



CLIENT ADVISORY

January 2017

Happy New Year from Hill Ward Henderson! Below are summaries of two potentially important wage and hour items affecting employers in Florida:

Florida Minimum Wage Increase:

Florida's minimum wage has increased by \$0.05 per hour to \$8.10 per hour for non-tipped employees and \$5.08 per hour for employees who receive the tip credit (e.g., restaurant servers and bartenders). Although the \$8.10 minimum wage is far less than many state and local minimum wages being passed around the country, the new Florida minimum is nearly a dollar per hour higher than the federal minimum wage (\$7.25).

In conjunction with this increase, Florida employers must update the required minimum wage poster to reflect these changes.

Update on Salary Increase for Minimum Wage and Overtime Exemptions:

On November 22, 2016, a federal judge in Texas issued a nationwide injunction blocking the Department of Labor's (DOL) planned increase of the salary required for the white collar exemptions under the Fair Labor Standards Act. Because of this nationwide injunction, the planned increase in the salary requirement from \$455 per week (\$23,660 annually) to \$913 per week (\$47,476 annually) did not occur as scheduled on December 1, 2016.

The DOL has appealed the nationwide injunction, and the appeal has been placed on an expedited schedule. All appellate briefs are due by January 31, 2017, and oral argument will be set as soon as possible after that. Notably, the appellate court will not decide the appeal until after President-Elect Trump's inauguration, and some legal commentators believe that Trump may withdraw the appeal and let the injunction stand. We will continue to report on the latest developments as they happen.

If you have any questions regarding this information, please contact Gordon Hill at gordon.hill@hwlaw.com or 813.222.8506, or Jeff Wilcox at jeff.wilcox@hwlaw.com or 813.222.8725.

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