



Instructions for Form 8027

Employer's Annual Information Return of Tip Income and Allocated Tips

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Form 8027 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/form8027.

Reminders

- You must check one of the “Yes” or “No” boxes under employer's name and address to indicate whether or not the establishment accepts credit cards, debit cards, or other charges. If the “Yes” box is checked, lines 1 and 2 of Form 8027 must be completed. Also see the instructions for lines 1 and 2.
- You can complete the optional Worksheet for Determining if You Must File Form 8027 for Calendar Year 2016, later, to determine if you must file Form 8027.
- You may want to use the Employer's Optional Worksheet for Tipped Employees, later, as a means of determining if your employees are reporting all of their tip income to you.

Electronic filing. If you're required to file 250 or more Forms 8027, you must file electronically. See Pub. 1239 for more information.

General Instructions

Purpose of Form

Employers must annually report to the IRS receipts and tips from their large food or beverage establishments. Employers use Form 8027 to report that information. In addition, employers use Form 8027 to determine allocated tips for tipped employees.

These instructions give you some background information about Form 8027. They tell you who must file Form 8027, when and where to file, and how to fill Form 8027 out line by line.



All employees receiving \$20 or more a month in tips must report 100% of their tips to their employer.

Who Must File

You must file Form 8027 if you're an employer who operates a large food or beverage establishment.

A large food or beverage establishment is a food or beverage operation:

- That is located in the 50 states or in the District of Columbia,
- Where tipping of food or beverage employees by customers is customary, and
- Whose employer normally employed more than 10 employees on a typical business day during the preceding calendar year. We call this the 10-employee test.

A food or beverage operation is any business activity which provides food or beverages for consumption on the premises, other than fast food operations. An operation is a fast food operation only if its customers order, pick up, and pay for food or beverages at a counter or window and then carry the food or beverages to another location (either on or off the premises). Some people call food or beverage operations venues, stores, rooms, outlets, or cost centers.

If you provide food or beverages at more than one location, the activity at each separate location is considered to be a separate food or beverage operation. You could also have more than one food or beverage operation within a single building. Each activity conducted within a single building is treated as a separate location if the customers of the activity, while being provided with food or beverages, occupy an area separate from that occupied by customers of other activities and the gross receipts from the activity are recorded separately.

Generally, tipping isn't considered customary in a cafeteria-style operation or if at least 95% of total sales (other than carryout) had a service charge of 10% or more. See Regulations section 31.6053-3(j)(7) and (18) for more information. If tipping isn't considered customary, the food or beverage operation isn't a large food or beverage establishment.

Worksheet for Determining if You Must File Form 8027 for Calendar Year 2016

You can complete the optional worksheet to determine if you had more than 10 employees on a typical business day during 2015 and, therefore, must file Form 8027 for 2016. It is the **average number of employee hours worked on a typical business day** that determines whether or not you employed more than 10 employees. Completing this worksheet is only for the employer's information (don't send it to the IRS).

You must consider the following when completing the worksheet.

- Include employees at all of your food or beverage operations, even if an individual operation has fewer than 10 employees.
- Include all employees at your food or beverage operations, not just food or beverage employees.
- Don't include employees at fast food operations.
- Don't apply the 10-employee test separately to each food or beverage operation.
- Don't consider anyone who owns 50% or more in value of the stock of a corporation as an employee for the 10-employee test. See Regulations section 31.6053-3(j)(9) for more information.

1. Enter **one-half** of the **total** employee hours worked during the month in 2015 with the **greatest** aggregate gross receipts from food and beverages. _____
2. Enter the number of **days opened for business** during the month shown in line 1. _____
3. Enter **one-half** of the **total** employee hours worked during the month in 2015 with the **least** aggregate gross receipts from food and beverages. _____
4. Enter the number of **days opened for business** during the month shown in line 3. _____
5. Divide line 1 by line 2. _____
6. Divide line 3 by line 4. _____
7. Add lines 5 and 6. If line 7 is greater than 80 (hours), you must file Form 8027 for 2016. _____

If your answer on line 7 of the worksheet is more than 80 hours, then you meet the 10-employee test.



If you meet the 10-employee test, file a separate Form 8027 for each food or beverage operation where tipping is customary. This is true even if an individual operation, when considered separately, doesn't have more than 10 employees on a typical business day.

If you're required to report for more than one establishment, you must complete and file Form 8027-T, Transmittal of Employer's Annual Information Return of Tip Income and Allocated Tips, with Forms 8027. Attach Forms 8027 in establishment number order (lowest to highest). For more information on establishment numbers, see Establishment Number, later.

New business. You're a new business if you opened a food or beverage operation during the year and you didn't operate any food or beverage operations during the preceding calendar year. File Form 8027 for a new food or beverage operation if, during any 2 consecutive calendar months, the average number of hours worked each business day by all employees is more than 80 hours. To figure the average number of employee hours worked each business day during a month, divide the total hours all employees worked during the month by the number of days the operation was open for business. After the test is met for 2 consecutive months, you must file a return covering the rest of the year, beginning with the next payroll period.

When To File

File Form 8027 (and Form 8027-T when filing more than one Form 8027) by February 28, 2017. However, if you file electronically, the due date is March 31, 2017.

Extension of time to file. Filers of Form 8027 submitted on paper or electronically may request an extension of time to file on Form 8809. File Form 8809 as soon as you know an extension of time to file is necessary, but not before January 1 of the filing year, and not later than February 28, 2017 (March 31, 2017, if you file Forms 8027 electronically).

Where To File

Mail Form 8027 to:

Department of the Treasury
Internal Revenue Service
Cincinnati, OH 45999

Form 8027 attachments if filing on paper. If applicable, attach a copy of your timely filed Form 8809, a copy of your approved waiver (Form 8508) from filing Form 8027 electronically, and a copy of your "lower rate" determination letter from the IRS. Don't attach any other documents.

Reporting and filing electronically. If you're the employer and you're required to file 250 or more Forms 8027, you must file the returns electronically. See Pub. 1239 for information on filing Form 8027 electronically.

Penalties

The law provides for a penalty if you don't file Form 8027 (and Form 8027-T) on time unless you can show reasonable cause for the delay. In addition, if you don't complete an accurate Form 8027, you won't be able to correctly prepare Form W-2, Wage and Tax Statement, for each directly tipped employee for whom a tip allocation was required to be made. You may be charged penalties for each failure to:

- Timely file a correct information return (Forms 8027 and W-2) including failure to file electronically if required, and
- Timely furnish a correct Form W-2 to the employee.

For more information on penalties for untimely or incorrect Forms W-2 or 8027, see Pub. 1239 and the General Instructions for Forms W-2 and W-3.

Gross Receipts

Gross receipts include all receipts from the provision of food or beverages (other than nonallocable receipts, see definition below) from cash sales, charge receipts, charges to a hotel room (excluding tips charged to the hotel room if your accounting procedures allow these tips to be separated), and the retail value of complimentary food or beverages served to customers as explained below.

Also include charged tips in gross receipts, but only to the extent that you reduced your cash sales by the amount of any cash you paid to tipped employees for any charged tips due them. However, if you didn't reduce cash sales for charged tips paid out to employees, don't include those charged tips in gross receipts. Don't include state or local taxes in gross receipts.



Remind all directly and indirectly tipped employees to include all charged tips and all cash tips received in the tip amount that they must report to you.

Nonallocable receipts. These are receipts for carryout sales and receipts with a service charge added of 10% or more. Nonallocable receipts generally include all sales on which tipping isn't customary.

Complimentary items. Food or beverages served to customers without charge must be included in gross receipts if (a) tipping for providing them is customary at the establishment, and (b) they are provided in connection with an activity that is engaged in for profit and whose receipts wouldn't be included in the amount on line 5 of Form 8027.

For example, you would have to include in gross receipts the retail value of the complimentary drinks served to customers in a gambling casino because tipping is customary, the gambling casino is an activity engaged in for profit, and the gambling receipts of the casino aren't included in the amount on line 5.

However, you wouldn't have to include the retail value of complimentary hors d'oeuvres at your bar or a complimentary dessert served to a regular patron of your restaurant in gross

receipts because the receipts of the bar or restaurant would be included in the amount on line 5. You wouldn't have to include the value of a fruit basket placed in a hotel room in gross receipts since, generally, tipping for it isn't customary.

Allocation of Tips

You must allocate tips among employees who receive them if the total tips reported to you during any payroll period are less than 8% (or the approved lower rate) of this establishment's gross receipts for that period. The allocation is made to each directly tipped employee performing services for the establishment who has a reporting shortfall for the payroll period. No allocation is made to indirectly tipped employees.

Generally, the amount allocated is the difference between the total tips reported by employees and 8% (or the lower rate) of the gross receipts, other than nonallocable receipts.

Lower rate. You (or a majority of the employees) may request a lower rate (but not lower than 2%) by submitting a petition to:

Internal Revenue Service
National Tip Reporting Compliance
3251 North Evergreen Dr. NE
Grand Rapids, MI 49525



Don't mail Form 8027 to this address. See Where To File, earlier.

The burden of supplying sufficient information to allow the IRS to estimate with reasonable accuracy the actual tip rate of the establishment rests with the petitioner. Your petition for a lower rate must clearly demonstrate that a rate less than 8% should apply. It must include the following information.

- Employer's name, address, and employer identification number (EIN).
- Establishment's name, address, and establishment number.
- Detailed description of the establishment that would help to determine the tip rate. The description should include the type of restaurant, days and hours of operation, type of service including any self-service, the person (waiter or waitress, cashier, etc.) to whom the customer pays the check, whether the check is paid before or after the meal, and whether alcohol is available.
- Past year's information shown on lines 1 through 6 of Form 8027 as well as total carryout sales; total charge sales; percentage of sales for breakfast, lunch, and dinner; average dollar amount of a guest check; service charge, if any, added to the check; and the percentage of sales with a service charge.
- Type of clientele.
- Copy of a representative menu for each meal.

The petition must contain the following statement and be signed by a responsible person who is authorized to make and sign a return, statement, or other document.

"Under penalties of perjury, I declare that I have examined this petition, including accompanying documents, and to the best of my knowledge and belief, the facts presented in support of this petition are true, correct, and complete."

You must attach to the petition copies of Form 8027 (if any) filed for the 3 years before your petition. If you're petitioning for more than one establishment or you want to know your appeal rights, see Rev. Proc. 86-21, 1986-1 C.B. 560, for additional information. Also include with your petition a check or money order made payable to "United States Treasury" for the amount of the user fee required for determination letters.

For the current user fee amount, consult the first revenue procedure of the year (for example, Rev. Proc. 2016-1, 2016-1 I.R.B. 1, available at www.irs.gov/irb/2016-01_IRB/ar07.html). This revenue procedure is updated annually as the first revenue procedure of the year, but it may be modified or amplified during the year. The user fees are posted in Appendix A of the revenue procedure. Since the taxpayer is requesting a determination letter, the payment for the user fee must be submitted along with the petition for the rate reduction.

A majority of all the directly tipped employees must consent to any petition written by an employee. A "majority of employees" means more than half of all directly tipped employees employed by the establishment at the time the petition is filed. Employee groups must follow the procedures in Regulations section 31.6053-3(h); Pub. 531, Reporting Tip Income; and Rev. Proc. 86-21.

The IRS will notify you when and for how long the reduced rate is effective.

Note. You must attach a copy of your "lower rate" determination letter from the IRS when filing a paper Form 8027. See Pub. 1239 for instructions on submitting a copy of your "lower rate" determination letter from the IRS when filing electronically.

Reporting Allocated Tips to Employees

Give each employee who has been allocated tips a Form W-2 that shows the allocated amount in box 8. Tip allocations have no effect on withholding income tax, social security tax, or Medicare tax from employees' wages. Allocated tips aren't subject to withholding and must not be included in boxes 1, 3, 5, and 7 of Form W-2.

If you allocate tips among employees by the methods described later under the instructions for line 7, you aren't liable to any employee if any amount is improperly allocated. However, if the allocation shown on the employee's Form W-2 differs from the correct allocation by more than 5%, you must correct that employee's allocation. You must also review the allocable amount of all other employees in the same establishment to ensure that the error didn't distort any other employee's share by more than 5%.

You must furnish Form W-2 to employees by January 31 of the following year. If employment ends before the end of the year and the employee asks for the Form W-2, a tip allocation isn't required on the early Form W-2. See *If you furnished Form W-2 before the end of the year*, later.

Correcting allocated tips reported on Form W-2 furnished to an employee in January. If you furnished Form W-2 to an employee in January and later discover an error that requires a correction (as discussed earlier), the method for making a correction depends on whether Form W-2 has been filed with the Social Security Administration (SSA).

If you filed Form W-2 with the SSA. Use the current version of Form W-2c to report the corrected allocation and correct the previously filed Form W-2.

If you furnished Form W-2 to an employee but didn't file it with the SSA. Prepare a new Form W-2 with the correct information and file Copy A with the SSA. Write "Corrected" on the employee's new copies (B, C, and 2), and furnish them to the employee. Don't write "Corrected" on Copy A of the Form W-2 that you file with the SSA.

If you furnished Form W-2 before the end of the year. You may include on the early Form W-2 the employee's actual tip allocation or a good-faith estimate of the allocation. Signify a good-faith estimate by writing "Estimate" next to the allocated amount in box 8 of the Form W-2.

If you didn't include an allocation on the early Form W-2 or if the estimated allocation on the early form differs from the actual amount by more than 5%, prepare a new Form W-2 with the correct information, and file Copy A with the SSA. Write "Corrected" on the employee's new copies (B, C, and 2) and furnish them to the employee during January of the next year. Don't write "Corrected" on Copy A of the Form W-2 that you file with the SSA.



Don't send Forms W-2 to the IRS. We use the information shown on the Forms W-2 that you file with the SSA.

Difference Between Service Charges and Tips

Service charges are treated differently from tips for federal tax purposes. Any portion of a service charge that is distributed to an employee is wages, and you must withhold federal income tax, social security tax, and Medicare tax and include the amount on Form W-2 as wages. Service charges aren't reported as tips on Form 8027. You may be required to report service charges on line 3; see the instructions for line 3, later. To accurately report and pay your taxes, you must correctly identify amounts as either a *tip* or a *service charge*. Generally, an amount is a tip if:

- The payment is made free from compulsion,
- The customer has the unrestricted right to determine the amount (including zero),
- The payment isn't the subject of negotiation or dictated by employer policy, and
- The customer has the right to determine who receives the payment.

The absence of any of these factors creates a doubt as to whether a payment is a tip and indicates that the payment may be a service charge.

Specific Instructions

File a separate Form 8027 for each large food or beverage establishment. Use Form 8027-T when filing more than one Form 8027.

Name and Address of Establishment and Employer Identification Number

Type or print the name and address of the establishment. They may be different from your mailing address, as in the case of employers who have more than one establishment. If mail isn't delivered to the street address of the establishment, enter the P.O. box number. The EIN should be the same as the number on the Forms W-2 that you furnish to the

employees and the Form 941 that you file to report wages and taxes for employees working for the establishment.

Type of Establishment

Check the box (check only one box) on the form that best describes the type of food or beverage establishment.

- An establishment that serves evening meals only (with or without alcoholic beverages).
- An establishment that serves evening and other meals (with or without alcoholic beverages).
- An establishment that serves only meals other than evening meals (with or without alcoholic beverages).
- An establishment that serves food, if at all, only as an incidental part of the business of serving alcoholic beverages.

Employer's Name and Address

Enter the name and address of the entity or individual whose EIN was provided earlier. Enter foreign addresses as follows: city, province or state, and country. Don't abbreviate the name of the country.

Establishment Number

Enter a five-digit number to identify the individual establishments that you're reporting under the same EIN. Give each establishment a separate number. For example, each establishment could be numbered consecutively, starting with 00001. Once you assign a number to an establishment, always use the same number for that establishment each year. If you close an establishment, don't use the number you assigned to it for another establishment.

Lines 1 Through 8

Credit Card Sales

If the receipts from charges under any credit arrangement (for example, credit or debit cards and other electronic settlement methods) reflect tips, then you must enter on lines 1 and 2 the appropriate amounts shown on the charge receipts. See the instructions for line 1 below.

Rounding Off to Whole Dollars

You may round off cents to whole dollars on your Form 8027. If you do round to whole dollars, you must round all amounts. To round, drop amounts under 50 cents and increase amounts from 50 to 99 cents to the next dollar. For example, \$1.39 becomes \$1 and \$2.50 becomes \$3.

If you have to add two or more amounts to figure the amount to enter on a line, include cents when adding the amounts and round off only the total.

Line 1. Total Charged Tips for Calendar Year 2016

Enter the total amount of tips that are shown on charge receipts for the year.

Line 2. Total Charge Receipts Showing Charged Tips

Enter the total sales from the provision of food and beverages (other than nonallocable receipts as defined earlier) from charge receipts that had a charged tip shown. Include credit card charges and other credit arrangements and charges to a hotel room unless your normal accounting practice consistently excludes charges to a hotel room. Don't include any state or local taxes in the amounts reported.

Line 3. Total Amount of Service Charges of Less Than 10% Paid as Wages to Employees

Enter the total amount of service charges of less than 10% that have been added to customers' bills and have been distributed to your employees for the year.

Line 4a. Total Tips Reported by Indirectly Tipped Employees

Enter the total amount of tips reported for the year by indirectly tipped employees, such as cooks, bussers, and service bartenders. Indirectly tipped employees generally receive their tips from other tipped employees and not directly from the customer.

Line 4b. Total Tips Reported by Directly Tipped Employees

Enter the total amount of tips reported for the year by directly tipped employees, such as bartenders and waitstaff. Directly tipped employees receive tips directly from customers.

Line 4c. Total Tips Reported

Add the amounts on lines 4a and 4b and enter the result on line 4c. This amount can't be a negative amount.

Line 4a
+ Line 4b
Line 4c



In figuring the tips you should report for 2016, don't include tips received by employees in December 2015, but not reported until January 2016. However, include tips received by employees in December 2016, but not reported until January 2017.

Line 5. Gross Receipts From Food and Beverages

Enter the total gross receipts from the provision of food and beverages for this establishment for the year. See *Gross Receipts*, earlier, for an explanation of what's included in gross receipts.

If you don't charge separately for providing food and beverages along with other goods or services (such as a package deal for food and lodging), make a good-faith estimate of the gross receipts from the food and beverages. This estimate must reflect the cost to the employer for providing the food and beverages plus a reasonable profit factor.

Line 6

Enter the result of multiplying line 5 by 8% (0.08) or a lower rate (if the establishment was granted a lower rate by the IRS).

If a lower rate was granted, write the rate in the space provided and attach a copy of the IRS determination letter. If you file Form 8027 electronically, see Pub. 1239 for instructions on submitting a copy of the IRS determination letter.



The 8% rate (or lower rate) is used for tip allocation purposes only. Using this rate doesn't mean that directly tipped employees must report only 8%. All directly tipped employees and indirectly tipped employees must report the actual amount of tips they receive.



If you have allocated tips using other than the calendar year, put an "X" on line 6 and enter the amount of allocated tips (if any) from your records on line 7. This may occur if you allocated tips based on the time period for which wages were paid or allocated on a quarterly basis.

Line 7. Allocation of Tips

If the amount shown on line 6 is more than the amount of tips reported by your employees on line 4c, you must allocate the excess to those employees. Enter the excess on line 7. There are three methods by which you may allocate tips. Check the box on line 7a, 7b, or 7c to show the method used.

Line 7a. Hours-Worked Method

Establishments that employ fewer than the equivalent of 25 full-time employees (both tipped and nontipped employees) during a payroll period may use the hours-worked method to allocate tips. You will be considered to have employed fewer than the equivalent of 25 full-time employees during a payroll period if the average number of employee hours worked (both tipped and nontipped employees) per business day during a payroll period is less than 200 hours.

To allocate tips by the hours-worked method, follow the steps explained in *Line 7b. Gross Receipts Method* below. However, for the fraction in step 3 of the gross receipts method, substitute in the numerator (top number) the number of hours worked by each employee who is tipped directly, and in the denominator (bottom number) the total number of hours worked by all employees who are directly tipped for the payroll period. See Regulations section 31.6053-3(f)(1)(iv) for details.

If you use the hours-worked method, be sure to enter on line 7a the average number of employee (both tipped and nontipped) hours worked per business day during the payroll period. If the establishment has more than one payroll period, you must use the payroll period in which the greatest number of workers (both tipped and nontipped) were employed.

Line 7b. Gross Receipts Method

If no good-faith agreement (as explained later) applies to the payroll period, you must allocate the difference between total tips reported and 8% of gross receipts using the gross receipts method (or hours-worked method (line 7a)) as follows (see *Example for Line 7b. Gross Receipts Method*, later).

1. Multiply the establishment's gross receipts (other than nonallocable receipts) for the payroll period by 8% (0.08) or the approved lower rate.

2. Subtract from the amount figured in step 1 the total amount of tips reported by employees who were tipped indirectly for the payroll period. This difference is the directly tipped employees' total share of 8% (or the lower rate) of the gross receipts of the establishment. Indirectly tipped employees don't receive tips directly from customers. Examples are bussers, service bartenders, and cooks. Directly tipped employees, such as waitstaff and bartenders, receive tips directly from customers. Employees, such as

maitre d's, who receive tips directly from customers and indirectly through tip splitting or pooling, are treated as directly tipped employees.

3. For each employee who is tipped directly, multiply the result in step 2 by the following fraction: the numerator (top number) is the amount of the establishment's gross receipts attributable to the employee, and the denominator (bottom number) is the gross receipts attributable to all directly tipped employees. The result is each directly tipped employee's share of 8% (or the lower rate) of the gross receipts for the payroll period.

4. From each directly tipped employee's share of 8% (or the lower rate) of the gross receipts figured in step 3, subtract the tips the employee reported for the payroll period. The result is each directly tipped employee's shortfall (if any) for the period.

5. From the amount figured in step 1, subtract the total tips reported by both directly and indirectly tipped employees. The result is the amount that has to be allocated among the directly tipped employees who had a shortfall for the payroll period as figured in step 4.

6. For each directly tipped employee who had a shortfall for the period as figured in step 4, multiply the amount in step 5 by the following fraction: the numerator is the employee's shortfall (figured in step 4), and the denominator is the total shortfall of all directly tipped employees. The result is the amount of allocated tips for each directly tipped employee.

Line 7c. Good-Faith Agreement

An allocation can be made under a good-faith agreement. This is a written agreement between you and at least two-thirds of the employees of each occupational category of employees who receive tips (for example, waitstaff, bussers, and maitre d's) working in the establishment when the agreement is adopted. The agreement must:

1. Provide for an allocation of the difference between total tips reported and 8% (or the lower rate) of gross receipts among employees who receive tips that approximates the actual distribution of tip income among the employees;

2. Be effective the first day of a payroll period that begins after the date the agreement is adopted, but no later than January 1 of the next year;

3. Be adopted when there are employees in each occupational category who would be affected by the agreement; and

4. Allow for revocation by a written agreement adopted by at least two-thirds of the employees in occupational

categories affected by the agreement when it is revoked. The revocation is effective only at the beginning of a payroll period.

Keep a copy of the good-faith agreement for your records.

Line 8. Total Number of Directly Tipped Employees

Enter the total number of directly tipped employees who worked at the establishment during 2016. This is the cumulative total of all directly tipped employees who worked at the establishment at any time during the year. If you have a large turnover of directly tipped employees, this number may be large. Don't use this number to determine if you must file Form 8027. Instead, see the Worksheet for Determining if You Must File Form 8027 for Calendar Year 2016, earlier.

Signature

Sign your name and include your title. Then enter the date signed and the best daytime telephone number where the IRS can reach you, including area code.

Who Must Sign

The following persons are authorized to sign the return for each type of business entity.

- **Sole proprietorship.** The individual who owns the business.
- **Corporation (including a limited liability company (LLC) treated as a corporation).** The president, vice president, or other principal officer duly authorized to sign.
- **Partnership (including an LLC treated as a partnership) or unincorporated organization.** A responsible and duly authorized member, partner, or officer having knowledge of its affairs.
- **Single-member LLC treated as a disregarded entity for federal income tax purposes.** The owner of the LLC or principal officer duly authorized to sign.
- **Trust or estate.** The fiduciary.

Form 8027 may also be signed by a duly authorized agent of the taxpayer if a valid power of attorney has been filed.

Alternative signature method. Corporate officers or duly authorized agents may sign Form 8027 by rubber stamp, mechanical device, or computer software program. For details and required documentation, see Rev. Proc. 2005-39, 2005-28 I.R.B. 82, available at www.irs.gov/irb/2005-28_IRB/ar16.html.

Example for Line 7b. Gross Receipts Method

A large food or beverage establishment has gross receipts for a payroll period of \$100,000 and has tips reported for the payroll period of \$6,200. Directly tipped employees reported \$5,700, while indirectly tipped employees reported \$500.

Directly tipped employees	Gross receipts for payroll period	Tips reported
A	\$18,000	\$1,080
B	16,000	880
C	23,000	1,810
D	17,000	800
E	12,000	450
F	14,000	680
Totals	\$100,000	\$5,700

- \$100,000 (gross receipts) x 0.08 = \$8,000
- \$8,000 - \$500 (tips reported by indirectly tipped employees) = \$7,500

Directly tipped employees	Directly tipped employees' share of 8% of the gross	(Times) Gross receipts ratio	Employee's share of 8% of gross
A	\$7,500	18,000/100,000 =	\$1,350
B	\$7,500	16,000/100,000 =	1,200
C	\$7,500	23,000/100,000 =	1,725
D	\$7,500	17,000/100,000 =	1,275
E	\$7,500	12,000/100,000 =	900
F	\$7,500	14,000/100,000 =	1,050
	Total		\$7,500

Directly tipped employees	Employee's share of 8% of the gross	(Minus) Tips reported	Employee shortfall
A	\$1,350	\$1,080 =	\$270
B	\$1,200	880 =	320
C	\$1,725	1,810 =	-
D	\$1,275	800 =	475
E	\$900	450 =	450
F	\$1,050	680 =	370
	Total shortfall		\$1,885

- \$8,000 less \$6,200 (total tips reported) = \$1,800 (amount allocable among employees who had a shortfall)

Shortfall employees	Allocable amount	(Times) Shortfall ratio	Amount of allocation
A	\$1,800	\$270/1,885 =	\$258
B	\$1,800	320/1,885 =	306
D	\$1,800	475/1,885 =	454
E	\$1,800	450/1,885 =	430
F	\$1,800	370/1,885 =	353

Since employee C has no shortfall, there is no allocation to C.

TIP In this example, the total amount of allocation is \$1,800 resulting from the rounding off to whole numbers.

Employer's Optional Worksheet for Tipped Employees

Unreported tip income can lead to additional employer liability for social security tax and Medicare tax. As a means of determining if your employees are reporting all of their tips to you, please take a few minutes to voluntarily complete the following worksheet. Completing this worksheet is only for the employer's information (don't send it to the IRS).

1. Enter amount from Form 8027, line 1	1.	_____
2. Enter amount from Form 8027, line 2	2.	_____
3. Divide line 1 by line 2, enter as a decimal (at least 4 decimal places)	3.	_____
4. Enter amount from Form 8027, line 4c	4.	_____
5. Enter amount from Form 8027, line 5	5.	_____
6. Divide line 4 by line 5, enter as a decimal (at least 4 decimal places)	6.	_____
7. Subtract line 6 from line 3; if zero or less, stop here	7.	_____
8. Potential unreported tips. Multiply line 7 by line 5	8.	_____

Once you have completed the worksheet:

- If the entry on line 7 is zero or less, your employees are probably accurately reporting their tips; however,
- If the entry on line 8 is greater than zero, depending on the type of operation you have and whether or not you have allocated tips, it is possible that your employees aren't reporting all of their tip income to you.

TIP Another quick method to determine if your employees are properly reporting all of their tips to you is to compare the rate of tips reported on credit sales to the rate of tips reported on cash sales. For example, if line 3 in the worksheet greatly exceeds the rate determined from dividing reported cash tips by reportable cash receipts (that is, total cash receipts less nonallocable cash receipts), some of your employees may not be reporting all of their tips to you and you generally should be showing an amount on line 7 ("Allocation of tips") of Form 8027.

Need Help?

If it appears that not all tips are being reported to you, the IRS offers a service called the Tip Rate Determination & Education Program. This program can assist you, the employer, in implementing more effective methods of tip income reporting. The program also offers assistance in educating tipped employees concerning their obligations relating to the reporting of any tip income they receive. To find out more about this program or to participate in a voluntary tip compliance agreement, visit IRS.gov and type "restaurant" in the search box. You may also send an email to TIP.Program@irs.gov and request information on this program.

An information reporting customer service section is available to answer questions about reporting on Forms 8027, W-2, W-3, 1099, and other information returns. If you have questions about reporting on information returns, call:

- 1-866-455-7438 (toll free),
- 304-263-8700 (toll call), or
- 304-579-4827 (TDD/TTY for persons who are deaf, hard of hearing, or have a speech disability).

You can also reach the center by email at mccirp@irs.gov. Don't include tax identification numbers (TINs) or attachments in email correspondence because it isn't secure.

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You're required to give us the information. We need it to ensure that you're complying

with these laws and to allow us to figure and collect the right amount of tax.

Chapter 61, Information and Returns, of Subtitle F, Procedure and Administration, requires certain employers to report gross receipts, tips reported to them, and any allocated tips; and to furnish the amount of any allocated tips to affected employees. Section 6053 and its related regulations provide the definitions and methodology to be used in completing these forms. If you fail to provide this information in a timely manner, you may be liable for penalties as provided by section 6721.

You aren't required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law.

Generally, tax returns and return information are confidential, as required by section 6103. However, section 6103 allows or requires the Internal Revenue Service to disclose or give the information shown on your tax return to others as described in the Code. For example, we may disclose your tax information to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. commonwealths and possessions to

administer their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

The time needed to complete and file these forms will vary depending on individual circumstances. The estimated average times are:

Forms	8027	8027-T
Recordkeeping	9 hr., 33 min.	43 min.
Learning about the law or the form	53 min.	
Preparing and sending the form to the IRS	1 hr., 5 min.	

If you have comments concerning the accuracy of these time estimates or suggestions for making these forms simpler, we would be happy to hear from you. You can send us comments from www.irs.gov/formspubs. Click on *More Information* and then click on *Give us feedback*. Or you can send your comments to Internal Revenue Service, Tax Forms and Publications Division, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Don't send the tax forms to this address. Instead, see *Where To File*, earlier.
