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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT of Virginia introduced the following bill; which was referred to the Committee on _____

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”.

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

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

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

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

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

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

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

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

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

16 “(G) beginning on the date that is 6 years
17 after such effective date, and annually there-
18 after, the amount determined by the Secretary
19 under subsection (h);”.

20 (b) DETERMINATION BASED ON INCREASE IN THE
21 MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section
22 6 of the Fair Labor Standards Act of 1938 (29 U.S.C.
23 206) is amended by adding at the end the following:

24 “(h)(1) Not later than each date that is 90 days be-
25 fore a new minimum wage determined under subsection

1 (a)(1)(G) is to take effect, the Secretary shall determine
2 the minimum wage to be in effect under this subsection
3 for each period described in subsection (a)(1)(G). The
4 wage determined under this subsection for a year shall
5 be—

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

8 “(B) increased from such amount by the annual
9 percentage increase, if any, in the median hourly
10 wage of all employees as determined by the Bureau
11 of Labor Statistics; and

12 “(C) rounded up to the nearest multiple of
13 \$0.05.

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

22 **SEC. 3. TIPPED EMPLOYEES.**

23 (a) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES
24 AND TIPS RETAINED BY EMPLOYEES.—Section
25 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938

1 (29 U.S.C. 203(m)(2)(A)(i)) is amended to read as fol-
2 lows:

3 “(i) the cash wage paid such em-
4 ployee, which for purposes of such deter-
5 mination shall be not less than—

6 “(I) for the 1-year period begin-
7 ning on the effective date under sec-
8 tion 7 of the Raise the Wage Act,
9 \$3.60 an hour;

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

18 “(aa) \$1.50; or

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

1 “(III) for each succeeding 1-year
2 period after the increase made pursu-
3 ant to subclause (II), the minimum
4 wage in effect under section 6(a)(1);
5 and”.

6 (b) TIPS RETAINED BY EMPLOYEES.—Section
7 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29
8 U.S.C. 203(m)(2)(A)) is amended—

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

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

18 (c) SCHEDULED REPEAL OF SEPARATE MINIMUM
19 WAGE FOR TIPPED EMPLOYEES.—

20 (1) TIPPED EMPLOYEES.—Section 3(m)(2)(A)
21 of the Fair Labor Standards Act of 1938 (29 U.S.C.
22 203(m)(2)(A)), as amended by subsections (a) and
23 (b), is further amended by striking the sentence be-
24 ginning with “In determining the wage an employer
25 is required to pay a tipped employee,” and all that

1 follows through “of this subsection.” and inserting
2 “The wage required to be paid to a tipped employee
3 shall be the wage set forth in section 6(a)(1).”.

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

9 (3) EFFECTIVE DATE.—The amendments made
10 by paragraphs (1) and (2) shall take effect on the
11 date that is one day after the date on which the
12 hourly wage under subclause (III) of section
13 3(m)(2)(A)(i) of the Fair Labor Standards Act of
14 1938 (29 U.S.C. 203(m)(2)(A)(i)), as amended by
15 subsection (a), takes effect.

16 **SEC. 4. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20**
17 **YEARS OLD.**

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

1 “(A) for the 1-year period beginning on
2 the effective date under section 7 of the Raise
3 the Wage Act, \$5.50 an hour;

4 “(B) for each succeeding 1-year period
5 until the hourly wage under this paragraph
6 equals the wage in effect under section 6(a)(1)
7 for such period, an hourly wage equal to the
8 amount determined under this paragraph for
9 the preceding year, increased by the lesser of

10 “(i) \$1.25; or

11 “(ii) the amount necessary for the
12 wage in effect under this paragraph to
13 equal the wage in effect under section
14 6(a)(1) for such period, rounded up to the
15 nearest multiple of \$0.05; and

16 “(C) for each succeeding 1-year period
17 after the increase made pursuant to subpara-
18 graph (B)(ii), the minimum wage in effect
19 under section 6(a)(1).”.

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

23 (1) IN GENERAL.—Section 6(g)(1) of the Fair
24 Labor Standards Act of 1938 (29 U.S.C.

1 206(g)(1)), as amended by subsection (a), shall be
2 repealed.

3 (2) PUBLICATION OF NOTICE.—Subsection (i)
4 of section 6 of the Fair Labor Standards Act of
5 1938 (29 U.S.C. 206), as amended by section
6 3(c)(2), is further amended by striking “or subpara-
7 graph (B) or (C) of subsection (g)(1),”.

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

15 **SEC. 5. PUBLICATION OF NOTICE.**

16 Section 6 of the Fair Labor Standards Act of 1938
17 (29 U.S.C. 206), as amended by the preceding sections,
18 is further amended by adding at the end the following:

19 “(i) Not later than 60 days prior to the effective date
20 of any increase in the required wage determined under
21 subsection (a)(1) or subparagraph (B) or (C) of subsection
22 (g)(1), or in accordance with subclause (II) or (III) of sec-
23 tion 3(m)(2)(A)(i) or section 14(c)(1)(A), the Secretary
24 shall publish in the Federal Register and on the website

1 of the Department of Labor a notice announcing each in-
2 crease in such required wage.”.

3 **SEC. 6. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR IN-**
4 **DIVIDUALS WITH DISABILITIES.**

5 (a) WAGES.—

6 (1) TRANSITION TO FAIR WAGES FOR INDIVID-
7 UALS WITH DISABILITIES.—Subparagraph (A) of
8 section 14(c)(1) of the Fair Labor Standards Act of
9 1938 (29 U.S.C. 214(c)(1)) is amended to read as
10 follows:

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

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

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

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

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

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

24 “(VI) the wage rate in effect under
25 section 6(a)(1), on the date that is 6 years

1 after the date the wage specified in section
2 6(a)(1)(A) takes effect; or

3 “(ii) if applicable, the wage rate in ef-
4 fect on the day before the date of enact-
5 ment of the Raise the Wage Act for the
6 employment, under a special certificate
7 issued under this paragraph, of the indi-
8 vidual for whom the wage rate is being de-
9 termined under this subparagraph,”.

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

15 “(6) PROHIBITION ON NEW SPECIAL CERTIFI-
16 CATES.—Notwithstanding paragraph (1), the Sec-
17 retary shall not issue a special certificate under this
18 subsection to an employer that was not issued a spe-
19 cial certificate under this subsection before the date
20 of enactment of the Raise the Wage Act.

21 “(7) SUNSET.—Beginning on the day after the
22 date on which the wage rate described in paragraph
23 (1)(A)(i)(VI) takes effect, the authority to issue spe-
24 cial certificates under paragraph (1) shall expire,

1 and no special certificates issued under paragraph
2 (1) shall have any legal effect.

3 “(8) TRANSITION ASSISTANCE.—Upon request,
4 the Secretary shall provide—

5 “(A) technical assistance and information
6 to employers issued a special certificate under
7 this subsection for the purposes of—

8 “(i) transitioning the practices of such
9 employers to comply with this subsection,
10 as amended by the Raise the Wage Act;
11 and

12 “(ii) ensuring continuing employment
13 opportunities for individuals with disabili-
14 ties receiving a special minimum wage
15 rate under this subsection; and

16 “(B) information to individuals employed
17 at a special minimum wage rate under this sub-
18 section, which may include referrals to Federal
19 or State entities with expertise in competitive
20 integrated employment.”.

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

24 (b) PUBLICATION OF NOTICE.—

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

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

11 **SEC. 7. GENERAL EFFECTIVE DATE.**

12 Except as otherwise provided in this Act or the
13 amendments made by this Act, this Act and the amend-
14 ments made by this Act shall take effect on the first day
15 of the third month that begins after the date of enactment
16 of this Act.