

112TH CONGRESS  
1ST SESSION

# H. R. 631

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2011

Ms. EDWARDS (for herself, Mr. FILNER, Mr. GRIJALVA, Mr. KILDEE, Mr. HASTINGS of Florida, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. NADLER, Mr. TONKO, Ms. BALDWIN, Mr. JOHNSON of Georgia, Ms. LEE of California, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## 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 “WAGES  
6 Act”.

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

8 Section 3(m)(1) of the Fair Labor Standards Act of  
9 1938 (29 U.S.C. 203(m)(1)) is amended by adding before

1 the semicolon the following: “, except that, for purposes  
2 of this paragraph, the cash wage paid such employee shall  
3 be not less than—

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

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

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

17 **SEC. 3. PUBLICATION OF NOTICE.**

18 Section 6 of the Fair Labor Standards Act of 1938  
19 (29 U.S.C. 206) is amended by adding at the end the fol-  
20 lowing:

21 “(h) Not later than 10 days prior to the effective date  
22 of any increase in the minimum wage for tipped employees  
23 in accordance with section 3(m)(1), the Secretary shall  
24 publish (in the Federal Register and on the Internet

- 1 website of the Department of Labor) a notice announcing
- 2 the adjusted required wage.”.

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