

below is another testimony from a restaurant worker who wishes to remain anonymous.
thank you!

To the Members of the Wage Board of the New York State Labor Department:

As a manager of a New York City restaurant, I would like to express some concerns that I have with the proposed minimum wage increase for tipped employees.

1. At my place of work, our tipped employees are currently making on average significantly more than minimum wage and in several instances, earning a higher annual income than some salaried managers.
2. The State of New York already pays tipped hourly employees more than twice the minimum wage required by federal law and earn much more in tips than the majority of those states that are paying \$2.13 per hour.
3. A mandatory increase in minimum wage in this state, in this current economic situation, will only lead to one thing: more unemployment. The number of restaurants that will be forced to close will be catastrophic. I really feel like this will affect businesses of all ranges of sales volume, but I think the ones that will be most affected, are the smaller “mom and pop” type places where their staff may already be struggling. Will they be struggling less if they are unemployed? Do we want workers living off of a government issued unemployment check or actually working?
4. I feel that the best way to truly protect the workers, and I assume that is your goal, is to protect the business owners. By forcing them to pay wages that they cannot afford, especially with sharp decreases in same store sales from previous years, no one is being protected. Very few will survive. The thousands of workers who relocated here to pursue their dreams, who play such a vital role in our economic growth, will be forced to find work somewhere else.

Regarding tip sharing and tip pooling:

1. Are we really expected as managers, attempting to operate successful, profitable businesses, to deal with trying to figure out on a daily basis which employees are interested in pooling their tips or not? A key factor in our success is being able to plan and execute in advance of our periods of volume. If we were forced to give our staff the option of whether or not they wanted to pool or not, we would no longer be able to plan ahead. It would become impossible to assign stations in advance, We also wouldn't be able to stagger scheduled in times. Everyone would have to be here at the same time so we could figure out who is pooling and who isn't, then and only then could we diagram

stations and plan out the evening. This too would have very a very negative impact on our labor costs and yet again, force already struggling restaurants to close their doors.

Summary:

If you really have the best interests of the workers of the state of New York at heart, you will do all that can be done to protect their employers. If you choose the alternative, we will be facing unemployment numbers that we've never seen before and our economy may never recover.

Thank you for your time.