

KNOW



CHICAGO'S MINIMUM WAGE ORDINANCE

What is the Chicago Minimum Wage Ordinance?

On December 2, 2014, the Chicago City Council approved Mayor Rahm Emanuel's ordinance establishing a minimum wage of \$13 per hour in Chicago by 2019, a 45 percent increase over the current applicable minimum wage. The minimum wage increases incrementally each year beginning on July 1, 2015. All employers operating within the city are subject to the new minimum wage.

What is the minimum wage increase schedule?

The minimum wage increase will be phased in on an annual basis every July 1st from 2015 – 2019 according to the schedule below. Beginning in 2020 and every year thereafter, the minimum wage increase will be tied to the rate of inflation, but not to exceed 2.5 percent, and there will be no increase to the minimum wage when the unemployment rate in Chicago in the previous year was equal to or greater than 8.5 percent.

| Effective Date | Non-Tipped Employees | Tipped Employees * |
|----------------|----------------------|--|
| July 01, 2018 | \$12.00 | \$6.25 |
| July 01, 2019 | \$13.00 | <i>Amount to be determined and announced yearly on or before June 1st.</i> |
| July 01, 2020 | | |

*Under both state law and the ordinance, if an employee's wages plus tips do not equal at least the number of hours worked times the applicable minimum wage per week, his or her employer must make up the difference.

Who is covered under the ordinance?

- Any employee who works at least two hours while physically present in the city within a two-week period qualifies for the minimum wage required by the ordinance. This includes domestic employees, day laborers, and home health care workers. A union may waive its members' rights to receive the minimum wage as part of a collective bargaining agreement.
- Employees are not required to provide, and the City will not request, information regarding the immigration status of any person filing a complaint.

What can I do if I believe I am owed wages by my employer?

- You may file a complaint against your employer with the City of Chicago if you believe you have been paid less than the required minimum wage. Employees may file a claim with the City of Chicago by calling 311 or submitting a fully completed **complaint affidavit**. If BACP successfully prosecutes your complaint, you are entitled to full payment of back wages. In addition, employers are potentially liable to the City for fines between \$500-\$1,000 per violation, as well as business license suspension or revocation.
- BACP does not act as any employee's private attorney. An employee has the right to file a private civil action in the Cook County Circuit Court against his or her employer if the employee was paid less than the minimum wage required by law and such employee may be able to recover three times the amount of underpayment plus costs and reasonable attorney's fees.
- Complaints must be filed within 1 year after the wages were due.