

113TH CONGRESS  
1ST SESSION

# H. R. 1346

To amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage and to index future increases to such wage to increases in the consumer price index.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2013

Mr. GRAYSON introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage and to index future increases to such wage to increases in the consumer price index.

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 “Catching Up To 1968  
5 Act of 2013”.

1 **SEC. 2. INCREASES IN THE FEDERAL MINIMUM WAGE.**

2 (a) **MINIMUM WAGE.**—Section 6(a)(1) of the Fair  
3 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is  
4 amended—

5 (1) in the matter preceding subparagraph (A),  
6 by striking “not less than—” and inserting “not less  
7 than the greater of—”;

8 (2) by striking subparagraphs (A) through (C)  
9 and inserting the following:

10 “(A) \$10.50 an hour; and

11 “(B) beginning 1 year after the wage pro-  
12 vided for in subparagraph (A) takes effect and  
13 each year thereafter, the wage determined by  
14 the Secretary that raises the wage of the pre-  
15 ceding year in proportion to the increase in the  
16 Consumer Price Index for all urban consumers  
17 for the preceding year, and maintains the wage  
18 of the previous year should the Consumer Price  
19 Index decrease.”.

20 (b) **MINIMUM WAGE FOR TIPPED EMPLOYEES.**—Sec-  
21 tion 3(m)(1) of the Fair Labor Standards Act of 1938  
22 (29 U.S.C. 203(m)(1)) is amended to read as follows:

23 “(1) the cash wage paid such employee shall be  
24 70 percent of the minimum wage in effect under sec-  
25 tion 6(a)(1); and”.

1           (c) PUBLICATION OF WAGES.—Section 6 of the Fair  
2 Labor Standards Act of 1938 (29 U.S.C. 206) is further  
3 amended by adding after subsection (b) the following:

4           “(c) Not later than 60 days prior to the effective date  
5 of any increase in the minimum wage pursuant to sub-  
6 section (a)(1)(B) or increase in the minimum wage for  
7 tipped employees in accordance with section 3(m)(1), the  
8 Secretary shall publish in the Federal Register and on the  
9 Internet website of the Department of Labor a notice an-  
10 nouncing the adjusted required wage or wages.”.

11          (d) AMENDED FARMWORKER EXEMPTION.—Section  
12 13(a)(6) of the Fair Labor Standards Act of 1938 (29  
13 U.S.C. 213(a)(6)) is amended to read as follows:

14           “(6) any employee employed in agriculture if  
15 such employee is a member of the employer’s imme-  
16 diate family; or”.

17          (e) ELIMINATION OF HOME HEALTHCARE WORKER  
18 EXEMPTION.—Section 13(a)(15) of the Fair Labor Stand-  
19 ards Act of 1938 (29 U.S.C. 213(a)(15)) is amended by  
20 striking “or any employee employed in domestic service  
21 employment to provide companionship services for individ-  
22 uals who (because of age or infirmity) are unable to care  
23 for themselves (as such terms are defined and delimited  
24 by regulations of the Secretary)”.

1           (f) EFFECTIVE DATE.—The amendments made by  
2 subsections (a) and (b) shall take effect 60 days after the  
3 date of enactment of this Act.

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