2018 MRA ANNUAL AWARDS DINNER

On behalf of the MRA Board of Directors, we are excited to announce the 2018 Award Winners. These well deserving recipients will be honored at our awards gala on Monday February 26, 2018 at the Seaport Hotel in Boston.

Congratulations!

Business Partner Associate of the Year
JEFF OPPENHEIM
TRIMARK UNITED EAST

Business Partner of the Year
SNAPCHEF
TODD & DANIELA SNOPKOWSKI

Executive Chef of the Year
RICHARD VELLANTE
LEGAL SEA FOODS

Limited Service Restaurateur of the Year
WAHLBURGERS
PAUL WAHLBERG & TEAM

Restaurateur of the Year
KATHY SIDELL
MET RESTAURANT GROUP

GET YOUR AWARDS DINNER TICKETS HERE!

Mon, February 26, 2018
5:30pm - Cocktail Reception
7pm - Dinner
Seaport Hotel (Plaza Ballroom)

Tickets - $130 each
Tables of 10 - $1,175
Reservations are required.

Sponsorship opportunities are available here.

*Deadline to sponsor is February 16, 2018

ARE YOU READY FOR THE 2018 NEW ENGLAND FOOD SHOW?
Sunday, February 25th - Tuesday, February 27th
Boston Convention Center

EXPERIENCE NEFS
Learn more here.

EXHIBIT AT NEFS
Learn more here.

ATTEND NEFS
Register now here.

See page 6 for details on The Toast - The NEFS Afterparty.

Check out the Keynote Speakers here. Learn about Kids Camp here. Check out the full schedule.
Dear Members,

Two weeks ago we announced our 2018 Annual Award winners, who will be feted at the MRA Annual Awards Dinner at the The Seaport Hotel on Monday, February 26th. I cannot be more proud and I would like to congratulate Jeff Oppenheim, Todd & Daniela Snopkowski, Rich Vallante, Paul Wahlberg & Team, and Kathy Sidell. Our industry is made up of so many people from different backgrounds and experiences, but who come together and make great things happen for their guests and their employees. These folks are truly a great reminder of what hard working people who know how to treat people with dignity and respect can achieve, and they deserve every bit of recognition they will receive that night.

Of course, this occurs on the Monday evening of our New England Food Show (NEFS). This year, NEFS has potentially the best lineup of any show in recent memory. Starting with three nationally known Keynote Speakers, along with a mixture of top presenters and chefs, plus some of the hottest local talent in our restaurants. The educational sessions are packed with information you and your employees will be able to use to improve your business. And of course, NEFS is all about networking and face to face meetings, where “fist bumps replace click, click hit submit”. It is where we rekindle existing relationships and forge new ones.

You will be bumping into a veritable who’s who of restaurant operators and suppliers throughout the three days. In fact, you may want to make a reservation and stay overnight, going out and hitting some of the great local Boston spots around town to get some ideas for your restaurant! Return for a second day because there is that much content. Sunday evening will be The Toast Event (The official afterparty of the New England Food Show) – located at The Grand Boston, with American Idol, singer & award winning songwriter Kara DioGuardi, courtesy of our friends at BMI.

We are truly fortunate to have arguably the best regional restaurant show in the country in our own backyard; please take advantage of the opportunity. One good idea and one key contact can pay for the commitment you made to attend.

Finally, thank you to our valued business partners for supporting the show; now let’s support them!

I hope to see you all on February 25-27, at the Boston Convention & Exhibition Center for this year’s NEFS. For those days, it’s the only place to be!

Pat Lee
MRA Chairman
plee@themassrest.org
Unemployment rate notices for 2019 will include information regarding temporary increases in the EMAC and EMAC Supplement. Operators and business owners will be receiving 2019 UI rate notices in the next couple of weeks. Click here to see the notice, which details the changes in the EMAC calculation for the next two years.

As a reminder, Massachusetts is using a 2-tiered approach that builds off of the existing employer medical assistance contribution (EMAC) to cover the cost of public coverage for employed individuals.

The employer contribution will sunset at the end of calendar year 2019.

Collections under both tiers would be administered by the Department of Unemployment Assistance, the agency responsible for administering the existing EMAC.

**TIER 1**
- Broad based, raising the current EMAC rate from 0.34% to 0.51% of annual wages, up to the annual wage cap of $15,000.
- Applies to all employers currently subject to EMAC (employers with 6 or more employees).
- Raises the maximum per-employee contribution rate from $51 to $77

**TIER 2**
- Introduces a targeted payment that would require employers to pay an additional 5% of annual wages for each non-disabled employee on public coverage, up to the annual wage cap of $15,000.
- Would apply to all employers with non-disabled employees on MassHealth (not in premium assistance) or subsidized Connector coverage (ConnectorCare). This will not include employees who have coverage from other sources (spouse, parent, etc)
- Would result in an annual maximum per employee contribution rate of $750.

Click here to see notice, click here to see regulations.
THE MRA YEAR IN REVIEW - 2017

By John Coyne, MRA General Counsel

There were perhaps fewer but more eclectic issues in 2017 affecting the MRA and its members. The MRA’s focus continues to be to inform and educate members about such issues to insure their Compliance.

1. The Massachusetts minimum and tip wage(s) increased to $11.00 and $3.75 respectively on January 1, 2017. These were the last of a series of automatic annual increases that had been enacted by the Legislature.

2. The U.S. Department of Labor abandoned its interpretation of overtime pay requirements for tipped employees and substituted the interpretation the MRA had long advocated. As a result, the hourly rates payable to such employees are $3.75 instead of $5.88 for the first 40 hours and $9.25 instead of $11.38 for each hour over 40.

3. A significant trend/development is the use of the initiative petition process to bypass the Legislature and enact laws it refuses to approve. One such a petition will put proposed minimum wage increases on the ballot in 2018. If approved by the voters, there will be four (4) annual increases in the minimum wage beginning in 2019, culminating in a $15 per hour minimum wage in January 2022. It would also phase in increases in the tip rate to $9 per hour on January 1, 2022. The MRA and other organizations explored the possibility of challenging the legality of the petition being on the ballot but concluded that the petition was drafted in such a manner that any such challenge would be futile.

4. After issuing a temporary injunction in 2016, a Federal Court entered a final judgment in 2017, ruling that proposed overtime rules by the U.S. Department of Labor were unlawful and barring their implementation. The rules would have required overtime pay for any salaried employee whose salary is less than $913 per week regardless of the employee’s duties.

5. A pending proposal by the U.S. Department of Labor would broaden the scope of employees permitted to share in a tip pool under Federal Law by allowing an employer to determine who could share in a pool. The change would not, however, benefit Massachusetts restaurants because State law limits pool participants to “wait staff” employees.

6. The U.S. District Court in Massachusetts ruled whether Massachusetts law permits a restaurant hostess who has no managerial responsibility and sometimes performs wait staff work to receive a share of the restaurant’s tip pool. The Court concluded that the hostess could share in the pool only if her wait staff work was her “primary duty”. This “primary duty” rule would apply to food runners, bar backs and other employees who have no managerial responsibility and sometimes perform wait staff work.

7. The organizational structure of the MRA expanded in 2017 when it formed and is the sole member of Office Management Services L.L.C., a Massachusetts Limited Liability Company that purchased, owns and leases the office building the MRA occupies. To facilitate the purchase, the MRA and the L.L.C. co-signed the mortgage loan.

8. A “Pregnant Workers Fairness” law that was enacted in 2017 will become effective April 1, 2018. The Massachusetts law includes a requirement that an employer provide a reasonable accommodation(s) to a pregnant worker(s) unless the employer can demonstrate an accommodation would impose an “undue hardship” on its business. A reasonable accommodation may include more frequent or longer paid or unpaid breaks or time off; temporary transfer(s) to other positions; light duty; job restructuring; and modified work schedule(s). An undue hardship is action that would impose significant difficulty or expense on an employer.

9. A decision late in 2017 clarified who, in addition to the employer entity, is personally liable under Massachusetts law for the nonpayment of wages. The Court ruled that where the employer is a corporation, the corporation, its President, Treasurer and any “officers or agents” having the management of the corporation are personally liable. Not all officers or agents are liable, just those who like the President and Treasurer have responsibility for management of the company as a whole. While a Board of Directors sets policy and oversees management, a director(s) does not perform the management function itself and would, therefore, have no personal liability. Likewise, an investor is not personally liable.
Tax Reform
Our leadership and engagement with both Congress and the Administration helped us include and preserve our industry’s priorities in the historic tax legislation that was signed into law in December. We advanced our industry’s key issues throughout 2017 by repeatedly engaging with top-level Administration officials and lawmakers. We engaged with Congress’ top leaders and members of the House and Senate tax committees. We championed our industry’s priorities with Treasury Secretary Steve Mnuchin, Commerce Secretary Wilbur Ross, SBA Administrator Linda McMahon, Vice President Mike Pence’s office, and members of the National Economic Council. As a result of our efforts, the Tax Cuts and Jobs Act incorporated many of the recommendations voiced by our Members:

- Retains the FICA Tax Tip Credit (known as 45B), which is vital to the success of many restaurants.
- Reduces the top corporate rate to 21 percent.
- Provides a 20 percent income deduction for pass-through entities.
- Eliminates the corporate Alternative Minimum Tax (AMT).
- Allows businesses to immediately expense the full cost of new equipment.

Debit Swipe Fees
We successfully countered House Financial Services Chair Jeb Hensarling’s (R-TX) intensive effort to pass the Financial CHOICE Act in the spring of last year. This bill contained a provision that would have eliminated the debit swipe-fee protections that we secured in the 2010 Dodd-Frank financial reform law. We successfully led a campaign by Main Street businesses to oppose this effort, and Chairman Hensarling ultimately dropped his plan to repeal the protections. In addition to an extensive grassroots and Capitol Hill campaign, we pushed more than 1.6 million online ads in an aggressive digital campaign to generate awareness and educate Washington influencers about the debit-card tax.

Overtime
We played a key role in the successful legal challenge of the Obama-era overtime rule that would have forced employers to pay overtime to virtually any person earning under $47,476 per year – more than double the current salary level. Our position ultimately prevailed when a court struck the Obama rule down last August. Afterwards, we filed extensive comments with the Department of Labor (DOL) expressing our support for commonsense federal overtime rules that retain the flexibility that’s a hallmark of our industry for both employers and employees.

Healthcare
We worked with Members from both the House and the Senate to successfully introduce healthcare legislation, such as H.R. 3956, the STARS Act and S. 1908, the Commonsense Reporting Act that would address our industry’s top three healthcare priorities: 1) Changing the 30-hour rule, 2) Alleviating the burden of reporting requirements, and 3) Changing definitions important to our industry, such as the definition of seasonal employment. We will continue our engagement with Congress to enact these two bills.

Relationship Building
We successfully worked to establish strong relationships with senior Administration officials, and the results have already benefitted our industry. Some highlights include: 1) The NLRB restored our industry’s preferred definition of “joint employer,” 2) The DOL is working to reverse its 2011 tip-pooling regulation, 3) The White House appointed us to be a member of its Task Force on Apprenticeship Expansion, 4) The Administration and Senate nominated and confirmed our preferred candidates to lead the NLRB.

CURRENT ISSUES

Joint Employer

- Industry Priorities: Work with Congress and the Administration to codify the “direct control” standard of joint employer liability into law to prevent the National Labor Relations Board (NLRB) from making harmful rulings in the future.
  - We consulted with and encouraged the White House and Senate to nominate and confirm Marvin Kaplan and William Emanuel to the Board in 2017, giving the Board its first 3-2 majority in more than a decade. Under the new board, the NLRB in mid-December reversed its 2015 decision and returned to the “direct control” standard that governed joint-employer liability for decades.
  - We also supported the nomination of Peter Robb as the NLRB's new general counsel. For the full article, click here.
MEMBERSHIP EVENTS

THE TOAST - NEW ENGLAND FOOD SHOW AFTER PARTY - SUNDAY, FEB. 25TH

Celebrate in style at The Grand Boston immediately following the closing of the New England Food Show on Sunday, February 25th. Former American Idol judge and Grammy-nominated songwriter Kara DioGuardi will headline our evening at Boston Seaport’s newest glamorous nightclub. Ticket includes passed appetizers.

THE GRAND
58 Seaport Blvd. Suite 300
Boston, MA
(NEFS Exhibitors: Use code Exhibitor18 to get tickets for $10 each)
DOORS OPEN AT 5:00 P.M. • TICKETS ONLY $25.00!
PURCHASE YOUR TICKETS HERE!

Live performance by Kara DioGuardi

TOAST EVENT SPONSORS:

SAVE THE DATE
2018 RESTAURANT TRENDS EVENT

A tasting event to benefit 826 Boston
presented by

Monday, March 26, 2018
Ned Devine’s
1 Faneuil Hall Marketplace, Boston, MA 02109
LIVE MUSIC
$120 VIP admission 6 PM • $100 Regular admission 7 PM
To learn more and register, click here.

SAVE THE DATE (New Venue!)
SOMETHING’S BREWING ON CAPE COD

SOMETHING’S BREWING ON CAPE COD
JOIN US FOR A FUN-FILLED NIGHT TO BENEFIT NO KID HUNGRY

VENUE: Cape Cod Beer
1336 Phinneys Lane, Hyannis, MA
MAY 14, 2018 6:30-9:30PM

SAVE THE DATE
Registration to open soon!

$35 - Non-members
$30 - Members (use code MRACCC)

PARTICIPATING RESTAURANTS:
Sam Diego’s (Hyannis)
The Casual Gourmet (Centerville)
The Quarterdeck Restaurant (Falmouth)
Captain Parker’s Pub (West Yarmouth)
Alberto’s (Hyannis)
400 East Restaurant (Harwich)

EDUCATING OUR STAFF ON COST CONTROL

As we continue to manage competing priorities in 2018, it’s important to take a breath and reflect upon the basics. In the most recent Nation’s Restaurant News article from Jim Sullivan, the content was spot on. It detailed customer and staff perceptions of restaurant success and spoke of our responsibility as operators to educate our staff on the real economics of the restaurant business. Sullivan’s common sense restaurant relevance never gets old. His philosophy on the basics, focused preparation, disciple work ethic and just doing your job may make him the restaurant Industry’s Bill Belichick. See article here.

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Fun Facts about Brasserie JO at The Colonnade Hotel:

1. Hopla...our own draft beer.
2. You can order past cocktails (off menu), we keep recipes of them all.
3. Yes you can order pizza in a French restaurant – it’s called the Tarte Flambe.
4. The onion soup is underrated. It’s a local fave.
5. It takes 3 days & 9 hours to make Duck Confit.
6. There are over 174 bottles of wine and champagne around the dining room.
7. The bar is made of ZINC imported from France.
8. Order the profiteroles and they pour fresh warm chocolate over the profiteroles until you say “stop.”
9. Chef Joho’s formal training began at age 13 at L’Auberge de L’Ill under master chef Paul Haeberlin.
10. The restaurant is celebrating 20 years in business this year.

RESTAURANT: Brasserie JO at The Colonnade Hotel
LOCATION: Boston
YEAR FOUNDED: 1998
WEBSITE: brasseriejoboston.com
MRA MEMBER SINCE: 1998
WHAT IS YOUR RESTAURANT SPECIALTY? French cuisine
WHY IS THE MRA IMPORTANT TO YOU & YOUR BUSINESS? Relationships, networking, and knowing the industry, the MRA is there to continually fight for our industry and gets involved while connecting all kinds of food and beverage industries.
Name: Baylee Mello
High School: Taunton High School, Class of 2015
Culinary School: The Culinary Institute of America, Hyde Park, New York

How long have you been interested in culinary arts?
I have been interested in culinary arts for 10 years.

How did you hear about the ProStart Program during high school and what made you get involved?
During my sophomore year of high school when I was enrolled in Culinary 2, I had heard a lot about the ProStart competitions and was eager to be a part of it. When I became a junior, I was given the opportunity to participate in my first ProStart competition and it was something that truly changed my life. Before that, I had not done anything to that scale or caliber.

From your experience in culinary school so far, what is the most important thing you’ve learned?
The most important thing I have learned is to work as hard as you can because you get out of it what you put in. When you are given award winning chefs as instructors, they have a lot of knowledge to share with you, you just must be eager to learn.

From your experience in culinary arts so far, what is the most important thing you’ve learned?
So far my experience in culinary school has been fun and engaging. We have played activity games to prepare those who have not yet earned their ServSafe certification. We have done presentations on a region that we were given with a partner, and then partnered up with someone different to make different meals and eat together as a class. It has been enjoyable and a wonderful learning experience.

Do you have any advice for students thinking about getting involved in culinary arts?
If you are thinking about pursuing this degree, reach out to individuals that are already doing it. Pick their brain as much as possible and see if it is really what you want to do. Some culinary schools and students may even invite you for a tour!
NOW ACCEPTING 2018 SCHOLARSHIP APPLICATIONS

Spread the word to culinary students that scholarship applications are now available online. GET THEM IN EARLY!

**Deadline to apply: April 7, 2018**

Click [here](#) to fill out the short contact form. After submitting this info, you will have access to the 2018 application.

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**2018 SERVSAFE TRAINING SCHEDULE**

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<tr>
<td>March 12th &amp; 19th</td>
<td>MRA – Westborough</td>
<td>3-7pm</td>
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<tr>
<td>May 7th &amp; 21st</td>
<td>Cape Codder</td>
<td>4:30-8:30pm</td>
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<tr>
<td>May 14th &amp; 21st</td>
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<td>3-7pm</td>
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<td>May 1st</td>
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**ANTI-HARASSMENT TRAINING**

The MRA is offering Anti-Harassment Training in 2018. This course will be an interactive session designed for restaurant owners and managers, in which attendees will receive handouts and quizzes, and participate in case studies for discussion in small groups.

**WHERE** - MRA Office: 160 East Main Street, Suite 2, Westborough, MA. 01581

CLICK [HERE](#) FOR DIRECTIONS.

**WHEN** - Wednesday, February 28th 9-11am MRA Office - Register [here](#).

&

Monday, March 5th, 9-11am MRA Office - Register [here](#).

**PRICE** - $75 per person

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**SAVE THE DATE: 2018 PROSTART STUDENT INVITATIONAL**

Tuesday, March 6, 2018

Mechanics Hall, Worcester
### FOOD & BEVERAGE OPERATORS

<table>
<thead>
<tr>
<th>Restaurant</th>
<th>Address</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>Brew City Grill &amp; Brew House</td>
<td>104 Shrewsbury St, Worcester, MA 01604</td>
<td>(508) 752-3862</td>
</tr>
<tr>
<td>Jack’s Abby Brewing, LLC</td>
<td>100 Clinton St, Framingham, MA 01702</td>
<td>(508) 872-0900</td>
</tr>
<tr>
<td>Moes Southwest Grill</td>
<td>831 Main St, Waltham, MA 02451</td>
<td>(781) 788-6637</td>
</tr>
<tr>
<td>The Fox and Crow Café</td>
<td>340 Coles Neck Rd, Wellfleet, MA 02667</td>
<td>(508) 349-1639</td>
</tr>
<tr>
<td>Porto Maltese</td>
<td>1634 Beacon Street, Brookline, MA 02445</td>
<td>(617) 610-5720</td>
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### BUSINESS PARTNERS

<table>
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<tbody>
<tr>
<td>Architects/Interior Design</td>
<td>Carroll Design Studio</td>
<td>194 Prospect St, Cambridge, MA 02139</td>
<td>(617) 205-3177</td>
</tr>
<tr>
<td>Lighting and Controls</td>
<td>National Efficiency Supply</td>
<td>PO Box 521, Sutton, MA 01590</td>
<td>(508) 407-8515</td>
</tr>
<tr>
<td>Web (Marketing &amp; Promotions)</td>
<td>TripAdvisor</td>
<td>400 First Avenue, Needham, MA 02494</td>
<td>(781) 800-5000</td>
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**Thank You to Our 2018 Annual Sponsors**

- 110 Grill
- Addison Communications
- American Express
- Gray & Gray
- Heartland
- HOBART
- Gordon Food Service
- Mercedex Wellington Service
- Metropolitan
- nationalgrid
- Ninety Nine
- Metropolitan
- Oracle
- Oracle
- Oracle
- Piatedoni
- People's United Bank
- Sysco
- Sprague
- Twinbrooke Insurance Brokers
- US Wealth Management
- Ruby Wines, Inc.

**FOLLOW US!**

facebook.com/marestaurants  twitter.com/massrestaurants  instagram.com/ma_restaurants  Check out the MRA Linkedin Group

Massachusetts Restaurant Association  
160 East Main Street, Suite 2, Westborough, MA 01581  
Phone: (508) 303-9905  www.themassrest.org