A BILL

To amend the Fair Labor Standards Act of 1938 to provide a yearly increase in federal minimum wage based on the correlated rise of the Consumer Price Index in conjunction with a flat rate raise next year.

IN THE SENATE OF THE AMERICAN LEGION BOYS NATION

Mr. Skrzypek of Florida introduced the following bill;

A BILL

To amend the Fair Labor Standards Act of 1938 to provide a yearly increase in federal minimum wage based on the correlated rise of the Consumer Price Index in conjunction with a flat rate raise next year.

Be it enacted by The American Legion Boys Nation Senate assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wage Overhaul Act of 2019".

SECTION 2. MINIMUM WAGE.

(a) In General.--Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) except as otherwise provided in this section, not less than--

"(A) $8.75 an hour, beginning on the 1st of January 2020; and

"(B) The hourly dollar amount of the previous year in addition to the hourly dollar amount of the
previous year multiplied by the annual CPI rate expressed as a percent of change from the previous year, for each consecutive year starting 1st of January 2021, and to be adjusted on the 1st of January of each year.”.

(b) In Addition.-- Section 6(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) shall be amended to include provisions (5), (6), and (7) and read as such:

"(5) This annual wage schedule is meant to match the federal minimum wage with the annual growth in CPI and is to follow the formula expressed in subsection (B) of SEC. 2. Wages are to be adjusted annually in conjunction with the BLS measured annual CPI rate. This Act gives the President of the United States until the 21st of January 2025 the power to amend the minimum wage in a manner which mandates states to set their own hourly minimum wage each year based on said states annual change in cost of living. If this amount happens to be less than the federally mandated minimum wage outlined in subsection (B), then the federal wage applies. A state or other governing subdivision may enact a minimum wage higher than this Act prescribes. The nominal federal minimum wage during a given year may also be raised by a flat hourly dollar amount if there is the demand to do so.; and

"(6) No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) in response to the provisions of this Act.; and

"(7) Professions that have special wage schedules such as tipped employees may pay below the wage identified in subsection (A) and then (B) of SEC. 2 (however, they must pay the minimum hourly pay that the state mandates) so long as the final hourly pay after tips, commissions, etc. of the employee is at least the hourly wage identified in subsection (A) and then (B) of SEC. 2. If said hourly wage exceeds the hourly wage identified in subsection (A) and then (B) of SEC. 2 when it takes effect, the employer may not penalize the pay or benefits of the employee.”.

(c) Effective Date.--The amendments made by subsection (a) and (b) shall take effect on the 1st of January 2020.

SECTION. 3. AN ADJUSTMENT TO OTHER HOURLY MINIMUM WAGE STANDARDS SET BY THE FLSA OF 1938.

(a) In General.-- Any minimum wage identified in Section 6 of the Fair Labor Standards Act of 1938
(29 U.S.C. 206) notwithstanding the existing amendments made by SEC. 2 of this Act, any wage identified by the Fair Minimum Wage Act of 2007, and any other binding federal minimum wage law that hasn't already been amended by a section of this Act shall be amended.

(b) Transition.--Notwithstanding subsection (a) and (b) of SEC. 2, the minimum wage of any place under US jurisdiction, profession, or person regardless of age under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be--

(1) raised by $1.50 an hour beginning on the 1st of January 2020; and

(2) subject to increase by the annual wage schedule prescribed by SEC. 2 subsection (B) of this Act.

(3) Any section or verbiage of the FSLA not amended by this Act are to remain in place unless otherwise amended.

SECTION. 4. A PROVISION FOR FUTURE AMENDMENTS TO THIS ACT.

(a) In General.-- This Section provides legislators the ability to amend this Act to address wage theft and means for employees to recover wages that have been intentionally or unintentionally stolen by employers after the passage of this Act. This Section also provides legislators the ability to address worker rights issues pertaining to breaks, holidays, overtime, and similar wage-related issues that may affect worker hours and wages by amending this Act after passage.