



Introduction of Minimum Hourly Wage

Frequently Asked Questions

TARGET GROUP: DOMESTIC STAFF

Contents

1. Who is considered domestic staff?	2
2. What does the introduction of the statutory minimum hourly wage mean?	2
3. What is the amount of the minimum hourly wage?	2
4. Is it permitted to agree on an hourly wage that is lower than the statutory minimum hourly wage?	2
5. Does the minimum wage increase due to the introduction of the statutory minimum hourly wage?	3
6. Does the minimum hourly wage also apply to employees with whom a full-time employment contract of at least 40 hours per week has not been entered into?	4
7. Does the minimum hourly wage also apply to persons with whom a one-time agreement has been made to perform domestic services?	4
8. May an employer unilaterally reduce the number of working hours agreed upon with the employee?	5
9. How can the employee who has a fixed monthly salary and lives with the employer check whether the employer adheres to the statutory minimum wage of Afl.5,35 per hour?	5
10. How can the employee who has a fixed monthly salary and does not live with the employer check whether the employer adheres to the statutory minimum wage of Afl. 11,58 per hour?	6
11. Does the introduction of the minimum hourly wage affect the calculation of overtime? ...	7
12. Who is not covered by the scope of the Lml?	7

1. Who is considered domestic staff?

The term **domestic staff** includes so-called **live-in** and **live-out** domestic servants.

"**Live-in domestic servant**" refers to an employee aged 18 years or older who exclusively or primarily performs domestic services and **lives** with the employer.

"**Live-out domestic servant**" refers to an employee or person aged 18 years or older who exclusively or primarily performs domestic services for the employer or in the household of a natural person but **does not** live with them.

2. What does the introduction of the statutory minimum hourly wage mean?

The National Ordinance on Minimum Wages (hereinafter: Lml¹) will be amended on January 1, 2026. As of then, it will be mandatory to pay all employees and persons aged 18 years and older who exclusively or primarily perform domestic services at least the statutory minimum hourly wage per hour.

The applicable minimum hourly wage can be indexed on January 1 of each year or in case of special circumstances. The current amounts will be published on: www.daoaruba.com.

The introduction of the minimum hourly wage as of January 1, 2026, means that the law no longer prescribes a fixed monthly salary.

3. What is the amount of the minimum hourly wage?

As of January 1, 2026, the minimum wage will be **Afl.5,35** per hour for the **live-in** domestic servant and **Afl.11,58** per hour for the **live-out** domestic servant.

A lower minimum hourly wage applies to the live-in domestic servant than to the live-out domestic servant, as this personnel receives board and lodging from the employer, and this benefit counts as (part of) the payment in kind.

4. Is it permitted to agree on an hourly wage that is lower than the statutory minimum hourly wage?

No. A uniform minimum hourly wage applies to all employees and persons aged 18 years and older who exclusively or primarily perform domestic services. The amount is Afl.5,35 for the live-in domestic servant and Afl.11,58 for the live-out domestic servant.

¹ Landsverordening minimumlonen

5. Does the minimum wage increase due to the introduction of the statutory minimum hourly wage?

For the employee who lives with the employer, earns the minimum wage, and has a full-time employment contract of **40 hours per week**, the introduction of the statutory minimum hourly wage does not lead to a monthly pay increase.

For the employee who lives with the employer, earns the minimum wage, and has a full-time employment contract of **more** than 40 hours per week, the introduction of the statutory minimum hourly wage does lead to a monthly pay increase.

This is because the amount of the statutory minimum hourly wage is derived from the current minimum monthly salary for a full-time employment contract of 40 hours per week, and a more accurate representation of the number of weeks per month is used, namely with a factor of 4,333 (52 weeks ÷ 12 months = factor 4,333).

Normal Working Hours (NWH) Workweek	40 hours	42 hours	44 hours	45 hours
Minimum Monthly Salary in Afl.	926,65	926,65	926,65	926,65
Corrected Minimum Monthly Salary as of January 1, 2026 in Afl.: number of working hours per week x minimum hourly wage (Afl.5,35) x 4,333	926,65	973,63	1.019,99	1.043,17

For employees who **do not** live with the employer and for persons who **do not** live in the households of natural persons, the introduction of the statutory minimum hourly wage leads to a pay increase. These employees and persons were entitled to Afl.10.30 per hour. After the entry into force of the amended Lml on January 1, 2026, to comply with the statutory minimum hourly wage, the hourly wage must be corrected from Afl.10,30 to **Afl.11,58**.

Normal Working Hours (NWH) Workweek	40 hours	42 hours	44 hours	45 hours
Minimum Hourly Wage (old) in Afl.	10,30	10,30	10,30	10,30
Minimum Hourly Wage as of January 1, 2026 in Afl.	11,58	11,58	11,58	11,58
Corrected Minimum Monthly Salary as of January 1, 2026 in Afl. number of working hours per week x minimum hourly wage (Afl.11,58) x 4,333	2.007,05	2.107,40	2.207,75	2.257,93

6. Does the minimum hourly wage also apply to employees with whom a full-time employment contract of at least 40 hours per week has not been entered?

Yes. The minimum hourly wage also applies to employees who work less than 40 hours per week.

A minimum wage of Afl.5,35 per hour applies to the employee who lives with the employer. A minimum hourly wage of Afl.11,58 applies to the live-out domestic servant.

Examples

An employee who lives with the employer works 5 days a week, 6 hours a day, totaling 30 hours per week, and earns **Afl.695,45** per month.

Minimum Monthly Salary = number of working hours per week x minimum hourly wage x 4,333 (Minimum Monthly Salary = 30 x Afl.5,35 x 4,333)

An employee who **does not** live with the employer works 5 days a week, 6 hours a day, totaling 30 hours per week, and earns **Afl.1.505,28** per month.

Minimum Monthly Salary = number of working hours per week x minimum hourly wage x 4,333 (Minimum Monthly Salary = 30 x Afl.11,58 x 4,333)

7. Does the minimum hourly wage also apply to persons with whom a one-time agreement has been made to perform domestic services?

Yes. The minimum hourly wage also applies to persons who perform domestic services on a one-time basis.

Example

A person who performs domestic services in the household of a natural person but **does not** live with them works one time, 2 days a week, 4 hours per day, totaling 8 hours in the week. The person earns a one-time amount of **Afl.92,64**.

Minimum Wage = number of working hours per week x minimum hourly wage
(Minimum Wage = 8 x Afl.11,58)

8. May an employer unilaterally reduce the number of working hours agreed upon with the employee?

The employer can only invoke a written clause that grants them the authority to change an employment condition included in the employment contract if they have such a compelling interest in the change that the employee's interest, which would be harmed by the change, must yield to it according to standards of reasonableness and fairness².

In the absence of this clause, the employee is, in principle, not obliged to accept proposals for changing the terms of employment. Agreement must be reached between the employer and the employee.

9. How can the employee who has a fixed monthly salary and lives with the employer check whether the employer adheres to the statutory minimum wage of Afl.5,35 per hour?

You can use the following formula:

Minimum Hourly Wage = current monthly salary ÷ 4,333 ÷ number of working hours per Week

The employee must know how many hours per day and how many days per week are worked (number of working hours per week). If this data is known, the employee can verify whether the employer adheres to the statutory minimum hourly wage and whether a correction in both the hourly wage and the monthly salary is necessary.

Examples

Correction in hourly wage needed

A live-in domestic servant works 5 days a week, 8 hours a day, and 1 day a week, 5 hours a day, totaling 45 hours per week, and earns Afl.926,65 per month.

Check: Afl.926,65 ÷ 4,333 ÷ 45 = Afl.4,75

After the entry into force of the amended Lml, in order to comply with the statutory minimum hourly wage, the hourly wage must be corrected from Afl.4,75 to **Afl.5,35** with the consequence that the monthly salary must also be increased from Afl.926,65 to **Afl.1.043,17**.

No correction in hourly wage needed

² artikel 7:613 Civil code of Aruba.

A live-in domestic servant works 8 hours a day, 5 days a week, totaling 40 hours per week, and earns Afl.926,65 per month.

Check: $\text{Afl.926,65} \div 4.333 \div 40 = \text{Afl.5,35}$

Since the hourly wage is equal to the legally established minimum, no correction is needed.

10. How can the employee who has a fixed monthly salary and does not live with the employer check whether the employer adheres to the statutory minimum wage of Afl.11,58 per hour?

You can use the following formula:

Minimum Hourly Wage = current monthly salary \div 4,333 \div number of working hours per week

The employee must know how many hours per day and how many days per week are worked (number of working hours per week). If this data is known, the employee can check whether the employer adheres to the statutory minimum hourly wage and whether a correction in both the hourly wage and the monthly salary is necessary.

Examples

Correction in hourly wage needed

A live-out domestic servant works 5 days a week, 8 hours a day, and 1 day a week, 5 hours a day, totaling 45 hours per week, and earns Afl.2.008,35 per month.

Check: $\text{Afl.2.008,35} \div 4,333 \div 45 = \text{Afl.10,71}$

After the entry into force of the amended Lml, in order to comply with the statutory minimum hourly wage, the hourly wage must be corrected from Afl.10.71 to **Afl.11,58**, with the consequence that the monthly salary must also be increased from Afl.2.008,35 to **Afl.2.257,93**.

No correction in hourly wage needed

A live-out domestic servant works 8 hours a day, 5 days a week, totaling 40 hours per week, and earns Afl.2.007,05 per month.

Check: $\text{Afl.2.007,05} \div 4,333 \div 40 = \text{Afl.11,58}$

Since the hourly wage is equal to the legally established minimum, no correction is needed.

11. Does the introduction of the minimum hourly wage affect the calculation of overtime?

No. The overtime surcharges according to Article 23 of the Labor Ordinance 2013 are already a percentage of the hourly wage. However, the employer must ensure that the hourly wage complies with the statutory minimum of Afl.5,35 or Afl.11,58.

12. Who is not covered by the scope of the Lml?

Employees who earn an hourly wage above the statutory minimum hourly wage of Afl.5,35 in the case of a live-in domestic servant or Afl.11,58 in the case of a live-out domestic servant are not covered by the scope of the Lml.