

Legal Update Article

Florida Voters Approve \$15 Minimum Wage

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Meet the Authors



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Wage and Hour

Over the next six years, Florida's minimum wage rate will increase gradually to \$15 an hour.

On November 3, 2020, over 60 percent of Floridian voters approved Amendment 2, which increases the minimum wage and amends Florida's Constitution.

Under the new mandate, Florida's minimum wage rate (currently, \$8.56) will increase to \$10 an hour in September 2021. The minimum wage then will increase by \$1 each year until it reaches \$15 an hour in 2026. The minimum wage rate applies to all public and private sector employers, regardless of size or number of employees.

Employers must use the following hourly minimum wage schedule for non-tipped employees:

- Through December 31, 2020 – \$8.56
- January 1, 2021 – \$8.65
- September 30, 2021 – \$10.00
- September 30, 2022 – \$11.00
- September 30, 2023 – \$12.00
- September 30, 2024 – \$13.00
- September 30, 2025 – \$14.00
- September 30, 2026 – \$15.00

Beginning on September 30, 2027, the minimum wage rate will be adjusted annually by the Florida Department of Economic Opportunity based on changes to the Consumer Price Index for Urban Wage Earners and Clerical Workers.

Amendment 2 does not change the allowable tip credit for tipped employees meeting the eligibility requirements under the Fair Labor Standards Act. Florida employers may continue to take a tip credit of up to \$3.02 per hour for properly classified tipped employees. The minimum cash wage rate for eligible tipped employees will increase as follows:

- Through December 31, 2020 – \$5.54 per hour plus tips
- January 1, 2021 – \$5.63 per hour plus tips
- September 30, 2021 – \$6.98 per hour plus tips
- September 30, 2022 – \$7.98 per hour plus tips
- September 30, 2023 – \$8.98 per hour plus tips
- September 30, 2024 – \$9.98 per hour plus tips
- September 30, 2025 – \$10.98 per hour plus tips
- September 30, 2026 – \$11.98 per hour plus tips

Florida is only the eighth state in the country (and the first in the South) to raise its minimum wage to \$15 an hour, joining California, Connecticut, Illinois, Maryland, Massachusetts, New Jersey, and New York. Florida is the first state to raise the minimum wage as high as \$15 an hour by a citizens' initiative ballot measure. Similar increases were introduced during the Florida legislative session in recent years, but the measure never passed.

If you have questions about this or other workplace law developments, please contact the Jackson Lewis attorney with whom you regularly work.

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