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Legal Brief*

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Do You Have to Share Your Tips?

Jackie is a waitress in a restaurant. Her employer asks her to share her tips with her fellow waitresses and with the cooks. Is this legal?

In Québec, a tip is an extra amount you give an employee whose services you use. The standard amount in Québec is usually 15%, but no one is obliged to tip.

Jackie can decide to share her tips if she agrees to do so freely and voluntarily.¹ In an establishment, each employee must consent individually in order for this to be legal. If not, there can be no sharing of tips, as this obligation cannot be imposed by a policy of the establishment. Jackie must have total freedom to decide. She could even decide to share her tips with workers who do not receive tips, such as the cooks.

There is a minimum wage for [employees who receive tips](#), but it is lower than for other employees. This hourly wage has been \$12.60 since May 1, 2024, while the regular minimum wage is \$15.75.

If you decide to share your tips, it's advisable to draw up a tip-sharing agreement, ideally in writing, which should include the percentage to be shared. The percentage may differ for each job category. The agreement should designate the person responsible for distributing the tips, the frequency of payments and the total duration of the agreement.

If you have any questions regarding tip sharing, don't hesitate to contact a lawyer at the legal aid office nearest you.

Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you. You can also check your eligibility online [here](#).

To find the contact information for your legal aid office, please click on the following link www.csj.qc.ca.

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* The information set out in this document is not a legal interpretation.

The masculine gender is used to designate persons solely in order to simplify the text.

¹ [Section 50 paragraph 3 of the Act respecting labour standards.](#)