

**SOME RECENT STATE
MINIMUM WAGE PROGRESS**

Basic minimum hourly rates of more than \$1 in:

12 of the 25 jurisdictions with a statutory rate or combination of statutory rate and wage board law . . .

- \$1.75—Alaska.
- 1.30—Massachusetts.*
- 1.25—Connecticut, Hawaii, Nevada, New Hampshire, New York, Rhode Island, Vermont, Washington.
- 1.15—Maine,** Michigan.***

(In 10 other jurisdictions—Delaware, Idaho, Indiana, Maryland, North Carolina, Oklahoma, Pennsylvania, Puerto Rico, West Virginia, and Wyoming—the statutory minimum rate is \$1 an hour.)

- *Rate will increase to \$1.35 an hour 9-5-66.
- **Rate will increase to \$1.25 an hour 10-15-66.
- ***Rate will increase to \$1.25 an hour 1-1-67.

8 of the 12 jurisdictions with wage board rates in effect, as for example . . .

- \$1.50—New Jersey..... Beauty Culture
- 1.30—California..... Public Housekeeping
- 1.25—Colorado..... Beauty Industry
- 1.25—District of Columbia. Building Service
- 1.25—Oregon..... Office
- 1.15—Minnesota..... Transportation
- 1.15—Utah..... Laundry and Drycleaning
- 1.10—Wisconsin..... Any Occupation, Trade, or Industry

(In 2 other States—Ohio and North Dakota—the minimum rate for one or more wage orders is \$1 an hour.)

Overtime rates under State minimum wage laws:

Alaska provides for payment of overtime pay at 1½ times the regular rate after an 8-hour day and 40-hour week. Two other States—Hawaii and Massachusetts—require payment of premium pay for overtime after a 40-hour workweek, similar to the provisions of the Federal Fair Labor Standards Act. In addition, Maine and West Virginia provide for payment of 1½ times the regular rate after a 48-hour workweek.

Approximately three-fifths of 160 wage orders currently in effect have overtime pay provisions. In general, 1½ times the regular or the minimum rate must be paid for work over specified hours.

**WHAT CONSTITUTES AN EFFECTIVE
STATE MINIMUM WAGE LAW?**

Standards which are recognized as being of primary importance are:

- 1** Coverage of all employees—men, women, and minors.
- 2** Establishment of an adequate minimum wage rate under a type of law in keeping with the needs of the State.
- 3** Payment of not less than 1½ times the regular rate for hours worked over 40 a week.
- 4** Provision for adequate enforcement.

A draft of suggested language for a State minimum wage bill is available, on request, from the Women's Bureau, U.S. Department of Labor, Washington, D.C., 20210.

WOMEN'S BUREAU PUBLICATIONS

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402, at prices shown.

State Minimum-Wage Laws and Orders, Part I—Historical Development and Statutory Provisions. Bull. 267. 75¢.

Analysis of Coverage and Wage Rates of State Minimum Wage Laws and Orders, August 1, 1965. Bull. 291. 40¢.

Fringe Benefit Provisions from State Minimum Wage Laws and Orders. Bull. 293. (In press.)

Minimum Wage Laws by State, September 1, 1965. Map M-3.

THE MINIMUM WAGE RECORD

State minimum wage activity began more than 50 years ago and is still continuing.

1912 In 1912, Massachusetts passed the first law of this kind in the United States; and in 1913, 8 States—California, Colorado, Minnesota, Nebraska,* Oregon, Utah, Washington, and Wisconsin followed the pattern set by Massachusetts.

1914 During this decade, minimum wage laws were enacted in the District of Columbia, Puerto Rico, and 6 States—Arizona, Arkansas, Kansas, North Dakota, South Dakota, and Texas.*

From 1924 through 1932 no additional States enacted minimum wage laws.

1933 In this 9-year period, laws were enacted in to Alaska, Hawaii, and 13 States—Connecticut, Illinois, Kentucky, Louisiana, Maine, Nevada, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, and Rhode Island.

From 1942 through 1954 no additional States enacted minimum wage laws.

1955 Idaho, New Mexico, and Wyoming enacted laws.

1957 The Vermont law was enacted.

1959 North Carolina enacted a law.

1964 The Michigan law was enacted.

1965 Delaware, Indiana, and Maryland enacted laws. Oklahoma, with an inoperative law, enacted a new law.

1966 West Virginia enacted a law.

*Later repealed.

U.S. GOVERNMENT PRINTING OFFICE : 1966-O-216-455

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**STATE
MINIMUM WAGE
LAWS**



**U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary**

**WOMEN'S BUREAU
Mary Dublin Keyserling, Director**

L13.11: 4/7

STATE MINIMUM WAGE LAWS

WHAT THEY DO

Minimum wage laws help the employee, the employer, and the community by—

Setting a minimum, or floor, below which wages are not allowed to fall.

Raising the purchasing power of the lowest paid workers.

Improving working conditions upon which the health, efficiency, and well-being of workers depend.

Protecting employers who pay a fair wage from unfair competition with other employers who would not voluntarily pay such a wage.

Helping to sustain the purchasing power and to maintain higher standards of living.

WHAT THEY DO NOT DO

Minimum wage laws do not determine the wage rate the employer pays. He may lawfully decide what rates he will pay as long as he does not pay less than the established minimum rate.

THEIR PURPOSE

Minimum wage laws express in various ways the intent and purpose of such laws. A recently enacted law states that—

“The provisions of this act are enacted . . . for the purpose of protecting the immediate and future health, safety and welfare of the people of this State.”

MINIMUM WAGE LAWS TODAY

The Roster

Thirty-five States, the District of Columbia, and Puerto Rico have minimum wage laws with minimum wage rates in effect. In addition, 3 States—Illinois, Kansas, and Louisiana—have such laws applicable to women and/or minors, but no minimum wage rates are in effect.

- | | | |
|----------------------|-----------------|------------------|
| *Alaska | *Kentucky | Ohio |
| Arizona | Louisiana | *Oklahoma |
| Arkansas | *Maine | Oregon |
| California | *Maryland | *Pennsylvania |
| Colorado | *Massachusetts | *Puerto Rico |
| *Connecticut | *Michigan | *Rhode Island |
| *Delaware | Minnesota | *South Dakota |
| District of Columbia | *Nevada | Utah |
| *Hawaii | *New Hampshire | *Vermont |
| *Idaho | New Jersey | *Washington |
| Illinois | *New Mexico | *† West Virginia |
| *Indiana | *New York | Wisconsin |
| Kansas | *North Carolina | *Wyoming |
| | *North Dakota | |

*Law covers men and women.
†Rates and overtime pay provisions effective 1-1-67.

State Laws

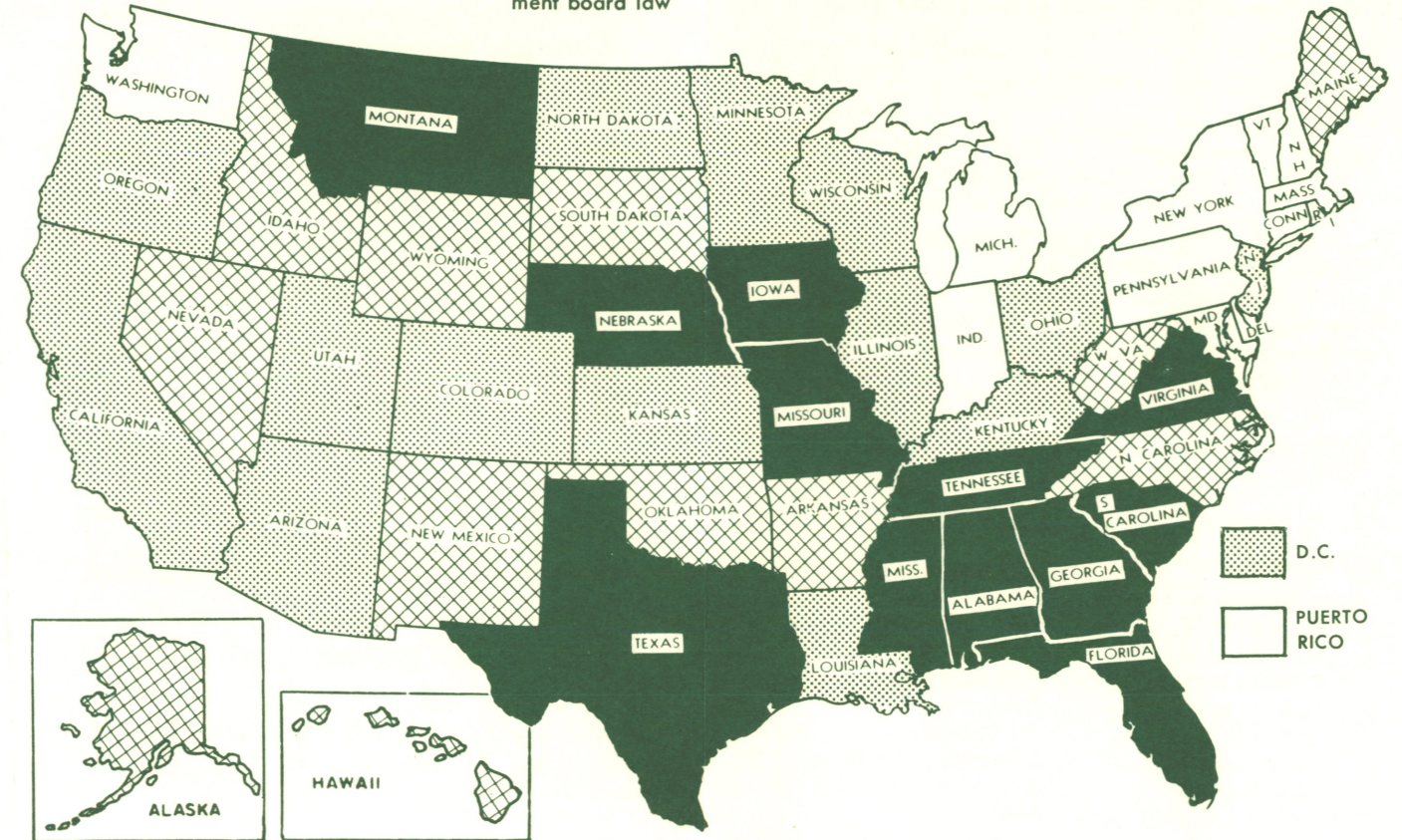
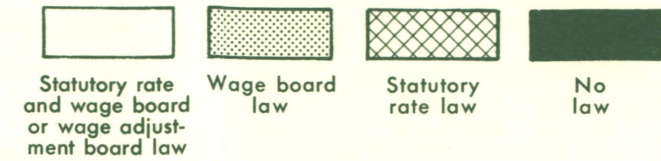
Twenty-six of the 37 laws currently in operation apply to both men and women. Originally, State minimum wage laws applied to women and minors only, but since enactment of the Federal Fair Labor Standards Act of 1938, States have extended coverage of their laws increasingly to men.

In general, all industries and occupations, except domestic service and agriculture, are covered by State minimum wage laws. Such laws are of particular importance to workers in the low-paying trade and service industries, such as restaurants, hotels, laundries, beauty shops, and other local establishments.

The Federal Minimum Wage Law

The Federal Fair Labor Standards Act establishes a minimum wage of \$1.25 an hour for employees engaged in or producing goods for interstate commerce. It provides for overtime pay of not less than 1½ times the employee's regular rate for hours over 40 a week.

THREE TYPES OF STATE LAW:



STATUTORY RATE AND WAGE BOARD OR WAGE ADJUSTMENT BOARD LAW sets a statutory rate for immediate protection of workers and also provides for wage boards, usually on an industry or occupation basis, that can recommend basic minimum wage rates different from the rate set by statute and/or can recommend provisions to safeguard the basic rate. Laws in 7 States and Puerto Rico include both statutory rate and wage board provisions. In addition, 5 States authorize a committee or board, sometimes called a wage deviation or wage adjustment board, not to change the basic rate, but to determine the amounts of deductions or allowances (such as tips) or to establish subminimum rates for certain categories of employees (such as learners or handicapped workers). In Delaware, 1 of these 5 States, the board is authorized to make recommendations on overtime pay.

WAGE BOARD LAW sets no minimum wage rate in the

statute but provides for appointment of wage boards authorized to make basic recommendations for wage orders. Fourteen States (including the 3 with inoperative laws) and the District of Columbia have wage board laws.

STATUTORY RATE LAW sets a statutory rate, fixed by the State legislature. Twelve States fix the minimum wage rate in the law but make no provision for either wage boards or wage adjustment boards.

How Wage Orders Are Issued

Wage orders generally are issued by the State Labor Commissioner, based on recommendations of industry or occupation wage boards composed of representatives of workers, employers, and the public. After holding a public hearing, the commissioner issues the order establishing minimum wages and other standards for the protection of workers in the industry or occupation covered.