

HOUSE BILL NO. HB0021

Minimum wage.

Sponsored by: Representative(s) Bagby, Barbuto, Blake,
Davison, Gilmore and Throne

A BILL

for

1 AN ACT relating to minimum wage; increasing the minimum
2 wage for all employees; and providing for an effective
3 date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 27-4-202 is amended to read:

8

9 **27-4-202. Minimum wage rates.**

10

11 (a) Every employer shall pay to each of his ~~or her~~
12 employees wages at a rate of not less than ~~five dollars and~~
13 ~~fifteen cents (\$5.15)~~ seven dollars and twenty-five cents
14 (\$7.25) per hour.

15

1 (b) Effective ~~April 1, 2001~~ July 1, 2010 and
2 thereafter, all employers who employ tipped employees shall
3 not pay less than ~~two dollars and thirteen cents (\$2.13)~~
4 five dollars (\$5.00) per hour to his tipped employees.
5 Provided further, if the wage paid by the employer combined
6 with the tips received by the employee during a given pay
7 period does not equal at least the applicable minimum wage
8 as prescribed in subsection (a) of this section, the
9 employer shall pay the difference to the tipped employee.
10 For the purposes of this act, all "tip" employees shall
11 furnish monthly to their respective employers the daily
12 record of tips required to be kept by "tip" employees under
13 the laws of the United States and upon the forms prescribed
14 by the internal revenue service of the United States
15 treasury department. The daily record of tips shall
16 constitute prima facie proof of the amount of tips received
17 by the employee. Proof of a customary tipping percentage of
18 sales or service shall also be an admissible form of proof
19 of the amount of tips. A "tip" employee is one who
20 customarily and regularly receives more than thirty dollars
21 (\$30.00) a month in tips.

22

23 (c) In lieu of the rate prescribed in subsection (a)
24 of this section, any employer may pay any employee who has

1 not attained the age of twenty (20) years a wage which is
2 not less than ~~four dollars and twenty five cents (\$4.25)~~
3 six dollars and fifteen cents (\$6.15) per hour during the
4 first ninety (90) consecutive days after the employee is
5 initially employed by the employer. No employer may take
6 any action to displace employees, including partial
7 displacements such as reduction in hours, wages or
8 employment benefits for purposes of hiring individuals at
9 the wage authorized in this subsection.

10

11 **Section 2.** This act is effective July 1, 2010.

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13

(END)