of Workforce Statistics and Economic Research <http://www.floridajobs.org/labor-market-information>