

NOTICE OF PROPOSED CHANGES ON EMPLOYER OPTION FOR TIP POOLING  
IN THE REGULATIONS OF THE DEPARTMENT OF LABOR  
AND WORKFORCE DEVELOPMENT

BRIEF DESCRIPTION

The Department of Labor and Workforce Development, Wage and Hour Administration, proposes to change regulations on employer option for tip pooling, all involved in the service experience, including host/hostess, order taker, wait staff, busser, dishwashers, or cooks.

The Department of Labor and Workplace Development proposes to adopt regulation changes in 8 AAC of the Alaska Administrative Code, dealing with employer option for tip pooling, including the following:

- (1) 8 AAC 15.907 is proposed to be changed as follows: Repeal and readopt the definition of employee tips.

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, PO Box 111149, Juneau, AK 99811-1149. Additionally, the Department of Labor and Workforce Development will accept comments by facsimile at 907-465-3584 and by electronic mail at [dol.lss.regulations@alaska.gov](mailto: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 4:00pm on March 22, 2021.

You may submit written questions relevant to the proposed action to Becky Weimer by e-mail at [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov) or by mail to the Department of Labor and Workforce Development, Labor Standards and Safety, PO Box 111149, Juneau, AK 99811-1149. The questions must be received at least 10 days before the end of the public comment period. The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and agency website at <https://www.labor.alaska.gov/commish/regindex.htm>

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 March 12, 2021 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and 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](mailto: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 the proposed regulation changes or other provisions dealing with the same

subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 18.60.020; AS 23.10.065; AS 23.10.085

**Statutes being implemented, interpreted, or made specific:** AS 23.05.060; AS 23.10.085

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

Date: 2/10/2021

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Dr. Tamika L. Ledbetter, Commissioner  
Department of Labor and Workforce Development