



February 18, 2014

State Senator Osten
State Representative Tercyak
Labor and Public Employees Committee
Room 3800, Legislative Office Building
Hartford, CT 06106

Re: S.B. 32: *An Act Concerning Working Families' Wages* and H.B. No. 5071 *An Act Concerning Civil Actions Against an Employer for Failure to Pay Wages*

Dear Senator Osten, Representative Tercyak and Members of the Labor and Public Employees Committee:

My name is Ana María Rivera Forastieri and I am the Legal and Policy Analyst at Junta for Progressive Action, the oldest Latino community based non-profit organization in the City of New Haven. On behalf of our agency, and the 6,000 individuals and their families that we serve each year, we want to express our support to raise the minimum wage to \$10.10. However, we must urge this Committee support increasing tipped workers' wages through S.B. 32, a group of workers that was unfairly left out of an increase last session. Finally, we also testify in support of H.B. No. 5071, which will address the rampant wage theft that takes places in Connecticut.

Connecticut families need and deserve an increase. Every day Junta strives to empower communities by helping people take control of their economic and social well-being. Thus, it is incredibly frustrating to see individuals that are hard-working, many of which work several jobs, and still struggle to get out of poverty. We are seeing more and more individuals that need help finding shelter because they are no longer able to pay for rent. We are seeing more mothers that we could possibly serve come in to ask for diapers for their child. We are also seeing more people have to rely on food stamps because they don't make enough money to feed their families. The minimum wage in our state does not realistically address the needs of our communities.

While we support the increase in the minimum wage, we must encourage the inclusion of language that will raise the tipped minimum wage for restaurant and hotel workers. Tipped workers are some of the most vulnerable low-wage workers in our state and they are continuously denied a fair increase in their wages. Last session, the Connecticut legislature increased the minimum wage for all workers, except for tipped workers whose wages were frozen at \$5.69 by the expansion of the tipped credit. While the employer is required to make up the difference when tips do not cover the minimum wage, this rule is on many occasions ignored. The tipped wage has in essence created a second-tier class of workers whose wages depend on



the good graces of customers. The Restaurant Association may argue that many tipped workers make a decent living after tips but on average a tipped worker in Connecticut makes about \$9.26.¹ That is less than the current minimum wage increase proposal.

Before the increase in the legislature last year, Connecticut was one of ten states that had set a higher wage for tipped workers. Unfortunately, this progress was completely thwarted and we are no longer a leader on this issue. While states are moving towards higher tipped wages or eliminating this category all together, we have moved backwards and denied our workers a fair, predictable and living wage. **We believe this Committee should set a tipped minimum wage of at least 70% of the minimum wage increase, which would be \$7.07.**

Finally, we also want to urge the passage of H.B. 5071, a bill that will address the extensive wage theft that we continue to see in our state. As a community organization, we witness how wage theft continues to threaten low-income workers. People are not being paid overtime, they are not being paid minimum wage, and sometimes they are not paid at all. We have partnered with other community groups in the New Haven area, such as Unidad Latina en Acción, to denounce employers for their wrongdoing but there is very little enforcement and no punishment that would incentivize the employer to follow the law. Furthermore, in the instances where the Department of Labor does get involved, many times workers only recover a fraction of what they are owed. Providing for double damages when the employer fails to pay wages will not only create a deterrent for employers to violate the law, but will also make sure that workers recover more of what they are owed.

Thank you for your time and attention.

In solidarity,

Ana Maria Rivera Forastieri

¹ Connecticut Dept' of Labor, *Labor Market Information, Waiters & Waitresses* (Nov. 30, 2013).