

TIP POOL AGREEMENT

[IDAHO JULY 2020]

This Tip Pool Agreement amends and replaces any prior version of the agreement.

Mandatory Tip Pool

The Ram Restaurant Group (the Company), on behalf of its affiliated companies, has implemented a mandatory tip pooling agreement for certain team members. As a condition to employment (or continuing employment) with the Company, participating team members must carefully read and agree to the terms of the tip pool set forth herein to ensure a fair distribution of tips. Any team member who refuses and/or fails to sign this Agreement for any reason but continues his/her employment with the Company shall be deemed to have acknowledged and consented to the terms hereof.

This agreement concerns all team members in the front of the house. It does not include any kitchen or BOH team member. In no event does any owner or leader (manager) participate in the tip pool to include the Store Leader or any Assistant Store Leader.

All team members who directly receive tips from guests (i.e., servers and bartenders) must pay a portion of their tips described below into pools to be allocated to all participating team members.

Tip Pooling Software

To administer the tip pools, the Company utilizes a software program from a third party vendor that integrates with Toast, the point-of-sale provider. The software collects tips from the directly tipped team member and distributes them in the manner described below. All team members will receive an e-mail from the software company providing his/her tips for each shift.

Tip Pool Distribution

The attached titled "Tip Pool Allocation" sets forth the amount of tips that team members who directly receive tips must contribute to the different tip pools. The tip pooling software distributes the amount in each tip pool to the team members in that pool by job code when the tips are received (and not necessarily based on hours worked).

Except for cash tips, all tips will be paid through payroll on regularly scheduled paydays. All tips are reported to the IRS as income, and the Company will withhold all payroll, income and other taxes as required by law. Team Members are encouraged to contact a tax professional if they have any questions about the tax implications of earning tips or being allocated tips under this Tip Pool Agreement. Except if prohibited by law, team members will pay a proportionate share of the processing fee charged by the credit card companies on the tips allocated to them. Notwithstanding this Tip Pool Agreement, the Company is legally obligated and will pay you at least the minimum wage (with tip credit if applicable).

Indirectly tipped team members (i.e., bussers, bartenders and expeditors) will receive a distribution of tips based on their job code provided that they are clocked in at the time the tips are received from the guest (and not based on hours worked). By signing below, indirectly tipped team members acknowledge that tips contributed to the tip pools during any given shift shall be proportionately shared among all team members in each pool at the time the tips are received from the guests. There will be no allocation of tips to the tip pools when there are no sales in Toast (i.e., there are no tips when there no sales).

The Company reserves the right to revoke and/or amend this agreement at any time in its sole and absolute discretion without notice.

Help us! Please log into the tip pooling software described above and ask questions. If you have any questions or concerns, please ask any leader in the restaurant, or call the Home Office (253.588.1788).

AGREEMENT BY DIRECTLY TIPPED TEAM MEMBERS

I have read, understood and agree to the forgoing Tip Pool Agreement. I agree to be proactive with regard to my tips by asking questions.

Signature

Printed Name

Team Member Number: _____

ACKNOWLEDGEMENT BY INDIRECTLY TIPPED TEAM MEMBERS

As an indirectly tipped team member, I have read and understand the above Tip Pool Agreement. I acknowledge that my share of tips necessarily depends on my position and whether I am working (clocked on) at the time the tips are received from the guests.

I agree to be proactive and promise to ask questions.

Signature

Printed Name

Team Member Number: _____

TIP POOL ALLOCATION

5% of liquor beer and wine sales to the bartender(s)

1% of total sales to the busser(s)

1% of food sales to the expo(s)