

Superseded 5/10/2016

34-40-102 Definitions.

- (1) This chapter and the terms used in it, including the computation of wages, shall be interpreted consistently with 29 U.S.C. Sec. 201 et seq., the Fair Labor Standards Act of 1938, as amended, to the extent that act relates to the payment of a minimum wage.
- (2) As used in this chapter:
 - (a) "Cash wage obligation" means an hourly wage that an employer pays a tipped employee regardless of the tips or gratuities a tipped employee receives.
 - (b) "Commission" means the Labor Commission.
 - (c) "Division" means the Division of Antidiscrimination and Labor in the commission.
 - (d) "Minimum wage" means the state minimum hourly wage for adult employees as established under this chapter, unless the context clearly indicates otherwise.
 - (e) "Tipped employee" means an employee who customarily and regularly receives tips or gratuities.