

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.