



House Bill No. 5469

Public Act No. 22-134

AN ACT CONCERNING EMPLOYEE RECORD KEEPING.

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

Section 1. Subsection (d) of section 31-60 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) (1) Effective July 1, 2019, the Labor Commissioner shall recognize, as part of the minimum fair wage, gratuities in an amount equal to the difference between the minimum fair wage and the employer's share per hour for persons, other than bartenders, who are employed in the hotel and restaurant industry, including a hotel restaurant, who customarily and regularly receive gratuities. The Labor Commissioner shall also recognize, as part of the subminimum wage established in subdivision (5) of subsection (i) of section 31-58, gratuities in an amount equal to the difference between such subminimum wage and the employer's share per hour for persons, other than bartenders, who are employed in the hotel and restaurant industry, including a hotel restaurant, who customarily and regularly receive gratuities.

(2) Effective July 1, 2019, the Labor Commissioner shall recognize, as part of the minimum fair wage, gratuities in an amount equal to the difference between the minimum fair wage and the employer's share

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per hour for persons employed as bartenders who customarily and regularly receive gratuities.

(3) As used in this subsection "employer's share" means (A) six dollars and thirty-eight cents per hour for persons, other than bartenders, who are employed in the hotel and restaurant industry, including a hotel restaurant, who customarily and regularly receive gratuities, and (B) eight dollars and twenty-three cents per hour for persons employed as bartenders who customarily and regularly receive gratuities.

(4) Notwithstanding any other law or regulation, any claim brought under this subsection, section 31-68 as it relates to gratuities as part of the minimum wage or section 31-62-E3 of the regulations of Connecticut state agencies filed after September 24, 2022, shall be adjudicated, solely, under section 31-60-2 of the regulations of Connecticut state agencies effective on September 24, 2020, and any amendments thereto.

Approved May 27, 2022