

WAGE AND HOUR

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Adult Minimum Wage

Effective January 1, 2016, the minimum wage for non-tipped employees in South Dakota is \$8.55 an hour. The minimum wage will be annually adjusted by any increase in cost of living, as measured by the Consumer Price Index published by the U.S. Department of Labor. In no case may the minimum wage be decreased.

Youth Minimum Wage

Effective January 1, 2016, non-tipped employees under 18 are entitled to receive \$8.55 an hour. *The 2015 South Dakota Legislature passed a bill proposing a youth minimum wage of \$7.50 an hour for non-tipped employees under 18. The legislation has been referred to a public vote that will take place in November, 2016.

See [South Dakota Codified Laws \(SDCL\) on fair labor standards laws](#), 60-11.

Tip Credit

Effective Jan. 1, 2016, employers must pay tipped employees a wage of no less \$4.275/hour. The employer must make sure the employees receive no less than the minimum wage and must keep a record of all tips received by employees.

Annual Increase

South Dakota's minimum wage will be adjusted on an annual basis, increasing at the same rate as the cost of living as measured in the Consumer Price Index published by the U.S. Department of Labor. The amount of the increase will be rounded to the nearest five cents. The minimum wage cannot decrease.

The new adjusted rate will be announced on this Web page for the following year no later than Oct. 15 of each year.

	Through Dec. 31, 2014	Effective Jan. 1, 2015 through June 30, 2015	Effective July 1, 2015	Effective Jan. 1, 2016
Adult Minimum Wage	\$7.25/hour	\$8.50/hour	\$8.50/hour	\$8.55
Automatic Increases	No	Yes, tied to national Consumer Price Index	Yes, tied to national Consumer Price Index	Yes, tied to national Consumer Price Index
Tip Credit	Employer must pay tipped employees at least \$2.13/hour in direct cash wages, if employee makes enough in tips to bring them up to the minimum wage.	Employer must pay tipped employees at least 50 percent of the prevailing state adult minimum wage, if employee makes enough in tips to bring them up to the minimum wage.	50 percent of prevailing adult minimum wage (Employers of workers under 18 use the same credit.)	Employers with tipped employees must pay a cash wage of no less than \$4.275 per hour, which is no less than 50 percent of the state minimum wage.
Youth Minimum	\$7.25/hour	\$8.50/hour	\$8.50*	\$8.55

Wage				
Subminimum Training Wage	\$4.25/hour for employees under the age of 20 for first 90 calendar days of employment	\$4.25/hour for employees under the age of 20 for first 90 calendar days of employment	\$4.25/hour for employees under the age of 20 for first 90 calendar days of employment	\$4.25/hour for employees under the age of 20 for first 90 calendar days of employment
Seasonal Amusement or Recreation Establishment Exemption	Yes, if employer meet certain criteria.	Yes, if employer meets certain criteria.	Yes, if employer meets certain criteria.	
<i>Source: Compiled in conjunction with the South Dakota Retailers Association, November 2014; updated Oct. 2015 by DLR.</i>				

Exemptions

- Seasonal amusement or recreation establishments, babysitters or outside salespersons. See SDCL [60-11-3](#) and [60-11-3.1](#).
- Training wage. See SDCL [60-11-4.1](#).
- Apprentices, person with a developmental disability. See SDCL [60-11-5](#).

State Minimum Wage Posting

There is no state statute requirement for the following state minimum wage posting; it is provided as a courtesy and for informational purposes only. Please note: the posting available below has been updated to reflect the minimum wage of \$8.55 in effect Jan. 1, 2016.

State Minimum Wage Posting (in Adobe PDF format)
Choose [[English](#)] or [[Spanish](#)]

Disclaimer

The information provided on this Web page should in no way be considered legal advice. For specific information about your legal rights, you should consult your personal attorney. If you have a general question, contact us.

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