
SUBSTITUTE SENATE BILL 5738

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Commerce & Labor (originally sponsored by Senators Horn, Haugen, Schow, Wood, McDonald and Winsley)

Read first time 03/04/97.

1 AN ACT Relating to compensation for employment; and adding a new
2 section to chapter 49.46 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.46 RCW
5 to read as follows:

6 (1) All tips given to a tipped employee by a customer are the
7 property of that employee, and the employer may not require that the
8 tip be given to the employer. However, the employer may consider the
9 tips as wages to be used toward satisfying the requirements of RCW
10 49.46.020 with respect to the amount that the minimum wage rate in
11 effect under RCW 49.46.020 exceeds four dollars and ninety cents per
12 hour. The amount of tips considered as wages by an employer shall not
13 exceed the value of tips actually received by the employee.

14 (2) This section does not prohibit the pooling of tips among
15 employees who customarily and regularly receive tips.

1 (3) For the purposes of this section, "tipped employee" means any
2 employee engaged in an occupation in which he or she customarily and
3 regularly receives more than thirty dollars a month in tips.

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