

Amendment to HB 757

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Tip Pooling and Sharing. Amend RSA 279:26-b, II to read as follows:

4 II. No employer is precluded from administering a valid tip pooling or tip sharing
5 arrangement, including suggesting reasonable and customary practices, documenting agreed upon
6 practice, ***to include an example showing the method used in their establishment such as tip***
7 ***sharing, to be written in the same or similar way as the example "servers tip out a***
8 ***percentage of alcohol sales to bartenders and a percentage of food sales to the host and***
9 ***another percentage to other support staff"***, and mediating disputes between employees
10 regarding a valid tip pooling or tip sharing arrangement, provided that the employer does not
11 require or coerce employees to participate in the tip pooling or tip sharing arrangement, ***and that***
12 ***the employer provides written notice of any current arrangement regarding tip pooling or***
13 ***tip sharing and the employee acknowledges in writing receipt of such notice, which shall***
14 ***be retained for one year following the employee's separation. The notice shall state that***
15 ***employee participation in tip pooling or tip sharing is voluntary and which staff to share***
16 ***with is at the discretion of the employee who may opt out on any shift.***

17 2 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill provides that employers administering a tip pooling or sharing arrangement must include an example of the arrangement in its documentation. It further provides that the employer must provide a written notice to the employee, and specifies the content of that notice.