

Minimum wage in california research paper

[Countries](#), [United States](#)



\n[[toc title="Table of Contents"](#)]\n

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1. [Body of the Paper](#) \n \t
2. [Conclusion](#) \n \t
3. [References:](#) \n

\n[/toc]\n \n

Minimum wage is the minimum hourly, daily or monthly wage that must be paid to employees or workers. Each country sets its own minimum wage laws and regulations, and more than 90 percent of all countries have some kind of minimum wage legislation. In the United States, statutory minimum wages were first introduced nationally in 1938 (Wikipedia, the free Encyclopedia).

The minimum wage was enacted in 1938 as part of the Fair Labor Standards Act. The first minimum wage was . 25 an hour. This has increased over the years and the current federal minimum wage is \$5. 15 an hour . California minimum wages is based on their law to be implemented and imposed for the employer to follow for the protection of both the employee and the employer.

Body of the Paper

The California State Senate and Assembly have approved legislation that would give 1. 4 million minimum-wage earners a \$1-an-hour raise and boost annual pay to keep up with inflation.

The Federal Minimum Wage Labor Law for California stated that employees under 20 years of age may be paid \$4. 25 per hour during their first 90

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consecutive calendar days of employment with an employer. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

California law is strict and pitiless to employers who have improperly paid the workers less than \$6.75 per hour. Not only that an employer is entitled to pay the unpaid minimum wage pay, but also the interest and penalties as well. But, the right to collect unpaid minimum wage pay does not last forever. In fact, if you delay in claiming the unpaid wages, you risk of losing unpaid minimum wage for work occurring more than three years prior to your filing of a lawsuit.

Although there are some exceptions, because almost all employees in California must be paid the minimum wage as required by state law. Effective January 1, 2002, the minimum wage in California is \$6.75 per hour. There are some employees who are exempt from the minimum wage law, such as outside salespersons, individuals who are the parent, spouse, or child of the employer, and apprentices regularly indentured under the State Division of Apprenticeship Standards. (Minimum Wage Order, MW-2001).

California Wage Law has an exception for learners, regardless of age, who may be paid not less than 85 percent of the minimum wage rounded to the nearest nickel during their first 160 hours of employment in occupations in which they have no previous similar or related experience.

There are also exceptions for employees who are mentally or physically disabled, or both, and for nonprofit organizations such as sheltered workshops or rehabilitation facilities that employ disabled workers. Such individuals and organizations may be issued a special license by the Division of Labor Standards Enforcement authorizing employment at a wage less than the legal minimum wage (Minimum Wage Labor Code Sections 1191 and 1191.5).

Minimum wage legislation may be interpreted as making it either unlawful for employers to pay workers less than the minimum wage, or unlawful for workers to provide labor or services for less than the minimum. White trade unions lobbied for the introduction of minimum wage laws to exclude black workers from the labor market. This minimum wage law prevents black workers from selling their labor for less than white workers, the black workers were prevented from competing for jobs held by whites although it is the employer who is fined and/or imprisoned for violations, and the workers also loses their freedom to do what they want for themselves.

The minimum wage offers substantial benefits to low-wage workers without negative effect. The best recent research shown that the job loss reported in earlier analyses does not; occur when the minimum wage is increased. If the minimum wage were increased nationally to \$7.25: almost 14.9 million workers would receive a raise, and 80 percent of those affected are adults age 20 or over, and 7.3 million children would see their parent's income rise that can make the family's income stable.

Families with affected workers rely on those workers for over half of their earnings. 46 percent of all families with affected workers rely solely on the earnings from those workers. Some minimum wage workers remain in low-wage jobs for substantial periods. The best recent research on the economic impact of the minimum wage shows positive effects without job loss.

Even the research that suggests a negative labor market effect shows only a minimal impact that is more than offset by the higher wage levels. The states that have adopted higher-than-federal minimum wages have seen low-wage workers incomes rise with no negative side-effects.

Over 650 economists, including five Nobel Prize winners and six past presidents of the American Economics Association, recently signed a statement stating that federal and state minimum wage increases “ can significantly improve the lives of low-income workers and their families, without the adverse effects that critics have claimed” (EPI 2006).

Conclusion

Starting January 1, 2002, the minimum wage in California is \$6. 75 per hour it is strictly imposed and implemented by Law to be follow by all the businesses both public and private sectors.

In this Minimum Wage law there is the difference between the state and federal minimum wage? It stated that most employers in California are subject to both the federal and state minimum wage laws. The effect of this dual coverage is that when there are conflicting requirements in the laws,

the employer must follow the strict standard; the one that is the most beneficial to the employee.

Since California's current law requires a higher minimum wage rate than does the federal law, all employers in California who are subject to both laws must pay the state minimum wage rate unless their employees are exempt under California law.

The minimum wage is an obligation of the employer and cannot be waived by any agreement, including collective bargaining. And in this law any remedial legislation written for

The protection of employees may not be violated by agreement between the employer and employee (Minimum Wage, Civil Code Sections 1668 and 3513).

California law of minimum wage stated that there is no distinction made between adults and minors when it comes to payment. And an employer may not use employee's tips as a credit towards its obligation to pay the minimum wages

If the employer doesn't pay the employee it is also stated in the law that an employee can file a lawsuit in court against the employer to recover the lost wages and it is the duty of the court to order the employer to pay the attorney's fees, and if your not working for this employer, you can make a claim for the waiting time penalty pursuant to Minimum Wage Labor Code section

Today, the earnings of a full-time minimum wage worker with a family of three would earn \$10, 712 a year, thus falling below the official 2006 federalpovertylevel of \$16, 600. Although the federal poverty line is an inadequate measure of the income needed to support a family, this comparison highlights the severe insufficiency of the current minimum wage (Fisher 1999).

Finally, the earnings of minimum wage workers are essential to their families' total income. While not all minimum wage workers are poor or are the sole breadwinner for their families, it is striking how important low-wage workers' income is to their economic well-being. On average, families with affected workers rely on those workers for over half (59%) of the Families' total earnings. Nearly half (46%) of all families with an affected worker rely solely on the earnings of those workers.

References:

- Laws of Minimum Wage in California, Retrieved November 18, 2006 from
http://www.mcmillanlaw.us/California_Overtime_Law/California_minimum_wage.htm
- Minimum Wage, Retrieved November 18, 2006 from <http://jobsearch.about.com/od/minimumwage/a/minimumwage.htm>
- Minimum Wage, Retrieved November 18 from Wikipedia, the free Encyclopedia
- Minimum Wage in California, Retrieved November 18, 2006 from <http://www.dol.gov/esa/minwage/america.htm>