

116TH CONGRESS
1ST SESSION

H. R. 2080

To amend the Fair Labor Standards Act of 1938 to provide for a Federal, cost-of-living based minimum wage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2019

Ms. SEWELL of Alabama (for herself, Mrs. MCBATH, Ms. HOULAHAN, Mr. PETERS, Mr. CUELLAR, Mr. BERA, Ms. SPANBERGER, Ms. KENDRA S. HORN of Oklahoma, Mr. PHILLIPS, Mr. SCHRADER, Mr. GONZALEZ of Texas, Ms. SLOTKIN, and Miss RICE of New York) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Fair Labor Standards Act of 1938 to provide for a Federal, cost-of-living based 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 “Paying Hourly Ameri-
5 cans Stronger Earnings (PHASE) in \$15 Wage Act”.

1 **SEC. 2. COST-OF-LIVING BASED MINIMUM WAGE.**

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

5 “(1) except as otherwise provided in this sec-
6 tion, not less than the amount determined by the
7 Secretary under subsection (h) for the metropolitan
8 statistical area or the nonmetropolitan portion in
9 which the employer resides;”.

10 (b) DETERMINATION OF REGIONAL MINIMUM
11 WAGE.—Section 6 of the Fair Labor Standards Act of
12 1938 (29 U.S.C. 206) is amended by adding at the end
13 the following:

14 “(h) DETERMINATION OF MINIMUM WAGE.—

15 “(1)(A) On the effective date of the Paying
16 Hourly Americans Stronger Earnings (PHASE) in
17 \$15 Wage Act, the wage determined under this
18 paragraph for a metropolitan statistical area or non-
19 metropolitan portion shall be equal to the result ob-
20 tained—

21 “(i) by multiplying—

22 “(I) 40 percent of the national aver-
23 age hourly wage of private sector, non-su-
24 pervisory workers (as reported by the Bu-
25 reau of Labor Statistics of the Department

1 of Labor for the most recent month for
2 which data are available); by

3 “(II) the adjustment percentage speci-
4 fied in paragraph (2) for the area or por-
5 tion; and

6 “(ii) by rounding the result obtained under
7 clause (i) to the nearest tenth of a dollar.

8 “(B) Not later than 1 year after such effective
9 date, subparagraph (A)(i)(I) shall be applied by sub-
10 stituting ‘45 percent’ for ‘40 percent’.

11 “(C) Not later than 2 years after such effective
12 date, subparagraph (A)(i)(I) shall be applied by sub-
13 stituting ‘50 percent’ for ‘40 percent’.

14 “(D) Not later than 5 years after such effective
15 date, and for each 3-year period thereafter, the wage
16 determined under this paragraph for a metropolitan
17 statistical area or nonmetropolitan portion shall be
18 equal to the greater of—

19 “(i) the result obtained under subpara-
20 graph (C); or

21 “(ii) the wage determined under this para-
22 graph for such area or portion for the preceding
23 three-year period.

1 “(2) The adjustment percentage specified in
2 this paragraph for a metropolitan statistical area or
3 nonmetropolitan portion shall be—

4 “(A) 87.5 percent, for a metropolitan sta-
5 tistical area or nonmetropolitan portion with a
6 regional price parity of less than 90;

7 “(B) 92.5 percent, for a metropolitan sta-
8 tistical area or nonmetropolitan portion with a
9 regional price parity of less than 95, but not
10 less than 90;

11 “(C) 100 percent, for a metropolitan sta-
12 tistical area or nonmetropolitan portion with a
13 regional price parity of less than 105, but not
14 less than 95;

15 “(D) 107.5 percent, for a metropolitan sta-
16 tistical area or nonmetropolitan portion with a
17 regional price parity of less than 110, but not
18 less than 105; and

19 “(E) 115 percent, for a metropolitan sta-
20 tistical area or nonmetropolitan portion with a
21 regional price parity of not less than 110.

22 “(3) In this subsection:

23 “(A) The term ‘metropolitan statistical
24 area’ means a geographic area, defined by the
25 Office of Management and Budget for statis-

1 tical purposes, containing a large population
2 nucleus and adjacent communities having a
3 high degree of social and economic integration
4 with that nucleus.

5 “(B) The term ‘nonmetropolitan portion’
6 means any county (or portion thereof) which is
7 not within a metropolitan statistical area. All
8 nonmetropolitan portions of a State shall be
9 treated, in aggregate, as a single nonmetropoli-
10 tan portion for the State.

11 “(C) The term ‘regional price parity’
12 means the regional price parity for a metropoli-
13 tan statistical area or nonmetropolitan portion
14 determined by the Bureau of Economic Anal-
15 ysis of the Department of Commerce for the
16 most recent year for which data are available.
17 In determining regional price parities for pur-
18 poses of this subsection, the Bureau of Eco-
19 nomic Analysis shall use the same methodology
20 used to determine such parities for the most re-
21 cent year for which such parities were reported
22 by the Bureau before the date of the enactment
23 of this subsection.”.

1 **SEC. 3. REPEAL OF SEPARATE MINIMUM WAGE FOR TIPPED**
2 **EMPLOYEES.**

3 Subparagraph (A) of section 3(m)(2) of the Fair
4 Labor Standards Act of 1938 (29 U.S.C. 203(m)(2)) is
5 amended to read as follows: “(A) The wage required to
6 be paid to a tipped employee shall be the wage set forth
7 in section 6(a)(1).”.

8 **SEC. 4. REPEAL OF SEPARATE MINIMUM WAGE FOR NEWLY**
9 **HIRED EMPLOYEES WHO ARE LESS THAN 20**
10 **YEARS OLD.**

11 Section 6(g)(1) of the Fair Labor Standards Act of
12 1938 (29 U.S.C. 206(g)(1)) is repealed.

13 **SEC. 5. EFFECTIVE DATE.**

14 The amendments and repeals made by this Act shall
15 take effect on the first day of the third month that begins
16 after the date of the enactment of this Act.

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