

# MAINE STATE LEGISLATURE

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Date: 5/30/17

L.D. 1543  
(Filing No. H-370)

**LABOR**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1068, L.D. 1543, Bill, "An Act To Clarify the Use of Tips in Payment of Service Employees"

Amend the bill in section 2 in subsection 2 by striking out all of the blocked paragraph (page 1, lines 18 to 28 in L.D.) and inserting the following:

'The tips received by a service employee become the property of the employee and may not be shared with the employer. Service employees may volunteer to pool their tips to be split among other service employees or may volunteer to share a part of their tips with other employees who do not generally receive tips directly from customers. Tips that are automatically included in the customer's bill or that are charged to a credit card must be given to the service employee. A tip that is charged to a credit card must be paid by the employer to the employee by the next regular payday and may not be held while the employer is awaiting reimbursement from a credit card company.'

**SUMMARY**

This amendment removes the word "evenly" from language allowing service employees to split tips and strikes a provision allowing an employer to deduct a prorated percentage of the credit card charge from an employee's tip.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 123rd MAINE LEGISLATURE

LD 1543

LR 966(02)

**An Act To Clarify the Use of Tips in Payment of Service Employees**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Labor**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Bureau of Labor Standards within the Department of Labor associated with updating the information that is required to be posted by an employer pursuant to Title 26, §668 can be absorbed within existing budgeted resources.