

DOL names the duties your waiter can be directed to do for free

Anyone who has ever worked in a restaurant knows that servers perform lots of tasks that don't involve taking customers' orders and bringing them their food. Yet servers rarely get any extra pay for that work.

In almost all cases, they are still working for tips.

Now the Department of Labor has issued an opinion letter (FLSA2018-27) confirming that the following are activities for which tipped workers need not be paid extra:

- Cleaning tables or counters
- Preparing tables, including setting up linens, silverware and glassware
- Assisting host or hostess by answering phones to take reservations or to-go orders
- Performing cleaning duties, such as sweeping and mopping floors, vacuuming, taking out trash or cleaning bathrooms
- Rolling silverware, setting up food stations or setting up dining areas to prepare for the next shift
- Stocking service areas with supplies such as coffee, food, tableware and linens
- Filling salt, pepper, sugar, cream, condiment and napkin containers
- Performing food preparation duties such as preparing salads and appetizers, portioning desserts and brewing coffee.