

337.275 Minimum wage.

- (1) Except as may otherwise be provided by this chapter, every employer shall pay to each of his employees wages at a rate of not less than five dollars and eighty-five cents (\$5.85) an hour beginning on June 26, 2007, not less than six dollars and fifty-five cents (\$6.55) an hour beginning July 1, 2008, and not less than seven dollars and twenty-five cents (\$7.25) an hour beginning July 1, 2009. If the federal minimum hourly wage as prescribed by 29 U.S.C. sec. 206(a)(1) is increased in excess of the minimum hourly wage in effect under this subsection, the minimum hourly wage under this subsection shall be increased to the same amount, effective on the same date as the federal minimum hourly wage rate. If the state minimum hourly wage is increased to the federal minimum hourly wage, it shall include only the federal minimum hourly rate prescribed in 29 U.S.C. sec. 206(a)(1) and shall not include other wage rates or conditions, exclusions, or exceptions to the federal minimum hourly wage rate. In addition, the increase to the federal minimum hourly wage rate does not extend or modify the scope or coverage of the minimum wage rate required under this chapter.
- (2) Notwithstanding the provisions of subsection (1) of this section, for any employee engaged in an occupation in which he customarily and regularly receives more than thirty dollars (\$30) per month in tips from patrons or others, the employer may pay as a minimum not less than the hourly wage rate required to be paid a tipped employee under the federal minimum hourly wage law as prescribed by 29 U.S.C. sec. 203. The employer shall establish by his records that for each week where credit is taken, when adding tips received to wages paid, not less than the minimum rate prescribed in 29 U.S.C. sec. 203 was received by the employee. No employer shall use all or part of any tips or gratuities received by employees toward the payment of the statutory minimum hourly wage as required by 29 U.S.C. sec. 203. Nothing, however, shall prevent employees from entering into an agreement to divide tips or gratuities among themselves.

Effective: June 26, 2007

History: Amended 2007 Ky. Acts ch. 69, sec. 1, effective June 26, 2007. -- Amended 1998 Ky. Acts ch. 240, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 115, sec. 3, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 421, sec. 1, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 208, sec. 1, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 249, sec. 1, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 198, sec. 1, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 391, sec. 2.