



COMMONWEALTH OF MASSACHUSETTS  
**MASSACHUSETTS SENATE**  
STATE HOUSE, BOSTON, MA 02133-1053

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JOINT COMMITTEE ON  
TELECOMMUNICATIONS, UTILITIES  
AND ENERGY,  
CHAIR

The Honorable Daniel A. Wolf, Senate Chair  
The Honorable Cheryl A. Coakley-Rivera, House Chair  
Joint Committee on Labor and Workforce Development  
State House, Room 39  
Boston, MA 02133

**Re: S. 922, An Act Relative to the Pooling of Tips**

*Dan*

Dear ~~Chairman~~ Wolf and Chairwoman Coakley-Rivera:

I am writing to register my support for S.922, An Act relative to the pooling of tips. I filed this bill after meeting with a major employer in my district who expressed serious concerns with parts of our Tips Act. I urge the Committee to report this bill out favorably.

S.922 seeks to clarify several provisions under section 152A of chapter 149, commonly known as the Tips Act, while maintaining important protections for employee's earnings. This legislation will extend protections for properly incorporated businesses that are afforded under other statutes. S.922 clarifies that the protections and mechanisms of section 152A shall dictate legal proceedings, rather than common law. Finally, this legislation will protect employers, who after realizing they violated the section, make a good faith effort to comply but have a misstep in their correction.

While I learned of these confusions with section 152A from a large employer in my district, the clarifications in S.922 will help businesses of all sizes in the hotel, hospitality and service industry, from the local diner to the luxury resort, by providing a clear roadmap of what is expected of them as employers. I am pleased to note this legislation enjoys the support of the Massachusetts Lodging Association and the Massachusetts Restaurant Association.

Thank you in advance for your consideration of this matter. I hope that S. 922 is granted a favorable report. Please do not hesitate to contact me if you need any further information.

Sincerely,

*BBD*  
**BENJAMIN B. DOWNING**, State Senator  
Berkshire, Hampshire and Franklin District

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