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Raise the Wage Ohio Delivers Initial Filing to Ohio Attorney General for Ballot Measure to Raise Minimum Wage to \$15/Hr Plus Tips, Phase out Subminimum Wages

OHIO -- This afternoon, Raise The Wage Ohio, a coalition of nonprofit advocacy groups in Ohio and across the country, re-submitted a petition to begin the process for proposing a measure for the November 2024 ballot to raise Ohio's minimum wage to \$15 per hour plus tips, and eliminate the subminimum wages for tipped workers, workers with disabilities, and youth. The submission includes more than 1000 qualified signatures of Ohio residents supporting the measure being on the ballot.

Earlier this month, Raise the Wage Ohio collected more than the required number of signatures and submitted the proposed constitutional amendment and a summary of it to Ohio Attorney General Yost. However, OAG Yost found that the summary was in his opinion not legally sufficient. Raise the Wage Ohio then revised the summary to fully address the objections, collected another 1000+ signatures and today re-submitted the proposed measure and new summary. The summary reads:

The Amendment would amend Article II, Section 34a of the Ohio Constitution to increase the state minimum wage rate. Specifically, the Amendment would:

- Increase the state minimum wage to \$10.50 per hour on January 1, 2025.
- Article II, Section 34a as currently written, provides for the annual increase of the minimum wage in accordance with inflation, the amendment stops those annual increases and instead increases the state minimum wage in equal increments annually for 2025, 2026, 2027 and 2028 to reach \$15 per hour on January 1, 2028.
- Annually increase the state minimum wage rate beginning January 1, 2029, for inflation, consistent with the existing language in Article II, Section 34a.
- Require that beginning January 1, 2029, an employer shall pay an employee who receives tips the full minimum wage rate required by this section with tips on top.
- For tipped employees, Section 34a currently provides that “[a]n employer may pay an employee less than, but not less than half, the minimum wage rate.” The amendment modifies current language to provide that the employer may pay no less than the minimum wage rate required by this section minus four dollars beginning January 1, 2025, the minimum wage rate required by this section minus three dollars beginning January 1, 2026, the minimum wage rate required by this section minus two dollars beginning January 1, 2027, and the minimum wage rate required by this section minus one dollar beginning January 1, 2028, if the employer is able to demonstrate that the employee receives tips that combined with the wages paid by the employer

are equal to or greater than the minimum wage rate for all hours worked, with tips on top of this hourly wage.

- Provide that in all cases where an employee is permitted by their employer to receive tips, the employee is entitled to the amount of the tips in full or in accordance with a pooled tip policy for non-management employees in compliance with federal law.
- Remove the current exemptions and state licensing processes established in Article II, Section 34a that provide that the full minimum wage rate does not apply to employees under the age of sixteen or employees with mental or physical disabilities and that employees under the age of 16 “shall be paid a wage rate of not less than that established under the Fair Labor Standards Act.”
- Amend the existing definition of “employee” in Article II, Section 34a to include every instance in which an employer suffers or permits an individual to work, the proposed amendment does not include “individual[s] employed in or about the property of the employer or individual’s residence on a casual basis”.
- Provide that the amendments to the section shall take effect January 1, 2025.

LEARN MORE ABOUT THE BALLOT MEASURE HERE: www.Ofwaction.com/ohio

Ohio Raise the Wage’s legal counsel, Don McTigue, states, “I believe that the revised summary addresses each item in the Attorney General’s letter and I am hopeful that the summary will be approved so that the process of collecting sufficient signatures of Ohioans to place the measure on the ballot can begin.”

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