
DIGEST

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HB 472 Original

2022 Regular Session

Phelps

Abstract: Establishes a minimum direct wage of \$4.26 per hour for tipped employees.

Proposed law defines a tipped employee as any employee who customarily and regularly receives gratuities from patrons or others.

Proposed law provides that an employer shall pay a tipped employee a direct wage of \$4.26 per hour, only if the employee's combined wage of gratuities and direct wage at least equal the federal minimum wage rate set by federal law. Proposed law further provides that if that combined amount is lower than the federal minimum wage rate set by federal law, then the employer shall make up the difference.

Proposed law provides that any portion of gratuities paid to an employee that is subject a tip pooling agreement or similar arrangement shall not be considered gratuities.

Proposed law provides that if a dispute arises between the tipped employee and employer with respect to the amount of gratuities received by the employee, it shall be the employer's burden to prove the exact amount of gratuities the tipped employee received.

(Adds R.S. 23:671)