TIPPED EMPLOYEES

A Minimum Wage of $5.05 per hour PLUS TIPS

"Tipped Employees" include any employees who do not engage in an occupation in which the service tip or gratuity received is more than thirty dollars ($30.00) per month in tips. Employees eligible to use the tip credit provision must be tipped to receive at least the minimum wage when direct or cash wages and the tip credit amount are combined.

INDIVIDUALS EXEMPT FROM MINIMUM WAGE

1. Any individual employed as a tipped worker in the employee’s home, or a house in companion to a sick, consoling, or elderly person whose principal duties do not include housekeeping.
2. Any individual employed as an outside salesman compensated by commissions or on a basis tied exclusively to sales, such as in an insurance or real estate business.
3. Any individual employed in positions which are in fact executive, administrative, or professional capacities such as computer professionals.
4. Any individual whose work in public service is for a political subdivision of the State, or an interstate government agency if the individual is not paid a fixed or standard rate of compensation who is paid a flat fee or per diem.
5. Any individual who provides personal services of a charitably nature in a hospital or institutional setting in which the compensation is not in excess of the reasonable cost of such services.
6. Any individual in the employment of a camp or residential facility for children under the age of 18 and operated by a non-profit organization or group of organizations.
7. Any individual engaged in the activity of a family-owned and operated business who is a family member of the owner.
8. Any additional exemptions, please visit the Ohio Division of Industrial Compliance or U.S. Department of Labor website.

REOUIRED POSTINGS & RECORDS TO BE KEPT BY THE EMPLOYER

1. An employer shall pay an employee for overtime at a rate of one and one-half times the regular rate for all hours in excess of 40 hours in one work week, except for employees grossing less than $15,000 per year.
2. NOTICE TO EMPLOYER
   A. Each employee shall keep a record for at least three years, available for copying and inspection by the Division of Labor for the following:
      1. Name
      2. Address
      3. Occupation
      4. Date of Birth
      5. Amount paid each pay period
      6. Days worked each day and each work week
      7. The record may be opened for inspection or copying at any reasonable time and no employee shall hinder or delay the Director of the Division of Labor in the performance of his duties.

SUB-MINIMUM WAGE RATE

It is unlawful for any employer to discriminate in the rate of base wage or other conditions and privileges of employment on the basis of race or color. Any employer who engages in such discrimination shall cease such discrimination immediately.

National Origin and Ancestry

Ohio law prohibits discrimination on the basis of national origin or ancestry in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, seniority, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Race and Color

Ohio law prohibits discrimination on the basis of race or color in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, seniority, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Sex

Ohio law prohibits discrimination on the basis of sex in employment, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, seniority, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Sexual Orientation

Ohio law prohibits discrimination on the basis of sexual orientation in employment, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, seniority, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Military Status

Ohio law prohibits discrimination on the basis of military status in hiring, promoting, tenure, discharge, pay, fringe benefits, job training, classification, referral, seniority, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Disability

Ohio law prohibits discrimination on the basis of disability in employment, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, seniority, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

HARASSMENT

Ohio law prohibits harassment in the workplace on any basis set forth herein, which includes the establishment of a policy against harassment and the provision for receiving, investigating, and remedying complaints of unlawful discriminatory conduct.

Retaliation

Ohio law prohibits retaliation against any person because that person has opposed any unlawful discriminatory practice, or because that person has made a charge, complaint, testifies, assisted or participated in any manner in any investigation, proceeding or hearing.

EEOC NOTICE

For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance, 6606 Tussing Road, P.O. Box 854, Columbus, OH 43216, Tel: 800-672-0755. An Equal Opportunity Employer and Service Provider.