



General Assembly

January Session, 2009

**Committee Bill No. 222**

LCO No. 2732

\*02732SB00222LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

***AN ACT CONCERNING THE TIP CREDIT.***

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

1 Section 1. Section 31-60 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2010*):

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

6 (b) The Labor Commissioner shall adopt such regulations, in  
7 accordance with the provisions of chapter 54, as may be appropriate to  
8 carry out the purposes of this part. Such regulations may include, but  
9 are not limited to, regulations defining and governing an executive,  
10 administrative or professional employee and outside salesperson;  
11 learners and apprentices, their number, proportion and length of  
12 service; and piece rates in relation to time rates; and shall recognize, as  
13 part of the minimum fair wage, gratuities in an amount (1) equal to  
14 twenty-nine and three-tenths per cent, and effective January 1, 2009,  
15 equal to thirty-one per cent, and effective January 1, 2010, equal to  
16 thirty-one and one-tenth per cent of the minimum fair wage per hour

17 for persons, other than bartenders, who are employed in the hotel and  
 18 restaurant industry, including a hotel restaurant, who customarily and  
 19 regularly receive gratuities, (2) equal to eight and two-tenths per cent,  
 20 and effective January 1, 2009, equal to eleven per cent, and effective  
 21 January 1, 2010, equal to thirteen and seventy-five hundredths per cent  
 22 of the minimum fair wage per hour for persons employed as  
 23 bartenders who customarily and regularly receive gratuities, and (3)  
 24 not to exceed thirty-five cents per hour in any other industry, and shall  
 25 also 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	January 1, 2010	31-60

**Statement of Purpose:**

To increase the tip credit.

*[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.]*

Co-Sponsors: SEN. GUGLIELMO, 35th Dist.

S.B. 222