

114TH CONGRESS  
1ST SESSION

# H. R. 122

To amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 4, as determined by the Bureau of the Census.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Mr. AL GREEN of Texas (for himself, Mr. CUMMINGS, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. CLARKE of New York, Ms. MOORE, Mr. CLEAVER, Ms. JACKSON LEE, Mr. CONYERS, Mr. CLYBURN, Ms. LEE, Mr. HONDA, Mr. LEWIS, Mr. JEFFRIES, Ms. FUDGE, and Mr. VEASEY) 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 to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 4, as determined by the Bureau of the Census.

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 “Original Living Wage  
5 Act of 2015”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) In 2012, there were over 46,500,000 Ameri-  
4 cans living in poverty who were separated from the  
5 opportunities of the Nation by their income, their  
6 housing, and their access to education, jobs, and  
7 health care.

8 (2) A full-time worker earning the Federal min-  
9 imum wage earns an income below the Federal pov-  
10 erty threshold for a family of 4, consisting of 2  
11 adults and 2 children.

12 (3) The average fair market rent for a 1-bed-  
13 room apartment is more than 65 percent of the  
14 monthly income of a full-time worker earning the  
15 minimum wage. In comparison, the generally accept-  
16 ed definition of affordability is for a household to  
17 pay not more than 30 percent of its income on hous-  
18 ing.

19 (4) Two full-time workers earning the Federal  
20 minimum wage earn an income below the national  
21 housing wage for a 1-bedroom apartment, the  
22 amount a person needs to earn to afford a 1-bed-  
23 room apartment at average rent.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that—

1           (1) the Federal minimum wage should, as a  
2           minimum, be adjusted every 4 years so that a person  
3           working for such a wage may earn an annual income  
4           that is not less than 15 percent higher than the  
5           Federal poverty threshold for a family of 4, as deter-  
6           mined by the Bureau of the Census;

7           (2) the minimum wage should be set at a level  
8           high enough to allow 2 full-time minimum wage  
9           workers to earn an income above the national hous-  
10          ing wage; and

11          (3) Congress, any of the several States, the Dis-  
12          trict of Columbia, any territory or possession of the  
13          United States, any Indian tribe, or any local or mu-  
14          nicipal government of a State may establish a higher  
15          minimum wage requirement than that established in  
16          this Act.

17 **SEC. 3. MINIMUM WAGE.**

18          Section 6 of the Fair Labor Standards Act of 1938  
19 (29 U.S.C. 206) is amended—

20           (1) in subsection (a)(1)—

21           (A) by striking “and” at the end of sub-  
22           paragraph (B);

23           (B) by inserting “and” at the end of sub-  
24           paragraph (C); and

25           (C) by inserting at the end the following:

1           “(D) not less than the amount determined  
2           by the Secretary under subsection (b), begin-  
3           ning September 1, 2015;” and

4           (2) by redesignating subsection (b) as sub-  
5           section (c) and inserting after subsection (a) the fol-  
6           lowing:

7           “(b)(1) Subject to paragraph (2), not later than June  
8           1, 2015, and once every 4 years thereafter, the Secretary  
9           shall determine the minimum wage rate applicable under  
10          subsection (a)(1) based on the formula described in para-  
11          graph (3). The Secretary shall publish such wage rate in  
12          the Federal Register not later than October 1 of each year.

13          “(2) If the minimum wage rate determined by the  
14          Secretary under paragraph (1) would result in a lower  
15          minimum wage rate than the minimum wage rate in effect  
16          at the time of such determination, the Secretary shall not  
17          adjust, pursuant to this subsection, the minimum wage  
18          rate so in effect.

19          “(3) The minimum wage rate determined by the Sec-  
20          retary under paragraph (1) shall be the minimum hourly  
21          wage sufficient for a person working for such wage for  
22          40 hours per week, 52 weeks per year, to earn an annual  
23          income in an amount that is 15 percent higher than the  
24          Federal poverty threshold for a family of 4, with two chil-  
25          dren under the age of 18, and living in any of the 48 con-

1 tiguous States, as published by the Bureau of the Census  
2 for the year in which the wage rate is being so deter-  
3 mined.”.

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