

116TH CONGRESS
1ST SESSION

H. R. 582

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2019

Mr. SCOTT of Virginia (for himself, Mr. POCAN, Mrs. MURPHY, Mr. NORCROSS, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. COURTNEY, Ms. FUDGE, Mr. SABLAN, Ms. WILSON of Florida, Ms. BONAMICI, Mr. TAKANO, Ms. ADAMS, Mr. DESAULNIER, Mr. KRISHNAMOORTHY, Mr. ESPAILLAT, Ms. JAYAPAL, Mr. MORELLE, Ms. WILD, Ms. SCHRIER, Mrs. HAYES, Ms. SHALALA, Mr. LEVIN of Michigan, Ms. OMAR, Mr. TRONE, Mrs. LEE of Nevada, Mr. SMITH of Washington, Mr. HASTINGS, Mrs. TORRES of California, Mrs. DEMINGS, Ms. CLARKE of New York, Mr. BEYER, Mr. EVANS, Ms. SCHAKOWSKY, Ms. KAPTUR, Mr. LIPINSKI, Mr. SUOZZI, Mr. PANETTA, Mr. SERRANO, Ms. DELAURO, Ms. SPEIER, Miss RICE of New York, Ms. NORTON, Ms. LEE of California, Mr. DEFazio, Mr. HIGGINS of New York, Mrs. BEATTY, Mr. CARBAJAL, Mr. PERLMUTTER, Ms. BROWNLEY of California, Mr. WELCH, Mr. SIRES, Mr. MCEACHIN, Mr. SWALWELL of California, Mrs. WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, Ms. DEGETTE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MENG, Mr. COHEN, Ms. MCCOLLUM, Ms. PINGREE, Ms. LOFGREN, Mr. AGUILAR, Mr. PRICE of North Carolina, Mrs. BUSTOS, Ms. ROYBAL-ALLARD, Mr. RASKIN, Mr. SEAN PATRICK MALONEY of New York, Mr. MALINOWSKI, Mr. CICILLINE, Ms. TLAIB, Mrs. NAPOLITANO, Ms. BLUNT ROCHESTER, Mr. ENGEL, Ms. GABBARD, Ms. MOORE, Ms. WEXTON, Ms. BARRAGÁN, Mr. RUSH, Ms. SÁNCHEZ, Ms. HAALAND, Mr. RYAN, Ms. MATSUI, Mr. MEEKS, Mr. RUIZ, Mr. PETERS, Ms. CASTOR of Florida, Mr. GREEN of Texas, Mr. FOSTER, Mr. THOMPSON of Mississippi, Mrs. CAROLYN B. MALONEY of New York, Mrs. DINGELL, Mr. SOTO, Mr. PAYNE, Ms. VELÁZQUEZ, Mr. KILMER, Mrs. LAWRENCE, Mr. RUPPERSBERGER, Ms. JOHNSON of Texas, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Mr. CLAY, Mr. YARMUTH, Mr. CRIST, Ms. DEAN, Mr. CARTWRIGHT, Mr. PASCRELL, Mr. VARGAS, Mr. VEASEY, Mr. GOMEZ, Ms. TITUS, Ms. OCASIO-CORTEZ, Ms. GARCIA of Texas, Mr. MCGOVERN, Mr. PALLONE, Mr. LANGEVIN, Ms. CLARK of Massachusetts, Mr. TONKO, Mr. MCNERNEY, Mr. LARSON of Connecticut, Mrs. LURIA, Mr. DEUTCH, Mr. RICHMOND, Mr. CONNOLLY, Mr. LOEBACK, Mr. GALLEGGO, Mr. LOWENTHAL,

Mr. SCHNEIDER, Mr. LARSEN of Washington, Mr. QUIGLEY, Ms. SCANLON, Mrs. TRAHAN, Ms. MUCARSEL-POWELL, Mr. CÁRDENAS, Mr. GARCÍA of Illinois, Mr. CORREA, Mr. CUMMINGS, Ms. JUDY CHU of California, Mr. NEGUSE, Mr. VISCLOSKY, Mr. BLUMENAUER, Ms. HILL of California, Ms. PORTER, Mr. LUJÁN, Mr. KHANNA, Ms. ESHOO, Ms. FRANKEL, Ms. PRESSLEY, Mr. LAWSON of Florida, Mr. HECK, Mr. BROWN of Maryland, Mr. THOMPSON of California, Mr. LEVIN of California, Mr. LAMB, Mr. CISNEROS, Mr. TED LIEU of California, Mr. CARSON of Indiana, Mr. SHERMAN, Ms. WATERS, Mr. SCHIFF, Mr. KEATING, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. NADLER, Mr. KIM, Mr. JEFFRIES, Ms. KELLY of Illinois, Mrs. LOWEY, Ms. ESCOBAR, Mr. ROUDA, Mr. HUFFMAN, Mr. SARBANES, Ms. BASS, Mr. HORSFORD, Mr. KENNEDY, Mr. CASTRO of Texas, Mr. CROW, Ms. DELBENE, Mr. LEWIS, Mr. GARAMENDI, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Mr. CLEAVER, and Mr. BISHOP of Georgia) introduced the following bill; which was referred to the Committee on Education and Labor

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:

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

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

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

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

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

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

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

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

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

22 “(h)(1) Not later than each date that is 90 days be-
23 fore a new minimum wage determined under subsection
24 (a)(1)(G) is to take effect, the Secretary shall determine
25 the minimum wage to be in effect under this subsection

1 for each period described in subsection (a)(1)(G). The
2 wage determined under this subsection for a year shall
3 be—

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

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

10 “(C) rounded up to the nearest multiple of
11 \$0.05.

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

20 **SEC. 3. TIPPED EMPLOYEES.**

21 (a) **BASE MINIMUM WAGE FOR TIPPED EMPLOYEES**
22 **AND TIPS RETAINED BY EMPLOYEES.**—Section
23 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938
24 (29 U.S.C. 203(m)(2)(A)(i)) is amended to read as fol-
25 lows:

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

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

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

16 “(aa) \$1.50; or

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

23 “(III) for each succeeding 1-year
24 period after the increase made pursu-
25 ant to subclause (II), the minimum

1 wage in effect under section 6(a)(1);
2 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
 22 the effective date under section 7 of the Raise
 23 the Wage Act, \$5.50 an hour;

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

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

5 “(i) \$1.25; or

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

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

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

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

22 (2) PUBLICATION OF NOTICE.—Subsection (i)
23 of section 6 of the Fair Labor Standards Act of
24 1938 (29 U.S.C. 206), as amended by section

1 3(c)(2), is further amended by striking “or subpara-
2 graph (B) or (C) of subsection (g)(1),”.

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

10 **SEC. 5. PUBLICATION OF NOTICE.**

11 Section 6 of the Fair Labor Standards Act of 1938
12 (29 U.S.C. 206), as amended by the preceding sections,
13 is further amended by adding at the end the following:

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

22 **SEC. 6. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR IN-**
23 **DIVIDUALS WITH DISABILITIES.**

24 (a) WAGES.—

1 (1) TRANSITION TO FAIR WAGES FOR INDIVID-
2 UALS WITH DISABILITIES.—Subparagraph (A) of
3 section 14(c)(1) of the Fair Labor Standards Act of
4 1938 (29 U.S.C. 214(c)(1)) is amended to read as
5 follows:

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

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

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

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

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

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

19 “(VI) the wage rate in effect under
20 section 6(a)(1), on the date that is 6 years
21 after the date the wage specified in section
22 6(a)(1)(A) takes effect; or

23 “(ii) if applicable, the wage rate in ef-
24 fect on the day before the date of enact-
25 ment of the Raise the Wage Act for the

1 employment, under a special certificate
2 issued under this paragraph, of the indi-
3 vidual for whom the wage rate is being de-
4 termined under this subparagraph,”.

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

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

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

22 “(8) TRANSITION ASSISTANCE.—Upon request,
23 the Secretary shall provide—

1 “(A) technical assistance and information
2 to employers issued a special certificate under
3 this subsection for the purposes of—

4 “(i) transitioning the practices of such
5 employers to comply with this subsection,
6 as amended by the Raise the Wage Act;
7 and

8 “(ii) ensuring continuing employment
9 opportunities for individuals with disabili-
10 ties receiving a special minimum wage
11 rate under this subsection; and

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

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

20 (b) PUBLICATION OF NOTICE.—

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

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

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

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

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