

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 257** Session of
2005

INTRODUCED BY COHEN, BELFANTI, J. TAYLOR, DeWEESE, VEON, THOMAS, STETLER, BELARDI, BISHOP, BLAUM, KENNEY, FREEMAN, McGEEHAN, WALKO, WATERS, LaGROTTA, MELIO, OLIVER, SANTONI, MANDERINO, WASHINGTON, McCALL, W. KELLER, PISTELLA, TIGUE, JAMES, SURRA, HARHAI, LEVDANSKY, ROEBUCK, TANGRETTI, GERGELY, BEBKO-JONES, WOJNAROSKI, DALEY, STURLA, ROONEY, CAWLEY, WHEATLEY, MUNDY, CURRY, CALTAGIRONE, LEACH, RUFFING, FRANKEL, GEORGE, EACHUS, WILLIAMS, RAMALEY, STABACK, CRUZ, YOUNGBLOOD, SAMUELSON, KIRKLAND, YUDICHAK, GRUCELA, COSTA, BUTKOVITZ, BLACKWELL, MYERS, DeLUCA, D. EVANS, BUXTON, LESCOVITZ, PRESTON, DONATUCCI, CASORIO, JOSEPHS, PALLONE, SHANER, SOLOBAY, GOODMAN, RIEGER, CORRIGAN, DERMODY, PETRONE, YEWIC, LEDERER, PETRARCA, SIPTROTH AND FABRIZIO, FEBRUARY 8, 2005

AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 12, 2005

AN ACT

1 Amending the act of January 17, 1968 (P.L.11, No.5), entitled
2 "An act establishing a fixed minimum wage and overtime rates
3 for employes, with certain exceptions; providing for minimum
4 rates for learners and apprentices; creating a Minimum Wage
5 Advisory Board and defining its powers and duties; conferring
6 powers and imposing duties upon the Department of Labor and
7 Industry; imposing duties on employers; and providing
8 penalties," further providing for minimum wage.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 4(a) and (a.1) of the act of January 17,
12 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968,
13 amended or added December 15, 1988 (P.L.1232, No.150), are
14 amended to read:

15 Section 4. Minimum Wages.--Except as may otherwise be

1 provided under this act:

2 (a) Every employer shall pay to each of his employes wages
3 for all hours worked at a rate of not less than:

4 (1) Two dollars sixty-five cents (\$2.65) an hour upon the
5 effective date of this amendment.

6 (2) Two dollars ninety cents (\$2.90) an hour during the year
7 beginning January 1, 1979.

8 (3) Three dollars ten cents (\$3.10) an hour during the year
9 beginning January 1, 1980.

10 (4) Three dollars thirty-five cents (\$3.35) an hour after
11 December 31, 1980.

12 (5) Three dollars seventy cents (\$3.70) an hour beginning
13 February 1, 1989[, and thereafter].

14 ~~(6) Six dollars (\$6.00) an hour beginning on the effective~~ <—
15 ~~date of this paragraph.~~

16 ~~(7) Six dollars and seventy five cents (\$6.75) an hour~~
17 ~~during the year beginning January 1, 2006.~~

18 ~~(8) Seven dollars and fifteen cents (\$7.15) an hour during~~
19 ~~the year beginning January 1, 2007.~~

20 ~~(9) Beginning January 1, 2008, and each succeeding January 1~~
21 ~~thereafter, the minimum wage shall be increased by an annual~~
22 ~~cost of living adjustment calculated by applying the percentage~~
23 ~~change in the Consumer Price Index for All Urban Consumers (CPI-~~
24 ~~U) for the Pennsylvania, New Jersey, Delaware and Maryland area,~~
25 ~~for the most recent twelve month period for which figures have~~
26 ~~been officially reported by the United States Department of~~
27 ~~Labor, Bureau of Labor Statistics sixty days prior to the date~~
28 ~~the adjustment is due to take effect, to the then current salary~~
29 ~~amounts. The percentage increase and the minimum wage amounts~~
30 ~~shall be determined by the secretary as herein prescribed and~~

1 ~~public notice given in the Pennsylvania Bulletin within ten days~~
2 ~~of the date such determination is made.~~

3 (6) FIVE DOLLARS SEVENTY CENTS (\$5.70) AN HOUR BEGINNING <—
4 JANUARY 1, 2006.

5 (7) SIX DOLLARS TWENTY-FIVE CENTS (\$6.25) AN HOUR BEGINNING
6 JANUARY 1, 2007.

7 (a.1) If the minimum wage set forth in the Fair Labor
8 Standards Act of 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.)
9 is increased above [three dollars thirty-five cents (\$3.35) an
10 hour] the minimum wage required under this section, the minimum
11 wage required under this section shall be increased by the same
12 amounts and effective the same date as the increases under the
13 Fair Labor Standards Act, and the provisions of subsection (a)
14 are suspended to the extent they differ from those set forth
15 under the Fair Labor Standards Act.

16 * * *

17 SECTION 2. THE INCREASE IN THE MINIMUM WAGE UNDER SECTION <—
18 4(A) OF THE ACT SHALL NOT APPLY TO MINORS SUBJECT TO THE ACT OF
19 MAY 13, 1915 (P.L.286, NO.177), KNOWN AS THE CHILD LABOR LAW,
20 EXCEPT THOSE MINORS DESCRIBED IN SECTION 7.2 OF THE CHILD LABOR
21 LAW.

22 Section ~~2~~ 3. This act shall take effect ~~in 60 days~~ <—
23 IMMEDIATELY. <—