1995 ASSEMBLY BILL 809

January 23, 1996 – Introduced by Representatives PLOMBON, RILEY, L. YOUNG, TRAVIS, ROBSON, NOTESTEIN, BALDWIN, R. POTTER and BLACK, cosponsored by Senators DECKER, CLAUSING, CHVALA and GEORGE. Referred to Committee on Labor and Employment.

1   AN ACT *to create* 104.035 of the statutes; **relating to:** a state minimum wage and

2   granting rule–making authority.

Analysis by the Legislative Reference Bureau

Currently, the state minimum wage laws require that employers pay a living–wage to their employes. Under those laws, the department of Industry, Labor and Human Relations (DILHR) has established, by rule, minimum wages for various classes of employment as follows:

Nonagricultural, Nontipped Employes

	Probation	*After Probation*
Adults 18 years of age and older	$3.95	$4.25
Minors under 18 years of age	$3.60	$3.90

Tipped Employes

Adults 18 years of age and older	$2.20	$2.33
Minors under 18 years of age	$2	$2.13

Agricultural Employes

	Minimum Wage
Adults 18 years of age and older	$4.05
Minors under 18 years of age	$3.75

Also under current law, DILHR has established, by rule, separate minimum wage rates for counselors at seasonal recreational or educational camps for minors, for employes who perform less than 15 hours a week of casual employment in and around an employer's home, for employes hired as personal companions for disabled

individuals, for golf caddies and for individuals who because of a handicap are unable to earn the standard minimum wage.

This bill requires DILHR to establish minimum wages for such classes of employes as DILHR may determine annually for wages earned beginning on July 1 of each year by calculating the percentage difference between the consumer price index for March of the previous year and March of the current year and adjusting those minimum wages by that percentage difference, rounded off to the nearest multiple of 5 cents. Because DILHR last increased the minimum wages specified above on March 1, 1992, the bill requires DILHR to determine the minimum wage for wages earned beginning on July 1, 1996, by calculating the percentage difference between the consumer price index for March of 1992 and March of 1996 and adjusting those minimum wages by that percentage difference, rounded off to the nearest multiple of 5 cents.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1   SECTION 1. 104.035 of the statutes is created to read:

2   **104.035 Minimum wage. (1)** The department shall promulgate rules

3   establishing minimum wages for such classes of employes as the department may

4   determine annually by no later than July 1 according to the method described in sub.

5   (2) or (3), whichever is applicable.

6   (**2**) For wages earned beginning on July 1, 1996, the department shall

7   determine the minimum wages specified in sub. (1) by calculating the percentage

8   difference between the U.S. consumer price index for all urban consumers, U.S. city

9   average, for the month of March 1992 and the U.S. consumer price index for all urban

10   consumers, U.S. city average, for the month of March 1996, as determined by the

11   federal department of labor, and adjust those minimum wages in effect on June 30,

12   1996, by that percentage difference, rounded to the nearest multiple of 5 cents.

13   (**3**) For wages earned beginning on July 1 of each year after 1996, the

14   department shall determine the minimum wages specified in sub. (1) by calculating

1   the percentage difference between the U.S. consumer price index for all urban

2   consumers, U. S. city average, for the month of March of the preceding year and the

3   U.S. consumer price index for all urban consumers, U.S. city average, for the month

4   of March of the current year, as determined by the federal department of labor, and

5   adjust those minimum wages in effect on June 30 of the current year by that

6   percentage difference, rounded to the nearest multiple of 5 cents.

7   **(END)**