Department of Commerce

Mike DeWine
Governor

Jim Tressel
Lt. Governor

Sherry Maxfield
Director

STATE OF OHIO

2027 MINIMUM WAGE

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NON-TIPPED EMPLOYEES

A Minimum Wage of
$11.40 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.

"Employers" who gross less than $419,000 shall pay their employees 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.

"Current Federal Minimum Wage" is $7.25 per hour.

TIPPED EMPLOYEES

A Minimum Wage of
$5.70 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. Employers electing to use the tip credit provision must be able to show that tipped employees receive at least the minimum wage when direct or cash wages and the tip credit amount are combined.

OVERTIME

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 40 hours in one work week, except for employers grossing less than $150,000 per year.

RECORDS TO BE KEPT BY THE EMPLOYER

1. Each employer shall keep records for at least three years, available for copying and inspection by the Director of the Ohio Department of Commerce, showing the following information 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. The records may be opened for inspection or copying at any reasonable time and no employer shall hinder or delay the Director of the Ohio Department of Commerce in the performance of these duties.

SUB-MINIMUM WAGE RATE

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 Director of the Ohio Department of Commerce.

INDIVIDUALS EXEMPT FROM MINIMUM WAGE

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 employed as an outside salesman compensated by commissions or in a bona fide executive, administrative, or professional capacity, or computer professionals;

4. Any individual who volunteers to perform services for a public agency which is a State, a political subdivision of a State, or an interstate government agency, if
   (i) the individual receives no compensation or is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered; and
   (ii) such services are not the same type of services which the individual is employed to perform for such public agency;

5. 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;

6. 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.

7. Employees of a solely family owned and operated business who are family members of an owner.

* For information about additional exemptions, please visit the Ohio Division of Industrial Compliance or U.S. Department of Labor websites.

For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068. Phone: 614-644-2239. TTY/TDD: 1-800-750-0750. An Equal Opportunity Employer and Service Provider. (REV. 9/30/26)

POST IN A CONSPICUOUS PLACE

Know Your Rights

Governor Mike DeWine

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

The Ohio Civil Rights Act *protects applicants and employees of private employers, state, county and local governments, educational institutions, labor organizations, employment agencies and personnel placement services from unlawful discriminatory employment practices.*

Race and Color

Ohio law prohibits discrimination on the basis of ***race or color*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, any facially neutral employment policy or practice that results in a discriminatory impact on the basis of race or color is a prohibited form of discrimination unless such policy or practice is job-related and based upon business necessity.

National Origin and Ancestry

Ohio law prohibits discrimination on the basis of ***national origin or ancestry*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, any policy or practice limiting or prohibiting the use of any language in the workplace is a prohibited form of discrimination unless such limitation or prohibition is job-related and based upon business necessity.

Sex, Including Pregnancy, Sexual Orientation, and Gender Identity

Ohio law prohibits discrimination on the basis of ***sex or pregnancy*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Women affected by pregnancy, childbirth or related medical condition must be afforded leave for a reasonable period of time and may not be discharged under a policy providing insufficient or no leave.

The U.S. Supreme Court, in the case of *Bostock v. Clayton Cty., Georgia. U.S. 140 S. Ct. 1731 (2020)*, as well as other federal court cases have extended sex discrimination to include prohibition of employment discrimination on the basis of sexual orientation and gender identity.

Religion

Ohio law prohibits discrimination on the basis of ***religion*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, applicants and employees must be provided with a reasonable accommodation for religious beliefs and practices, except when the accommodation imposes an undue hardship.

Military Status

Ohio law prohibits discrimination on the basis of ***military status*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, employees who leave employment to perform military service, which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, must be reemployed upon conclusion of such service.

Disability

Ohio law prohibits discrimination on the basis of ***disability*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, applicants and employees must be provided with a reasonable accommodation for their disabilities, except when the accommodation imposes an undue hardship.

Age

Ohio law prohibits discrimination against persons ***40 years of age or older*** on the basis of ***age*** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Harassment

Ohio law prohibits harassment in the workplace on any basis set forth herein, which includes the creation of a racially or sexually hostile work environment, verbally or physically abusive treatment, and requiring submission to sexual advances as a condition of employment, continued employment or promotion.

In addition, all reasonable steps should be taken to prevent and promptly correct harassment in the workplace, which includes the establishment of a policy against harassment and a procedure for receiving, investigating and remedying complaints of workplace harassment.

Retaliation

Ohio law prohibits retaliation against any person because that person has opposed any unlawful discriminatory practice, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing.

ENFORCEMENT

The Ohio Civil Rights Commission (OCRC) investigates complaints of discrimination and harassment in employment.

Complaints must be filed with the OCRC within two years of the last act of discrimination or harassment.

For more information or assistance in filing a complaint, please call toll free: **1-888-278-7101, TTY (614) 752-2391** or visit our website at: **www.civ.ohio.gov**

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Department of Commerce
Division of Industrial Compliance

Mike Dewine,
Governor

Jon Husted,
Lt. Governor

Sheryl Maxfield,
Director

STATE OF OHIO
MINOR LABOR LAWS
www.com.ohio.gov

*OHIO REVISED CODE CHAPTER 4109**
"MINOR" MEANS ANY PERSON LESS THAN 18 YEARS OF AGE

WORKING PERMITS: Every minor 14 through 17 years of age must have a working permit unless otherwise stated in Chapter 4109.
WAGE AGREEMENT: No employer shall give employment to a minor without agreeing with him/her as to the wages or compensation he/she shall receive for each day, week, month, year or per piece for work performed.
REST PERIOD: No employer shall employ a minor more than 5 consecutive hours without a rest period of at least 30 minutes.
LIST OF MINORS EMPLOYED: Employer shall keep a list of minors employed at each establishment and a list must be posted in a conspicuous place to which all minor employees have access.
TIME RECORDS: Every employer shall keep a time book or other written record showing actual starting and stopping time of each work and rest period. These records must be kept for two (2) years.

RESTRICTIONS ON WORKING HOURS FOR MINORS 14 and 15 YEARS OF AGE

No person under 16 shall be employed:

1. **During school hours except where specifically permitted by Chapter 4109**
2. **Before 7 a.m. or after 9 p.m. from June 1st to September 1st or during any school holiday of 5 school days or more; or after 7 p.m. at any other time**
3. **For more than 3 hours a day in any school day**
4. **For more than 18 hours in any school week**
5. **For more than 8 hours in any day when school is not in session**
6. **For more than 40 hours in any week that school is not in session nor during school hours, unless employment is incidental to bona fide programs of vocational cooperative training, work-study, or other work-oriented programs with the purpose of educating students, and the program meets standards established by the state board of education.**

RESTRICTIONS ON WORKING HOURS FOR MINORS 16 and 17 YEARS OF AGE

No person 16 or 17 who is required to attend school shall be employed:

1. **Before 7 a.m. on any day that school is in session or 6 a.m. if the person was not employed after 8 p.m. the previous night**
2. **After 11 p.m. on any night preceding a day that school is in session.**

PROHIBITED OCCUPATIONS FOR MINORS UNDER 16 YEARS OF AGE

1. **All manufacturing; mining; processing; public messenger service**
2. **Work in freezers and meat coolers and all preparation of meats for sale (except wrapping, sealing, labeling, weighing, pricing and stocking)**
3. **Transportation; storage; communications; public utilities; construction; repair**
4. **Work in boiler or engine rooms; maintenance or repair of machinery**
5. **Outside window washing from window sills or scaffolding and/or ladders**
6. **Cooking and baking; operating, setting up, adjusting, cleaning, oiling or repairing power-driven food slicers, grinders, food choppers, cutters, bakery type mixers**
7. **Loading or unloading goods to and from trucks**
8. **All warehouse work except office and clerical**
9. **Work in connection with cars and trucks involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.**

PROHIBITED OCCUPATIONS FOR MINORS 14 through 17 YEARS OF AGE

1. **Occupations involving slaughtering, meat-packing, processing or rendering**
2. **Power-driven bakery machines**
3. **Occupations involved in the manufacture of brick, tile and kindred products**
4. **Occupations involved in the manufacture of chemicals**
5. **Manufacturing or storage occupations involving explosives**
6. **Occupations involving exposure to radioactive substances and to ionizing radiations**
7. **Power-driven paper products machines**
8. **Power-driven metal forming, punching and shearing machines**
9. **Occupations involved in the operation of power-driven circular saws, band saws and guillotine shears**
10. **Power-driven woodworking machines**
11. **Coal mines**
12. **Occupations in connection with mining, other than coal**
13. **Logging and sawmilling**
14. **Motor vehicle occupations**
15. **Maritime and longshoreman occupations**
16. **Railroads**
17. **Excavation operations**
18. **Power-driven and hoisting apparatus**
19. **Roofing operations**
20. **Wrecking, demolition, and shipbreaking.**

MINORS UNDER 16 YEARS OF AGE MAY NOT ENGAGE IN DOOR-TO-DOOR EMPLOYMENT UNLESS

The for-profit employer is REGISTERED with the Ohio Department of Commerce. DOOR-TO-DOOR SALES EMPLOYERS SHALL:

1. **Be in compliance with all applicable Ohio and Federal laws relating to the employment of minors**
2. **Provide at least one supervisor who is over the age of eighteen, for each six minor employees**
3. **Have been and be in compliance with Ohio's Motor Vehicle Financial Responsibility, Workers' Compensation, Unemployment Compensation, and all other applicable laws**
4. **Require all minors to work at least in pairs**
5. **Not employ any minor who does not have an appropriate Age and Schooling Certificate**
6. **Provide each minor employee with a photo identification card**
7. **Not employ any minor in any door-to-door sales activity during school hours except where specifically permitted**
8. **Not employ minors under 16 in door-to-door sales activity before 7 a.m. or after 7 p.m.**
9. **Not employ minors 16 and 17 years of age in door-to-door sales activity before 7 a.m. or after 8 p.m.**

***For Exceptions to Coverage See Chapter 4109.06**

This is a summary of ORC 4109. This summary does not include all of the requirements for minor labor laws. Persons should refer to 4109 for specific requirements applicable to them. This information can be accessed through the Ohio Department of Commerce website at www.com.ohio.gov.

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