

[IMPORTANT NOTE ABOUT THIS SAMPLE AGREEMENT: *This sample agreement is provided for general guidance only and does not constitute advice about compliance with applicable laws. Please consult with an employment attorney of your choice before implementing any portion of this sample agreement.*

Voluntary Tip-Pooling Agreement

The following tip-pooling guidelines apply to eligible employees who choose to participate in [EMPLOYER]’s voluntary tip-pooling arrangement.

Employees who directly serve customers in the following job classes are eligible to participate in [EMPLOYER]’s voluntary tip pool: [LIST POSITIONS – e.g., wait staff, counter personnel who serve customers, bus staff, service bartenders, bellhops]. Only employees who contribute to the tip pool arrangement will be considered participants in the pool. No supervisors or managers will be eligible to receive any share in the tip pool.

[PROVIDE DETAILS OF EMPLOYER’S TIP-POOLING ARRANGEMENT.] It is the policy of [EMPLOYER] to comply with federal and state laws regarding payment of wages and tax-reporting of tips/gratuities. To the extent any provision of these tip-pooling guidelines conflicts with federal or state law, applicable law supersedes these guidelines.

By signing below, I acknowledge that I understand these tip-pooling guidelines and choose to participate in [EMPLOYER]’s voluntary tip-pooling arrangement.

If I have any questions about the tip-pooling arrangement, I understand that I should contact [TITLE]. I also understand that if I later decide I do not want to continue participating in the voluntary tip-pooling arrangement, I must contact [TITLE] to opt out of the tip pool.

Employee Name

Employee Signature

Date