

**HOUSE . . . . . No. 1747**

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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*

*Gailanne M. Cariddi*

DISTRICT/ADDRESS:

*3rd Suffolk*

*1st Berkshire*

**HOUSE . . . . . No. 1747**

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By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 1747) of Aaron Michlewitz and Gailanne M. Cariddi to further protect an employee's right to tips. Labor and Workforce Development.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1749 OF 2013-2014.]

The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

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.