

REFERENCE TITLE: essential workers; minimum wage; overtime

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1554

Introduced by
Senator Quezada

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 8.2; RELATING TO EMPLOYMENT PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Subject to the requirements of article IV, part 1,
3 section 1, Constitution of Arizona, title 23, chapter 2, Arizona Revised
4 Statutes, is amended by adding article 8.2, to read:

5 ARTICLE 8.2. ESSENTIAL WORKERS

6 23-383. Essential workers; minimum wage; overtime pay;
7 definition

8 A. NOTWITHSTANDING ARTICLE 8 OF THIS CHAPTER AND ANY OTHER LAW:

9 1. EACH EMPLOYER IN THIS STATE SHALL PAY TO EACH EMPLOYEE THAT IS
10 AN ESSENTIAL WORKER WAGES AT A RATE OF:

11 (a) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION THROUGH MAY 31,
12 2023, AT LEAST \$15 PER HOUR.

13 (b) BEGINNING JUNE 1, 2023 THROUGH MAY 31, 2024, AT LEAST \$17.50
14 PER HOUR.

15 (c) FROM AND AFTER MAY 31, 2024, AT LEAST \$20 PER HOUR.

16 2. NOTWITHSTANDING ANY OTHER LAW, AN EMPLOYER IN THIS STATE SHALL
17 PAY EACH EMPLOYEE THAT IS AN ESSENTIAL WORKER WAGES AT A RATE AS
18 PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION FOR THE FIRST FORTY HOURS OF
19 WORKING TIME IN ANY WEEK AND ONE AND ONE-HALF TIMES SUCH EMPLOYEE'S
20 REGULAR HOURLY WAGE FOR EACH HOUR OF WORKING TIME IN EXCESS OF FORTY HOURS
21 IN ANY WEEK, EXCEPT THAT AN EMPLOYER IS NOT REQUIRED TO PAY THE OVERTIME
22 RATE TO AN EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE OR
23 PROFESSIONAL CAPACITY.

24 3. IF THE CURRENT IN-STATE OR FEDERAL PREVAILING WAGE FOR
25 GOVERNMENT CONTRACTORS IN THE SAME CLASS OR FUNCTIONAL AREA IS HIGHER THAN
26 THE MINIMUM WAGE PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION, AN EMPLOYER
27 SHALL PAY THE EMPLOYEE THAT IS AN ESSENTIAL WORKER AT THE HIGHER RATE.

28 B. FOR THE PURPOSES OF THIS SECTION, "ESSENTIAL WORKER" MEANS
29 EITHER OF THE FOLLOWING:

30 1. ALL WORKERS DEFINED AS ESSENTIAL UNDER THE LAWS OF THIS STATE OR
31 AN EXECUTIVE ORDER.

32 2. ALL WORKERS DEFINED AS ESSENTIAL IN FEDERAL GUIDANCE.

33 Sec. 2. Short title

34 This act may be cited as the "Essential Wages for Essential Workers
35 Act".

36 Sec. 3. Requirements for enactment; three-fourths vote

37 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
38 section 23-383, Arizona Revised Statutes, as added by this act, is
39 effective only on the affirmative vote of at least three-fourths of the
40 members of each house of the legislature.