

HOUSE No. 5085

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, October 29, 2020.

The committee on Labor and Workforce Development to whom was referred the petition (accompanied by bill, House, No. 1617) of Tricia Farley-Bouvier and others relative to determining the wages employers are required to pay tipped employees, reports recommending that the accompanying bill (House, No. 5085) ought to pass.

For the committee,

STEPHAN HAY.

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

An Act requiring one fair wage.

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 1. There shall be a special commission to study and make recommendations to
2 address concerns about wages of restaurant workers. The commission shall examine the impact
3 of the state minimum wage replacing the tipped minimum wage for restaurant workers. The
4 commission’s review shall include, but shall not be limited to: (i) the impact of COVID-19 on
5 the restaurant industry; (ii) how the restaurant industry has been affected in states that do not
6 have a separate wage for tipped employees; (iii) how tipped employees have been affected in
7 states that do not have a separate wage for tipped employees ; (iv) the impact on consumers; (v)
8 the potential regional impact of eliminating the tipped minimum wage in the Commonwealth;
9 (vi) policy options that could alleviate the impact of increased labor cost on restaurants; and (vii)
10 policy changes the legislature could enact to increase the profitability of restaurants

11 The commission shall consist of the following: the house and senate chairs of the joint
12 committee on labor and workforce development, or their designees, who shall serve as co-chairs;
13 the secretary of administration and finance, or a designee; 3 representatives of unions or
14 community-based organizations that represent or serve workers in the restaurant industry, one

15 each to be appointed by the speaker of the house, the senate president, and the secretary of labor
16 and workforce development, to be selected from a list of 5 nominees submitted by One Fair
17 Wage, Inc.; and 3 representatives of industry groups that represent restaurants and restaurant
18 owners, one each to be appointed by the speaker of the house, the senate president, and the
19 secretary of labor and workforce development, to be selected from a list of 5 nominees submitted
20 by the Massachusetts Restaurant Association, provided that at least one of the nominees be a
21 representative of a restaurant that currently pays all employees the full minimum wage.

22 The commission shall hold its first meeting no later than 30 days after the effective date
23 of this act and may hold additional public meetings, fact-finding hearings and other public
24 forums as it considers necessary.

25 The commission shall report the results and recommendations of its study, together with
26 drafts of legislation, if necessary, to carry its recommendations into effect, by filing a report with
27 the joint committee on labor and workforce development not later than January 1, 2022.