

116TH CONGRESS  
1ST SESSION

# S. 150

To provide for increases in the Federal minimum wage, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2019

Mr. SANDERS (for himself, Mrs. MURRAY, Mr. SCHUMER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide for increases in the Federal minimum wage, and for other purposes.

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”.

1 **SEC. 2. MINIMUM WAGE INCREASES.**

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

5 “(1) except as otherwise provided in this sec-  
6 tion, not less than—

7 “(A) \$8.55 an hour, beginning on the ef-  
8 fective date under section 7 of the Raise the  
9 Wage Act;

10 “(B) \$9.85 an hour, beginning 1 year after  
11 such effective date;

12 “(C) \$11.15 an hour, beginning 2 years  
13 after such effective date;

14 “(D) \$12.45 an hour, beginning 3 years  
15 after such effective date;

16 “(E) \$13.75 an hour, beginning 4 years  
17 after such effective date;

18 “(F) \$15.00 an hour, beginning 5 years  
19 after such effective date; and

20 “(G) beginning on the date that is 6 years  
21 after such effective date, and annually there-  
22 after, the amount determined by the Secretary  
23 under subsection (h);”.

24 (b) DETERMINATION BASED ON INCREASE IN THE  
25 MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section

1 6 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
2 206) is amended by adding at the end the following:

3 “(h)(1) Not later than each date that is 90 days be-  
4 fore a new minimum wage determined under subsection  
5 (a)(1)(G) is to take effect, the Secretary shall determine  
6 the minimum wage to be in effect under this subsection  
7 for each period described in subsection (a)(1)(G). The  
8 wage determined under this subsection for a year shall  
9 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, if any, in the median hourly  
14 wage of all employees as determined by the Bureau  
15 of Labor Statistics; and

16 “(C) rounded up to the nearest multiple of  
17 \$0.05.

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

1 **SEC. 3. TIPPED EMPLOYEES.**

2 (a) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES  
 3 AND TIPS RETAINED BY EMPLOYEES.—Section  
 4 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938  
 5 (29 U.S.C. 203(m)(2)(A)(i)) is amended to read as fol-  
 6 lows:

7 “(i) the cash wage paid such employee, which  
 8 for purposes of such determination shall be not less  
 9 than—

10 “(I) for the 1-year period beginning on the  
 11 effective date under section 7 of the Raise the  
 12 Wage Act, \$3.60 an hour;

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

19 “(aa) \$1.50; or

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

25 “(III) for each succeeding 1-year period  
 26 after the increase made pursuant to subclause

1 (II), the minimum wage in effect under section  
 2 6(a)(1); and”.

3 (b) TIPS RETAINED BY EMPLOYEES.—Section  
 4 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29  
 5 U.S.C. 203(m)(2)(A)) is amended—

6 (1) in the second sentence of the matter fol-  
 7 lowing clause (ii), by striking “of this subsection,  
 8 and all tips received by such employee have been re-  
 9 tained by the employee” and inserting “of this sub-  
 10 section. Any employee shall have the right to retain  
 11 any tips received by such employee”; and

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

15 (c) SCHEDULED REPEAL OF SEPARATE MINIMUM  
 16 WAGE FOR TIPPED EMPLOYEES.—

17 (1) TIPPED EMPLOYEES.—Section 3(m)(2)(A)  
 18 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
 19 203(m)(2)(A)), as amended by subsections (a) and  
 20 (b), is further amended by striking the sentence be-  
 21 ginning with “In determining the wage an employer  
 22 is required to pay a tipped employee,” and all that  
 23 follows through “of this subsection.” and inserting  
 24 “The wage required to be paid to a tipped employee  
 25 shall be the wage set forth in section 6(a)(1).”.

1           (2) PUBLICATION OF NOTICE.—Subsection (i)  
 2           of section 6 of the Fair Labor Standards Act of  
 3           1938 (29 U.S.C. 206), as amended by section 5, is  
 4           further amended by striking “or in accordance with  
 5           subclause (II) or (III) of section 3(m)(2)(A)(i)”.

6           (3) EFFECTIVE DATE.—The amendments made  
 7           by paragraphs (1) and (2) shall take effect on the  
 8           date that is one day after the date on which the  
 9           hourly wage under subclause (III) of section  
 10          3(m)(2)(A)(i) of the Fair Labor Standards Act of  
 11          1938 (29 U.S.C. 203(m)(2)(A)(i)), as amended by  
 12          subsection (a), takes effect.

13 **SEC. 4. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20**  
 14 **YEARS OLD.**

15          (a) BASE MINIMUM WAGE FOR NEWLY HIRED EM-  
 16          PLOYEES WHO ARE LESS THAN 20 YEARS OLD.—Section  
 17          6(g)(1) of the Fair Labor Standards Act of 1938 (29  
 18          U.S.C. 206(g)(1)) is amended by striking “a wage which  
 19          is not less than \$4.25 an hour.” and inserting the fol-  
 20          lowing: “a wage at a rate that is not less than—

21                 “(A) for the 1-year period beginning on the ef-  
 22                 fective date under section 7 of the Raise the Wage  
 23                 Act, \$5.50 an hour;

24                 “(B) for each succeeding 1-year period until the  
 25                 hourly wage under this paragraph equals the wage

1 in effect under section 6(a)(1) for such period, an  
 2 hourly wage equal to the amount determined under  
 3 this paragraph for the preceding year, increased by  
 4 the lesser of—

5 “(i) \$1.25; or

6 “(ii) the amount necessary for the wage in  
 7 effect under this paragraph to equal the wage  
 8 in effect under section 6(a)(1) for such period,  
 9 rounded up to the nearest multiple of \$0.05;  
 10 and

11 “(C) for each succeeding 1-year period after the  
 12 increase made pursuant to subparagraph (B)(ii), the  
 13 minimum wage in effect under section 6(a)(1).”.

14 (b) SCHEDULED REPEAL OF SEPARATE MINIMUM  
 15 WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS  
 16 THAN 20 YEARS OLD.—

17 (1) IN GENERAL.—Section 6(g)(1) of the Fair  
 18 Labor Standards Act of 1938 (29 U.S.C.  
 19 206(g)(1)), as amended by subsection (a), shall be  
 20 repealed.

21 (2) PUBLICATION OF NOTICE.—Subsection (i)  
 22 of section 6 of the Fair Labor Standards Act of  
 23 1938 (29 U.S.C. 206), as amended by section  
 24 3(c)(2), is further amended by striking “or subpara-  
 25 graph (B) or (C) of subsection (g)(1),”.

1           (3) **EFFECTIVE DATE.**—The repeal and amend-  
 2           ment made by paragraphs (1) and (2), respectively,  
 3           shall take effect on the date that is one day after the  
 4           date on which the hourly wage under subparagraph  
 5           (C) of section 6(g)(1) of the Fair Labor Standards  
 6           Act of 1938 (29 U.S.C. 206(g)(1)), as amended by  
 7           subsection (a), takes effect.

8   **SEC. 5. PUBLICATION OF NOTICE.**

9           Section 6 of the Fair Labor Standards Act of 1938  
 10          (29 U.S.C. 206), as amended by the preceding sections,  
 11          is further amended by adding at the end the following:

12          “(i) Not later than 60 days prior to the effective date  
 13          of any increase in the required wage determined under  
 14          subsection (a)(1) or subparagraph (B) or (C) of subsection  
 15          (g)(1), or in accordance with subclause (II) or (III) of sec-  
 16          tion 3(m)(2)(A)(i) or section 14(c)(1)(A), the Secretary  
 17          shall publish in the Federal Register and on the website  
 18          of the Department of Labor a notice announcing each in-  
 19          crease in such required wage.”.

20   **SEC. 6. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR IN-**  
 21                           **DIVIDUALS WITH DISABILITIES.**

22          (a) **WAGES.**—

23               (1) **TRANSITION TO FAIR WAGES FOR INDIVID-**  
 24               **UALS WITH DISABILITIES.**—Subparagraph (A) of  
 25               section 14(c)(1) of the Fair Labor Standards Act of



1       1938 (29 U.S.C. 214(c)(1)) is amended to read as  
 2       follows:

3               “(A) at a rate that equals, or exceeds, for each  
 4       year, the greater of—

5               “(i)(I) \$4.25 an hour, beginning 1 year  
 6       after the date the wage rate specified in section  
 7       6(a)(1)(A) takes effect;

8               “(II) \$6.40 an hour, beginning 2 years  
 9       after such date;

10              “(III) \$8.55 an hour, beginning 3 years  
 11       after such date;

12              “(IV) \$10.70 an hour, beginning 4 years  
 13       after such date;

14              “(V) \$12.85 an hour, beginning 5 years  
 15       after such date; and

16              “(VI) the wage rate in effect under section  
 17       6(a)(1), on the date that is 6 years after the  
 18       date the wage specified in section 6(a)(1)(A)  
 19       takes effect; or

20              “(ii) if applicable, the wage rate in effect  
 21       on the day before the date of enactment of the  
 22       Raise the Wage Act for the employment, under  
 23       a special certificate issued under this para-  
 24       graph, of the individual for whom the wage rate  
 25       is being determined under this subparagraph,”.

1           (2) PROHIBITION ON NEW SPECIAL CERTIFI-  
 2           CATES; SUNSET.—Section 14(c) of the Fair Labor  
 3           Standards Act of 1938 (29 U.S.C. 214(c)) (as  
 4           amended by paragraph (1)) is further amended by  
 5           adding at the end the following:

6           “(6) PROHIBITION ON NEW SPECIAL CERTIFI-  
 7           CATES.—Notwithstanding paragraph (1), the Secretary  
 8           shall not issue a special certificate under this subsection  
 9           to an employer that was not issued a special certificate  
 10          under this subsection before the date of enactment of the  
 11          Raise the Wage Act.

12          “(7) SUNSET.—Beginning on the day after the date  
 13          on which the wage rate described in paragraph  
 14          (1)(A)(i)(VI) takes effect, the authority to issue special  
 15          certificates under paragraph (1) shall expire, and no spe-  
 16          cial certificates issued under paragraph (1) shall have any  
 17          legal effect.

18          “(8) TRANSITION ASSISTANCE.—Upon request, the  
 19          Secretary shall provide—

20                 “(A) technical assistance and information to  
 21                 employers issued a special certificate under this sub-  
 22                 section for the purposes of—

23                         “(i) transitioning the practices of such em-  
 24                         ployers to comply with this subsection, as  
 25                         amended by the Raise the Wage Act; and

1           “(ii) ensuring continuing employment op-  
 2           portunities for individuals with disabilities re-  
 3           ceiving a special minimum wage rate under this  
 4           subsection; and

5           “(B) information to individuals employed at a  
 6           special minimum wage rate under this subsection,  
 7           which may include referrals to Federal or State enti-  
 8           ties with expertise in competitive integrated employ-  
 9           ment.”.

10           (3) EFFECTIVE DATE.—The amendments made  
 11           by this subsection shall take effect on the date of en-  
 12           actment of this Act.

13           (b) PUBLICATION OF NOTICE.—

14           (1) AMENDMENT.—Subsection (i) of section 6  
 15           of the Fair Labor Standards Act of 1938 (29 U.S.C.  
 16           206), as amended by section 4(b)(2), is further  
 17           amended by striking “or section 14(c)(1)(A),”.

18           (2) EFFECTIVE DATE.—The amendment made  
 19           by paragraph (1) shall take effect on the day after  
 20           the date on which the wage rate described in para-  
 21           graph (1)(A)(i)(VI) of section 14(c) of the Fair  
 22           Labor Standards Act of 1938 (29 U.S.C. 214(c)), as  
 23           amended by subsection (a)(1), takes effect.

1 **SEC. 7. GENERAL EFFECTIVE DATE.**

2       Except as otherwise provided in this Act or the  
3 amendments made by this Act, this Act and the amend-  
4 ments made by this Act shall take effect on the first day  
5 of the third month that begins after the date of enactment  
6 of this Act.

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