

## S 5241

### Tipped Employee Protection Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Dec 13, 2022

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Dec 13, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/5241>

### Sponsor

**Name:** Sen. Braun, Mike [R-IN]

**Party:** Republican • **State:** IN • **Chamber:** Senate

### Cosponsors

No cosponsors are listed for this bill.

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Dec 13, 2022

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

Bill	Relationship	Last Action
117 HR 9523	Identical bill	Dec 13, 2022: Referred to the House Committee on Education and Labor.

### Summary (as of Dec 13, 2022)

#### Tipped Employee Protection Act

This bill modifies the definition of a *tipped employee* under the Fair Labor Standards Act of 1938 to exclude consideration of an employee's duties when determining the combined amount of tips and direct wages an employee receives for the purpose of an employer meeting the minimum wage requirements.

Under the bill, an employer may pay a tipped employee the tipped minimum wage for tasks that are not related to tipped work as long as the employee's combined tips and direct wages total at least the \$7.25 federal minimum wage.

Current Department of Labor rules prohibit an employer from paying the tipped minimum wage for tasks that are not related to tipped work.

## **Actions Timeline**

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- **Dec 13, 2022:** Introduced in Senate
- **Dec 13, 2022:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.