



General Assembly

Substitute Bill No. 5057

February Session, 2002

AN ACT INCREASING THE MINIMUM WAGE.

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

1 Section 1. Subsection (j) of section 31-58 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2002*):

4 (j) "Minimum fair wage" in any industry or occupation in this state
5 means a wage of not less than [two dollars and sixty-six cents per
6 hour, and effective January 1, 1979, not less than two dollars and
7 ninety-one cents per hour, and effective January 1, 1980, not less than
8 three dollars and twelve cents per hour, and effective January 1, 1981,
9 not less than three dollars and thirty-seven cents per hour, and
10 effective October 1, 1987, not less than three dollars and seventy-five
11 cents per hour, and effective October 1, 1988, not less than four dollars
12 and twenty-five cents per hour, and effective January 1, 1999, not less
13 than five dollars and sixty-five cents per hour, and effective January 1,
14 2000, not less than six dollars and fifteen cents per hour, and effective
15 January 1, 2001, not less than six dollars and forty cents per hour, and
16 effective January 1, 2002,] six dollars and seventy cents per hour, and
17 effective January 1, 2003, seven dollars per hour, or one-half of one per
18 cent rounded to the nearest whole cent more than the highest federal
19 minimum wage, whichever is greater, except as may otherwise be
20 established in accordance with the provisions of this part. All wage
21 orders in effect on October 1, 1971, wherein a lower minimum fair

22 wage has been established, are amended to provide for the payment of
23 the minimum fair wage herein established except as hereinafter
24 provided. Whenever the highest federal minimum wage is increased,
25 the minimum fair wage established under this part shall be increased
26 to the amount of said federal minimum wage plus one-half of one per
27 cent more than said federal rate, rounded to the nearest whole cent,
28 effective on the same date as the increase in the highest federal
29 minimum wage, and shall apply to all wage orders and administrative
30 regulations then in force. The rates for learners, beginners, and persons
31 under the age of eighteen years shall be not less than eighty-five per
32 cent of the minimum fair wage for the first two hundred hours of such
33 employment and equal to the minimum fair wage thereafter, except
34 institutional training programs specifically exempted by the
35 commissioner.

36 Sec. 2. Subsection (b) of section 31-60 of the general statutes, as
37 amended by section 2 of public act 01-42, is repealed and the following
38 is substituted in lieu thereof (*Effective July 1, 2002*):

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

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

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>

LAB

Joint Favorable Subst. C/R

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