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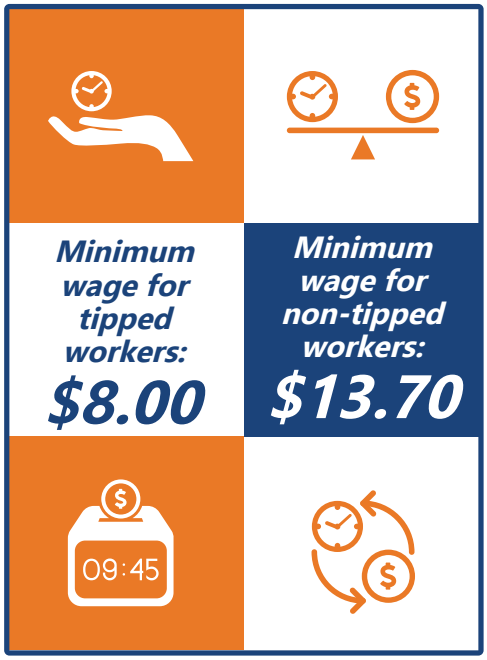
Cook County Commission on Human Rights

Cook County Minimum Wage Ordinance

FREQUENTLY ASKED QUESTIONS

The Frequently Asked Questions (FAQs) provide guidance to employers and employees on the requirements of the Cook County Minimum Wage Ordinance (MWO) and procedural rules, as well as answers to questions commonly submitted to the Cook County Commission on Human Rights (Commission). These FAQs should not be interpreted as legal advice. Where these FAQs conflict with the MWO or rules, the ordinance and rules shall be applied.

General Information



Q1: What is the Cook County Minimum Wage Ordinance?

The MWO sets the lowest amount an employer must legally pay their employees. Each year the minimum wage increases according to a formula set by the Ordinance.

Q2: Who does the MWO apply to?

The Ordinance applies to hourly, salaried, and tipped employees, over the age of 18, working in Cook County, even those who may be working within the County to make deliveries or driving within the County limits.

There are exceptions to the categories of employees covered by the Ordinance.

Q3: How is the MWO calculated?

Every year on July 1, the Commission may adjust the minimum wage based on the greatest rate among the Federal minimum wage, Illinois State minimum wage, or on the County's calculation using the Consumer Price Index (CPI). Pursuant to the Minimum Wage ordinance (MWO) (Sec. 42-13) and rules (Sec. 2.04), the Cook County minimum wage calculation may not be used when the unemployment rate in Cook County is 8.5% or greater. In the event that the Cook County unemployment rate exceeds 8.5%, the minimum wage is set to the greatest of the Federal, Illinois State or Cook County's minimum wage.

Q4: What is the current Cook County Minimum Wage?

Effective July 1, 2023, the minimum wage for non-tipped workers increased to $13.70 per hour. The minimum wage for tipped workers increased to $8.00 per hour. This year, the unemployment rate did not warrant the recessionary breaker. The 2.5% cap rate was applied to calculate the minimum wage increase.

See Table of Minimum Wage Increase for the State of Illinois:

Illinois State Minimum Wage Chart			
Year	**Minimum Wage**	**Tipped**	**Youths Under 18** *(working less than 650 hours per calendar year)*
1/1/20	$9.25	$5.55	$8.00
7/1/20	$10.00	$6.00	$8.00
1/1/21	$11.00	$6.60	$8.50
1/1/22	$12.00	$7.20	$9.25
1/1/23	$13.00	$7.80	$10.50
1/1/24	$14.00	$8.40	$12.00
1/1/25	$15.00	$9.00	$13.00

Q5: Does the MWO apply to teenage workers?

The Ordinance does not apply to employees under the age of 18 years. However, the Illinois Minimum Wage Act requires teenage workers to be paid a minimum wage of $10.50 per hour, with annual increases. See Table in Q4 above.

Q6: Does the County MWO apply to the City of Chicago?

No, the City of Chicago has its own MWO. Click here for a link to the information on the City's ordinance.

Q7: Does the MWO apply to all suburban cities, townships, or villages within Cook County?

No, if a municipality has passed their own minimum wage (like the City of Chicago then the municipality's minimum wage applies to employers located within or doing business in the municipality. If the municipality has not enacted their own minimum wage, the County's MWO applies. Certain municipalities in Cook County have opted out of the MWO. The list of municipalities that do not follow the MWO changes frequently. Please check with the local city, township, or village to confirm whether your municipality has adopted the MWO.

Information for Employers

Q8: Does the MWO apply to all employers in the County?

Yes, generally, the Ordinance requires all employers that are located within Cook County and gainfully employ any person(s) within the boundaries of the County for at least 2 hours per week to comply with the County minimum wage.

Q9: Does the MWO apply to employees that usually receive tips or gratuities, such as wait staff, as part of their compensation (tipped employees)?

Yes, the Ordinance applies to tipped employees. Starting July 1, 2023, the minimum wage for tipped employees is $8.00.

Q10: Does the Ordinance apply to Independent Contractors?

The MWO does not apply to independent contractors.

Q11: Are employees required to pay the minimum wage to new employees during their training periods?

Employers are not required to pay minimum wage during the first 90 days of employment.

*Note that this exception does not apply to day laborers, temporary, or seasonal workers. These workers must be paid the County's minimum wage during the entire duration of employment.

Information for Employees

Q12: What do I do if my employer is not paying the required minimum wage?

You should first check to see if the municipality where you work has a different minimum wage. If the municipality has not opted out, you can file a file a Complaint with the Cook County Human Rights Commission. Complaint forms and additional information can be found online here.

You may contact a Human Rights Investigator if you have any questions about the complaint process. Investigators for the Commission can be reached Monday through Friday from 9am to 4pm by telephone at 312-603-1100 email at human.rights@cookcountyil.gov, or by appointment.

Q13: Will the Human Rights Commission provide me with a lawyer or legal advice?

The Human Rights Commission does not provide lawyers or legal advice. Our investigators conduct neutral fact-finding investigations, which includes gathering information and conducting interviews to determine if a violation of the MWO has occurred.

Please note that individuals may obtain legal advice and assistance filing complaints with the Commission from nonprofit organizations that handle housing issues in Cook County.

Q14: What happens if the Commission determines my employer has violated the MWO?

The Commission may order employers found to have violated the Cook County Minimum Wage Ordinance to provide complainants a remedy, which may include the following:

- Pay back wages.
- Reinstate a wrongfully terminated complainant.
- Give a required notice or make a required posting of the minimum wage.
- Disqualify a respondent from receiving County benefits including licensing and property tax incentives.

Q15: What are some examples of violations of the MWO?

- Paying employees less than the applicable minimum wage.
- Confiscating gratuities of tipped employees.
- Charging employees counterfeit fees payable to the employer as a way of reducing their effective hourly rate of pay.
- Failing to notify employees of their rights under the Cook County Minimum Wage Ordinance.
- Firing an employee who is considering or has filed a Minimum Wage complaint or otherwise cooperating with a Commission investigation.