

Subject: NY wage order for the restaurant industry

I attended and testified at the wage board hearing held in Buffalo May 6, 2009. The panel was chaired by Linda Donohue. She, along with three other board members represented the interests of the public and the restaurant industry. Conspicuously missing from the meeting were the two board members representing labor: Neil Kwatra and Peter Ward.

Increasing the minimum wage for tipped employees (aka "cash wage") is illogical. Tipped employees already earn far in excess of the minimum wage. In rare cases, when tips are very low, the employer is obliged to make up the difference. Usually, as all (with one exception) who testified at the hearing stated, tipped employees earn from \$10.00-30.00 per hour!

Unfortunately, the labor representatives were absent and didn't hear the testimony.

If N.Y. raises the cash minimum wage for tipped employees (again!) it will be a decision made without understanding the issue.

Yours truly,

Joel Lippes, owner Rue Franklin Rest.