

# HOUSE BILL No. 1015

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-2-2-4.

**Synopsis:** Indiana minimum wage. Increases the state minimum wage to \$4.25 per hour for work weeks beginning on and after October 1, 1998, and to \$5.15 per hour for work weeks beginning on and after March 1, 1999.

**Effective:** July 1, 1998.

---

---

Day

---

---

January 6, 1998, read first time and referred to Committee on Labor and Employment.

---

---



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## HOUSE BILL No. 1015

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-2-2-4 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) Every employer employing four  
3 (4) or more employees during a work week shall:  
4 (1) in any work week beginning on or after July 1, 1968, in which  
5 he is subject to the provisions of this chapter, pay each of his  
6 employees wages of not less than one dollar and twenty-five cents  
7 (\$1.25) per hour;  
8 (2) in any work week beginning on or after July 1, 1977, in which  
9 he is subject to this chapter, pay each of his employees wages of not  
10 less than one dollar and fifty cents (\$1.50) per hour;  
11 (3) in any work week beginning on or after January 1, 1978, in  
12 which he is subject to this chapter, pay each of his employees wages  
13 of not less than one dollar and seventy-five cents (\$1.75) per hour;  
14 and  
15 (4) in any work week beginning on or after January 1, 1979, in  
16 which he is subject to this chapter, pay each of his employees wages  
17 of not less than two dollars (\$2) per hour.

1998

IN 1015—LS 6275/DI 79+



1 (b) Except as provided in subsection (c), every employer employing at  
2 least two (2) employees during a work week shall, in any work week in  
3 which the employer is subject to this chapter, pay each of the employees  
4 in any work week beginning on and after July 1, 1990, **and before**  
5 **October 1, 1998**, wages of not less than three dollars and thirty-five cents  
6 (\$3.35) per hour.

7 (c) An employer subject to subsection (b) is permitted to apply a "tip  
8 credit" of up to forty percent (40%) of the applicable minimum wage in  
9 determining the amount of cash wage paid to tipped employees. An  
10 employer is responsible for supporting the amount of tip credit taken  
11 through reported tips by the employees.

12 (d) No employer having employees subject to any provisions of this  
13 section shall discriminate, within any establishment in which employees  
14 are employed, between employees on the basis of sex by paying to  
15 employees in such establishment a rate less than the rate at which he pays  
16 wages to employees of the opposite sex in such establishment for equal  
17 work on jobs the performance of which requires equal skill, effort, and  
18 responsibility, and which are performed under similar working conditions,  
19 except where such payment is made pursuant to:

- 20 (1) a seniority system;  
21 (2) a merit system;  
22 (3) a system which measures earnings by quantity or quality of  
23 production; or  
24 (4) a differential based on any other factor other than sex.

25 (e) An employer who is paying a wage rate differential in violation of  
26 subsection (d) shall not, in order to comply with subsection (d), reduce the  
27 wage rate of any employee, and no labor organization, or its agents,  
28 representing employees of an employer having employees subject to  
29 subsection (d) shall cause or attempt to cause such an employer to  
30 discriminate against an employee in violation of subsection (d).

31 (f) **Except as provided in subsection (c), every employer**  
32 **employing at least two (2) employees during a work week shall, in**  
33 **any work week in which the employer is subject to this chapter, pay**  
34 **each of the employees in any work week beginning on or after**  
35 **October 1, 1998, and before March 1, 1999, wages of not less than**  
36 **four dollars and twenty-five cents (\$4.25) per hour.**

37 (g) **Except as provided in subsection (c), every employer**  
38 **employing at least two (2) employees during a work week shall, in**  
39 **any work week in which the employer is subject to this chapter, pay**  
40 **each of the employees in any work week beginning on or after March**  
41 **1, 1999, wages of not less than five dollars and fifteen cents (\$5.15)**  
42 **per hour.**

