



CITY OF ST. LOUIS
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May 5, 2017

Minimum Wage Notice
Minimum Wage Rate \$10.00 per hour
Minimum Wage Rate \$11.00 per hour effective on January 1, 2018

Except as specifically provided in City of St. Louis Ordinance 70078, effective immediately Employers shall pay wages to each employee for each hour worked while physically present within the geographic boundaries of the City of St. Louis, at a rate not less than \$10.00 per hour. The minimum hourly rate shall increase to \$11.00 effective January 1, 2018, with additional increases calculated annually thereafter pursuant to the terms and conditions of Section 2(B) of Ordinance 70078. In addition to any other penalties, obligations, or requirements set forth in Ordinance 70078, any covered Employer that pays an Employee at a rate less than the minimum wage rates required by Ordinance 70078 shall be required to pay wages to its Employees at a rate not less than \$11.00 per hour beginning from the date of this first violation until January 1, 2019, when it shall then pay at a rate not less than the rate as established by Section 2(B)(2) of Ordinance 70078 and as thereafter amended annually.

The terms of Ordinance 70078 require that the text of sections 2, 3 and 5 of said ordinance be included in this Notice. Pursuant to that requirement, the text of said sections is set forth below verbatim. Some of the provisions relate back to 2015 when the ordinance became effective and are no longer applicable:

Except as specifically provided in Ordinance 70078, every employer shall pay wages to each employee for each hour worked while physically present within the geographic boundaries of the City of St. Louis, beginning the effective date, at a rate not less than \$11.00 per hour and, beginning on January 1, 2019, at the rate established by Section 2(B) of Ordinance 70078 and as thereby amended annually. Notwithstanding the above, any employer that complies in full with every requirement of Ordinance 70078, shall be entitled to pay Employees at or above the lower minimum wage rates set forth in Section 2(B)(1) as the dates stated therein and, beginning on January 1, 2019, shall pay Employees at or above the lower minimum wage rates set forth in Section 2(B)(2) and as thereafter amended annually. In addition to any other penalties, obligations, or requirements set forth in Ordinance 70078, any Employer that pays an Employee at a rate less than the minimum wage rates required by Ordinance 70078 shall be required to pay wages to its Employees at a rate not less than \$11.00 per hour beginning from the date of this first violation until January 1, 2019, when it shall then pay at a rate not less than the rate as established by Section 2(B)(2) of Ordinance 70078 and as thereafter amended annually. The rates set forth in Ordinance 70078 are subject to Section 2(B)(4).

Beginning on the Effective Date, the minimum wage rate shall be the minimum wage rate established by the State of Missouri. Beginning October 15, 2015, the minimum wage rate shall be increased to \$8.25 per hour. Beginning on January 1, 2016, the minimum wage rate shall be increased to \$9.00 per hour. Beginning on January 1, 2017, the minimum wage rate shall be increased to \$10.00 per hour. Beginning on January 1, 2018, the minimum wage rate shall be increased to \$11.00 per hour. Beginning on January 1, 2019, and on each January 1 of each successive year thereafter, the minimum wage rate from the previous year shall be increased annually on a percentage basis to reflect the Rate of Inflation. By October 1, 2018 and each October 1 of each successive year thereafter, the Ways and Means Committee of the Board of Aldermen shall report the Rate of Inflation and direct the Director of the Department of Human Services to promulgate a rule establishing the revised minimum wage rate effective January 1 of the upcoming calendar year based on the Rate of Inflation calculated to the nearest five cents. In addition, by October 1, 2018 and each October 1 of each successive year thereafter, the City shall post on its website a bulletin announcing the adjusted minimum wage rate for the upcoming calendar year. The rate set by rule shall not be less than the previous amount established.

Annually, following the first rate increase in the minimum wage under Ordinance 70078, the Board of Estimate Apportionment shall report to the Board of Aldermen on the economic health of residents and businesses located within the City of St. Louis from the findings of an independent study of a firm selected by the Board of Estimate & Apportionment. Said report shall include, but is not limited to, quantitative and comparative (year-over-year) data pertaining to unemployment rates, poverty rates businesses licenses issued, graduation rates, reported payrolls, and other information as requested by the Chair of Ways and Means or Health and Human Services Committees prior to the development of said report. If the state or federal minimum wage rate is at any

time greater than the minimum wage rate established by Ordinance 70078, then that greater rate shall become the minimum wage rate for purposes of Ordinance 70078, and shall be increased annually pursuant to Section 2(B)(2) of this Ordinance, beginning January 1, 2019, for as long as that rate is greater. With respect to any employee engaged in an occupation in which the employee customarily and regularly receives more than \$30 per month in tips, the employer shall pay wages in the amount not less than 50% percent of the minimum wage rate specified pursuant to Ordinance 70078, provided that the total compensation in Tips and Wages for such Employee shall total at least the minimum wage rate specified pursuant to Ordinance 70078, the difference being made up by the Employer. It is the Employer's obligation to provide evidence of any amount received by the Employee as Tips. Ordinance 70078 does not modify, alter, or amend requirements under the City of St. Louis' Living Wage Ordinance, Service Contracts Ordinance, or other City ordinances relating to wages and benefits; and, individuals and entities subject to those ordinances shall pay wages at the rates set under those ordinances, or the applicable rate set under Ordinance 70078, whichever rate is higher. It shall be a violation of Ordinance 70078 for any Employer to pay any Employee a wage below the minimum wage rate set forth in 70078. Each day that the Employer pays the Employee a Wage below the minimum wage rate set forth in Ordinance 70078 shall be a separate violation.

It shall be a violation for any employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise any right protected under Ordinance 70078. It shall be unlawful, and a violation of Ordinance 70078, for any employer to discharge any employee, to reduce the compensation of any employee, to take any adverse action against an employee, or to discriminate against an employee because the employee engaged in any of the following activities: 1) making a complaint to the Department of Human Services regarding compliance with Ordinance 70078; 2) participating in any investigation of the Department of Human Services regarding compliance with Ordinance 70078; or 3) informing his or her employer, fellow employees, union or similar organization, or legal counsel about an employer's alleged violation of Ordinance 70078; 4) exercising, in good faith, the rights protected by Ordinance 70078; 5) opposing or otherwise speaking or advocating against any policy, practice, or act that is unlawful under Ordinance 70078; 6) availing himself or herself of any of the civil remedies provided under Ordinance 70078. It shall be a violation for any Employer to enter into any agreement whereby the Employer will pay an individual to work for less than the minimum wage prescribed in Ordinance 70078 as that minimum wage may be amended from time to time. It shall be a violation of Ordinance 70078 for any employer to violate the rules and regulations promulgated to set the annual minimum wage rate, or that are otherwise promulgated to interpret, apply or enforce Ordinance 70078 by the Department of Human Services. It shall be a violation of Ordinance 70078 for any employee to make any complaint or report to the Department of Human Services that the employee knows to be false.

The Director of the Department of Human Services may, with the direction and approval from the Ways and Means Committee of the Board of Alderman, promulgate rules and regulations regarding the interpretation, application, and enforcement of Ordinance 70078. Such rules and regulations may include, but are not limited to, those further defining terms used in Ordinance 70078, and setting forth more particularized applications of this Ordinance's exceptions and exemptions. The Department of Human Services and the City Counselor's Office are authorized to receive any complaint regarding a possible or suspected violation of Ordinance 70078 and further authorized to take appropriate steps to enforce Ordinance 70078 including, regardless of whether there is a complaint, investigating any possible or suspected violation of Ordinance 70078.

Performance of any act prohibited by Ordinance 70078, and failure to perform any act required by Ordinance 70078, shall be punishable by a sentence of not more than 90 days in jail, or by a fine of not more than \$500.00 per violation or both or by any combination of sentence and fine up to and including the maximum sentence and maximum fine. Each day that any violation hereunder continues is a separate violation subject to the penalties provided in Ordinance 70078. In addition to all other penalties set forth in Ordinance 70078, an Employer may be subject to conditions which will serve to compensate the victim, including that the Employer pay restitution to any Employee in the form of unpaid back wages plus interest from the date of non-payment or underpayment, to the extent allowed by the City Charter and the law.

Every business license issued pursuant to Title 8 of the Revised Code of the City of St. Louis may be revoked by the License Collector's Office if the License Collector's Office concludes, upon results of an investigation, that the Employer has engaged in repeated violations or intentional violations of this ordinance. Any Occupancy Permit, and any other permit, variance, or license issued by the City of St. Louis may be revoked by the Board of Public Service if the Board of Public Service concludes, upon notice and hearing, that the Employer has engaged in repeated violations or intentional violations of Ordinance 70078. Such Board of Public Service proceeding may be initiated by the Board of Public Service itself, the Director of the Department of Human Services, the City Counselor, or by a verified complaint submitted by two or more Employees of the Employer accused of repeated violations or intentional violations of the ordinance that is accompanied by affidavits signed by each such employee which states with particularity the facts underlying the complaint. The Board of Public Service shall promulgate rules and regulations setting forth the procedures it will follow in any such revocation proceeding.

Nothing contained in Ordinance 70078 shall be in any way construed to limit or abridge any rights of an Employee at common law, by statute, or by ordinance to bring a civil action against an Employer.