



General Assembly

Amendment

July 22 Special Session, 2019

LCO No. 11315



Offered by:

REP. ARESIMOWICZ, 30th Dist.

To: House Bill No. 7501

File No. 0

Cal. No. 0

"AN ACT CONCERNING THE WORKFORCE TRAINING NEEDS IN THE STATE AND REVISIONS TO AND REGULATION OF GRATUITIES PERMITTED OR APPLIED AS PART OF THE MINIMUM FAIR WAGE."

1 Strike section 5 in its entirety and insert the following in lieu thereof:

2 "Sec. 5. (NEW) (*Effective from passage*) Not later than April 1, 2020, the
3 Labor Commissioner shall post on the eRegulations System a notice of
4 intent to adopt regulations, in accordance with the provisions of chapter
5 54 of the general statutes, concerning employees who perform both
6 service and nonservice duties and allowances for gratuities permitted or
7 applied as part of the minimum fair wage pursuant to section 31-60 of
8 the general statutes. The Labor Commissioner shall consult with
9 representatives of the restaurant industry, restaurant employees, service
10 employees and other interested stakeholders prior to posting such
11 notice. Such notice shall also provide for the repeal of section 31-62-E4
12 of the regulations of Connecticut state agencies upon the effective date
13 of regulations adopted pursuant to this section. Regulations adopted
14 pursuant to this section shall be: (1) In accordance with the Fair Labor
15 Standards Act, 29 USC 203(m)(2) and 29 CFR 531.56(e), as interpreted
16 by Section 30d00(e) of the federal Department of Labor's Field
17 Operations Handbook, prior to November 8, 2018, which was

18 previously referred to as the "80/20 rule", and (2) effective when posted
 19 to the eRegulations System web site by the Secretary of the State."

20 After the last section, add the following and renumber sections and
 21 internal references accordingly:

22 "Sec. 501. (NEW) (*Effective from passage*) Not later than thirty days
 23 following the date of adoption of regulations pursuant to section 5 of
 24 this act, the Labor Commissioner shall begin conducting random wage
 25 and hour audits of tipped workers in not less than seventy-five
 26 restaurants in the state of Connecticut and prepare a report on
 27 compliance by such restaurants with the regulations adopted pursuant
 28 to section 5 of this act. Not later than one year following the date of
 29 adoption of regulations pursuant to section 5 of this act, the Labor
 30 Commissioner shall report, in accordance with the provisions of section
 31 11-4a of the general statutes, on the random wage and hour audits
 32 conducted pursuant to this section to the joint standing committee of the
 33 General Assembly having cognizance of matters relating to labor.

34 Sec. 502. (*Effective from passage*) (a) For the fiscal year ending June 30,
 35 2020, the sum of \$120,717 dollars appropriated to the Labor Department
 36 for the Workforce Training Authority in the biennial budget shall be
 37 reserved for three wage and hour investigators of the three wage and
 38 hour investigators.

39 (b) For the fiscal year ending June 30, 2020, the sum of \$35,217 of the
 40 \$120,717 reserved under subsection (a) of this section shall be available
 41 to reimburse the comptroller for associated fringe benefits costs."

This act shall take effect as follows and shall amend the following sections:		
Sec. 5	<i>from passage</i>	New section
Sec. 501	<i>from passage</i>	New section
Sec. 502	<i>from passage</i>	New section