



General Assembly

Amendment

February Session, 2008

LCO No. 5504

SB0005505504HDO

Offered by:

REP. STONE, 9th Dist.
REP. ZALASKI, 81st Dist.
REP. CARON, 44th Dist.
REP. ROY, 119th Dist.

To: Subst. Senate Bill No. 55

File No. 356

Cal. No. 341

"AN ACT CONCERNING APPOINTMENTS TO THE LABOR DEPARTMENT BOARD OF MEDIATION AND ARBITRATION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 31-60 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2008*):

5 (a) Any employer who pays or agrees to pay to an employee less
6 than the minimum fair wage or overtime wage shall be deemed in
7 violation of the provisions of this part.

8 (b) The Labor Commissioner shall adopt such regulations, in
9 accordance with the provisions of chapter 54, as may be appropriate to
10 carry out the purposes of this part. Such regulations may include, but
11 are not limited to, regulations defining and governing an executive,
12 administrative or professional employee and outside salesperson;

13 learners and apprentices, their number, proportion and length of
14 service; and piece rates in relation to time rates; and shall recognize, as
15 part of the minimum fair wage, gratuities in an amount (1) equal to
16 twenty-nine and three-tenths per cent, and effective January 1, 2009,
17 equal to thirty-one per cent of the minimum fair wage per hour for
18 persons, other than bartenders, who are employed in the hotel and
19 restaurant industry, including a hotel restaurant, who customarily and
20 regularly receive gratuities, (2) equal to eight and two-tenths per cent,
21 and effective January 1, 2009, equal to eleven per cent of the minimum
22 fair wage per hour for persons employed as bartenders who
23 customarily and regularly receive gratuities, and (3) not to exceed
24 thirty-five cents per hour in any other industry, and shall also
25 recognize deductions and allowances for the value of board, in the
26 amount of eighty-five cents for a full meal and forty-five cents for a
27 light meal, lodging, apparel or other items or services supplied by the
28 employer; and other special conditions or circumstances which may be
29 usual in a particular employer-employee relationship. The
30 commissioner may provide, in such regulations, modifications of the
31 minimum fair wage herein established for learners and apprentices;
32 persons under the age of eighteen years; and for such special cases or
33 classes of cases as the commissioner finds appropriate to prevent
34 curtailment of employment opportunities, avoid undue hardship and
35 safeguard the minimum fair wage herein established. Regulations in
36 effect on July 1, 1973, providing for a board deduction and allowance
37 in an amount differing from that provided in this section shall be
38 construed to be amended consistent with this section without the
39 necessity of convening a wage board or amending such regulations.

40 (c) Regulations adopted by the commissioner pursuant to
41 subsection (b) of this section which define executive, administrative
42 and professional employees shall be updated not later than October 1,
43 2000, and every four years thereafter, to specify that such persons shall
44 be compensated on a salary basis at a rate determined by the Labor
45 Commissioner."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	31-60