



General Assembly

January Session, 2017

Committee Bill No. 5149

LCO No. 4613



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

AN ACT CONCERNING CERTAIN MINIMUM FAIR WAGE PROVISIONS.

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

1 Section 1. Section 31-58 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 As used in this part:

4 (a) "Commissioner" means the Labor Commissioner;

5 (b) "Fair wage" means a wage fairly and reasonably commensurate
6 with the value of a particular service or class of service rendered, and,
7 in establishing a minimum fair wage for such service or class of service
8 under this part, the commissioner, without being bound by any
9 technical rules of evidence or procedure, (1) may take into account all
10 relevant circumstances affecting the value of the services rendered,
11 including hours and conditions of employment affecting the health,
12 safety and general well-being of the workers, (2) may be guided by
13 such considerations as would guide a court in a suit for the reasonable
14 value of services rendered where services are rendered at the request

15 of an employer without contract as to the amount of the wage to be
16 paid, and (3) may consider the wages, including overtime or premium
17 rates, paid in the state for work of like or comparable character by
18 employers who voluntarily maintain minimum fair wage standards;

19 (c) "Department" means the Labor Department;

20 (d) "Employer" means any owner or any person, partnership,
21 corporation, limited liability company or association of persons acting
22 directly as, or on behalf of, or in the interest of an employer in relation
23 to employees, including the state and any political subdivision thereof;

24 (e) "Employee" means any individual employed or permitted to
25 work by an employer but shall not include any individual employed in
26 camps or resorts which are open no more than six months of the year
27 or in domestic service in or about a private home, except any
28 individual in domestic service employment as defined in the
29 regulations of the federal Fair Labor Standards Act, or an individual
30 employed in a bona fide executive, administrative or professional
31 capacity as defined in the regulations of the Labor Commissioner or an
32 individual employed by the federal government, or any individual
33 engaged in the activities of an educational, charitable, religious,
34 scientific, historical, literary or nonprofit organization where the
35 employer-employee relationship does not, in fact, exist or where the
36 services rendered to such organizations are on a voluntary basis, or
37 any individual employed as a head resident or resident assistant by a
38 college or university, or any individual engaged in baby sitting, or an
39 outside salesman as defined in the regulations of the federal Fair Labor
40 Standards Act, or any individual employed by a nonprofit theater,
41 provided such theater does not operate for more than seven months in
42 any calendar year, or a member of the armed forces of the state
43 performing military duty, as such terms are defined in section 27-61;

44 (f) A resort is defined as an establishment under one management
45 whose principal function it is to offer lodging by the day, week, month
46 or season, or part thereof, to vacationers or those in search of

47 recreation;

48 (g) "Employ" means to employ or suffer to work;

49 (h) "Wage" means compensation due to an employee by reason of
50 his employment;

51 (i) "Minimum fair wage" in any industry or occupation in this state
52 means a wage of not less than six dollars and seventy cents per hour,
53 and effective January 1, 2003, not less than six dollars and ninety cents
54 per hour, and effective January 1, 2004, not less than seven dollars and
55 ten cents per hour, and effective January 1, 2006, not less than seven
56 dollars and forty cents per hour, and effective January 1, 2007, not less
57 than seven dollars and sixty-five cents per hour, and effective January
58 1, 2009, not less than eight dollars per hour, and effective January 1,
59 2010, not less than eight dollars and twenty-five cents per hour, and
60 effective January 1, 2014, not less than eight dollars and seventy cents
61 per hour, and effective January 1, 2015, not less than nine dollars and
62 fifteen cents per hour, and effective January 1, 2016, not less than nine
63 dollars and sixty cents per hour, and effective January 1, 2017, not less
64 than ten dollars and ten cents per hour or one-half of one per cent
65 rounded to the nearest whole cent more than the highest federal
66 minimum wage, whichever is greater, except as may otherwise be
67 established in accordance with the provisions of this part. All wage
68 orders in effect on October 1, 1971, wherein a lower minimum fair
69 wage has been established, are amended to provide for the payment of
70 the minimum fair wage herein established except as hereinafter
71 provided. Whenever the highest federal minimum wage is increased,
72 the minimum fair wage established under this part shall be increased
73 to the amount of said federal minimum wage plus one-half of one per
74 cent more than said federal rate, rounded to the nearest whole cent,
75 effective on the same date as the increase in the highest federal
76 minimum wage, and shall apply to all wage orders and administrative
77 regulations then in force. The rates for learners, beginners, and persons
78 under the age of [eighteen] nineteen years shall be not less than eighty-

79 five per cent of the minimum fair wage for the first [two hundred
80 hours] one thousand hours of such employment and equal to the
81 minimum fair wage thereafter, except institutional training programs
82 specifically exempted by the commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	31-58

Statement of Purpose:

To amend certain minimum fair wage guidelines.

[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: REP. ZIOBRON, 34th Dist.

H.B. 5149