



(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To amend the Fair Labor Standards Act of 1938 to revise the definition of the term "tipped employee"; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WOMACK introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Fair Labor Standards Act of 1938 to revise the definition of the term "tipped employee", and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Tipped Employee Pro-
5 tection Act".

6 **SEC. 2. TIPPED EMPLOYEES.**

7 Section 3(t) of the Fair Labor Standards Act of 1938
8 (29 U.S.C. 203(t)) is amended—

1 (1) by striking “(t)” and inserting “(t)(1)”;

2 (2) by striking “engaged in an occupation in
3 which he customarily and regularly receives more
4 than \$30 a month in tips.” and inserting “, without
5 regard to the duties of the employee, who receives
6 tips and other cash wages for a period described in
7 paragraph (2) at a rate that when combined with
8 the cash wage required under subsection
9 (m)(2)(A)(i) is greater than or equal to the wage in
10 effect under section 6(a)(1).”; and

11 (3) by adding at the end the following:

12 “(2) The period described in this paragraph may be
13 (as determined by the employer) a period of 1 day, 1 week,
14 every other week, every pay period, or 1 month.”.