

HOUSE No. 3156

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Michlewitz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to clarify the tips law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>	<i>1/20/2017</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>11/1/2017</i>

HOUSE No. 3156

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 3156) of Aaron Michlewitz and Joseph W. McGonagle, Jr., for legislation to further protect employees’ rights to tips. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1747 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to clarify the tips law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 152A of Ch.149 of the General Laws as appearing in chapter 125 section 13 of
2 the Acts of 2004 is amended by deleting the meaning of “Wait staff employee” as appearing in
3 paragraph (a) and inserting in place thereof the following:

4 “Wait staff employee”, a person, including a waiter, waitress, bus person, and counter
5 staff who: (1) serves beverages or prepared food directly to patrons, or who clears patrons’
6 tables; (2) works in a restaurant, banquet facility, or other place where prepared food or
7 beverages are served; and (3) who has no managerial responsibility during a day in which the
8 person serves beverages or prepared food or clears patrons’ tables.