

September 17, 2018

The Honorable Phil Mendelson, Chairman,  
and Members of the District of Columbia Council  
1350 Pennsylvania Avenue NW, Suite 504  
Washington, DC 20004

Re: Hearing Before the Committee of the Whole of the District of Columbia Council  
Re: The Council's Ongoing Efforts to Proactively Reverse the Will of DC Voters by  
Blocking Efforts to Pay a Living Wage to All Tipped Workers in DC

Dear Chairman Mendelson and Members of the Council:

I wish I could begin by thanking you for holding a hearing to discuss important issues facing our city, though that would be wildly inappropriate because this hearing should not be happening. Rather than using this time to implement Initiative 77, which received the support of a strong majority of DC voters in 2018, this hearing represents your latest effort, taken up on behalf of your donors and special interests, to repeal it. And that's exactly what you'll do.

Many of you repeatedly claim to have spoken to 'hundreds' of workers in coming to your decision to oppose Initiative 77. That sounds nice, but the result in June makes it clear that the 'hundreds' you speak of do not speak for our city. Nor do they speak for the majority of tipped workers. These 'hundreds' you speak of are mostly white, mostly male, mostly economically secure, and mostly speaking out with the support of, and indeed encouragement from, their bosses. These 'hundreds' have been engaging in advocacy efforts that have been largely funded by your campaign donors. Many of these 'hundreds' are doing well enough to have the time and the means to skip work to be here today defending their interest in the status quo.

Even more ridiculous, many of these same 'hundreds' were the subject of a recent episode of John Oliver's show, where he covered astro-turf organizations that seek to improperly influence local policymakers. Mr. Oliver specifically mentioned "Save Our Tips" as one of these astro-turf organizations that is set up to be, in his words, 'deliberately misleading.' "Save Our Tips," Mr. Oliver noted, was created to resemble a grassroots advocacy organization made up of restaurant workers, but is actually a corporate advocacy group financed and run by restaurant owners and special interests that fight minimum wage increases across the country.

We are having this hearing today because our DC Council has either been tricked, or bought, by an organization employing methods so transparent and ridiculous that they were featured on *Last Week Tonight*. Think about that for a moment; John Oliver - a man who hosts a TV show that regularly features confetti and large puppets - has a better grasp of policymaking than almost every member of the DC Council. I'd be proud of him if it wasn't such a low bar.

Meanwhile, back in reality, the servers, bell staff, salon techs, valets and parking attendants who are being crushed by the inequities embedded in our current tipped wage system are unable to be here today, because they literally cannot afford to miss work.

I'm here today because I, too, have listened to hundreds of tipped workers, and once again I find myself at a hearing convened in the middle of a weekday, to speak on behalf of my neighbors who cannot be here to defend themselves. As has been the case with far too many consequential DC Council hearings in recent years, your lack of empathy, and your lack of interest in truly understanding this issue, means you've turned the opportunity to be heard into a privilege reserved for the few.

I'm here on behalf of workers who have told me they are scared to speak out because they've been told by their bosses that they'll be fired if they're caught doing so. For my neighbors who work in restaurants and hotels and salons and parking garages across DC, all of whom you seem to believe are undeserving of a living wage. The very workers a strong majority of DC voters voted to protect.

I'm also here to tell you that I've listened to women and people of color tell me in no uncertain terms that they are not able to make ends meet under the current tipped credit system. They're not being paid fairly, yet they cannot speak out in favor of Initiative 77 because they've been silenced by employers. They've been told by their bosses – many of whom are donors to your campaigns - that their social media is being monitored, and that positive posts about Initiative 77 will result in termination. Unfortunately, that didn't stop Councilmember Robert White from soliciting constituent input on Initiative 77 via Twitter, the very medium these workers couldn't use because their bosses were monitoring their words.

When I was running for a seat on the DC Council in the 2018 Democratic primary, I had workers tell me they wanted to join my campaign but were worried about being fired for doing so because their bosses supported my opponent, Charles Allen, a known opponent of Initiative 77. Workers told me they were afraid to speak to Charles Allen about this issue - even though he is their Councilmember - because they know he received campaign money from, and has relationships with, their employers. I met with countless restaurant workers during my campaign, all of whom supported Initiative 77, on the condition that I would not publicize these meetings, or the views expressed therein.

Whether knowingly or unknowingly, many of you have been complicit in a debate, and a process, that has stifled the voices of our most vulnerable neighbors and indeed instilled fear in many of them. I have no reason to doubt these stories, because in addition to hearing them directly from workers, as a vocal supporter of Initiative 77 I experienced some of these tactics myself. It was not unusual for me to receive demeaning messages from local restaurant owners and general managers attempting to silence or intimidate me. Their efforts were entirely unsuccessful, but these messages certainly made me understand why an employee whose livelihood depended on these people would be afraid to speak out.

The irony of your decision to subvert democracy by undermining the will of DC voters is that you've sided with those who have been subverting the will of their workers in order to ensure you don't hear them. You've amplified a message that isn't reflective of reality, and in doing so have become the oppressors yourselves. It is a sad day when our elected officials become just as harmful to our vulnerable neighbors as those causing the harm.

Make no mistake, your failure on this issue is not a matter of opinion, but a matter of numbers. You say you speak for the majority, when the vote total says you do not. You say primaries aren't the time to make important decisions, yet you view your own primary results as a mandate. The public supported Initiative 77, and it received more votes than most of you will ever receive in a primary no matter how hard you try. And yet, you sit here today with the unabashed belief that you possess the authority to override the will of the voters.

Indeed, anyone who takes a moment to review your campaign accounts knows your position on Initiative 77 is not based on numbers, facts or principle. A quick glance at your respective campaign filings shows you've collectively taken hundreds of thousands of dollars from restaurant owners and managers, many of whom aren't DC voters because they reside in places like Bethesda and McLean.

We understand that today's hearing is not about protecting tipped workers, it's about carrying the water for those donors. The majority of tipped workers cannot speak up without fear, and as such they are counting on their elected officials to have their backs. Shame on you for choosing to leave them behind simply because they do not contribute to your campaign coffers.

Chairman Mendelson, you may recall that you and I spoke briefly earlier this year, and you brought up workplace harassment. It was striking to me that you readily admitted that you did not understand how a woman who depends on tips would be subject to greater harassment than a woman who did not rely on those tips. We talked for a few minutes, and it was perfectly cordial, but I couldn't help but be completely embarrassed on your behalf.

It is a fact that women who work for tips are subject to more harassment in the workplace than those who do not. It's unfortunate that we've elected people who clearly lack the capacity, the empathy, or perhaps the willingness, to understand that fact.

I don't believe this DC Council has any interest in truly understanding this issue. That's why you're holding this hearing today, and it's why you'll ultimately repeal Initiative 77. Never mind the fact that every independent study shows that this policy improves worker pay and working conditions in the jurisdictions where it has become law. You're not interested in that because it would mean forcing your donors to take money from their pockets and give it to their workers. We're here today because it is less expensive for DC restaurant owners to give each of you a maximum donation than to pay their workers a living wage. Never mind the fact that thousands of DC's tipped workers live below the poverty line. Never mind the fact that DC is forced to subsidize the cost of housing and basic health care for these workers because their employers do not to pay them a living wage. Never mind the countless meals you've enjoyed in

DC over the years on the backs of the working poor. Never mind democracy, or basic human decency. This Council has been bought and paid for, and the check has come due.

I'd like to close with a sincere thank you to Councilmembers Cheh and Silverman for refusing to cave to the demands of local special interests, and for choosing to support Initiative 77 based on facts. It is my hope that the rest of your colleagues will find within themselves the principle, integrity and basic decency to follow suit.

Very truly yours,

[Sent via E-mail]

Lisa Hunter  
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