

Fair Pay for Women and People of Color in New York Requires Increasing the Minimum Wage and the Tipped Minimum Wage

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*Hundreds of thousands of workers in New York – mostly women and people of color – struggle to make ends meet on minimum wage earnings. A bill introduced by Assembly Speaker Sheldon Silver would raise the minimum wage from \$7.25 to \$8.50 per hour, increase the tipped minimum cash wage for food service workers (the largest group of tipped workers nationally²) from \$5.00 per hour to \$5.86 per hour, and index both of these wages to keep pace with inflation.² **Increasing the minimum wage and tipped minimum wage are key steps toward fair pay for women and people of color in New York.***

Women and people of color are more likely to be paid the minimum wage.

- Women made up about two-thirds of all New York workers who were paid minimum wage or less in 2011.³ They provided care for children and elders, cleaned homes and offices, and waited tables.
- Women of color are disproportionately represented among female minimum wage workers. Nationally, black and Hispanic women were each just over 12 percent of all employed women in 2011;⁴ among women who made minimum wage, nearly 15 percent were black and more than 16 percent were Hispanic.⁵
- Overall, people of color are disproportionately represented among minimum wage workers. Nationally, black and Hispanic workers were about 11 percent and 14 percent of all workers in 2011, respectively;⁶ among minimum wage earners, just over 15 percent were black and nearly 19 percent were Hispanic.⁷

It's time to give low-wage workers in New York a raise.

- A woman working full time, year round in New York at the current minimum wage of \$7.25 will earn just \$14,500 annually.⁸ That's more than \$3,000 below the

federal poverty line for a mother with two children. If the minimum wage had kept pace with inflation, it would now be over \$10.50 per hour.¹⁰

- The minimum cash wage for tipped employees in New York varies by occupation; for food service workers, including restaurant servers, it is \$5.00 per hour – just \$10,000 a year.¹¹ While employers are responsible for ensuring that their tipped employees are paid the minimum wage, many workers are paid less due to wage theft and other illegal practices.¹² Nationally, about 70 percent of restaurant servers are women.¹³
- New York families are struggling in this tough economy. In 2010, 28 percent of black families with children were in poverty,¹⁴ 31 percent of Hispanic families with children were in poverty,¹⁵ and 38 percent of single-mother families were in poverty.¹⁶

Raising the minimum wage and the tipped minimum wage would boost wages for working women and people of color in New York and help close the gender wage gap.

- Increasing the minimum wage to \$8.50 per hour would boost annual earnings to \$17,000, an increase of \$2,500 per year – a significant boost, but still about \$500 short of lifting a family of three out of poverty.



Raising the tipped minimum wage to \$5.86 per hour would increase earnings for many restaurant servers and other food service workers by \$1,720 per year.¹⁷

- The Economic Policy Institute (EPI) estimates that if New York's minimum wage were increased to \$8.50 per hour, more than one million workers would get a raise.¹⁸
- Since women are the majority of minimum wage workers in New York, increasing the minimum wage would mean higher pay for thousands of New York women and help close the wage gap.¹⁹ In 2010, New York women working full time, year round were paid only 83 cents for every dollar paid to their male counterparts.²⁰ Black women working full time, year round made only 66 cents, and Hispanic women only 55 cents, for every dollar paid to white, non-Hispanic male counterparts.²¹

Raising the minimum wage would strengthen New York's economy.

- Increasing the wages paid to low-wage workers results in lower turnover, boosts worker efforts, and encourages employers to invest in their workers.²²
- Raising the minimum wage does not cause job loss, even during periods of recession.²³
- Most minimum wage workers need this income to make ends meet and spend it quickly, boosting the economy. Research indicates that for every \$1 added to the minimum wage, low-wage worker households spent an additional \$2,800 the following year.²⁴
- EPI estimates that raising New York's minimum wage to \$8.50 would generate about \$600 million in additional economic activity and close to 5,000 jobs.²⁵

- 1 Restaurant Opportunities Ctr. United, Tipped Over the Edge, at 1 (Feb. 2012), available at <http://rocunited.org/tipped-over-the-edge-gender-inequity-in-the-restaurant-industry/>.
- 2 A. 9148, 2012 N.Y. State Assemb., Reg. Sess. (N.Y. 2012).
- 3 NWLC calculations based on unpublished U.S. Dep't of Labor, Bureau of Labor Statistics data. Figures are annual averages for 2011. The term "minimum wage workers" refers to workers making the minimum wage or less. Women are 65 percent of minimum wage workers in New York.
- 4 NWLC calculations from U.S. Dep't of Labor, Bureau of Labor Statistics, Current Population Survey. Figure for black women from Table 3, <http://www.bls.gov/cps/cpsaat03.htm> (last visited Apr. 6, 2012). Figure for Hispanic women from Table 4, <http://www.bls.gov/cps/cpsaat04.htm> (last visited Apr. 6, 2012).
- 5 NWLC calculations based on U.S. Dep't of Labor, Bureau of Labor Statistics, Characteristics of Minimum Wage Workers, 2011, <http://www.bls.gov/cps/minwage2011tbls.htm> (Table 1).
- 6 NWLC calculations, *supra* note 4.
- 7 NWLC calculations, *supra* note 5.
- 8 NWLC calculation assuming 40 hours per week, 50 weeks per year at \$7.25 per hour.
- 9 U.S. Census Bureau, Current Population Survey, 2011 Annual Social and Economic Supplement, Table POV35, http://www.census.gov/hhes/www/cpsta-bles/032011/pov/new35_000.htm (last visited Apr. 5, 2012).
- 10 At \$7.25 per hour, New York's minimum wage is the same as the federal minimum wage. The high-water mark for the federal minimum wage of \$1.60 in 1968 (see Douglas Hall, EPI, Increasing the Minimum Wage Is Smart for Families and the Economy (2011), available at <http://www.epi.org/publication/increasing-the-minimum-wage-is-smart-for-families-and-the-economy/>) would be \$10.47 in 2012 according to the U.S. Dep't of Labor, Bureau of Labor Statistics inflation calculator, http://www.bls.gov/data/inflation_calculator.htm (last visited Apr. 27, 2012).
- 11 NWLC calculation assuming 40 hours per week, 50 weeks per year at \$5.00 per hour. Minimum cash wages for most tipped workers in New York currently range from \$4.90 per hour (for service employees in resort hotels making at least \$4.10 per hour in tips) to \$5.65 per hour (for service employees in all establishments, not including food service workers). See N.Y. Comp. Codes R. & Regs. Tit. 12, § 146 (hospitality industry minimum wage order), available at http://www.labor.state.ny.us/workerprotection/laborstandards/PDFs/Hospitality%20Wage%20Order/hospitality_wage_order.pdf.
- 12 Sylvia A. Allegretto & Kai Filion, EPI, Waiting for Change, at 3-4 (2011), available at <http://www.epi.org/page/-/BriefingPaper297.pdf>.
- 13 Restaurant Opportunities Ctr. United, *supra* note 1.
- 14 NWLC calculations from U.S. Census Bureau, 2010 American Community Survey, <http://www.census.gov/acs/www/> (Table B17010B). Figures are for households where the householder's race is black alone.
- 15 *Ibid.*, Table B17010I. Figures are for households where the householder's ethnicity is Hispanic or Latino.
- 16 *Ibid.*, Table S1702.
- 17 NWLC calculation assuming 40 hours per week, 50 weeks per year at \$8.50 per hour for the minimum wage and \$5.86 per hour for the tipped minimum wage.
- 18 David Cooper, EPI, One Million Workers Stand to Benefit from NY's Proposed Minimum Wage Hike (April 1, 2012), available at <http://www.epi.org/blog/million-workers-benefit-new-york-proposed-minimum-wage-hike/>. EPI estimates that 609,000 workers with wages below the new minimum wage of \$8.50 would directly benefit, and pay would rise for another 473,000 due to the higher floor set by the new minimum wage.
- 19 Under most circumstances a higher minimum wage would narrow the wage distribution, effectively narrowing the gender wage gap. Nicole M. Fortin & Thomas Lemieux, Institutional Changes and Rising Inequality, *Journal of Economic Perspectives*, Spring 1997, 75-96, at 78, available at <http://www.econ.ucdavis.edu/faculty/mepage/econ151b/Fortin%20and%20Lemieux.pdf>. See also Francine D. Blau & Lawrence M. Kahn, Swimming Upstream, *Journal of Labor Economics*, Jan 1997, 1-42, at 28, available at http://aysps.gsu.edu/isp/files/ISP_SUMMER_SCHOOL_2008_CURRIE_Swimming_Upstream.pdf.
- 20 NWLC, The Importance of Fair Pay for New York Women (Apr. 2012) available at http://www.nwlc.org/sites/default/files/pdfs/2012equalpay-factsheets/new_york_equalpaystatefactsheet.pdf.
- 21 *Ibid.*
- 22 T. William Lester, David Madland & Nick Bunker, Ctr. for Amer. Progress, An Increased Minimum Wage is Good Policy Even During Hard Times (2011), available at http://www.americanprogressaction.org/issues/2011/06/higher_minimum_wage.html.
- 23 Mary Gable & Douglas Hall, EPI, The Benefits of Raising Illinois' Minimum Wage, at 2-3 (2012), available at <http://www.epi.org/files/2012/ib321.pdf>.
- 24 Daniel Aaronson, Sumit Agarwal & Eric French, Fed. Reserve Bank of Chicago, The Spending and Debt Responses to Minimum Wage Increases, at 10 (Revised 2011), available at http://www.chicagofed.org/digital_assets/publications/working_papers/2007/wp2007_23.pdf.
- 25 Cooper, *supra* note 18.