

NOTICE: FL TIPPED EMPLOYEES

As required by the Fair Labor Standard Act (FLSA), as amended, May 5, 2011, this notice will serve as the Company's intention to exercise our right to apply the tip credit as allowed by law. We are informing you of the following:

- The amount of cash wage to be paid to you will be \$5.23 per hour, the Florida minimum wage for tipped employees or the Federal minimum wage for tipped employees whichever is greater
- The amount of your tips to be credited as wages will be \$3.02 per hour, the Florida tip credit, assuming you have received a sufficient amount of tips per hour to cover the tip credit
- You have the right to retain all tips you receive, except for a valid tip pooling arrangement limited to employees who customarily and regularly receive tips
- The required amount of your tip pool contribution (or percentage of tips) will be provided to you in advance of your shift / employment and the amount will not exceed the customary and regular amount for this establishment and/or your shift as deemed appropriate by the Company
- The tip credit shall not apply unless you have been informed of these requirements in advance of your shift and/or employment

ACKNOWLEDGEMENT AND AGREEMENT

I, _____ acknowledge and agree that I am a tipped employee, that I am engaged in an occupation which I customarily and regularly receives tips, and that I earn more than \$30 per month in tips.

I further acknowledge and agree that I have been informed by the Company before start of my shift and/or employment, in accordance with the law, that the Company will apply the tip credit and that I will be paid a direct, cash wage of \$5.23 per hour for all hours worked and a premium rate of .5 times my hourly rate for all hours worked over forty-hours in a standard workweek providing I earn a sufficient amount of money in tips during any workweek to cover the difference between the Florida minimum wage of \$8.25 per hour and the Florida minimum direct wage for tipped employees of \$5.23 per hour.

I acknowledge and agree that I have been informed that if I do not earn a sufficient amount of money in tips to cover the above mentioned tip credit of \$3.02 per hour for hours of work, I will receive from the Company a direct wage of up to \$8.25 per hour, the current Florida minimum wage or Federal minimum wage, whichever is greater. I further understand and agree that I am required by law to report 100% of tips earned and that failure to do so may result in termination and my failure to report wages may be a reportable action as required by law.

Employee Signature

Date

Manager Signature

Date