

Georgia Has a Lower Minimum Wage Than Most States

Tuesday, February 14, 2023.

Georgia's new legislative session is underway, and no efforts have been made to increase the minimum wage.

[The H.B. 245](#) bill would change a provision in Georgia law that prevents local governments from setting their own minimum wages. As a result of this bill, the minimum wage law would not increase statewide but would increase in many places where local governments want to raise it.

[HB 241](#) would raise the state's minimum wage from \$5.15 to \$15 an hour across the board. In spite of the fact that both bills are backed by Democrats - and the legislature is controlled by Republicans - it is unclear if they have any chance of passing. But it raises the question: Just what is the context for that current \$5.15 an hour figure?



Context

Even when you account for other contextual factors, Georgia has a lower minimum wage than most states. The state minimum wage is \$5.15 an hour, and its details are laid out in Title 34-Chapter 4 of the Official Code of Georgia Annotated (the state's book of laws).

On the U.S. Department of Labor site, we can find out where that state ranks relative to others. The map there shows there are five states with no minimum wage whatsoever - Georgia, obviously, ranks ahead of them - and that Georgia is one of two states with a minimum wage that is lower than the federal figure of \$7.25 an hour. Wyoming also has a \$5.15 minimum wage, so Georgia would tie with Wyoming for 45th place in the nation.

According to the U.S. Department of Labor's [consolidated minimum wage table](#), Georgia is actually lumped in with 14 other states and the Northern Mariana Islands territory as having the equivalent of the federal \$7.25 minimum wage.

Due to the Fair Labor Standards Act, the federal minimum wage of \$7.25 is higher than state minimum wages that are lower or nonexistent.

Despite this, 30 states, Washington D.C., Guam, Puerto Rico, and the U.S. Virgin Islands have already set higher minimum wages than the federal \$7.25. Georgia is in the back half even with the \$7.25 applying. In theory, anyone could make the \$5.15 minimum wage in Georgia.

There are several exemptions to the [Fair Labor Standards Act minimum wage](#) - most of them are pretty specific and narrowly related to irregular employment, like babysitters and newspaper delivery people. Some provisions can also apply to people with disabilities or companions to the elderly, for example.

They may be subject to Georgia's \$5.15 minimum wage unless they're also exempt.

According to state law, the following exemptions apply:

- Any employer that has sales of \$40,000.00 per year or less;
- Any employer having five employees or less;
- Any employer of domestic employees;
- Any employer who is a farm owner, sharecropper, or land renter;
- Any employee whose compensation consists wholly or partially of gratuities;
- Any employee who is a high school or college student;
- Any individual who is employed as a newspaper carrier; or
- Employees in nonprofit child-caring institutions or long-term care facilities that serve children or mentally disabled adults who reside in residential facilities of the institution and are enrolled in such institutions are eligible for the program. Employees who reside in such facilities, receive free board and lodging from such institutions and receive a salary of not less than \$10,000.00 per year on a cash basis.

A job exempt from both federal and Georgia laws would not be protected by minimum wage laws.

While the federal law calls for \$7.25 an hour for most Georgia workers, there are "limited exceptions" - according to the state DOL - and additional state exemptions may result in no minimum wage at all.