

NOTICE OF PROPOSED CHANGES TO TIP POOLING ARRANGEMENTS IN THE
REGULATIONS OF THE DEPARTMENT OF LABOR AND WORKFORCE
DEVELOPMENT

BRIEF DESCRIPTION

The Department of Labor and Workforce Development, Division of Labor Standards and Safety, Wage and Hour Administration proposes to change its regulations to clarify when and how an employer can set up a tip pooling arrangement.

The Department of Labor and Workforce Development proposes to amend regulations in Title 8 of the Alaska Administrative Code, dealing with tip pooling arrangements, including the following:

- (1) 8 AAC 15.907(b) will be amended to delete the reference to the U.S. Fair Labor Standards Act of 1938.
- (2) 8 AAC 15.907(c)(2) will be amended to clarify that tip pooling arrangements apply to “tipped employees.”
- (3) 8 AAC 15.907(e) will be amended to clarify that tip pooling arrangements apply to “tipped employees,” and to provide that an employer must provide notice in writing of a new or changed tip pooling arrangement, and to define “tipped employee.”

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. Additionally, you may submit comments by facsimile at (907) 465-6012 and by electronic mail at dol.lss.regulations@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 3:30 p.m. on February 26, 2018.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Becky Weimer at (907) 465-6002 not later than February 9, 2018 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System or by contacting Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149 or dol.lss.regulations@alaska.gov or (907) 465-6002.


After the public comment period ends, the Department of Labor and Workforce Development will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

Statutory authority: AS 23.05.060; AS 23.10.065; AS 23.10.085; AS 23.10.095

Statutes being implemented, interpreted, or made specific: AS 23.05.010; AS 23.05.060; AS 23.10.050; AS 23.10.065

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 1/22/18



Greg Cashen, Acting Commissioner
Department of Labor and Workforce Development