

114TH CONGRESS
1ST SESSION

S. _____

To provide for increases in the Federal minimum wage.

IN THE SENATE OF THE UNITED STATES

Mr. SANDERS introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide for increases in the Federal minimum wage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pay Workers a Living
5 Wage Act”.

6 **SEC. 2. MINIMUM WAGE INCREASES.**

7 (a) MINIMUM WAGE.—

8 (1) IN GENERAL.—Section 6(a)(1) of the Fair
9 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1))
10 is amended to read as follows:

11 “(1) except as otherwise provided in this sec-
12 tion, not less than—

1 “(A) \$9.00 an hour, beginning on January
2 1, 2016, or the first day of the third month
3 that begins after the date of enactment of the
4 Pay Workers a Living Wage Act, whichever
5 date is later;

6 “(B) \$10.50 an hour, beginning 1 year
7 after the date the wage specified in subpara-
8 graph (A) takes effect;

9 “(C) \$12.00 an hour, beginning 2 years
10 after such date;

11 “(D) \$13.50 an hour, beginning 3 years
12 after such date;

13 “(E) \$15.00 an hour, beginning 4 years
14 after such date; and

15 “(F) beginning on the date that is 5 years
16 after such date, and annually thereafter, the
17 amount determined by the Secretary pursuant
18 to subsection (h);”.

19 (2) DETERMINATION BASED ON INCREASE IN
20 THE MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—
21 Section 6 of the Fair Labor Standards Act of 1938
22 (29 U.S.C. 206) is amended by adding at the end
23 the following:

24 “(h)(1) Each year, by not later than the date that
25 is 90 days before a new minimum wage determined under

1 subsection (a)(1)(F) is to take effect, the Secretary shall
2 determine the minimum wage to be in effect pursuant to
3 this subsection for each period described in subsection
4 (a)(1)(F). The wage determined pursuant to this sub-
5 section for a year shall be—

6 “(A) not less than the amount in effect under
7 subsection (a)(1) on the date of such determination;

8 “(B) increased from such amount by the annual
9 percentage increase in the median hourly wage of all
10 employees, as determined by the Bureau of Labor
11 Statistics; and

12 “(C) rounded to the nearest multiple of \$0.05.

13 “(2) In calculating the annual percentage increase in
14 the median hourly wage of all employees for purposes of
15 paragraph (1)(B), the Secretary through the Bureau of
16 Labor Statistics shall compile data on the hourly wages
17 of all employees to determine such a median hourly wage
18 and compare such median hourly wage for the most recent
19 year for which data are available with the median hourly
20 wage determined for the preceding year.”.

21 (b) BASE MINIMUM WAGE FOR TIPPED EMPLOY-
22 EES.—Section 3(m)(1) of the Fair Labor Standards Act
23 of 1938 (29 U.S.C. 203(m)(1)) is amended to read as fol-
24 lows:

1 “(1) the cash wage paid such employee, which
2 for purposes of such determination shall be not less
3 than—

4 “(A) for the 1-year period beginning on
5 January 1, 2016, or the first day of the third
6 month that begins after the date of enactment
7 of the Pay Workers a Living Wage Act, which-
8 ever date is later, \$3.15 an hour;

9 “(B) for each succeeding 1-year period
10 until the hourly wage under this paragraph
11 equals the wage in effect under section 6(a)(1)
12 for such period, an hourly wage equal to the
13 amount determined under this paragraph for
14 the preceding year, increased by the lesser of—

15 “(i) \$1.50; or

16 “(ii) the amount necessary for the
17 wage in effect under this paragraph to
18 equal the wage in effect under section
19 6(a)(1) for such period, rounded to the
20 nearest multiple of \$0.05; and

21 “(C) for each succeeding 1-year period
22 after the year in which the hourly wage under
23 this paragraph first equals the wage in effect
24 under section 6(a)(1) for the same period, the
25 amount necessary to ensure that the wage in ef-

1 fect under this paragraph remains equal to the
2 wage in effect under section 6(a)(1), rounded to
3 the nearest multiple of \$0.05; and”.

4 (c) TIPS RETAINED BY EMPLOYEES.—Section 3(m)
5 of the Fair Labor Standards Act of 1938 (29 U.S.C.
6 203(m)) is amended—

7 (1) in the second sentence of the matter fol-
8 lowing paragraph (2), by striking “of this sub-
9 section, and all tips received by such employee have
10 been retained by the employee” and inserting “of
11 this subsection. Any employee shall have the right to
12 retain any tips received by such employee”; and

13 (2) by adding at the end the following: “An em-
14 ployer shall inform each employee of the right and
15 exception provided under the preceding sentence.”.

16 (d) SCHEDULED REPEAL OF SEPARATE MINIMUM
17 WAGE FOR TIPPED EMPLOYEES.—

18 (1) TIPPED EMPLOYEES.—Effective on the date
19 described in paragraph (3), section 3(m) of the Fair
20 Labor Standards Act of 1938 (29 U.S.C. 203(m)),
21 as amended by subsections (b) and (c), is amended
22 by striking the sentence beginning with “In deter-
23 mining the wage an employer is required to pay a
24 tipped employee,” and all that follows through “of
25 this subsection.” and inserting “The wage required

1 to be paid to a tipped employee shall be the wage
2 set forth in section 6(a)(1).”.

3 (2) PUBLICATION OF NOTICE.—Effective on the
4 date described in paragraph (3), section 6(i) of the
5 Fair Labor Standards Act of 1938 (29 U.S.C.
6 206(i)), as added by subsection (e), is amended by
7 striking “or required for tipped employees” and all
8 that follows through “(as applicable)”.

9 (3) EFFECTIVE DATE.—The amendments made
10 by paragraphs (1) and (2) shall take effect on the
11 date that is one day after the date on which the
12 hourly wage under section 3(m)(1)(C) of the Fair
13 Labor Standards Act of 1938 (29 U.S.C.
14 203(m)(1)(C)) takes effect.

15 (e) YOUTH MINIMUM WAGE.—Section (6)(g)(1) of
16 the Fair Labor Standards Act of 1938 (29 U.S.C.
17 206(g)(1)) is amended by striking “a wage which is not
18 less than \$4.25 an hour” and inserting “a wage at a rate
19 that is not less than the rate prescribed by subsection
20 (a)(1), reduced by \$3.00 per hour”.

21 (f) PUBLICATION OF NOTICE.—Section 6 of the Fair
22 Labor Standards Act of 1938 (as amended by subsections
23 (a) and (e)) (29 U.S.C. 206) is further amended by adding
24 at the end the following:

1 “(i)(1) Not later than 60 days prior to the effective
2 date of any adjusted required wage, the Secretary shall
3 publish in the Federal Register and on the website of the
4 Department of Labor a notice announcing the amount of
5 the adjusted required wage.

6 “(2) In this subsection, the term ‘adjusted required
7 wage’ means any increase in the minimum wage that is—

8 “(A) determined under subsection (h);

9 “(B) required for tipped employees in accord-
10 ance with subparagraph (B) or (C) of section
11 3(m)(1) (as applicable); or

12 “(C) required for employees who have not at-
13 tained the age of 20 years in accordance with sub-
14 section (g).”.

15 (g) EFFECTIVE DATE.—The amendments made by
16 subsections (a), (b), and (e) shall take effect on January
17 1, 2016, or the first day of the third month that begins
18 after the date of enactment of this Act, whichever date
19 is later.