

HOUSE No. 1665

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>1/17/2019</i> |

HOUSE No. 1665

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 1665) of Aaron Michlewitz for legislation to further protect employees’ rights to tips. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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, person in a
5 quick service restaurant who prepares or serves food or beverages as part of a team of counter
6 staff or other counter employees who: (1) serves beverages or prepared food directly to patrons,
7 or who clears patrons’ tables; (2) works in a restaurant, banquet facility, or other place where
8 prepared food or beverages are served; and (3) who has no managerial responsibility during a
9 day in which the person serves beverages or prepared food or clears patrons’ tables.