Kindness Doesn't Come with a Tip; Banning Tipping in Restaurants

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INTRODUCTION

Whether you have been a server or have ever gone to a restaurant in your life time, you know that tipping induces great stress. If you had poor service you are torn about what tip to leave because on one hand, he/she may not deserve it but on the other hand, you know that that person is trying to earn a living.\(^1\) If you had good service you are still torn; should you leave twenty percent of your bill even though that number is only dependent on how much your food cost?\(^2\) If you are at a nicer restaurant, the server is still providing the same services as a casual dining venue, should their respective tips differ so vastly solely because of food cost? The servers do not get a break from the stress either. You go into work every day wondering if you will be able to make a decent amount of tips for your financial responsibilities or not.

As a server\(^3\) and restaurant consumer, I am constantly faced with this unnecessary stress. My main point of this article is to illuminate how immensely improved each of our lives will be with the elimination of tipping in restaurants in America. I have examined countless conversations on the benefits of keeping and removing the tipping system, but the point that

\(^1\) The federal minimum wage for covered nonexempt employees is $7.25 per hour effective July 24, 2009. However, an employer of a tipped employee is only required to pay $2.13 an hour in direct wages if, combined with tips, amounts to $7.25 per hour. If it does not amount to $7.25 per hour the employer is required to account for the difference. United States Department of Labor: elaws, Fair Labor Standards Act, http://www.dol.gov/elaws/faq/esa/flsa/002.htm. So, no matter what the server is earning minimum wage just as an employee of a fast food chain restaurant does, yet there is not the mindset that you must leave a decent tip for the fast food worker so that they might earn a living. The social stigma in restaurants is far greater.

\(^2\) In 1918 the accepted tip was ten percent, by 1965 fifteen percent was the most generally used figure, and today the accepted amount is twenty percent, even though that, too, is climbing to twenty-five, even thirty percent. Lizzie Stark, *Is 25% the New Standard for Tipping? Depends Where you Eat*, TODAY: Food, Sept. 9, 2012.

\(^3\) See above asterisk.
everyone is missing is the kindness that banning tipping will promote. To show this, I will first describe the brief history of tipping, then how other countries around the world handle tipping, and finally the problems with tipping in the United States that would end with the end of tips.

I. TIPPING HISTORY

There is not a definite story for the origin of the tipping custom. However, a common story is that tipping became frequent in coffee-houses during 16th-century England, and later in local pubs, where brass urns were placed with the inscription "To Insure Promptitude" ("T.I.P."). Another origin of tipping could be found in the private homes of Tudor England, when visitors paid hosts' servants for their extra work in accommodating them. The custom of tipping then quickly spread throughout Europe, especially in areas that had a servant class, and by the 17th century, most establishments in Europe accepted tips.4

In the late 1800s, affluent Americans who had traveled to Europe began tipping in the United States. The tipping was their way of flaunting their means to go abroad, showing familiarity with European customs. However, most Americans did not like this because it seemed like a way to develop a master-servant relationship when they had just had a revolution to ensure equality. 5 People opposed tipping so strongly that, between 1909 and 1918, seven states passed anti-tipping laws. All these laws, however, were repealed by 1926, when the concept slowly took off.6 Business owners began to lower the wages of employees until tips were needed to supplement their income, and people became accustomed to the practice as a way to ensure the livelihood of workers in the service industry.7

In 1918, the accepted tip was ten percent, by 1965 fifteen percent was the most generally used figure, and today the accepted amount is twenty percent, even though that, too, is climbing to twenty-five, even thirty percent.8 The tip is a means for those who are well off to be able to flaunt their wealth to their friends. If they are seen leaving a hefty tip of fifty, or even sometimes one-hundred percent, they gain a type of social status and assumed generosity.9 Because most

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4 See Yoram Margalioth, University of Pennsylvania Journal of Labor and Employment Law: The Case Against Tipping, Fall 2006
7 See Leo P. Crespi, The Implications of Tipping in America, 1947. Also, in reference to the introduction, the mindset that the customer must insure the livelihood of the server via the tip could stem from this time when business owners were willfully decreasing their servers’ income with the knowledge that their customers would leave a tip. With laws in place now, however, the tip is not so crucial.
8 See Stark, supra note 2
9 I have a friend who told me that whenever he goes on a date he always treats the server especially nice and leaves a large tip because he was told that girls view the way a guy treats a server as they way they will treat all women. This is ridiculous and his actions toward one server would not indicate his treatment of the female gender as a whole. A guy could be in college with a small income and may have budgeted for just about a fifteen or twenty percent tip. Just because he does not shower his server with money does not mean he does not have the capacity to treat a girl like a princess. Our social stigmas are completely messed up. Tying this note back into the article, leaving an abundant tip is not the most productive way to go about flaunting your wealth. Sure that server will appreciate it, but one tip does not insure a steady income of that great amount. It would be better to donate to charities if you have
people desire to appear well-off, whenever middle or lower income customers desire to take the
night off from cooking and treat themselves to a restaurant meal, they feel increasingly obligated
to leave that twenty-five or thirty percent tip. People are pushing their budget to the extreme in
order to be able to leave that slightly higher tip. This money could be used in different areas of
the economy to promote growth, yet is funneling into the hands of servers not because they did
something extra to earn that money but because of societal pressures.

II. FOREIGN COUNTRIES VIEWS OF TIPPING

In Greece, there is no tipping; it is not part of their culture. In Europe, waiters get good pay, sick time, vacation, health care, and unions. Tipping is considered an insult in Tahiti, Japan, and China. New Zealand currently does not tip, but in 1998 there was a debate as to introduce mandatory tipping or not. The suggestion that there was a better way to do this, like by focusing on staff training and looking at promotions that give effect to that. Many people have written in the user forums on Fodors.com that Americans are ruining the world with our tipping culture.

III. FLAWS OF THE U.S. TIPPING SYSTEM

A. Cruelty Through Numbers

Being a server, looking at the tip after your table has left and realizing that you just got stiffed is a pretty lousy feeling. I have experienced this, as I know most servers have, multiple times.

to capacity to throw away money. Altering our current social way of thinking would bring about a greater good and an easier time accepting people for kindness they bring to another’s world, not the amount of material goods.

10 See Evey Ruskin, The Jerusalem Post, Rhode Worthy, June 4, 2010

11 This past summer I studied abroad in Italy for six weeks. Although I did not go to too many restaurants because my host mother cooked all three of my meals – she was an excellent cook – I did get the chance to experience a good amount of Italian restaurant culture. I was not the first of my group to eat out, but when those students did, it was a hot topic in class the next day. That was when I found out that you are not supposed to leave much of a tip at all. Talk about a culture shock. I am use to giving a thirty-five percent tip whenever I eat out in America in hopes of good karma for when I work, and now I’m told it is unnecessary? I did not understand. Our teacher told us how tipping there was unnecessary because the serving staff made a good living. However, if you wanted to leave a euro or two it would be acceptable, more than that would be like us telling them we think they need the money as an insult. Realizing that other countries did not follow the same absurd tipping system that we do gave me hope for the future and its civility.

12 See Andrea Sachs, The Washington Post, The Tipping Point, Sept. 18, 2011. Other countries have denied installing a mandatory tipping system because they recognize the better ways to go about it. Workers are able to provide excellent service without the incentive of a tip, look at teachers, engineers, firefighters, numerous other jobs which understand that they provide a service for others and will not be compensated for it through tips yet by some other effective means. Tipping is not the only way to motivate servers to ensure good work.


14 Fodors.com is a travel intelligence website with information on cruises, mobile apps, destinations, deals, guidebooks, and blogs. If you type in “tipping” in the search bar, long conversations will come up about tipping; people discussing in what situations it is okay to leave a minimal tip, experiences as servers and customers, and the like.

America is ruining the world with our tipping culture because we tip higher than any other country to the most amounts of people who provide service. Being such an influential country, travelers want to take our methods home with them but their economic climate cannot support it.

15 Servers are not people to keep quiet about bad tips. A particularly bad tip will be complained about around
times. I know that I am a decent server. I may not have every bar drink ever created memorized and ready to recite, but I am attentive, pleasant, and timely. I know when I do not show these attributes and should not receive a good tip, however the times I was left with a minuscule amount, I was on my game – trust me, you recall everything that transpired between you and the customer to try to find a meaning behind the madness. I am not the only one to feel flustered by a measly tip.

Tipping was also in the news when a Pizza Hut delivery employee in Des Moines, Iowa, became so upset after a woman did not give him a tip that he is alleged to have pulled down his pants and urinated on her front door, a local TV station reported. The woman apparently said she did not have the money for a tip. It was reported the delivery man was fired after his manager viewed the incident on security camera footage.

A restaurant server returned a paltry tip he received from a large party by following the diners out to their car and giving the money back. Actually, he tossed the change at the guests and exclaimed: "Looks like you probably need this more than me."

A waitress at an Applebee’s in the St. Louis area posted a receipt with a snarky comment on it on the internet and was fired after the customer complained to management. Pastor Alois Bell, leaver of the receipt, had crossed out the automatic tip that was assigned to her due to her participation in a group party and wrote “0” on the receipt, along with this message: “I give God 10% why do you get 18?”

These are not the only examples of actions taken by tipped employees after not receiving what now accounts for a decent tip. There is a whole website, lousytippers.com, where people post and blog about bad tips they have received. On this same idea, the website, bantipping.com, has been created with posts up to persuade people why tipping should be eliminated.

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16 I once had a table, it was a father and three of his girls, that left me about a one percent tip. They went all out ordering appetizers, drinks, and a dessert along with their menu. That night was decently busy but I did a good job checking up on that table because I was thinking that I would get a decent tip from them. I know I did this because I remember forgetting about one of my tables yet their tip was still better than this father’s. In reference to note 9, if his daughters judged the tip he left as a sign for how he treats women, it is not very good. Also, I have had a table consciously leave me nothing, also for no reason. Although I will make minimum wage no matter what is left, it is a sharp stab at my ego thinking I did nothing wrong when I might have. However, this was a college student so I believe they were just being cheap, and for that I am curious why choose to go out to a restaurant when you believe you will not even be able to leave a tip. Wouldn’t your money be better spent on necessities?

My actions here were wholly selfish. I judged people at one table and gave them preferential treatment only based on the notion that I will gain monetarily from them. This is a huge flaw in the tipping system. Every customer should be viewed equally and they would be if there was not such a thirst for tips.

17 See LuAnn LaSalle, The Gazette, The Tipping Point for Restaurants; It’s Not Mandatory, but a Gratuity is Definitely Expected, Nov. 20, 2012


19 See Herb Weisbaum, nbcnnews.com, Applebee’s waitress canned after posting pastor’s tip, Feb. 2013

20 See Stark, supra note 2

21 See lousytippers.com

22 See bantipping.com
All of these stories and experiences are shared for a reason. People want to let others know how they were wronged in able to gain some support. In turn, sides are created either in favor or against the story teller. The development of a feeling of opposition towards one side is not lessening the antagonism in today’s society. We need to create a kinder world for generations to come and one way to aid this is by eliminating tipping.

B. Breading Hostility

As addressed above, hostility is seen arising between customers and tipped staff. However, this is not where the animosity ends. As a current server working for tips, I am aware of the tension that exists between not only other servers, but also hosts. Servers should be sat on a rotational basis, but, customers will often request a specific table. When this happens, the table requested may be out of line with the server rotation therefore giving in additional table to a server. Normally, the person who should have received the table first will be next one sat, except when the host or another server claims to have forgotten and again seats a table in another section. Once this happens, a server is in a sour mood the rest of his/her shift and that mood spreads like an infectious disease to the rest of the staff. Additionally, a host may seat one server a six top every time it is their turn in the rotation because six people might just happen to walk in every time it is their turn. When this happens, servers become upset with the host since a one top will clearly not leave as large of a tip as a six top. Furthermore, certain sections in a restaurant are more favorable to being sat than others. Typically the more experienced wait staff will receive the better sections. Yet, once the considered ‘newer’ servers gain a decent amount of experience, who gets the better section is another factor that causes hostility.

Flirting for tips is another aspect of the tipping industry that spreads unfriendliness. Working at a sports bar, I know that managers will tend to place only female servers in the cocktail serving position come weekend time. Because females usually work this position, male workers are unable to receive the generous or nonexistent tips left by the inebriated customers. Also, the men then do not have to work the extended hours that comes with cocktail serving. In this way, the female server can be annoyed with the male servers for not working the longer hours and not having to deal with drunken men, and the males can be annoyed with the females if they feel as though they are missing out on additional tips. Along with this, not only having to deal with the harassing remarks of the intoxicated men in the bar, female servers also subject themselves to flirting with older men in the hopes of a higher payout. This false kindness is not doing anyone any good.

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23 Restaurant slang for seating a table in a server’s section
24 Any number plus ‘top’ is restaurant slang for that number of people at a table. For example, a six top means that six people will be sitting at that table.
25 Because people tip based off the amount their food costs – which in itself is absurd, what the cost of the food has to do with the attentiveness of the wait staff is beyond me – the more people at one table, the more food that will be ordered to raise the price of the bill as well as the tip.
26 I once had a table with a single gentleman in what appeared to be his late fifties, early sixties. I am twenty years old so the age gap was significant and noticeable. He remained at my table for about three hours, practically my whole shift, and only had coffee, a bowl of soup, and ice cream. The restaurant was pretty dead so when I went to refill his coffee he felt like it would be alright to tell me his whole life story. I finally had a chance to get away but when he needed his coffee refilled again, I found myself trapped once more. He started slyly throwing out very inappropriate comments that would make any person feel uncomfortable. I did not want to get a manager because I had invested so much time in nodding my head and smiling to his stories that I thought I would receive a large tip and bringing the manager into the situation might compromise that. Well, needless to say, he left a meager tip and I
One major aspect of the tipping system that is solely negative is double-dipping. This term is used when restaurants have a foreign customer and automatically put a service charge on their bill assuming the foreign customer will be a poor tipper. What makes this double-dipping is the fact that after adding a service charge to their bill, the restaurant will still give the customer the receipt that has a line for an additional tip. Not knowing that they are paying a service charge in the first place, the customer will include an additional tip, therefore tipping twice what they should. This practice discriminates against foreigners and should be ended. The only outcome of this practice is the spread of resentment among servers toward foreigners over money when that person could be genuinely nice. Once this practice becomes common knowledge, the foreigners will resent the restaurants and business will decline.

Lastly, tax evasion is another negative aspect of the tipping system. At least half of all cash tips go unreported every year, costing the government and tax payers billions of dollars. Employee’s income taxes must be audited on an individual basis, a process too expensive for the IRS, so tax evasion on tipped income is frequent. If people do not feel the need to be honest in this industry, how can they be expected to feel happy?

CONCLUSION

Tipping does not promote kindness. Coworkers in the serving industry work with each other with an underlying cloud of despise for the others. Female college servers suffer through the stares of creepy old men in hopes of receiving a somewhat greater tip. Some restaurants put a service fee on foreign customers’ bills as a cruel way of “double dipping.” When a server becomes especially enraged with a crummy tip, he/she sometimes takes action to vent their anger in usually not the most constructive ways, as we have seen, and then loses their job over it. Let’s stop the heartlessness and start the kindness. Let’s ban tipping for everyone’s sake.

If restaurants paid their staff regular wages in accordance with the quality of their establishment, i.e. servers at diners and the like have smaller wages than servers of Red Lobster type restaurants, which have smaller wages than servers at Mitchell’s Steakhouse type restaurants, etc. then there would be no need for tipping. An employee would be able to gain higher positions with experience just as any other career does. Or, as Joan Karbach suggests in her article, Using Toulmin’s Model of Argumentation, as service charge of fifteen percent would be better. Karbach argues that waitresses making a dependable wage would be less likely to

had to will myself to get rid of the grimy feelings he left with me. The moral of the story is this: servers put up with too much with the belief of generous tip. This is just one example of how the tipping system is flawed and would create a more positive work environment with its elimination.

28 See Margalioth supra note 4
29 See Fior D’Italia, Inc. v. United States, 242 F.3d 844, 858 (9th Cir. 2001) (McKeown, J., dissenting) (explaining that the IRS "cannot possibly audit all tipped employees" because it lacks the resources to do so); 330 W. Hubbard Rest. Corp. v. United States, 203 F.3d 990, 992 (7th Cir. 2000) (noting that auditing each employee would be "too burdensome" for the IRS); and Morrison Rests., Inc. v. United States, 118 F.3d 1526, 1528 n.3 (11th Cir. 1997) (noting that in the case at hand the IRS initially tried to audit each employee, but gave up after determining that such an assessment would not be "cost effective").
30 See Journal of Teaching Writing Vol. 6 Issue 1, 1987, pgs 81-91, Joan Karbach, Using Toulmin’s Model of
leave. Paperwork and training involved in hiring new employees is time consuming and costly, so without a high turnover of waitresses the restaurant would save money. Additionally, she argues that it eliminates patrons wondering how much to tip. So, no matter which way the tipping system gets left behind, it definitely does need to be left behind.

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Arguementation, osu.worldcat.org