

By Mr. Spence of Hingham, petition of William J. Spence and John W. Olver relative to increasing the minimum fair wage rates. Commerce and Labor.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Two.

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AN ACT INCREASING THE MINIMUM FAIR WAGE RATES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 151 of the General Laws  
2 is hereby amended by striking out the second sentence, as most  
3 recently amended by section 10 of chapter 679 of the acts of  
4 1969, and inserting in place thereof the following two sen-  
5 tences: — A wage of less than one dollar and ninety cents per  
6 hour in any occupation, as defined in this chapter, shall be  
7 conclusively presumed to be oppressive and unreasonable,  
8 wherever the term “minimum wage” is used in this chapter,  
9 unless the commission has expressly approved or shall expressly  
10 approve the establishment and payment of a lesser wage under  
11 the provisions of sections seven, eight and nine. In no event,  
12 however, shall such rate be less than that established by the  
13 federal government.

1 SECTION 2. Section 7 of said chapter 151 is hereby  
2 amended by striking out the second paragraph, as most recent-  
3 ly amended by section 2 of chapter 397 of the acts of 1969,  
4 and inserting in place thereof the following paragraph: — No  
5 wage board, however, can recommend minimum fair wage rates  
6 below one dollar and ninety cents per hour, except for learners  
7 and apprentices, and except for ushers, ticket sellers and ticket  
8 takers whose minimum fair wage rates shall not be below one  
9 dollar, and except for service people who customarily and

10 regularly receive more than twenty dollars a month in tips and  
11 in determining whose minimum fair wage rates the amount  
12 paid such employee by his employer shall be deemed to be  
13 increased on account of tips by an amount determined by the  
14 employer, but not by an amount in excess of forty per cent of  
15 the applicable minimum wage rate provided in section one,  
16 except that in the case of an employee who, by himself or  
17 through his representative, shows to the satisfaction of the  
18 commission that the actual amount of tips received by him was  
19 less than the amount determined by the employer as the  
20 amount by which the wage paid him was deemed to be  
21 increased under this provision, the amount paid such employee  
22 by his employer shall be deemed to have been increased by  
23 such lesser amount, and except for janitors and caretakers of  
24 residential property, who, when furnished with living quarters,  
25 shall be paid a wage of not less than thirty-six dollars per  
26 week, and except for services as golf caddies.