

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.C.R. 1040

(Reference to Senate engrossed resolution)

1 Strike everything after the resolving clause and insert:

2 "1. Article XVIII, Constitution of Arizona, is proposed to be
3 amended by adding section 11 as follows if approved by the voters and on
4 proclamation of the Governor:

5 11. Tipped workers; wages

6 SECTION 11. FOR ANY EMPLOYEE WHO CUSTOMARILY AND REGULARLY RECEIVES
7 TIPS OR GRATUITIES FROM PATRONS OR OTHERS, THE EMPLOYER MAY PAY A WAGE UP
8 TO TWENTY-FIVE PERCENT PER HOUR LESS THAN THE MINIMUM WAGE ESTABLISHED BY
9 STATUTE IF THE EMPLOYER CAN ESTABLISH BY THE EMPLOYER'S RECORDS OF CHARGED
10 TIPS OR GRATUITIES OR BY THE EMPLOYEE'S DECLARATION FOR FEDERAL INSURANCE
11 CONTRIBUTIONS ACT PURPOSES THAT FOR EACH WEEK, WHEN ADDING TIPS OR
12 GRATUITIES RECEIVED TO WAGES PAID, THE EMPLOYEE RECEIVED NOT LESS THAN THE
13 MINIMUM WAGE PLUS \$2 FOR ALL HOURS WORKED. COMPLIANCE WITH THIS SECTION IS
14 DETERMINED BY AVERAGING TIPS OR GRATUITIES RECEIVED BY THE EMPLOYEE OVER
15 THE COURSE OF THE EMPLOYER'S PAYROLL PERIOD OR ANY OTHER PERIOD SELECTED BY
16 THE EMPLOYER THAT COMPLIES WITH LAWS ENACTED BY THE LEGISLATURE.

17 Sec. 2. Short title

18 This act may be cited as the "Tipped Workers Protection Act".

19 2. The Secretary of State shall submit this proposition to the
20 voters at the next general election as provided by article XXI,
21 Constitution of Arizona."

22 Amend title to conform

JUSTIN WILMETH

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