

HOUSE BILL NO. HB0080

Minimum wage for tipped employees.

Sponsored by: Representative(s) Bagby and Blake

A BILL

for

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

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

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

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

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11 (b) Effective April 1, ~~2001~~2007 and thereafter, all
12 employers who employ tipped employees shall not pay less
13 than ~~two dollars and thirteen cents (\$2.13)~~five dollars
14 and fifteen cents (\$5.15) per hour to his tipped employees.

15 Provided further, if the wage paid by the employer combined
16 with the tips received by the employee during a given pay
17 period does not equal at least the applicable minimum wage

1 as prescribed in subsection (a) of this section, the
2 employer shall pay the difference to the tipped employee.
3 For the purposes of this act, all "tip" employees shall
4 furnish monthly to their respective employers the daily
5 record of tips required to be kept by "tip" employees under
6 the laws of the United States and upon the forms prescribed
7 by the internal revenue service of the United States
8 treasury department. The daily record of tips shall
9 constitute prima facie proof of the amount of tips received
10 by the employee. Proof of a customary tipping percentage
11 of sales or service shall also be an admissible form of
12 proof of the amount of tips. A "tip" employee is one who
13 customarily and regularly receives more than thirty dollars
14 (\$30.00) a month in tips.

15

16 **Section 2.** This act is effective April 1, 2007.

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(END)