

HB 2189 -- Redline

Printer's No. PN2845 to Printer's No. PN3059 -- An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for definitions, for minimum wages and for exemptions.

Deletions ~~struck~~ · Insertions underlined

PRIOR PRINTER'S NO.

2845 ~~THE PRINTER'S GENERAL NO. ASSEMBLY OF PENNSYLVANIA HOUSE BILL Session of No.~~

~~2189 3059 2026 THE INTRODUCED GENERAL BY ASSEMBLY DAWKINS, OF FEBRUARY PENNSYLVANIA 2, HOUSE 2026 BILL REFERRED Session TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 2, 2026 AN ACT Amending the act of January No. 17, 1968 (P.L.11, No.5), entitled for employees, with certain exceptions;~~

2189 2026 INTRODUCED BY DAWKINS, WARREN AND KHAN, FEBRUARY 2, 2026 AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 23, 2026 AN ACT Ame"An act establishing a fixed minimum wage and overtime rates for employees, with certain exceptions;

Sections 3(d), 4(a) and (e) and 5(c) of the act ~~<--~~ of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, are amended to read:

SECTION 1.

SECTION 3(D) OF THE ACT OF JANUARY 17, 1968 <-- (P.L.11, NO.5), KNOWN AS THE MINIMUM WAGE ACT OF 1968, IS AMENDED TO READ:

and (ii) an additional amount on account of the tips received by the employee which is 20260HB2189PN3059 - 2 - equal to the difference between the wage specified in subparagraph (i) and the wage in effect under section 4 of this act.

The previous ~~20260HB2189PN2845 - 2 -~~ sentence shall not apply with respect to any tipped employee unless:

* * * ~~Section~~ SECTION 4-2.

SECTION 4(A) AND (E) OF THE ACT ARE AMENDED AND <-- THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

Section 4.

20260HB2189PN3059 - 3 - (4) Three dollars thirty-five cents (\$3.35) an hour after December 31, 1980.

~~20260HB2189PN2845 - 3 -~~ (7) Six dollars twenty-five cents (\$6.25) an hour beginning January 1, 2007.

The secretary shall, within ten days following the determination, transmit a notice of the determination to the Legislative Reference Bureau for publication in the next 20260HB2189PN3059 - 4 - available issue of the Pennsylvania Bulletin.

* * * ~~(e) (A.2) In the lieu of the following of SHALL the APPLY minimum TO wage COUNTIES: prescribed in subsection (a) [and section 5(c)] and notwithstanding subsections (b) and (d), an employer may, during the first sixty calendar days when an employee under the age of twenty years is initially employed, pay 20260HB2189PN2845 - 4 - the employee training wages at a rate of not less than the minimum wage set forth in section 6(a) of the Fair Labor Standards Act (29 U.S.C.~~

<-- (1) BEGINNING AFTER DECEMBER 31, 2026, A COUNTY MAY, IN ITS DISCRETION, BY ORDINANCE, PROVIDE THAT AN EMPLOYER SHALL PAY TO EACH OF THE EMPLOYER'S EMPLOYEES WAGES FOR ALL HOURS WORKED AT A RATE GREATER THAN THE AMOUNT PROVIDED IN SUBSECTION (A) BUT NOT GREATER THAN FIFTEEN DOLLARS (\$15) PER HOUR.

(2) A COUNTY SHALL NOTIFY THE DEPARTMENT OF THE PASSAGE OF THE ORDINANCE THIRTY DAYS PRIOR TO THE EFFECTIVE DATE OF THE ORDINANCE.

(3) BEGINNING JANUARY 1 FOLLOWING THE PASSAGE OF THE ORDINANCE AND EACH JANUARY 1 THEREAFTER, THE MINIMUM WAGE SHALL BE INCREASED BY AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED BY THE SECRETARY USING THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE PENNSYLVANIA, NEW JERSEY, DELAWARE AND MARYLAND AREA.

IN CALCULATING THE ADJUSTMENT, THE SECRETARY SHALL USE THE MOST RECENT TWELVE-MONTH PERIOD FOR WHICH FIGURES HAVE BEEN OFFICIALLY REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.

AT LEAST SIXTY DAYS PRIOR TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT, THE PERCENTAGE INCREASE AND THE MINIMUM WAGE AMOUNT, ROUNDED TO THE NEAREST MULTIPLE OF FIVE CENTS (5?), SHALL BE DETERMINED BY THE SECRETARY.

THE SECRETARY SHALL, WITHIN TEN DAYS FOLLOWING THE DETERMINATION, TRANSMIT A NOTICE OF THE DETERMINATION TO THE COUNTY AND THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.

(4) AT NO TIME SHALL THE WAGE PROVIDED FOR UNDER THIS SECTION BE LESS THAN THE WAGE PROVIDED FOR UNDER SUBSECTION (A).

20260HB2189PN3059 - 5 - * * * (e) In lieu of the minimum wage prescribed in subsection (a) [and section 5(c)] and notwithstanding subsections (b) and (d), an employer may, during the first sixty calendar days when an employee under the age of twenty years is initially employed, pay the employee training wages at a

rate of not less than the minimum wage set forth in section 6(a) of the Fair Labor Standards Act (29 U.S.C.

~~Section~~SECTION 5-3.

SECTION 5(C) OF THE ACT IS AMENDED TO READ:

<-- Section 5.

(2) Such employer shall pay the full amount of the minimum wage under section 4(a)(8) beginning July 1, 2008.] Section ~~2-2~~ 4.

~~20260HB2189PN2845~~<-- 20260HB2189PN3059 - ~~56~~ -