

Form Letter B. 136-144

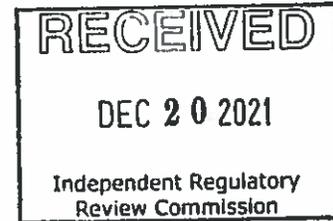
Kathy Cooper

From: Lauren Cortesi <info@email.actionnetwork.org>
Sent: Friday, December 17, 2021 9:39 PM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Mr. Bryan Smolock,

To Whom it May Concern,



I'm writing to express my strong support for the Department of Labor and Industry's proposed updates to the Minimum Wage regulations, which relate to tipped employees and the overtime calculation for salaried employees.

Pennsylvania employees should be fairly compensated for their work, and the regulations they work under should be up to date, not based on wage levels from a half a century ago. The proposed changes and clarifications would help achieve these goals by modernizing regulations governing tipped workers, increasing workers' earnings, and ensuring that tips for those who work primarily as tipped workers are not unfairly siphoned off by businesses and managers.

Pennsylvania's woefully inadequate tipped minimum wage per hour currently tempts employers to count more workers as tipped employees so they can pay them a base wage of as little as \$2.83 per hour with tips bringing them up to PA's current minimum wage of \$7.25 per hour. These regulations would limit those who can be paid a base wage below \$7.25 per hour to workers earning a meaningful dollar amount in tips (\$135 per month rather than \$30 month, the first updating of this figure since 1977); and to who those who perform tipped duties most of the time (at least 80%).

These regulations would also limit erosion of tips for genuine tipped workers by prohibiting payment of credit card fees with tips and limiting "tip pooling" through which employers cover

the regular minimum wage of non-tipped workers with tips. Other parts of this regulation provide additional protections for tipped workers.

A separate part of these regulations, involving the calculation of the regular rate for overtime for salaried employees, would deliver basic fairness to lower-paid, salaried employees entitled to overtime by paying their overtime based on their pay averaged over a 40-hour work week. These employees would receive a real time-and-a-half pay for their hours over 40—one based on an hourly rate equal to their salary divided by 40.

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There is much more to be done—including eliminating the tipped minimum wage and restoring an increase in the Pennsylvania salary level below which salaried employees automatically receive overtime—but these regulations would positively impact Pennsylvania workers and should be enacted.

Lauren Cortesi
laurenmcortesi@gmail.com
1 Rabbit Run Lane
Glenmoore, Pennsylvania 19343

Kathy Cooper

From: Alison Feldman <info@email.actionnetwork.org>
Sent: Friday, December 17, 2021 11:51 PM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Alison Feldman
alifeldman@verizon.net
1426 JONATHAN WAY
AMBLER, Pennsylvania 19002-3916

Kathy Cooper

From: John Stuckey <info@email.actionnetwork.org>
Sent: Saturday, December 18, 2021 1:29 AM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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John Stuckey
stuckeyjohn49@gmail.com
3042 Mark Twain Drive
Pinetop, Arizona 85935

Kathy Cooper

From: Linda Mitala <info@email.actionnetwork.org>
Sent: Saturday, December 18, 2021 9:30 AM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Linda Mitala
lmitala13@gmail.com
13 Taylor Drive
Fallsington, Pennsylvania 19054

Kathy Cooper

From: Jane Jesteadt <info@email.actionnetwork.org>
Sent: Saturday, December 18, 2021 12:05 PM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Jane Jesteadt
janejesteadt@gmail.com
118 Harbison Road
Valencia, Pennsylvania 16059

Kathy Cooper

From: Gail Jones <info@email.actionnetwork.org>
Sent: Sunday, December 19, 2021 11:17 AM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Gail Jones
gmpjones@gmail.com
70 Windbriar Lane
Gettysburg , Pennsylvania 17325

Kathy Cooper

From: Margaret Sheridan <peggyyshe@netscape.net>
Sent: Sunday, December 19, 2021 6:01 PM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Mr. Bryan Smolock,

To Whom it May Concern,

My son works in the restaurant industry and barely makes enough to pay rent and pay his bills. He lives paycheck to paycheck. This must change.

I'm writing to express my strong support for the Department of Labor and Industry's proposed updates to the Minimum Wage regulations, which relate to tipped employees and the overtime calculation for salaried employees.

Pennsylvania employees should be fairly compensated for their work, and the regulations they work under should be up to date, not based on wage levels from a half a century ago. The proposed changes and clarifications would help achieve these goals by modernizing regulations governing tipped workers, increasing workers' earnings, and ensuring that tips for those who work primarily as tipped workers are not unfairly siphoned off by businesses and managers.

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Margaret Sheridan
peggy@netscape.net
1640 Oakwood Drive Apt. W320
Narberth, PA 19072

Kathy Cooper

From: Pam Magidson <info@email.actionnetwork.org>
Sent: Sunday, December 19, 2021 8:29 PM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Mr. Bryan Smolock,

Dear Mr. Smolock,

I'm writing to express my support for the Department of Labor and Industry's proposed updates to the Minimum Wage regulations, which relate to tipped employees and the overtime calculation for salaried employees.

I'm in favor of these proposed changes that will more fairly compensate people for their work, and bring up to date regulations that are based on wage levels from a very long time ago. I also think the Dept. of Labor & Industry should make sure tips for those who work mainly as tipped workers aren't diminished by fees from their employers.

The very low tipped hourly minimum wage in PA is disgraceful, and it makes employers want to count more people in this category of tipped employees. I'm happy to see regulations that would raise the amount per month required to be made in tips in order for businesses to pay people a base wage below \$7.25 per hour (which, itself, is embarrassingly low).

I like that these regulations would also prohibit businesses from paying credit card fees with tips and limit tip pooling.

Furthermore, the regulation that will enable low-wage salaried workers to receive overtime based on their pay averaged over a 40-hour work week seems more fair, to me.

I also think these regulations affecting such an important sector of our economy - the people who are often keeping important service industries going during the pandemic - will benefit employers as well, if workers feel they are finally being treated a little more fairly.

I'd love for these regulations go even further for the benefit of tipped employees and low-wage workers, but this is a good start.

Thanks for the opportunity to comment.

Pam Magidson

pammagidson@hotmail.com

629 Overhill Road

Ardmore, Pennsylvania 19003

Kathy Cooper

From: Jeanne Mann <cats0107@rcn.com>
Sent: Thursday, December 16, 2021 9:04 PM
To: Smolock, Bryan
Subject: [External] Comments on Regulation #12-114: Minimum Wage, updates to the regulations governing tipped employees, and the calculation of overtime for salaried employees

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Jeanne Mann
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706 Foss Ave
Drexel Hill, Pennsylvania 19026