

Legislative History for Connecticut Act

SB 1276	PA 492	1967
House 3955-3959		(5)
Senate 1596		(1)
Labor 153, 154-157, 162		(6)
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CONNECTICUT  
GENERAL ASSEMBLY

HOUSE

PROCEEDINGS

1967

VOL. 12

PART 9

3813 - 4447

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Thursday, June 1, 1967

All those in favor? Opposed? The bill is passed.

THE CLERK:

Calendar 1084, S.B. 1274, An Act concerning Defining Employee for Purposes of the minimum Fair Wage.

MR. LAROSA (4th):

I move acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MR. LAROSA (4th):

This is an act concerning defining employee for purposes of the minimum fair wage. Most new coverages of the 1966 amendments to the federal fair labor standard acts were previously covered by the Connecticut minimum wage standard at \$1.25 per hour. S.B. 1274 removes the exemption caused by the enactment of the 1966 fair labor standards, and is intended to preserve the Connecticut minimum wage of \$1.25 per hour for those previously covered by the state law and who are now encompassed by the inclusion in the federal only at the federal rate for new covered employment. I urge its adoption.

THE SPEAKER:

All those in favor? Opposed? The bill is passed.

THE CLERK:

Calendar 1085, S.B. 1276, An Act concerning Increasing the Minimum Fair Wage.

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MR. PIAZZA (115th):

I move acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MR. PIAZZA (115th):

This bill increases the minimum fair wage in any industry or occupation in the state on July 1, 1967, to \$1.40 per hour, and on July 1, 1968, to \$1.60 per hour. It also increases the gratuities allowance on July 1, 1967, from 45¢ to 47¢, and on July 1, 1968, from 47¢ to 50¢ to those employed in the hotel and restaurant industry. It further provides that the wage orders and administrative regulations in effect on July 1, 1967, wherein the rates established for learners, beginners and persons under the age of 18 years will be increased from 85¢ per hour to \$1.40 per hour for the first \$500, and \$1.40 per hour thereafter until July 1, 1968, when it will be increased to \$1.60 per hour. This is a good bill and I urge its passage.

MR. RAND (173rd):

I am opposed to this bill for one reason, and I think you all know it. You've all had this orange message on your desks. Obviously the cost of living and the general inflationary process of our society has brought minimum wage to \$1.50 and will then bring it to \$1.60. It is absurd that the gratuity allowance should go only from 45¢ to 47¢. Big stuff. And then we have

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from 47¢ to 50¢. Still bigger stuff. Now I trust you've all read this. I will not take your time to talk about an amendment, but it's totally unfair to the struggling restaurant owners, and you know this. You've all read this. So I have no choice but to be just opposed to the bill for this very narrow point of view. They have tried to work with the labor people to get a little bit more than this 5¢, they have been unable, they have run into a big block. And the only choice is to oppose the bill itself.

MR. BOYD (144th):

I, too, was moved by the special plea here from a group of restaurateurs, obviously small enterprised people. And they indicate to us the differential between what the states of Rhode Island and Massachusetts, our neighboring states, allow them on tips for purposes of minimum wage. It's grossly disproportionate. And I would suggest, if you have not read this, the last paragraph makes an awful lot of sense. I think it should be considered in this legislature. In other words, this group of small restaurateurs say "in conclusion, we are not obstructionists, we are not fighting minimum wages. We are fighting for the same recognition granted in the new federal act and in most states, that tipped employees earn far above the minimal and reasonable differentials that are established between tipped and non-tipped personnel. 50¢ and \$1.60 is not a reasonable differential when Rhode Island and Massachusetts and the federal act are 64¢." That's 30¢ above us. "Please help us amend S.B. 1276 so we can

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live with it." Gentlemen, this is a plea from a lot of people that indicate that they are marginal people in the state of Connecticut and you may put them out of business. I suggest that we put this over temporarily so I can prepare an amendment to introduce here later this evening.

MR. BADOLATO (30th):

I move that when the vote be taken it be taken by roll call.

THE SPEAKER:

The question is on a roll call. All those in favor? We will have a roll call.

MR. RAND (173rd):

(Inaudible)

MR. WEICKER (154th):

I believe the request to pass temporarily was before the motion of the roll call vote.

THE SPEAKER:

There was no motion before this House. The motion before this House was on a roll call and a roll call has been ordered.

MR. BOYD (144th):

I would move that it be passed temporarily for the purpose of introducing an amendment.

THE SPEAKER:

The motion is to lay this matter on the table. Temporarily. All those in favor? Opposed? The motion fails. The motion now is on a roll call. If you favor acceptance and passage of the

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bill you will vote Yea. If you do not you will vote Nay. The Chair will unlock the machine. The Chair will lock the machine and ask the Clerk to take the tally.

THE CLERK:

Total number voting .....	147
Necessary for passage .....	74
Those voting Yea .....	131
Those voting Nay .....	16
Absent and not voting .....	30

THE SPEAKER:

The bill is passed.

THE CLERK:

Calendar 1086, Substitute for S.B. 1367, An Act concerning Collective Bargaining for Employees of Charitable and Educational Institutions.

MRS. SIMONS (139th):

I move acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MRS. SIMONS (139th):

This bill amends subsection 7 of the labor relations act, which is section 31-101, by extending the employees of charitable and educational institutions the same privileges presently enjoyed by other workers in Connecticut. It also extends to employees

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1967

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PART 4

1566-2035

May 29, 1967

Cal. No. 581 File No. 687. Favorable report of the Joint Committee on Labor. Substitute for Senate Bill No. 1276. An Act Increasing the Minimum Fair Wage.

SENATOR MILLER:

Mr. President, I move for acceptance of the Joint Committee's favorable report and passage of the bill. The present minimum wage law in the State of Connecticut, is \$1.25 this bill would raise it to \$1.40 beginning July 1, 1967 and would go to \$1.60 July 1, 1968. At the present time, tip allowance is 45 cents, under this bill it would go to 47 cents from July 1, of this year, and would go to 50 cents on July 1, 1968. It's a good bill and should pass.

THE CHAIR:

Any further remarks? Question is on the acceptance of the Committee's favorable report and passage of the bill. Those in favor indicate by saying, "aye". Opposed? Ayes have it and the bill is passed.

THE CLERK:

Cal. No. 640 File No. 717. Favorable report of the Joint Committee on Public Welfare and Humane Institutions. Substitute for Senate Bill No. 1975. An Act Concerning Uniform Fee Schedule to Apply to Practitioners of the Healing Arts and Allied Professions for Services to Needy Persons. Clerk has an amendment.

SENATOR BARBATO:

Mr. President, in view of the fact that this is a lengthy amendment, I think it only fair that this be printed and put into the files, therefore, I waive the reading of the amendment, at this time.

THE CHAIR:

Any objection to the waiving of the reading of the amendment? If not you may proceed and remark on the amendment.

JOINT  
STANDING  
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## LABOR COMMITTEE

DAY

MARCH 17, 1967

Senator A. P. Miller and Rep. D. J. Badolato,  
Presiding.

Members: Senators: Miller, Barbato, Hull, Piccolo, Rudolf,  
Tracy.

Representatives: Becker, Bonetti, D'Onofrio,  
Esposito, Hughes, King, LaRosa, Lionetti,  
McGovern, Murray, Pawlak, Piazza, Rand, Rock,  
Ruoppolo, Simons, Stevens, Thornton.

Miller: O.K. Commissioner, we will open the hearing  
on Minimum Wage.

S. B. No. 348. (Senator Barbato of the 34th Dist.)  
AN ACT CONCERNING OVERTIME WAGES.

S. B. No. 349. (Senator Tracy of the 9th Dist.)  
AN ACT CONCERNING EQUALIZING THE CONNECTICUT MIN-  
IMUM WAGE WITH THE FEDERAL MINIMUM WAGE.

S. B. No. 773. (Senator Piccolo of the 10th Dist.)  
AN ACT CONCERNING THE ACTUAL COST OF FOOD AND  
LABOR UNDER THE MINIMUM WAGE LAW.

S. B. No. 1263. (Senator Miller of the 13th Dist.)  
AN ACT CONCERNING RATE OF WAGES FOR WORK ON STATE  
HIGHWAYS.

S. B. No. 1269. (Senator Miller of the 13th Dist.)  
AN ACT CONCERNING PAYMENT OF OVERTIME WAGES.

S. B. No. 1274. (Senator Miller of the 13th Dist.)  
AN ACT CONCERNING MINIMUM FAIR WAGE.

S. B. No. 1275. (Senator Miller of the 13th Dist.)  
AN ACT CONCERNING MINIMUM FAIR WAGE.

S. B. No. 1276. (Senator Miller of the 13th Dist.)  
AN ACT CONCERNING MINIMUM FAIR WAGE.

H. B. No. 3456. (Rep. Carrozzella of the 81st Dist.)  
AN ACT CONCERNING THE ACTUAL COST OF FOOD AND LABOR  
UNDER THE MINIMUM WAGE LAW.

H. B. No. 4014. (Rep. Doran of the 25th Dist.)  
AN ACT CONCERNING THE DEFINITION OF EMPLOYEES UNDER  
THE MINIMUM WAGE LAW.

H. B. No. 4245. (Rep. Badolato of the 30th Dist.)  
AN ACT CONCERNING THE MINIMUM WAGE.

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Miller: H. B. No. 4158. (Rep. Dowd of the 125th Dist.)  
AN ACT INCREASING MINIMUM WAGES.

Ricciuti: Mr. Chairman, Members of the Committee, my name is Renato Ricciuti, State Labor Commissioner testifying in favor of S. B. 1275, S. B. 1276, HB. 4245, S. B. 1274, S. B. 348, S. B. 349, and against S. B. 773, and H. B. 3456.

Mr. Chairman, for years Connecticut was a leader in Minimum Wage legislation. The Statute passes in 1949 was one of the first State Minimum Wage Laws that could be effectively enforced. Today we have fallen behind--fallen behind our neighboring states as well as the Federal Government. The passage of S. B. 1276 is necessary to close this gap.

You all know that Connecticut is a leader among the states in economic accomplishments. We are at the top in per capita income -- earnings, employment, production, and other indicators of increasing prosperity are at all-time highs.

But, there are a group of people who remain beyond the economic fringe. They need our help. Not to share in the abundance but to be given a chance to earn some semblance of a living wage. There is no question that Connecticut can afford to raise its minimum earning standards.

With the present minimum wage rate of \$1.25 per hour, a Connecticut employee --- assuming he has been lucky enough to avoid lost time -- shows earnings of \$2,600. for a year's labor. Several years ago, the Federal Government set the poverty level income at \$3,000. per year for a family of four. Many argued, even at that time, that this figure was much too low. They pointed to the fact that a single woman required more than \$3,000. a year to provide herself with the basic necessities of life.

The increases recommended in Senate Bill 1276 are in themselves minimal. Even at \$1.40 per hour, the rate recommended for enactment on July 1, 1967, a year's total wage would be under \$3,000. Only with the second step of

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\$1.60 per hour beginning on July 1, 1968 will we bring the minimum wage above the standard poverty level income.

In making these changes, the Committee should bear in mind that the State minimums will coincide with the guarantees under the Federal Statute. Our neighboring States of New York and Massachusetts have already amended their minimum wage laws. New York now has a minimum wage rate of \$1.50 per hour and Massachusetts a minimum wage rate of \$1.40 per hour.

The New York Legislature provided that their minimum will rise automatically when the Federal rate of \$1.60 goes into effect on February 1, 1968. Massachusetts has annual sessions of its Legislature and will have the opportunity to raise its minimum rate again next year. We must do our work ahead of time by providing for the second step increase in 1968 or find Connecticut woefully behind in this important area.

Our Legislature has joined with the Federal Government and in partnership with our cities and towns in the attack on poverty. The community action programs and the training courses provided for the unemployed are often cited as models to the rest of the nation. But unemployment is not a prerequisite to poverty. The steadiest worker in employment paying minimum wages can find himself unable to provide for himself and his family.

He needs our help in setting a minimum standard of decency. He is not represented here by any lobbyist, special interest group, or spokesman who has placed top priority on this legislative goal. This is why I feel a special responsibility as Labor Commissioner to emphasize the importance of this legislation and to urge you as Legislators to give special consideration to these proposals. In a way, Mr. Chairman, this Committee and its Members are the lobbyists and the spokesmen and the business agents for this group of people who would be affected by this bill - most of whom are not organized into Labor Unions.

I also urge that the present learner rate of \$.95 per hour for the first 500 hours of employment be raised on July 1, 1967 to \$1.10 per hour for the first 200 hours instead of 500 and on

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July 1, 1968 to \$1.25 per hour for 200 hours. The present learner rates, which apply mostly to 16 and 17 year olds, are unrealistic. We have learned by experience that all the jobs covered by this provision are simple and in most cases can be learned in a very short period of orientation. In no case is there a need for 500 hours, a quarter of a year of experience. We must not be guilty of wage discrimination on the basis of age. A productive worker, regardless of age, is entitled to the protection of the Minimum Wage Law.

The Amendments to the Fair Labor Standards Act of 1966 also extend overtime protection to many new categories of employment. The recommended legislation for Connecticut provides the same schedule as the Federal Law with time and a half required for over 44 hours per week of work after July 1, 1967, over 42 hours per week after July 1, 1968 and over 40 hours per week after July 1, 1969.

Employees in convalescent homes, hotels, motels, bowling alleys, and restaurants would be paid time and a half for hours worked over 48 hours in a week. It is recommended that hospital employees be paid time and a half for hours worked after 80 hours in a 14 day period in order to allow for emergency scheduling without undue hardship on hospital management.

Early in the century overtime became part of the American work scene. In the '30s the payment of time and a half for overtime was a standard provision in newly won labor-management contracts. By 1936 the Federal Government made the payment of overtime rates a matter of public policy in the Walsh-Healey Act and in 1938 extended time and a half protection to all workers covered by the Fair Labor Standards Act.

Providing the same protection to all Connecticut workers is long overdue. With the new Amendments to the Federal Labor Standards Act, we could have the situation where some workers are paid time and a half for overtime and others straight time even though they have the same jobs in the same industry. The distinction between one employee and another, merely on the basis of whether he is involved in interstate

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commerce, can and should be corrected by this bill.

I might point out, Mr. Chairman, that the only people that get overtime by State Law are covered by the Wage Orders, which we have in various categories. The other people do not get overtime.

The S. B. 1274, is a technical amendment to the Act to make sure that people who were once excluded from the State Act will be brought back in again, so that they won't have to be covered by the \$1.00 minimum which is in the Federal Law for people who are newly covered. There is a danger that some employer might say that in spite of the fact that the Connecticut minimum is \$1.25, that these people are not covered but covered by the Federal Act and they could be paid \$1.00. So that S. B. 1274 is to correct that kind of a possibility.

I want to speak against, Mr. Chairman, while I am on my feet, S. B. 773 and H. B. 3456, which would increase the allowance for meals from \$.60 to \$.85 for a full meal and from \$.35 to \$.45 for a light meal under the Connecticut Minimum Wage Law.

I think that most of you are already familiar with the fact that in addition to the meal allowance possibility here for deductions from the minimum wage, \$.45 an hour can be deducted in cases where people get gratuities amounting to more than \$10.00 per week. So that there are already enough deductions and I might point out, that in the neighboring States of Massachusetts and New York, the figure for meals is now \$.50, in spite of the fact that the minimum wage in those States are higher already than the Connecticut minimum. And, I don't absolutely see any reason why the meal allowance should be increased in this State. Thank you very much, Mr. Chairman.

Joseph Bober:

Mr. Chairman, are we taking all the bills? Is this the proponents time?

Mr. Miller:

Yes.

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d LaPenta:

I would also like to state our opposing bills, S. B. 773 and H. B. 3456.

As Joseph Bober stated earlier and also our Commissioner, and I won't take up too much time here on this, the fact is that on meal allowances, which doesn't exist today in many restaurants throughout the State, they are taking these allowances, they are only trying to actually make up any wages that may be increased due to a State minimum wage.

I want to point out, as Joseph Bober also stated, in the law as it reads today, whether these people eat or whether they do not eat, that the employer has a right to deduct \$.60 a meal. Also, the fact is on this \$.45 tip allowance, we have always claimed this is actually a kick-back to our employer and we have never been in favor of a kick-back to anyone. We hope and we urge this Committee to support the bills that we recommend and oppose the two particular bills that I also mentioned. Thank you.

Miller:

Thank you. Any other proponents? If not, are there any opponents to the bills? Any of the bills?

Kenny:

Attorney Kevin Kenny, Hartford, Connecticut, representing the Associated Restaurants of Connecticut.

Our Association is in favor of S. B. 773, H. B. #3456 and opposes S. B. 348, 349, 1263, 1269, 1274, 1275, 1276, and H. B. 4014, 4245, and 4158.

I would like to talk favorably on the two bills - S. B. 773 and H. B. 3456 first, and then go into our opposition.

On these two bills, we are asking for the food allowance to be raised from \$.60 to \$.85 per meal. Now, this is a full meal. It is not a light meal. The light meal, as such, is covered differently in the wage orders. Now, the reason for this. This present \$.60 has been in existence for years, many years as a matter of fact, and it is theoretically based upon the