

113TH CONGRESS
1ST SESSION

H. R. 650

To amend the Fair Labor Standards Act of 1938 to establish a base minimum wage for tipped employees.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2013

Ms. EDWARDS (for herself, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. LEE of California, Mr. CONYERS, Mr. HASTINGS of Florida, Ms. LINDA T. SÁNCHEZ of California, Mr. CLEAVER, Mr. GRIJALVA, Mr. LEWIS, Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Ms. PINGREE of Maine, Mr. RUSH, Mr. HONDA, Ms. DELAURO, Mr. ENYART, Mr. NADLER, Mr. BRADY of Pennsylvania, Ms. WASSERMAN SCHULTZ, and Mrs. NEGRETE MCLEOD) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to establish a base minimum wage for tipped employees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Working for Adequate
5 Gains for Employment in Services Act” or the “WAGES
6 Act”.

1 **SEC. 2. BASE MINIMUM WAGE FOR TIPPED EMPLOYEES.**

2 Section 3(m)(1) of the Fair Labor Standards Act of
3 1938 (29 U.S.C. 203(m)(1)) is amended by adding before
4 the semicolon the following: “, except that, for purposes
5 of this paragraph, the cash wage paid such employee shall
6 be not less than—

7 “(A) \$3.75 an hour beginning 90 days
8 after the date of enactment of the Working for
9 Adequate Gains for Employment in Services
10 Act;

11 “(B) \$5.00 an hour beginning 1 year after
12 the date on which the change required by sub-
13 paragraph (A) takes effect; and

14 “(C) beginning 2 years after the date on
15 which the change required by subparagraph (A)
16 takes effect and adjusted as necessary there-
17 after, 70 percent of the wage in effect under
18 section 6(a)(1) but in no case less than \$5.50
19 an hour.”.

20 **SEC. 3. PUBLICATION OF NOTICE.**

21 Section 6 of the Fair Labor Standards Act of 1938
22 (29 U.S.C. 206) is amended by adding at the end the fol-
23 lowing:

24 “(h) Not later than 10 days prior to the effective date
25 of any increase in the minimum wage for tipped employees
26 in accordance with section 3(m)(1), the Secretary shall

- 1 publish (in the Federal Register and on the Internet
- 2 website of the Department of Labor) a notice announcing
- 3 the adjusted required wage.”.

