

1 HB71
2 173130-1
3 By Representative Melton
4 RFD: State Government
5 First Read: 02-FEB-16

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8 SYNOPSIS: Currently, Alabama does not have a state
9 minimum wage law.

10 This bill would establish a state minimum
11 wage for Alabama equal to the federal minimum wage
12 adjusted for any increase in the Consumer Price
13 Index for Alabama as reported by the United States
14 Department of Labor.

15 This bill would provide that the Consumer
16 Price Index data for the completed calendar year
17 preceding the beginning month of a fiscal year
18 would determine the percentage of the increase in
19 the state minimum wage.

20 This bill would require the Director of
21 Finance to notify the Alabama Department of Labor
22 in writing between October 1 and October 15 each
23 year of the percentage to be used for the
24 cost-of-living adjustment for the next calendar
25 year.

1 This bill would require the Alabama
2 Department of Labor to post any change in the state
3 minimum wage on its website.

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5 A BILL
6 TO BE ENTITLED
7 AN ACT

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9 Relating to wages; to establish a state minimum wage
10 for Alabama equal to the federal minimum wage adjusted for any
11 increase in the Consumer Price Index for Alabama as reported
12 by the United States Department of Labor; to require the
13 Director of Finance to notify the Alabama Department of Labor
14 in writing between October 1 and October 15 each year of the
15 percentage to be used for the cost-of-living adjustment for
16 the next calendar year; and to require the Alabama Department
17 of Labor to post any change in the state minimum wage on its
18 website.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. The following words and phrases shall
21 have the following meanings:

22 (1) EMPLOYEE. An individual employed by an employer.

23 (2) EMPLOYER. An individual, partnership,
24 association, corporation, business trust, legal
25 representative, or any organized group of persons, acting
26 directly or indirectly in the interest of an employer in
27 relation to an employee.

1 (3) WAGES. Compensation paid to an employee in the
2 form of legal tender of the United States or checks or drafts
3 on banks negotiable into cash on demand or upon acceptance at
4 full value. The term does not include tips or gratuities of
5 any kind.

6 Section 2. Each employer shall pay to each employee
7 wages at a rate that is no less than the federal minimum wage,
8 as revised pursuant to Section 6.

9 Section 3. Each employer subject to this act shall
10 keep a summary of this act and any applicable wage orders and
11 regulations posted in a conspicuous and accessible place in or
12 about the premises or place of business of the employer.

13 Section 4. An employer who violates the minimum wage
14 requirements of this act shall be liable to the employee for
15 the amount of unpaid minimum wages plus interest. The court,
16 in addition to any judgment awarded to an employee, shall
17 require the defendant to pay court costs and reasonable
18 attorney's fees incurred by the employee. An action to recover
19 must be instituted within three years from the date the wages
20 should have been paid.

21 Section 5. This act may not be construed to
22 interfere with, impede, or in any way diminish the right of
23 employees to bargain collectively through representatives of
24 their own choosing in order to establish wages in excess of
25 the applicable minimum wage provided for by this act.

26 Section 6. The minimum wage shall be increased by
27 the same amount as the increase in the Consumer Price Index

1 for Alabama as reported by the United States Department of
2 Labor or any subsequent equivalent index. The Consumer Price
3 Index data for the completed calendar year preceding the
4 beginning month of a fiscal year shall determine the
5 percentage in the increase of the minimum wage. The Director
6 of Finance shall notify the Alabama Department of Labor in
7 writing between October 1 and October 15 of each fiscal year
8 of the percentage to be used for the cost-of-living adjustment
9 for the next calendar year. The Alabama Department of Labor
10 shall post any change in the minimum wage on its website.

11 Section 7. This act shall become effective
12 immediately following its passage and approval by the
13 Governor, or its otherwise becoming law.