

119TH CONGRESS  
2D SESSION

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To provide for increases in the Federal minimum wage, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. GALLEGUO introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To provide for increases in the Federal minimum wage, and for other purposes.

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 “Give America a Raise  
5       Act”.

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

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

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

3           “(A) \$10.00 an hour, beginning on the ef-  
4        fective date under section 7 of the Give America  
5        a Raise Act;

6           “(B) \$13.00 an hour, beginning 1 year  
7        after such effective date;

8           “(C) \$16.50 an hour, beginning 2 years  
9        after such effective date;

10          “(D) \$20.00 an hour, beginning 3 years  
11        after such effective date; and

12          “(E) beginning on the date that is 4 years  
13        after such effective date, and annually there-  
14        after, the amount determined by the Secretary  
15        under subsection (h) for the year;”.

16          (b) DETERMINATION BASED ON INFLA-  
17        TION AND GROSS DOMESTIC PRODUCT.—Section 6 of the  
18        Fair Labor Standards Act of 1938 (29 U.S.C. 206) is  
19        amended by adding at the end the following:

20          “(h)(1) Not later than each date that is 90 days be-  
21        fore a new minimum wage determined under subsection  
22        (a)(1)(E) is to take effect for a year, the Secretary shall  
23        determine the amount of the minimum wage under this  
24        subsection for the year. The amount of the minimum wage  
25        determined under this subsection for a year shall be the

1 amount in effect under subsection (a)(1) on the date of  
2 such determination, as increased (subject to paragraph  
3 (2)) by the greater of—

4           “(A) the annual percentage increase in the Con-  
5           sumer Price Index for all Urban Consumers, as de-  
6           termined by the Bureau of Labor Statistics, for the  
7           most recent 12-month period for which data is avail-  
8           able; or

9           “(B) the annual percentage increase in the  
10           Gross Domestic Product, as determined by the Bu-  
11           reau of Economic Analysis, for the most recent 12-  
12           month period for which data is available.

13           “(2) In the event that, in determining the amount  
14 of the minimum wage under this subsection for a year,  
15 there is not an annual percentage increase in the Con-  
16 sumer Price Index described in paragraph (1)(A) and  
17 there is not an annual percentage increase in the Gross  
18 Domestic Product described in paragraph (1)(B), the  
19 amount determined under this subsection for such year  
20 shall be the amount in effect under subsection (a)(1) on  
21 the date of such determination.

22           “(3) In the event that the amount of the minimum  
23 wage determined under this subsection for a year is not  
24 a multiple of \$0.05, such amount shall be rounded up to  
25 the nearest multiple of \$0.05.”.

**1 SEC. 3. TIPPED EMPLOYEES.**

2 (a) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES  
3 AND TIPS RETAINED BY EMPLOYEES.—Section  
4 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938  
5 (29 U.S.C. 203(m)(2)(A)(i)) is amended to read as fol-  
6 lows:

7 “(i) the cash wage paid such employee,  
8 which for purposes of such determination shall  
9 be not less than—

10 “(I) for the 1-year period beginning  
11 on the effective date under section 7 of the  
12 Give America a Raise Act, \$6.00 an hour;

13 “(II) \$8.00 an hour, beginning 1 year  
14 after such effective date;

15 “(III) \$10.00 an hour, beginning 2  
16 years after such effective date;

17 “(IV) \$12.50 an hour, beginning 3  
18 years after such effective date;

19 “(V) \$15.00 an hour, beginning 4  
20 years after such effective date;

21 “(VI) \$17.50 an hour, beginning 5  
22 years after such effective date;

23 “(VII) \$20.00 an hour, beginning 6  
24 years after such effective date; and

25 “(VIII) for each succeeding 1-year pe-  
26 riod after the increase made pursuant to

1 subclause (VII), the minimum wage in ef-  
2 fect under section 6(a)(1); and”.

3 (b) TIPS RETAINED BY EMPLOYEES.—Section  
4 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29  
5 U.S.C. 203(m)(2)(A)) is amended—

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

15 (c) SCHEDULED REPEAL OF SEPARATE MINIMUM  
16 WAGE FOR TIPPED EMPLOYEES.—

17 (1) TIPPED EMPLOYEES.—Section 3(m)(2)(A)  
18 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
19 203(m)(2)(A)), as amended by subsections (a) and  
20 (b), is further amended by striking the sentence be-  
21 ginning with “In determining the wage an employer  
22 is required to pay a tipped employee,” and all that  
23 follows through “of this subsection.” and inserting  
24 “The wage required to be paid to a tipped employee  
25 shall be the wage set forth in section 6(a)(1).”.

14 (d) PENALTIES.—Section 16 of the Fair Labor  
15 Standards Act of 1938 (29 U.S.C. 216) is amended by  
16 striking “unlawfully kept” each place it appears and in-  
17 serting “unlawfully kept or used”.

18 SEC. 4. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20  
19 YEARS OLD

20 (a) BASE MINIMUM WAGE FOR NEWLY HIRED EM-  
21 PLOYEES WHO ARE LESS THAN 20 YEARS OLD.—Section  
22 6(g)(1) of the Fair Labor Standards Act of 1938 (29  
23 U.S.C. 206(g)(1)) is amended by striking “a wage which  
24 is not less than \$4.25 an hour.” and inserting the fol-  
25 lowing: “a wage at a rate that is not less than—

1           “(A) for the 1-year period beginning on the ef-  
2        fective date under section 7 of the Give America a  
3        Raise Act, \$6.00 an hour;

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

10           “(i) \$2.00; or

11           “(ii) the amount necessary for the wage in  
12        effect under this paragraph to equal the wage  
13        in effect under section 6(a)(1) for such period;  
14        and

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

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

21           (1) IN GENERAL.—Section 6(g) of the Fair  
22        Labor Standards Act of 1938 (29 U.S.C. 206(g)), as  
23        amended by subsection (a), shall be repealed.

24           (2) PUBLICATION OF NOTICE.—Subsection (i)  
25        of section 6 of the Fair Labor Standards Act of

1       1938 (29 U.S.C. 206), as added by section 5 and  
2       amended by sections 6(b)(1) and 3(c)(2), is further  
3       amended by striking “or subparagraph (B) or (C) of  
4       subsection (g)(1)”.

5               (3) EFFECTIVE DATE.—The repeal and amend-  
6       ment made by paragraphs (1) and (2), respectively,  
7       shall take effect on the date that is 1 day after the  
8       date on which the hourly wage under subparagraph  
9       (C) of section 6(g)(1) of the Fair Labor Standards  
10      Act of 1938 (29 U.S.C. 206(g)(1)), as amended by  
11      subsection (a), takes effect.

**12 SEC. 5. PUBLICATION OF NOTICE.**

13       Section 6 of the Fair Labor Standards Act of 1938  
14      (29 U.S.C. 206), as amended by section 2(b), is further  
15      amended by adding at the end the following:

16               “(i) Not later than 60 days prior to the effective date  
17      of any increase in the required wage determined under  
18      subsection (a)(1) or subparagraph (B) or (C) of subsection  
19      (g)(1), or in accordance with subclauses (II) through  
20      (VIII) of section 3(m)(2)(A)(i) or section 14(c)(1)(A)(i),  
21      the Secretary shall publish in the Federal Register and  
22      on the website of the Department of Labor a notice an-  
23      nouncing each increase in such required wage.”.

1   **SEC. 6. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR IN-**  
2                   **DIVIDUALS WITH DISABILITIES.**

3           (a) **WAGES.—**

4               (1) **TRANSITION TO FAIR WAGES FOR INDIVID-**  
5               **UALS WITH DISABILITIES.**—Subparagraph (A) of  
6               section 14(c)(1) of the Fair Labor Standards Act of  
7               1938 (29 U.S.C. 214(c)(1)) is amended to read as  
8               follows:

9               “(A) at a rate that equals or exceeds, for each  
10              year, the greater of—

11               “(i)(I) \$5.00 an hour, beginning on the ef-  
12               fective date under section 7 of the Give America  
13               a Raise Act;

14               “(II) \$8.00 an hour, beginning 1 year  
15               after such effective date;

16               “(III) \$11.00 an hour, beginning 2 years  
17               after such effective date;

18               “(IV) \$14.00 an hour, beginning 3 years  
19               after such effective date;

20               “(V) \$17.00 an hour, beginning 4 years  
21               after such effective date;

22               “(VI) \$20.00 an hour, beginning 5 years  
23               after such effective date; and

24               “(VII) the wage rate in effect under sec-  
25               tion 6(a)(1), beginning 6 years after such effec-  
26               tive date; or

1                         “(ii) if applicable, the wage rate in effect  
2                         on the day before the date of enactment of the  
3                         Give America a Raise Act for the employment,  
4                         under a special certificate issued under this  
5                         paragraph, of the individual for whom the wage  
6                         rate is being determined under this subpara-  
7                         graph.”.

8                         “(2) PROHIBITION ON NEW SPECIAL CERTIFI-  
9                         CATES; TRANSITION ASSISTANCE.—

10                         “(A) IN GENERAL.—Section 14(c) of the  
11                         Fair Labor Standards Act of 1938 (29 U.S.C.  
12                         214(c)) is amended by adding at the end the  
13                         following:

14                         “(6) PROHIBITION ON NEW SPECIAL CERTIFI-  
15                         CATES.—Notwithstanding paragraph (1), the Secretary  
16                         shall not issue a special certificate under this subsection  
17                         to an employer that was not issued a special certificate  
18                         under this subsection before the date of enactment of the  
19                         Give America a Raise Act.

20                         “(7) TRANSITION ASSISTANCE.—Upon request, the  
21                         Secretary shall provide—

22                         “(A) technical assistance and information to  
23                         employers issued a special certificate under this sub-  
24                         section for the purposes of—

1                   “(i) assisting such employers to comply  
2                   with this subsection, as amended by the Give  
3                   America a Raise Act; and

4                   “(ii) ensuring continuing employment op-  
5                   portunities for individuals with disabilities re-  
6                   ceiving a special minimum wage rate under this  
7                   subsection; and

8                   “(B) information to individuals employed at a  
9                   special minimum wage rate under this subsection,  
10                   which may include referrals to Federal or State enti-  
11                   ties with expertise in competitive integrated employ-  
12                   ment.”.

13                   (B) EFFECTIVE DATE.—The amendments  
14                   made by this paragraph shall take effect on the  
15                   date of enactment of this Act.

16                   (3) SUNSET.—Section 14(c) of the Fair Labor  
17                   Standards Act of 1938 (29 U.S.C. 214(c)), as  
18                   amended by paragraph (2), is further amended by  
19                   adding at the end the following:

20                   “(8) SUNSET.—Beginning on the day after the date  
21                   on which the wage rate described in paragraph  
22                   (1)(A)(i)(VII) takes effect, the authority to issue special  
23                   certificates under paragraph (1) shall expire, and no spe-  
24                   cial certificates issued under paragraph (1) shall have any  
25                   legal effect.”.

1       (b) PUBLICATION OF NOTICE.—

2               (1) AMENDMENT.—Subsection (i) of section 6  
3               of the Fair Labor Standards Act of 1938 (29 U.S.C.  
4               206), as added by section 5, is amended by striking  
5               “or section 14(c)(1)(A)(i)”.

6               (2) EFFECTIVE DATE.—The amendment made  
7               by paragraph (1) shall take effect on the day after  
8               the date on which the wage rate described in para-  
9               graph (1)(A)(i)(VII) of section 14(c) of the Fair  
10              Labor Standards Act of 1938 (29 U.S.C. 214(c)), as  
11              amended by subsection (a)(1), takes effect.

12 **SEC. 7. GENERAL EFFECTIVE DATE.**

13              Except as otherwise provided in this Act, this Act and  
14              the amendments made by this Act shall take effect on the  
15              first day of the third month that begins after the date  
16              of enactment of this Act.