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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

May 17, 2001

Honorable Johnny J. Butler, Secretary  
Department of Labor & Industry  
1700 Labor and Industry Building  
Harrisburg, PA 17120

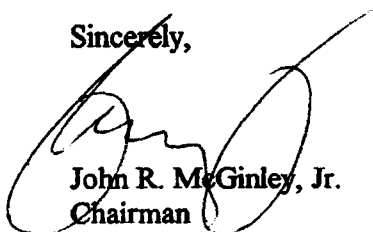
Re: Regulation #12-55 (IRRC #2151)  
Department of Labor & Industry  
Food-Service Employee Incentive Program

Dear Secretary Butler:

The Independent Regulatory Review Commission approved your regulation on May 17, 2001.  
Our Order is enclosed and is available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,



John R. McGinley, Jr.  
Chairman

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Enclosure

cc: Honorable Robert J. Flick, Majority Chairman, House Labor Relations Committee  
Honorable Robert E. Belfanti, Jr., Democratic Chairman, House Labor Relations Committee  
Honorable Gibson E. Armstrong, Chairman, Senate Labor and Industry Committee  
Honorable Christine M. Tartaglione, Minority Chairman, Senate Labor and Industry Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held May 17, 2001

John R. McGinley, Jr., Chairman  
Alvin C. Bush, Vice Chairman, by Phone  
Arthur Coccodrilli  
John F. Mizner

Regulation No. 12-55  
Department of Labor and Industry  
Food-Service Employee Incentive Program

On September 27, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapter 231. The proposed regulation was published in the October 7, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 26, 2001.

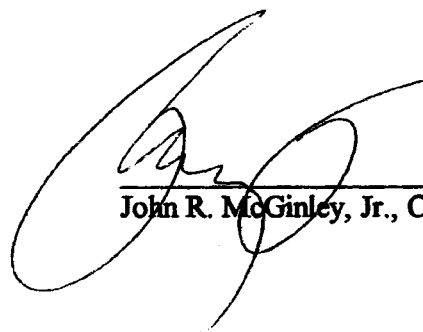
This rulemaking implements the Food-Service Employee Incentive Program mandated by Act 168 of 1998, which was an amendment to the Pennsylvania Minimum Wage Act. The regulation: defines the length of training periods for specific jobs in the food service industry; requires that participating employers maintain employee incentive accounts and provide employees with written notification of the training terms; and explains how a participating employer compensates employees that have successfully completed the training program.

We have determined this regulation is consistent with the statutory authority of the Department (43 P.S. § 333.105a) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
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John R. McGinley, Jr., Chairman