

114TH CONGRESS
1ST SESSION

S. 1150

To provide for increases in the Federal minimum wage.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2015

Mrs. MURRAY (for herself, Mr. DURBIN, Ms. MIKULSKI, Mrs. BOXER, Mr. BLUMENTHAL, Mr. MARKEY, Mr. CASEY, Mr. MURPHY, Ms. STABENOW, Mr. BROWN, Mr. PETERS, Mr. SCHUMER, Mr. LEAHY, Mrs. SHAHEEN, Mr. REID, Mr. SCHATZ, Mr. HEINRICH, Mr. WYDEN, Mr. BOOKER, Mr. MERKLEY, Ms. HIRONO, Mr. REED, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. CARDIN, Ms. CANTWELL, Ms. WARREN, Mr. UDALL, Ms. BALDWIN, Mr. KAINE, Mrs. FEINSTEIN, Mr. WHITEHOUSE, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for increases in the Federal minimum wage.

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 “Raise the Wage Act”.

5 **SEC. 2. MINIMUM WAGE INCREASES.**

6 (a) MINIMUM WAGE.—

(1) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

“(1) except as otherwise provided in this section, not less than—

“(A) \$8.00 an hour, beginning on January 1, 2016, or the first day of the third month that begins after the date of enactment of the Raise the Wage Act, whichever date is later;

“(B) \$9.00 an hour, beginning 1 year after the date the wage specified in subparagraph (A) takes effect;

“(C) \$10.00 an hour, beginning 2 years after such date;

“(D) \$11.00 an hour, beginning 3 years after such date;

“(E) \$12.00 an hour, beginning 4 years after such date; and

“(F) beginning on the date that is 5 years after such date, and annually thereafter, the amount determined by the Secretary pursuant to subsection (h);”.

(2) DETERMINATION BASED ON INCREASE IN THE MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section 6 of the Fair Labor Standards Act of 1938

1 (29 U.S.C. 206) is amended by adding at the end
2 the following:

3 “(h)(1) Each year, by not later than the date that
4 is 90 days before a new minimum wage determined under
5 subsection (a)(1)(F) is to take effect, the Secretary shall
6 determine the minimum wage to be in effect pursuant to
7 this subsection for each period described in subsection
8 (a)(1)(F). The wage determined pursuant to this sub-
9 section for a year shall be—

10 “(A) not less than the amount in effect under
11 subsection (a)(1) on the date of such determination;

12 “(B) increased from such amount by the annual
13 percentage increase in the median hourly wage of all
14 employees as determined by the Bureau of Labor
15 Statistics; and

16 “(C) rounded to the nearest multiple of \$0.05.

17 “(2) In calculating the annual percentage increase in
18 the median hourly wage of all employees for purposes of
19 paragraph (1)(B), the Secretary through the Bureau of
20 Labor Statistics shall compile data on the hourly wages
21 of all employees to determine such a median hourly wage
22 and compare such median hourly wage for the most recent
23 year for which data are available with the median hourly
24 wage determined for the preceding year.”.

1 (b) BASE MINIMUM WAGE FOR TIPPED EMPLOY-
 2 EES.—Section 3(m)(1) of the Fair Labor Standards Act
 3 of 1938 (29 U.S.C. 203(m)(1)) is amended to read as fol-
 4 lows:

5 “(1) the cash wage paid such employee, which
 6 for purposes of such determination shall be not less
 7 than—

8 “(A) for the 1-year period beginning on
 9 January 1, 2016, or the first day of the third
 10 month that begins after the date of enactment
 11 of the Raise the Wage Act, whichever date is
 12 later, \$3.15 an hour;

13 “(B) for each succeeding 1-year period
 14 until the hourly wage under this paragraph
 15 equals the wage in effect under section 6(a)(1)
 16 for such period, an hourly wage equal to the
 17 amount determined under this paragraph for
 18 the preceding year, increased by the lesser of—

19 “(i) \$1.05; or

20 “(ii) the amount necessary for the
 21 wage in effect under this paragraph to
 22 equal the wage in effect under section
 23 6(a)(1) for such period, rounded to the
 24 nearest multiple of \$0.05; and

1 “(C) for each succeeding 1-year period
 2 after the year in which the hourly wage under
 3 this paragraph first equals the wage in effect
 4 under section 6(a)(1) for the same period, the
 5 amount necessary to ensure that the wage in ef-
 6 fect under this paragraph remains equal to the
 7 wage in effect under section 6(a)(1), rounded to
 8 the nearest multiple of \$0.05; and”.

9 (c) TIPS RETAINED BY EMPLOYEES.—Section 3(m)
 10 of the Fair Labor Standards Act of 1938 (29 U.S.C.
 11 203(m)) is amended—

12 (1) in the second sentence of the matter fol-
 13 lowing paragraph (2), by striking “of this sub-
 14 section, and all tips received by such employee have
 15 been retained by the employee” and inserting “of
 16 this subsection. Any employee shall have the right to
 17 retain any tips received by such employee”; and

18 (2) by adding at the end the following: “An em-
 19 ployer shall inform each employee of the right and
 20 exception provided under the preceding sentence.”.

21 (d) SCHEDULED REPEAL OF SEPARATE MINIMUM
 22 WAGE FOR TIPPED EMPLOYEES.—

23 (1) TIPPED EMPLOYEES.—Effective on the date
 24 described in paragraph (3), section 3(m) of the Fair
 25 Labor Standards Act of 1938 (29 U.S.C. 203(m)),

1 as amended by subsections (b) and (c), is amended
 2 by striking the sentence beginning with “In deter-
 3 mining the wage an employer is required to pay a
 4 tipped employee,” and all that follows through “of
 5 this subsection.” and inserting “The wage required
 6 to be paid to a tipped employee shall be the wage
 7 set forth in section 6(a)(1).”.

8 (2) PUBLICATION OF NOTICE.—Effective on the
 9 date described in paragraph (3), section 6(i) of the
 10 Fair Labor Standards Act of 1938 (29 U.S.C.
 11 206(i)), as added by subsection (e), is amended by
 12 striking “or required for tipped employees” and all
 13 that follows through “(as applicable)”.

14 (3) EFFECTIVE DATE.—The amendments made
 15 by paragraphs (1) and (2) shall take effect on the
 16 date that is one day after the date on which the
 17 hourly wage under section 3(m)(1)(C) of the Fair
 18 Labor Standards Act of 1938 (29 U.S.C.
 19 203(m)(1)(C)) takes effect.

20 (e) PUBLICATION OF NOTICE.—Section 6 of the Fair
 21 Labor Standards Act of 1938 (as amended by subsection
 22 (a)) (29 U.S.C. 206) is further amended by adding at the
 23 end the following:

24 “(i) Not later than 60 days prior to the effective date
 25 of any increase in the minimum wage determined under

1 subsection (h) or required for tipped employees in accord-
2 ance with subparagraph (B) or (C) of section 3(m)(1) (as
3 applicable), the Secretary shall publish in the Federal
4 Register and on the website of the Department of Labor
5 a notice announcing the adjusted required wage.”.

6 (f) EFFECTIVE DATE.—The amendments made by
7 subsections (a), (b), and (e) shall take effect on January
8 1, 2016, or the first day of the third month that begins
9 after the date of enactment of this Act, whichever date
10 is later.

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