

# Employment Laws

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## South Dakota Minimum Wage

**The minimum wage for non-tipped employees in South Dakota is currently \$8.65 an hour** (became effective Jan. 1, 2017). The minimum wage will increase to \$8.85 per hour effective Jan. 1, 2018. 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.

### Tip Credit

Currently, employers must pay tipped employees a wage of no less than \$4.325/hour (became effective Jan. 1, 2017). The tipped wage will become \$4.425 per hour effective Jan. 1, 2018. 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.

### 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.

**State Minimum Wage Posting** (in Adobe PDF format)

**Current (2017) Posting:**

[State Minimum Wage Posting in English](#)

[State Minimum Wage Posting in Spanish](#)

**2018 Posting:** (in effect Jan. 1, 2018)

[2018 State Minimum Wage Posting in English](#)

[2018 State Minimum Wage Posting in Spanish](#)

## **Disclaimer**

The information provided on this 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**.