



Introduction of Minimum Hourly Wage

Frequently Asked Questions

Contents

1. What does the introduction of the statutory minimum wage per hour mean?	2
2. What is the amount of the minimum hourly wage?	2
3. Is it allowed to agree on an hourly wage that is lower than the statutory minimum hourly wage?	2
4. Will the minimum wage increase due to the introduction of the statutory minimum hourly wage?	2
5. Does the minimum hourly wage also apply to employees with whom no full-time employment of at least 40 hours per week has been agreed?	3
6. Can an employer unilaterally reduce the number of working hours agreed with the employee?	3
7. Can you agree on a fixed monthly amount based on the minimum hourly wage?	4
8. How do you calculate the salary for a fixed number of working hours based on the legal minimum hourly wage?	4
9. How is the minimum monthly salary calculated if there are variable working hours? (For example, on-call workers).....	4
10. How can an employee who is paid a fixed monthly salary check whether the statutory minimum wage of Afl.11.58 per hour is met?	5
11. How can an employee who is paid bi-weekly check whether the statutory minimum hourly wage of Afl.11.58 is met?.....	6
12. How can an employee who is paid semi-monthly (twice a month) check whether the statutory minimum hourly wage of Afl.11.58 has been met?.....	7
13. How can an employee with a salary based on a fixed basic salary per month plus commission and/or points check whether the employer complies with the statutory minimum hourly wage of Afl.11.58?	8
14. Does the introduction of the minimum hourly wage affect the calculation of overtime? ...	9
15. What is understood by salary, in accordance with the Lml?	9
16. What, among other things, is not part of the wage within the meaning of the Lml?.....	10
17. Who is not covered by the Lml?	10

1. What does the introduction of the statutory minimum wage per hour mean?

On January 1, 2026, the National Ordinance on Minimum Wages (hereinafter: Lml¹) will change. From that date, it is mandatory to pay employees at least the statutory minimum hourly wage for each hour worked. There is one fixed minimum hourly wage for all employees aged 18 and over.

On January 1 of each year, or in the event of special circumstances, the applicable minimum wage may be indexed. The current amounts are posted on: www.daoaruba.com

The introduction of the minimum hourly wage per January 1, 2026, means that there is no longer a fixed weekly and monthly wage prescribed by law. The number of hours in a full-time work week may differ per sector (for example, 40, 42, 44, or 45 hours per week). Under the 'old' Lml, the same minimum monthly amount applied in all those cases. In practice, this meant that with a 45-hour work week, the effective hourly wage was lower than with a work week of, for example, 40 hours.

Due to the introduction of the statutory minimum hourly wage on January 1, 2026, one uniform minimum hourly wage applies to employees in all sectors.

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

As of January 1, 2026, the minimum hourly wage is **Afl.11.58** per hour.

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

No. One uniform minimum hourly wage of **Afl.11.58** applies to employees in all sectors.

4. Will the minimum wage increase due to the introduction of the statutory minimum hourly wage?

For employees who earn the minimum wage and have a full-time employment of 40 hours or more per week, the introduction of the statutory minimum hourly wage leads to a wage increase.

This is because the amount of the statutory minimum hourly wage is derived from the current minimum monthly wage for a full-time employment of 40 hours per week and is based on a more accurate representation of the number of weeks per year, using a factor of 4.333 (52 weeks ÷ 12 months = factor 4.333).

¹ Landsverordening minimumlonen

Normal Working Hours (NWH) Work Week	40 hours	42 hours	44 hours	45 hours
Minimum wage per month (old) in Afl.	1,986.20	1,986.20	1,986.20	1,986.20
Adjusted minimum monthly wage in Afl. as of Jan 1, 2026: (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

5. Does the minimum hourly wage also apply to employees with whom no full-time employment of at least 40 hours per week has been agreed?

Yes. The minimum hourly wage applies to all employees, including those who work less than 40 hours per week.

Work Week²	5 hours	15 hours	20 hours	30 hours
Minimum wage per month (old) in Afl.	N/A	744.83	993.10	1,489.65
Adjusted minimum monthly wage in Afl. As of Jan 1, 2026: (Number of working hours per week x minimum hourly wage (Afl.11.58) x 4.333)	250.88	752.64	1,003.52	1,505.28

6. Can an employer unilaterally reduce the number of working hours agreed with the employee?

An employer can only invoke a written clause that gives them the power to change a condition of employment if, in the event of the change, they have such an important interest that the employee's interest, which would be harmed by the change, must give way according to standards of reasonableness and fairness³.

In the absence of such a clause, the employee is in principle not obliged to accept proposals to change the terms of employment. Any change must be agreed upon between the employer and the employee.

² The minimum wage could be reduced proportionally in accordance with Article 12 Lml (old).

³ Article 7:613 Civil Code of Aruba.

7. Can you agree on a fixed monthly amount based on the minimum hourly wage?

Yes. Agreeing on a fixed monthly salary is allowed, provided there is a fixed agreed working time per week, for example, 40 or 45 hours per week.

Example:

An employee works 40 hours per week and earns a fixed **Afl.2,007.05** per month (number of working hours per week x minimum hourly wage x 4.333).

8. How do you calculate the salary for a fixed number of working hours based on the legal minimum hourly wage?

There are several common pay periods for calculating salary, such as weekly, bi-weekly, semi-monthly, or monthly. The formulas are as follows:

Weekly wage = number of working hours per week x minimum hourly wage

Bi-weekly salary = number of working hours per week x 2 x minimum hourly wage

Semi-monthly salary = (number of working hours per week x minimum hourly wage x 4.333) ÷ 2

Monthly salary = number of working hours per week x minimum hourly wage x 4.333

It is important that the working hours per day and per week are known to the employee to ensure the correct salary is paid. Correct payment of the salary means that the statutory minimum hourly wage of Afl.11.58 is met.

Note: A bi-weekly salary is paid 26 times per year, while a semi-monthly salary is paid 24 times per year.

9. How is the minimum monthly salary calculated if there are variable working hours? (For example, on-call workers)

Calculating a monthly salary for a variable number of working hours per week can be more complicated than for a fixed number of hours. The monthly salary depends on the total number of hours worked in that month. Accurate recording of the number of hours worked per week is essential.

You can use the following formula:

Minimum monthly salary = total number of hours worked per month × minimum hourly wage

Example:

Number of hours worked per week:

Week 1: 12 hours

Week 2: 3 hours

Week 3: 15 hours

Week 4: 0 hours

Week 5: 1 hour

Thus, 31 hours are worked in the month in question.

June 2026							Number of hours worked per week
MO	TU	WE	TH	FR	SA	SU	
1	2	3	4	5	6	7	12
8	9	10	11	12	13	14	3
15	16	17	18	19	20	21	15
22	23	24	25	26	27	28	0
29	30						1

Minimum monthly wage = 31 hours \times Afl.11.58 = **Afl.358.98**

Please note: A month does not standardly consist of exactly 4 weeks (28 days); some months consist of 29, 30, or 31 days. As a result, there may be more working days in a month in total. It is therefore advisable to check the pay period and calculate the salary based on the total number of hours worked in that specific period.

10. How can an employee who is paid a fixed monthly salary check whether the statutory minimum wage of Afl.11.58 per hour is met?

You can use the following formula:

Actual 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 (number of working hours per week) are worked. If this information is known, the employee can verify whether the statutory minimum hourly wage has been met and whether a correction is needed in both the hourly wage and the monthly salary.

If the calculated hourly wage is lower than Afl.11.58, the employer must adjust the wage per hour as of the effective date of the amended Lml.

Examples:

Correction in hourly wage required

An employee works 8 hours a day, 5 days a week, for a total of 40 hours per week and earns Afl.2,000 per month.

Check: $\text{Afl.2,000} \div 4.333 \div 40 = \text{Afl.11.54}$

After the amended Lml comes into effect, the hourly wage must be increased from Afl.11.54 to **Afl.11.58** to comply with the law, resulting in the monthly salary being increased from Afl.2,000 to **Afl.2,007.05**.

No correction in hourly wage required

An employee works 5 days a week, 8 hours a day, and 1 day a week, 5 hours a day, for a total of 45 hours a week and earns Afl.2,800 per month.

Check: $\text{Afl.2,800} \div 4.333 \div 45 = \text{Afl.14.36}$

Because the hourly wage is higher than Afl.11.58, no correction is needed.

11. How can an employee who is paid bi-weekly check whether the statutory minimum hourly wage of Afl.11.58 is met?

You can use the following formula for an employee with fixed hours:

Actual hourly wage = current bi-weekly payment \div (number of working hours per week x 2)

For employees who are paid bi-weekly, verifying the minimum hourly wage can be more difficult if the number of hours worked per period varies. The employee must know how many hours per day and how many days per week they work. It is advised to keep an accurate record of the number of hours worked per day. It is also important to inquire with the employer about the hourly wage that is used.

If the hourly wage is lower than Afl.11.58, the employer must adjust the hourly wage as of the effective date of the amended Lml.

Examples:

Correction in hourly wage needed

An employee works a fixed 45 hours per week and receives a bi-weekly salary of Afl.1,000.

Check: $\text{Afl.1,000} \div (45 \times 2) = \text{Afl.1,000} \div 90 = \text{Afl.11.11}$

After the amended Lml comes into effect, the hourly wage must be increased from Afl.11.11 to **Afl.11.58**, resulting in the bi-weekly salary being increased from Afl. 1000 to **Afl.1,042.20**.

No correction in hourly wage needed

An employee works a fixed 45 hours per week and receives a bi-weekly salary of Afl.1,700.

Check: $\text{Afl.1,700} \div 90 = \text{Afl.18.89}$

Because the hourly wage is higher than the statutory minimum wage of Afl.11.58 per hour, no correction is needed.

12. How can an employee who is paid semi-monthly (twice a month) check whether the statutory minimum hourly wage of Afl.11.58 has been met?

You can use the following formula:

Actual hourly wage = $(\text{current semi-monthly payment} \times 2) \div 4.333 \div \text{number of fixed working hours per week}$

For employees who are paid semi-monthly, it is essential to know the fixed number of working hours per week. Because you are paid twice a month on fixed dates (for example, on the 15th and the last day), but months are not the same length, the average monthly factor of 4.333 weeks is used. The employee must know how many hours per day and how many days per week are structurally worked. It is essential to keep an accurate record of the number of hours worked per day.

If the calculated hourly wage is lower than Afl.11.58, the employer must adjust the hourly wage as of the effective date of the amended Lml.

Examples:

Correction in hourly wage needed

An employee works a fixed 40 hours per week and receives a semi-monthly salary of Afl.975.

Check: $(\text{Afl.}975 \times 2) \div 4.333 \div 40 = \text{Afl.}1,950 \div 4.333 \div 40 = \text{Afl.}11.25$ per hour

After the amended Lml comes into effect, the hourly wage must be corrected from Afl.11.25 to Afl. 58. As a result, the semi-monthly salary must be increased to Afl. 1,003.53 (Afl. $2,007.05 \div 2$).

No correction in hourly wage needed

An employee works a fixed 40 hours per week and receives a semi-monthly salary of Afl.1,050.

Check: $(\text{Afl.}1,050 \times 2) \div 4.333 \div 40 = \text{Afl.}2,100 \div 4.333 \div 40 = \text{Afl.}12.12$ per hour

Because the hourly wage is higher than the statutory minimum wage of Afl.11.58, no correction is needed.

13. How can an employee with a salary based on a fixed basic salary per month plus commission and/or points check whether the employer complies with the statutory minimum hourly wage of Afl.11.58?

You can use the following formula:

Actual hourly wage = total current monthly salary \div 4.333 \div number of working hours per week

If an employer uses a basic salary per month plus commission and/or points, they must ensure that the sum of all components is at least the statutory minimum monthly wage, based on the number of hours worked per week.

Examples:

Correction in hourly wage needed

An employee works 6 days a week, 7.5 hours a day, for a total of 45 hours per week as a waiter. His salary consists of a fixed basic salary per month plus a variable part in the form of points.

Fixed basic salary per month: Afl.750

Points: Afl.1,425

Total Monthly salary: Afl.2,175

Check: $\text{Afl.2,175} \div 4.333 \div 45 = \text{Afl.11.15}$

After the amended Lml comes into effect, the hourly wage must be increased from Afl.11.15 to **Afl.11.58**, resulting in the total monthly salary being increased to **Afl.2,257.93**.

No correction in hourly wage needed

An employee works 5 days a week, 8 hours a day, for a total of 40 hours per week as a saleswoman. Her salary consists of a fixed basic monthly salary plus a variable part in the form of commission.

Fixed basic salary per month: Afl.3,000

Commission: Afl.650

Total Monthly salary: Afl.3,650

Check: $\text{Afl.3,650} \div 4.333 \div 40 = \text{Afl.21.06}$

Because the hourly wage is higher than Afl.11.58, no correction is needed.

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

No. The overtime allowances in accordance with Article 16 of the Labor Ordinance 2013 are already a percentage of the hourly wage. The employer must ensure that the base hourly wage used for calculating overtime complies with the statutory minimum of Afl.11.58.

For an employee working at a continuous operation company (volcontinu bedrijf), or in the hospitality or casino sector, in accordance with Article 21 paragraph 2 of the Labor Ordinance 2013, the employee for whom a public holiday is a normal working day is entitled to at least twice the salary that they would have earned on that day during normal working hours. The employer must ensure that the employee's underlying hourly salary is corrected upon the entry into force of the amended Lml, so that the calculated holiday pay naturally meets the requirement of a minimum hourly wage of Afl.11.58.

15. What is understood by salary, in accordance with the Lml?

Wage is understood to mean the monetary income that forms a fixed component of the income from an employment relationship of an employee.

16. What, among other things, is not part of the wage within the meaning of the Lml?

The following are not considered part of the wage:

- a. Earnings from overtime
- b. Holiday pay
- c. Benefit for good performance
- d. Conditional benefits such as savings schemes or pension schemes/redemption of pension rights
- e. Special allowance for breadwinners and heads of families
- f. Voluntary tips that the employee receives from third parties
- g. Meal allowances

17. Who is not covered by the Lml?

Employees who earn an hourly wage above the statutory minimum hourly wage of Afl.11.58 are not covered by the Lml.