

Testimony of Edward Fischman
(Chair – Montgomery County chapter of Our Revolution Maryland)

Testimony in Support of SB160

Chair Beidle, Vice-Chair Klausmeier, and the Members of the Finance Committee:

I offer this testimony in support of the bill, SB 160, and offer profound gratitude thank Senator McCray for championing this cause and bringing this question before the Senate. I am testifying on behalf of Our Revolution Maryland, which has been advocating for crucial economic and social justice legislation and actions at all levels of government. In hopes of advancing some important reforms, members of our organization have stood for election or appointment to County offices, as well as the General Assembly, and we have supported other deeply progressive candidates. Though Maryland is a solidly Democratic state, reflected by the super-majorities in the General Assembly, the progress we have seen in recent years has been halting, slow and incomplete.

The minimum wage is a quintessential example of that incomplete progress. I congratulate the members for passing important minimum wage laws over the last dozen years, raising the state wage several times, and last year, speeding the movement to \$15 per hour. There have been efforts at greater equity, notably for disabled workers. However, some classes of workers have been left behind. We are here to ask you to remedy this inequitable disregard of tipped workers.

The current minimum wage is understood to be little more than a pittance, and tipped workers thus rely on tips from customers, to reach something approaching a living wage. Wait staff work very hard, often under constant pressure when the restaurant is crowded, and customers recognize that with, hopefully, generous tips.

However, tips are inconsistent. Some customers are less generous, and some shifts aren't as busy as others, and some restaurants aren't as busy as others. The business owners exert great control over their workers, in handing out shifts, and sometimes even sending servers home if the foot traffic isn't there. That is why it so important that the workers start with the same base minimum wage we demand for workers in every other category, save agricultural workers.

There is no good reason to continue a relationship which has its roots in sexism and in the deeply embedded racism post-slavery era. There are also multiple other ways in which benefits are impacted by the absence of regular hours and regular wages.

Tipped workers need a wage they can count on. Tips should be a reward from customers for good service, and not a substitute for fair wages that should be paid by the employer.

While the Restaurant Association will mobilize workers from a few restaurants to oppose the legislation, claiming the sky will fall if this change is made, all the evidence points to workers

benefiting even more from tipping in those states which do not have a tipped minimum. In our neighbor to the south, in DC, they are phasing out the minimum wage. While some restaurants are trying to hide the changes with service fees in lieu of menu price changes, those restaurants which are honoring the spirit of the law are not being negatively impacted, the DC restaurant scene is as strong as it was before, if not stronger.

Do not be swayed by scaremongering organized by large out-of-state businesses and lobbyists. These changes are supported by most servers – especially those who cannot take a day to testify in Annapolis. This is an important reform which is gaining traction in the most progressive states. Maryland should not drag its feet on this issue any longer.

On my own behalf, and on behalf of thousands of Our Revolution members in Maryland, I urge the committee to issue a favorable report on SB160.