

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:

Aaron Michlewitz

DISTRICT/ADDRESS:

3rd Suffolk

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.