



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR & INDUSTRY
HARRISBURG, PENNSYLVANIA 17121



THE SECRETARY

December 1, 2021

Alex Halper
Director of Government Affairs
Pennsylvania Chamber of Business and Industry
417 Walnut Street
Harrisburg, PA 17101

**Re: Proposed Rulemaking
Title 34 Labor and Industry
Regulations for Minimum Wage
34 Pa. Code, Part XII, Chapter 231
Agency Number: 12-114**

Dear Mr. Halper:

On November 5, 2021 the Department of Labor and Industry (Department) delivered a proposed rulemaking package for Chapter 231 of 34 Pa. Code to update regulations governing tipped employees and the regular rate for salaried employees. The Department is updating this regulation pursuant to authority granted by the Minimum Wage Act of 1968.

The public comment period for this rulemaking is scheduled to end on December 20, 2021. On November 22, 2021, on behalf of the Pennsylvania Chamber of Business and Industry, the National Federation of Independent Business, the Pennsylvania Campground Owners Association, the Pennsylvania Food Merchants Association, the Pennsylvania Licensed Beverage & Tavern Association, the Pennsylvania Restaurant & Lodging Association and the Pennsylvania Retailers Association, you requested the Department extend the public comment period for an unspecified time.

Section 5(b) of the Regulatory Review Act (RRA), 71 P.S. § 745.5(b), requires the Department to hold a public comment period of at least 30 days on this regulation. The Department has complied with the RRA. After careful review of your request, the Department has decided that it will not extend the public comment period.

You are still invited to submit comments to this regulation on or before December 20, 2021.

Very truly yours,

A handwritten signature in blue ink that reads "Jennifer L. Berrier".

Jennifer L. Berrier
Secretary

cc: The Honorable George Bedwick, Chairman, Independent Regulatory Review Commission
The Honorable Camera Bartolotta, Chair, Senate Labor & Industry Committee
The Honorable Christine Tartaglione, Democratic Chair, Senate Labor & Industry Committee
The Honorable Jim Cox, Chair, House Labor & Industry Committee
The Honorable Gerald Mullery, Democratic Chair, House Labor & Industry Committee
Kelly K. Smith, Chief Counsel