



General Assembly

January Session, 2003

Raised Bill No. 6214

LCO No. 657

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING GRATUITIES IN THE HOTEL AND RESTAURANT INDUSTRY.

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

1 Section 1. Subsection (b) of section 31-60 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2003*):

4 (b) The Labor Commissioner shall adopt such regulations, in
5 accordance with the provisions of chapter 54, as may be appropriate to
6 carry out the purposes of this part. Such regulations may include, but
7 are not limited to, regulations defining and governing an executive,
8 administrative or professional employee and outside salesperson;
9 learners and apprentices, their number, proportion and length of
10 service; piece rates in relation to time rates; and shall recognize, as part
11 of the minimum fair wage, gratuities in an amount (1) equal to
12 [twenty-three] twenty-nine and three-tenths per cent of the minimum
13 fair wage per hour for persons employed in the hotel and restaurant
14 industry, including a hotel restaurant, who customarily and regularly
15 receive gratuities, (2) equal to eight and two-tenths per cent of the
16 minimum fair wage per hour for persons employed as bartenders who

17 customarily and regularly receive gratuities, and (3) not to exceed
18 thirty-five cents per hour in any other industry, and shall also
19 recognize deductions and allowances for the value of board, in the
20 amount of eighty-five cents for a full meal and forty-five cents for a
21 light meal, lodging, apparel or other items or services supplied by the
22 employer; and other special conditions or circumstances which may be
23 usual in a particular employer-employee relationship.
24 [Notwithstanding the provisions of this subsection, for the period
25 commencing January 1, 2002, and ending December 31, 2004, such
26 regulations shall recognize, as part of the minimum fair wage,
27 gratuities in an amount equal to (1) twenty-nine and three-tenths per
28 cent of the minimum fair wage per hour for persons employed in the
29 hotel and restaurant industry, including a hotel restaurant, who
30 customarily and regularly receive gratuities, and (2) eight and two-
31 tenths per cent of the minimum fair wage per hour for persons
32 employed as bartenders who customarily and regularly receive
33 gratuities.] The commissioner may provide, in such regulations,
34 modifications of the minimum fair wage herein established for learners
35 and apprentices; persons under the age of eighteen years; and for such
36 special cases or classes of cases as the commissioner finds appropriate
37 to prevent curtailment of employment opportunities, avoid undue
38 hardship and safeguard the minimum fair wage herein established.
39 Regulations in effect on July 1, 1973, providing for a board deduction
40 and allowance in an amount differing from that provided in this
41 section shall be construed to be amended consistent with this section
42 without the necessity of convening a wage board or amending said
43 regulations.

This act shall take effect as follows:	
Section 1	July 1, 2003

Statement of Purpose:

To make permanent the temporary enhanced tip credit for employers in the hotel and restaurant industry and for employers of bartenders.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]