

Committee of the Whole Public Hearing
September 17, 2018, 11:00 a.m., Room 500
Testimony of Dan Mauer

Good morning, Chairman Mendelson and members of the Council. My name is Dan Mauer. I am a longtime resident and voter in Ward 1. I am here to testify in strong opposition to Bill 22-913. I would like to make four points as to why the Council should reject this bill and implement Initiative 77.

First, statistics show unambiguously that the majority of tipped workers are doing poorly under the tipped credit system. Data from the Bureau of Labor Statistics show that, in May 2017 (the most recent month for which we have data), the median hourly income for waiters and waitresses was \$11.86. This wage was barely above the minimum wage, yet half of all waiters and waitresses made less than \$11.86. In addition to showing that compensation is poor in the tipped sector, this information provides yet another data point suggesting that wage theft is widespread in tipped jobs, since the band between the then-minimum wage of \$11.50 and the median wage of \$11.86 was so narrow.

I am sure that many of you have observed that few workers doing poorly under the tipped credit system have participated in the public debate on this issue. In addition to intense pressure from their employers (which is exacerbated by our weak and poorly enforced anti-retaliation laws), I note that opponents of One Fair Wage have waged an aggressive public intimidation campaign against supporters. I have attached an appendix of a partial list of statements that I personally saw on social media during the campaign on Initiative 77 as reference to this fact.

Second, I note with interest that many opponents of One Fair Wage have said that they would like to stop wage theft, but they don't think that One Fair Wage is the way to do so. This group includes the Mayor and multiple members of the Council. I am unaware of literally any action taken or even proposed that would mitigate problems with wage theft. Increased funding for the Department of Employment Services? Stronger anti-retaliation laws? More outreach, especially in languages other than English? Additional pro bono legal services for victims of wage theft? I have not seen one proposal, idea, or new penny of funding for any of these types of strategies. In fact the Mayor's own agency Director at the Department of Employment Services testified earlier this year that the agency is prohibited from proactively enforcing our wage and labor laws. (Isn't that a head scratcher?!). Actions speak louder than words. To be frank, adopting 22-913 without advancing an aggressive overhaul of our worker rights enforcement practices is a tacit endorsement of the widespread wage theft that occurs in the pre-One Fair Wage status quo.

Third, I believe that the Restaurant Association doesn't deserve to be rewarded for years of dishonesty about public interest policies. In the past, the Restaurant Association loudly argued that 1) the ban on smoking in bars and restaurants, and 2) the paid sick and safe leave law, would each lead to widespread closures of bars and restaurants. Did either of those things happen? Fool me once, shame on you. Fool me twice, shame on me. It is hard to believe that the Council apparently is willing to be fooled as the Restaurant Association makes this same false argument for a third time.

Fourth, as everyone knows, sovereignty has long been a priority for the Council. It is worth emphasizing just how much damage passage of Bill 22-913 would do to the Council's future efforts on those matters. We have an extremely strong moral case for granting power to D.C. voters. How can DC maintain the moral high ground for advancing statehood and voting rights when our own local Council doesn't listen to or respect the votes of its constituents? This is especially true when one of the current

members of the Council is under investigation for taking large cash bribes, served for years at law firms with extensive business before the Council while on the Council, and has broken D.C. traffic laws so frequently that a website has been set up to document it—and he is one of the leading supporters of 22-913. If we want to maintain moral authority in our effort to secure voting rights for the people of D.C., there is no way to do that other than respecting the will of the people of D.C.

For all of these reasons, I strongly urge you to oppose Bill 22-913. Thank you.

APPENDIX: Social Media Statements from Opponents of One Fair Wage

“Motherfucker actually wants to get poisoned in D.C.” re: a supporter of Initiative 77

“Sexual harassers don't give a shit about tipping. And they aren't going to stop because the hot waitress is making \$15 an hour.”--D.C. Reynolds's official Twitter account

“Get the fuck out of DC and stop fucking with my money” to a supporter of Initiative 77

“If I find out you voted Yes on #Prop77 you will need more than 15 an hour to pay medical bills”--public statement

“Dumb cunt I hope you loose [sic] your job. You should be learning drinks and maybe your tips wouldn't be so bad. Stupid fucking bitch” to a supporter of Initiative 77

“You are a bunch of socialist cunts” to a supporter of Initiative 77

“Bum rush the brunch, make them lose money on the buffet” re: an event at a restaurant supporting Initiative 77