

**SUBSTITUTE AMENDMENT TO THE AMENDMENT IN  
THE NATURE OF A SUBSTITUTE TO H.R. 3441  
OFFERED BY MS. WILSON OF FLORIDA**

In lieu of the matter proposed to be inserted by the Amendment in the Nature of a Substitute offered by Mr. Byrne, insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Raise the Wage Act”.

**3 SEC. 2. MINIMUM WAGE INCREASES.**

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

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

9 “(A) \$9.25 an hour, beginning on the ef-  
10 fective date under section 7 of the Raise the  
11 Wage Act;

12 “(B) \$10.10 an hour, beginning 1 year  
13 after such effective date;

14 “(C) \$11.00 an hour, beginning 2 years  
15 after such effective date;

16 “(D) \$12.00 an hour, beginning 3 years  
17 after such effective date;

1           “(E) \$13.00 an hour, beginning 4 years  
2 after such effective date;

3           “(F) \$13.50 an hour, beginning 5 years  
4 after such effective date;

5           “(G) \$14.25 an hour, beginning 6 years  
6 after such effective date;

7           “(H) \$15.00 an hour, beginning 7 years  
8 after such effective date; and

9           “(I) beginning on the date that is 8 years  
10 after such effective date, and annually there-  
11 after, the amount determined by the Secretary  
12 under subsection (h);”.

13           (b) DETERMINATION BASED ON INCREASE IN THE  
14 MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section  
15 6 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
16 206) is amended by adding at the end the following:

17           “(h)(1) Not later than each date that is 90 days be-  
18 fore a new minimum wage determined under subsection  
19 (a)(1)(I) is to take effect, the Secretary shall determine  
20 the minimum wage to be in effect under this subsection  
21 for each period described in subsection (a)(1)(I). The wage  
22 determined under this subsection for a year shall be—

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

1           “(B) increased from such amount by the annual  
2           percentage increase, if any, in the median hourly  
3           wage of all employees as determined by the Bureau  
4           of Labor Statistics; and

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

6           “(2) In calculating the annual percentage increase in  
7           the median hourly wage of all employees for purposes of  
8           paragraph (1)(B), the Secretary, through the Bureau of  
9           Labor Statistics, shall compile data on the hourly wages  
10          of all employees to determine such a median hourly wage  
11          and compare such median hourly wage for the most recent  
12          year for which data are available with the median hourly  
13          wage determined for the preceding year.”.

14   **SEC. 3. TIPPED EMPLOYEES.**

15          (a) BASE MINIMUM WAGE FOR TIPPED EMPLOY-  
16          EES.—Section 3(m)(1) of the Fair Labor Standards Act  
17          of 1938 (29 U.S.C. 203(m)(1)) is amended to read as fol-  
18          lows:

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

22                         “(A) for the 1-year period beginning on  
23                         the effective date under section 7 of the Raise  
24                         the Wage Act, \$4.15 an hour;

1           “(B) for each succeeding 1-year period  
2           until the hourly wage under this paragraph  
3           equals the wage in effect under section 6(a)(1)  
4           for such period, an hourly wage equal to the  
5           amount determined under this paragraph for  
6           the preceding year, increased by the lesser of—

7                       “(i) \$1.15; or

8                       “(ii) the amount necessary for the  
9                       wage in effect under this paragraph to  
10                      equal the wage in effect under section  
11                      6(a)(1) for such period, rounded to the  
12                      nearest multiple of \$0.05; and

13           “(C) for each succeeding 1-year period  
14           after the increase made pursuant to subpara-  
15           graph (B)(ii), the minimum wage in effect  
16           under section 6(a)(1); and”.

17           (b) TIPS RETAINED BY EMPLOYEES.—Section 3(m)  
18           of the Fair Labor Standards Act of 1938 (29 U.S.C.  
19           203(m)) is amended—

20                       (1) in the second sentence of the matter fol-  
21                       lowing paragraph (2), by striking “of this sub-  
22                       section, and all tips received by such employee have  
23                       been retained by the employee” and inserting “of  
24                       this subsection. Any employee shall have the right to  
25                       retain any tips received by such employee”; and

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

4           (c) SCHEDULED REPEAL OF SEPARATE MINIMUM  
5 WAGE FOR TIPPED EMPLOYEES.—

6           (1) TIPPED EMPLOYEES.—Section 3(m) of the  
7           Fair Labor Standards Act of 1938 (29 U.S.C.  
8           203(m)), as amended by subsections (a) and (b), is  
9           further amended by striking the sentence beginning  
10          with “In determining the wage an employer is re-  
11          quired to pay a tipped employee,” and all that fol-  
12          lows through “of this subsection.” and inserting  
13          “The wage required to be paid to a tipped employee  
14          shall be the wage set forth in section 6(a)(1).”.

15          (2) PUBLICATION OF NOTICE.—Section 6(i) of  
16          the Fair Labor Standards Act of 1938 (29 U.S.C.  
17          206(i)), as added by section 5, is amended by strik-  
18          ing “or in accordance with subparagraph (B) or (C)  
19          of section 3(m)(1) (as applicable),”.

20          (3) EFFECTIVE DATE.—The amendments made  
21          by paragraphs (1) and (2) shall take effect on the  
22          date that is one day after the date on which the  
23          hourly wage under section 3(m)(1)(C) of the Fair  
24          Labor Standards Act of 1938 (29 U.S.C.

1       203(m)(1)(C)), as amended by subsection (a), takes  
2       effect.

3       **SEC. 4. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20**  
4                                   **YEARS OLD.**

5       (a) BASE MINIMUM WAGE FOR NEWLY HIRED EM-  
6       PLOYEES WHO ARE LESS THAN 20 YEARS OLD.—Section  
7       6(g)(1) of the Fair Labor Standards Act of 1938 (29  
8       U.S.C. 206(g)(1)) is amended by striking “a wage which  
9       is not less than \$4.25 an hour.” and inserting the fol-  
10      lowing: “a wage at a rate that is not less than—

11                           “(A) for the 1-year period beginning on  
12                           the effective date under section 7 of the Raise  
13                           the Wage Act, \$5.00 an hour;

14                           “(B) for each succeeding 1-year period  
15                           until the hourly wage under this paragraph  
16                           equals the wage in effect under section 6(a)(1)  
17                           for such period, an hourly wage equal to the  
18                           amount determined under this paragraph for  
19                           the preceding year, increased by the lesser of—

20                                   “(i) \$1.05; or

21                                   “(ii) the amount necessary for the  
22                                   wage in effect under this paragraph to  
23                                   equal the wage in effect under section  
24                                   6(a)(1) for such period, rounded to the  
25                                   nearest multiple of \$0.05; and

1           “(C) for each succeeding 1-year period  
2           after the increase made pursuant to subpara-  
3           graph (B)(ii), the minimum wage in effect  
4           under section 6(a)(1).”.

5           (b) SCHEDULED REPEAL OF SEPARATE MINIMUM  
6 WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS  
7 THAN 20 YEARS OLD.—

8           (1) IN GENERAL.—Section 6(g)(1) of the Fair  
9           Labor Standards Act of 1938 (29 U.S.C.  
10          206(g)(1)), as amended by subsection (a), shall be  
11          repealed effective on the date provided in paragraph  
12          (3).

13          (2) PUBLICATION OF NOTICE.—Section 6(i) of  
14          the Fair Labor Standards Act of 1938 (29 U.S.C.  
15          206(i)), as amended by section 3(c)(2), is further  
16          amended by striking “or subparagraph (B) or (C) of  
17          section 6(g)(1) (as applicable),”.

18          (3) EFFECTIVE DATE.—The repeal and amend-  
19          ment made by paragraphs (1) and (2), respectively,  
20          shall take effect on the date that is one day after the  
21          date on which the hourly wage under section  
22          6(g)(1)(C) of the Fair Labor Standards Act, as  
23          amended by subsection (a), takes effect.

1 **SEC. 5. PUBLICATION OF NOTICE.**

2 Section 6 of the Fair Labor Standards Act of 1938  
3 (29 U.S.C. 206), as amended by the preceding sections,  
4 is further amended by adding at the end the following:

5 “(i) Not later than 60 days prior to the effective date  
6 of any increase in the required wage determined under  
7 subsection (h), or in accordance with subparagraph (B)  
8 or (C) of section 3(m)(1) (as applicable), section  
9 14(c)(1)(A) (as applicable), or subparagraph (B) or (C)  
10 of section 6(g)(1) (as applicable), the Secretary shall pub-  
11 lish in the Federal Register and on the website of the De-  
12 partment of Labor a notice announcing each increase in  
13 such required wage.”.

14 **SEC. 6. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR IN-**  
15 **DIVIDUALS WITH DISABILITIES.**

16 (a) WAGES.—

17 (1) TRANSITION TO FAIR WAGES FOR INDIVID-  
18 UALS WITH DISABILITIES.—Subparagraph (A) of  
19 section 14(c)(1) of the Fair Labor Standards Act of  
20 1938 (29 U.S.C. 214(c)(1)) is amended to read as  
21 follows:

22 “(A) at a rate that equals, or exceeds, the  
23 greater of—

24 “(i)(I) \$4.25 an hour, beginning 1  
25 year after the date the wage rate specified  
26 in section 6(a)(1)(A) takes effect;



1                   “(II) \$6.25 an hour, beginning 2  
2                   years after such date;

3                   “(III) \$8.25 an hour, beginning 3  
4                   years after such date;

5                   “(IV) \$10.25 an hour, beginning 4  
6                   years after such date;

7                   “(V) \$12.25 an hour, beginning 5  
8                   years after such date; and

9                   “(VI) the wage rate in effect under  
10                  section 6(a)(1), on the date that is 6 years  
11                  after the date the wage specified in section  
12                  6(a)(1)(A) takes effect; or

13                  “(ii) if applicable, the wage rate in ef-  
14                  fect on the day before the date of enact-  
15                  ment of the Raise the Wage Act for the  
16                  employment, under a special certificate  
17                  issued under this paragraph, of the indi-  
18                  vidual for whom the wage rate is being de-  
19                  termined under this subparagraph,”.

20                  (2) PROHIBITION ON NEW SPECIAL CERTIFI-  
21                  CATES; SUNSET.—Section 14(c) of the Fair Labor  
22                  Standards Act of 1938 (29 U.S.C. 214(c)) (as  
23                  amended by paragraph (1)) is further amended by  
24                  adding at the end the following:

1           “(6) PROHIBITION ON NEW SPECIAL CERTIFI-  
2           CATES.—Notwithstanding paragraph (1), the Sec-  
3           retary shall not issue a special certificate under this  
4           subsection to an employer that was not issued a spe-  
5           cial certificate under this subsection before the date  
6           of enactment of the Raise the Wage Act.

7           “(7) SUNSET.—Beginning on the day after the  
8           date on which the wage rate described in paragraph  
9           (1)(A)(i)(VI) takes effect, the authority to issue spe-  
10          cial certificates under paragraph (1) shall expire,  
11          and no special certificates issued under paragraph  
12          (1) shall have any legal effect.

13          “(8) TRANSITION ASSISTANCE.—Upon request,  
14          the Secretary shall provide—

15                 “(A) technical assistance and information  
16                 to employers issued a special certificate under  
17                 this subsection for the purposes of—

18                         “(i) transitioning the practices of such  
19                         employers to comply with this subsection,  
20                         as amended by the Raise the Wage Act;  
21                         and

22                         “(ii) ensuring continuing employment  
23                         opportunities for individuals with disabili-  
24                         ties receiving a special minimum wage  
25                         rate under this subsection; and

1           “(B) information to individuals employed  
2           at a special minimum wage rate under this sub-  
3           section, which may include referrals to other  
4           Federal or State entities with expertise in com-  
5           petitive integrated employment.”.

6           (3) EFFECTIVE DATE.—The amendments made  
7           by this subsection shall take effect on the date of en-  
8           actment of this Act.

9           (b) PUBLICATION OF NOTICE.—

10           (1) AMENDMENT.—Section 6(i) of the Fair  
11           Labor Standards Act of 1938 (29 U.S.C. 206(i)), as  
12           amended by section 4(b)(2), is further amended by  
13           striking “section 14(c)(1)(A) (as applicable),”.

14           (2) EFFECTIVE DATE.—The amendment made  
15           by paragraph (1) shall take effect on the day after  
16           the date on which the wage rate described in para-  
17           graph (1)(A)(i)(VI) of section 14(c) of the Fair  
18           Labor Standards Act of 1938 (29 U.S.C. 214(c)), as  
19           amended by subsection (a)(1), takes effect.

20   **SEC. 7. GENERAL EFFECTIVE DATE.**

21           Except as otherwise provided in this Act or the  
22           amendments made by this Act, this Act and the amend-  
23           ments made by this Act shall take effect on the first day

- 1 of the third month that begins after the date of enactment
- 2 of this Act.

