

Tipped Workers in NJ: Rights and Protections



On February 4, 2019, Gov. Phil Murphy signed Public Law 2019, c. 32, which amends the New Jersey Wage and Hour Law, incrementally increasing the state minimum hourly wage for most employees to \$15/hour over the course of five years. This law also permits employers of tipped employees to take a “tip credit” toward their obligation to pay the minimum wage by paying a portion in cash to the employee with the balance of the minimum wage made up in earned tips.

Tips are the sole property of the employee, and an employer may not take any portion of the workers earned tips for any purpose.

What is a tip?

Is a service charge a tip?

Who is a tipped employee?

What is a tip credit?

What is a tip pool?

What is the minimum cash wage an employer must pay a tipped employee if the employer is taking a tip credit?

Under what conditions can an employer take a tip credit?

What if I believe my work rights are being violated?

What happens to an employee’s pay when they are not doing tipped work?

What happens if an employee has two different jobs at the same establishment, and only one is tipped work?

Can an employer take deductions from tips, including to cover credit card fees?

Can an employer deduct from cash wages of tipped workers?

How is overtime calculated for tipped work?

Are tipped employees entitled to any paid time off?

What other benefits might I be eligible for?



How to get help or make a complaint:

If you believe that your employer has not properly paid you, or you have a question about your situation, we can help.

[Make a complaint online](#), email wage.hour@dol.nj.gov, or call 609-292-2305. A trusted person can help file a complaint or email us on your behalf. NJDOL has multilingual staff who can help.

Your identity and other personally identifiable information are protected from disclosure to your employer and others, with limited exceptions. For more information, [click here](#).

Other resources and information:

- Know Your NJ Work Rights: [English](#), [Spanish \(español\)](#), [Haitian Creole \(Kreyòl Ayisyen\)](#), [Portuguese \(Português\)](#), [Vietnamese \(Tiếng Việt\)](#), [Nepali \(नेपाली\)](#), [Urdu \(اردو\)](#), [Arabic \(عربي\)](#).

Department of Labor and Workforce Development

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- Unemployment Insurance
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Worker Protections

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- Safety and Health
- Wage & Hour Compliance
- Paid Sick Leave

Career Support

- Career Services
- Training Provider Information

Employer Services

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- Employer Self-Service (NLx)
- Layoffs and Closings
- Wage & Hour Compliance
- Business Support
- Apprenticeship
- Industry Partnerships
- Employer Poster Packet

Research & Information

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- Center for Occupational Employment Information (COEI)
- Grant Opportunities
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