



SEANAD ÉIREANN

**AN BILLE UM PÁ ÍOSTA NÁISIÚNTA (SÉISÍNÍ FOSTAITHE A
CHOSAINT), 2017**

**NATIONAL MINIMUM WAGE (PROTECTION OF
EMPLOYEE TIPS) BILL 2017**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM PÁ ÍOSTA NÁISIÚNTA (SÉISÍNÍ FOSTAITHE A CHOSAINT), 2017 —AN COISTE

NATIONAL MINIMUM WAGE (PROTECTION OF EMPLOYEE TIPS) BILL 2017 —COMMITTEE STAGE

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

SECTION 3

1. In page 4, line 28, to delete “subject to section 39” and substitute “subject to section 41”.

*—Senators Paul Gavan, Rose Conway-Walsh, Máire Devine, Pádraig Mac Lochlainn,
Niall Ó Donnghaile, Fintan Warfield.*

2. In page 4, to delete lines 36 and 37 and substitute the following:

“(iii) require the employer to pay to the employee compensation of such amount as is just and equitable having regard to all of the circumstances, and”.

*—Senators Paul Gavan, Rose Conway-Walsh, Máire Devine, Pádraig Mac Lochlainn,
Niall Ó Donnghaile, Fintan Warfield.*

3. In page 5, line 8, to delete “for employer involvement” and substitute “for employee involvement”.

*—Senators Paul Gavan, Rose Conway-Walsh, Máire Devine, Pádraig Mac Lochlainn,
Niall Ó Donnghaile, Fintan Warfield.*

4. In page 5, line 9, to delete “Subject to subsections (d) and (e)” and substitute “Subject to paragraph (d)#”.

*—Senators Paul Gavan, Rose Conway-Walsh, Máire Devine, Pádraig Mac Lochlainn,
Niall Ó Donnghaile, Fintan Warfield.*

[#This is a reference to the paragraph proposed to be inserted by amendment No. 5.]

5. In page 5, to delete lines 12 to 24 and substitute the following:

“(d) An employer who is an ‘associated employer’ as recognised in the Employment Equality Act 1998, may share in tips or other gratuities redistributed under subsection (1) if he or she regularly performs to a substantial degree the same work performed by—

- (i) some or all of the employees who share in the redistribution, or
- (ii) employees of other employers in the same industry who commonly receive or share tips or other gratuities.”.

[SECTION 3]

*—Senators Paul Gavan, Rose Conway-Walsh, Máire Devine, Pádraig Mac Lochlainn,
Niall Ó Donnghaile, Fintan Warfield.*