



Legislation Text

File #: 13-107, Version: 1

AN ACT RELATING TO AN AMENDMENT TO THE CHEROKEE NATION MINIMUM WAGE ACT OF 2006

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

Example: This act shall be known as the "Cherokee Nation Minimum Wage Act of 2013" and codified under Title 40 Section 70, of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this Act is to establish annual increases of the minimum hourly wage for employees of the Cherokee Nation and its corporation and entities originally established in LA 33-06.

Section 3. Legislative History

Legislative Act 33-06 passed in November of 2006 established a statutory minimum wage.

Section 4. Substantive Provisions

Title 40, Section 70

Minimum Wage.

1. Every employer shall pay to each of its Employees wages at the following rate: not less than ~~\$7.50~~ **\$9.50** per hour beginning with the first full pay period after enactment **which shall be effective January 1, 2014.** Further, there shall be a wage increase beginning at ~~\$4.00~~ **\$.50** for the wage rate of ~~\$6.50~~ **\$9.00** with the ~~\$1.00~~ **\$.50** wage increase being reduced by \$.01 for every \$.02 above the ~~\$6.50~~ **\$9.00** wage rate which shall also be effective with the first full pay period after enactment **which shall be effective January 1, 2014** [see Exhibit A].
2. Every employer shall pay to each of its Employees wages at the following rate: not less than ~~\$8.25~~ **\$10.50** per hour beginning with the first full pay period after October 1, 2007 **2014**. Further, there shall be a wage increase beginning at ~~\$.75~~ **\$1.00** for the wage rate of ~~\$7.50~~ **\$9.50**. with the ~~\$.75~~ **\$1.00** wage increase being reduced by \$.01 for every \$.02 above the ~~\$7.50~~ **\$9.50** wage rate which shall also be effective beginning with the first full pay period after October 1, 2007 **2014** [see Exhibit B].
3. Every employer shall pay to each of its Employees wages at the following rate: not less than ~~\$9.00~~ **\$11.50** per hour beginning with the first full pay period after October 1, 2008 **2015**. Further, there shall be a wage increase beginning at ~~\$.75~~ **\$1.00** for the wage rate of ~~\$8.25~~ **\$10.50** with the ~~\$.75~~ **\$1.00** wage increase being reduced by \$.01 for every \$.02 above the ~~\$8.25~~ **\$10.50** wage rate which shall also be effective beginning with the first full pay period after October 1, 2008 **2015**. [See Exhibit C].

4. The minimum wage provided for in Subsection 1 of this Section shall be considered a minimum rate of pay.
5. To compute the minimum wage provided for in Subsection 1 of this Section, credit toward the minimum wage must be given for any tips or gratuities, meals or lodging received by the employee up to but not exceeding fifty percent (50%) of the wage.
6. Any Employer which furnishes uniforms to its Employees may take credit against the minimum wage in an amount equal to the reasonable cost of furnishing the uniforms.
7. Nothing in this Act shall be construed to prohibit the payment of an hourly rate in excess of ~~\$7.50 per hour~~ **the hourly rates as set forth in subsections 1, 2 and 3 hereinabove.**

Section 5. Provisions as cumulative

The provisions of this act shall be cumulative to existing law.

Section 6. Severability

The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

Section 7. Effective Date

The provisions of this act shall become effective January 1, 2014, to allow time for all departments to modify their budgets that area affected by this Act.