

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-134—HB 5469

Judiciary Committee

AN ACT CONCERNING EMPLOYEE RECORD KEEPING

SUMMARY: The state’s “tip credit” law generally allows the employers of certain employees who customarily receive tips to count the tips as a portion of their minimum wage requirement, which reduces the employer’s share of the minimum wage, as long as the tips make up the difference. This act specifies that any claims brought after September 24, 2022, under the state’s tip credit law or certain related laws and regulations must be adjudicated solely under a tip credit regulation that became effective on September 24, 2020 (see below), and any amendments to it.

The act applies to claims brought under (1) the tip credit law; (2) the law that governs civil suits over unpaid minimum and overtime wages (CGS § 31-68), as it relates to the tip credit; and (3) a regulation that establishes certain conditions that an employer must meet to claim the tip credit (Conn. Agencies Regs. § 31-62-E3).

EFFECTIVE DATE: Upon passage

SEPTEMBER 24, 2020, TIP CREDIT REGULATION

This regulation generally allows employers to claim the tip credit if the (1) employee is engaged in employment for which tips are customarily and usually included in and recognized as part of his or her pay for hiring purposes; (2) tips claimed for the tip credit are recorded in a wage record on a daily, weekly, or bi-weekly basis; and (3) employer provides substantial evidence that the employee received tips that at least equaled the tip credit amount claimed (Conn. Agencies Regs. § 31-60-2).