

MRA TESTIFIES AGAINST MANDATED SCHEDULING AND ELIMINATION OF TIP WAGE; SUPPORTS CHANGES TO “TIPS” LAW

At a recent hearing before the Joint Committee on Labor and Workforce Development, the MRA offered lengthy testimony on a variety of bills pending before the committee.

Among the myriad of bills that were vetted, a few union backed proposals would pose serious hardship for our industry.

Among them:

H.1708 and S.973 – An Act relative to “fairer” schedules for employees – The MRA is opposed to any legislative attempts to mandate scheduling. Restaurants need to be flexible to meet the demands of their customer base and small business owners as a whole should be able to determine their staffing needs and have flexibility to meet the demands of their businesses. This is a union proposed solution in search of a problem and seeks to micromanage the way small business operates.

S.982 and H.1702 – An Act relative to the tipped minimum wage – We are opposed to any proposal that seeks to alter or change the tip wage in Massachusetts. Tipped employees are the highest compensated workers in any restaurant setting. This proposal is unnecessary and would result in a substantial increase in payroll to the most labor intensive part of any restaurant. This proposal is not being asked for by tipped employees and would drastically alter the way business is done in Massachusetts.

\$15 minimum wage proposals – There are numerous proposals to raise the minimum wage. Just last year the legislature engaged in a long debate centered on the minimum wage. We have not even reached the second increase of a three step increase. It is prudent that we let that process play out and focus our attention on the other issues impacting the Commonwealth’s workforce.

The MRA strongly supports the following proposal:

H.1747 – An Act to clarify the tips law – This legislation would clarify the tips law to simply permit an employee to work as a wait staff employee for tip pool purposes on days the employee has no managerial responsibility. The unintended consequences and subsequent enforcement of the “tips” law is a major impediment to the growth of our industry and has only served to grow a cottage industry where boutique law firms exploit this law to file numerous lawsuits against operators.

We will continuously update our members as these proposals navigate the legislative process. If you have any questions, please contact Steve Clark at sclark@themassrest.org.