



General Assembly

Substitute Bill No. 6557

January Session, 2001

AN ACT MAKING TECHNICAL REVISIONS TO CERTAIN LABOR STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (5) of subsection (b) of section 31-3h of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof:

4 (5) Implementing the federal Workforce Investment Act of 1998, P.L.
5 105-220, as from time to time amended. Such implementation shall
6 include (A) developing, in consultation with the regional workforce
7 development boards, a single Connecticut workforce development
8 plan that (i) complies with the provisions of said act and section 31-
9 11p, and (ii) includes comprehensive state performance measures for
10 workforce development activities specified in Title I of the federal
11 Workforce Investment Act of 1998, P.L. 105-220, as from time to time
12 amended, which performance measures comply with the requirements
13 of CFR Part 666.10, (B) preparing and submitting a report on the state's
14 progress in achieving such performance measures to the Governor and
15 the General Assembly [on or before said date and annually thereafter]
16 annually on January thirty-first, (C) making recommendations to the
17 General Assembly concerning the allocation of funds received by the
18 state under said act and making recommendations to the regional
19 workforce development boards concerning the use of formulas in
20 allocating such funds to adult employment and job training activities

21 and youth activities, as specified in said act, (D) providing oversight
22 and coordination of the state-wide employment statistics system
23 required by said act, (E) as appropriate, recommending to the
24 Governor that the Governor apply for workforce flexibility plans and
25 waiver authority under said act, after consultation with the regional
26 workforce development boards, (F) developing performance criteria
27 for regional workforce development boards to utilize in creating a list
28 of eligible providers, and (G) on or before December 31, 1999,
29 developing a uniform individual training accounts voucher system
30 that shall be used by the regional workforce development boards to
31 pay for training of eligible workers by eligible providers, as required
32 under said act.

33 Sec. 2. Subsection (b) of section 31-60 of the general statutes is
34 repealed and the following is substituted in lieu thereof:

35 (b) The Labor Commissioner shall adopt such regulations, in
36 accordance with the provisions of chapter 54, as may be appropriate to
37 carry out the purposes of this part. Such regulations may include, but
38 are not limited to, regulations defining and governing an executive,
39 administrative or professional employee and outside salesperson;
40 learners and apprentices, their number, proportion and length of
41 service; piece rates in relation to time rates; and shall recognize, as part
42 of the minimum fair wage, gratuities in an amount equal to
43 twenty-three per cent of the minimum fair wage per hour for persons
44 employed in the hotel and restaurant industry, including a hotel
45 restaurant, and not to exceed thirty-five cents per hour in any other
46 industry, and shall also recognize deductions and allowances for the
47 value of board, in the amount of eighty-five cents for a full meal and
48 forty-five cents for a light meal, lodging, apparel or other items or
49 services supplied by the employer; and other special conditions or
50 circumstances which may be usual in a particular employer-employee
51 relationship. [Notwithstanding the provisions of this subsection, such
52 regulations shall provide that during the period commencing January
53 1, 2001, and ending December 31, 2002, the minimum wage for persons
54 employed in the hotel and restaurant industry, including a hotel

55 restaurant, who customarily and regularly receive gratuities shall be
56 four dollars and seventy-four cents per hour, except during said period
57 the minimum wage for bartenders who customarily and regularly
58 receive gratuities shall be six dollars and fifteen cents per hour.]
59 Notwithstanding the provisions of this subsection: (1) For the period
60 commencing January 1, 2001, and ending December 31, 2001, such
61 regulations shall recognize, as part of the minimum fair wage,
62 gratuities in an amount equal to (A) twenty-six per cent of the
63 minimum fair wage per hour for persons employed in the hotel and
64 restaurant industry, including a hotel restaurant, and (B) three and
65 nine-tenths per cent of the minimum fair wage per hour for persons
66 employed as bartenders who customarily and regularly receive
67 gratuities; and (2) for the period commencing January 1, 2002, and
68 ending December 31, 2002, such regulations shall recognize, as part of
69 the minimum fair wage, gratuities in an amount equal to (A) twenty-
70 nine and three-tenths per cent of the minimum fair wage per hour for
71 persons employed in the hotel and restaurant industry, including a
72 hotel restaurant, and (B) eight and two-tenths per cent of the minimum
73 fair wage per hour for persons employed as bartenders who
74 customarily and regularly receive gratuities. The commissioner may
75 provide, in such regulations, modifications of the minimum fair wage
76 herein established for learners and apprentices; persons under the age
77 of eighteen years; and for such special cases or classes of cases as the
78 commissioner finds appropriate to prevent curtailment of employment
79 opportunities, avoid undue hardship and safeguard the minimum fair
80 wage herein established. Regulations in effect on July 1, 1973,
81 providing for a board deduction and allowance in an amount differing
82 from that provided in this section shall be construed to be amended
83 consistent [herewith] with this section without the necessity of
84 convening a wage board or amending said regulations.

85 Sec. 3. This act shall take effect from its passage.

LAB JOINT FAVORABLE SUBST.