

As the owners and operators of a small restaurant in Upstate New York for nine years, we have a few concerns regarding the potential wage increase for tipped employees.

First we would like to note that we believe without reservation in employers providing a "living wage" for workers. We have always provided the majority of our staff with a wage higher than what the NYS minimum allows, with the exception of new and/or school-age workers. Last August, we increased the wage of each of our kitchen staff to \$15+ per hours regardless of skill level and job experience. Our dishwashers start out at a rate of \$10 per hour.

We feel it is important to note that our opposition to a wage increase for tipped employees is motivated by several factors.

1. Although this is rare for our establishment, *if* employees do not report enough tips over the course of a week to bring them up to the minimum hourly rate of \$8.00, additional wages are paid that week to make up the difference.
2. Last pay week (a low-average week as it was the first full week of school in our area), our servers and buss staff averaged \$10.39 per hour in tips. This is in addition to their hourly wage. Our bartenders averaged \$7.97 per hour in tips in addition to the \$10 per hour wage we pay them. Therefore with base pay plus tips our staff brings in an average of \$16.93 per hour. As mentioned, this example was a slow week, and on a most recent Saturday, each of our servers were paid over \$200 in tips from our guests for a dinner shift. Considering a dinner shift begins a 4:30 pm and is generally over by 11:00 pm for tipped staff, this would make their average hourly tipped wage that day over \$26 even before the hourly wage!
3. We are aware that tipped staff in many restaurants are not compensated in the manner that our staff are. We do have several restaurants in our area that share the same style, service and compensation for our products and service that see this change as having a potentially negative outcome for both our business and our staff.
4. We don't anticipate that the average consumer would immediately tip less or not at all if the tipped minimum wage were increased, however we do expect that eventually this change would have a negative impact on small, independently owned restaurants. The increase in wages we pay would have to be reconciled and the obvious way is to increase menu prices. This change could potentially reduce or eliminate dining-out for many families and guests that frequent ours and other local establishments and reducing the pool of potential guests we pull from. A one-size-fits-all wage increase with its conceivably stressful impact on our entire industry is unfair, misguided and could be extremely damaging to existing and future restaurants in New York State. Restaurant staff in some establishments may bring in more for a period of time, but overall restaurants will likely suffer a drop in business due to the higher cost for the consumer.

We do not disagree that some tipped staff are underpaid, but it is not the case in all restaurants. We have worked hard, for the love of this business, to build a reputation and a restaurant that allows our staff to be compensated well. We have very low turnover and wish to maintain our current, professional staff by continuing to offer them a place to work that where in which they bring in well over the NYS minimum wage.

We urge you to consider an approach different from a blanket solution that will certainly have a negative impact on a many locally owned "mom and pop" restaurants such as our own.

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