



# Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

July 14, 2023

Councilmember Kenyan McDuffie  
Chair, Committee on Business and Economic Development  
Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 506  
Washington, DC 20004  
[kmcduffie@dccouncil.gov](mailto:kmcduffie@dccouncil.gov)

**RE: DC Council Bill B25-0280 – the “Workers and Restaurants Are Priorities Act of 2023”**

Dear Councilmember McDuffie,

At its regular meeting on June 21, 2023, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With five of nine commissioners present, a quorum at a duly-noticed public meeting, the Commission voted (3-2-0), after a motion made by Commissioner Patel and seconded by Commissioner Malec, to adopt the following resolution:

WHEREAS, on November 8, 2023, DC voters passed Initiative 82 (I-82)<sup>1</sup>, a referendum that would phase out the subminimum or tipped minimum wage<sup>2</sup> by 2027, meaning that workers receiving tips would be entitled to the full minimum wage in their base pay before tips,

WHEREAS, on May 1, 2023, Councilmember Kenyan McDuffie introduced B25-0280, the “Workers and Restaurants Are Priorities (WRAP) Act of 2023,”<sup>3</sup>

WHEREAS, Councilmember McDuffie’s legislation would alter the incremental wage increase timeline passed by voters in I-82 by canceling the scheduled increase from \$8 to \$10 per hour in 2024 and implementing full wage parity, to roughly \$17 per hour, in 2025 instead of 2027,

WHEREAS, Councilmember McDuffie’s legislation incentivizes the use of service charges in restaurants by removing sales tax on service charges that contribute directly to the base pay of tipped workers and relaxing requirements by restaurants to report the reason they are imposing a service charge,

WHEREAS, Councilmember McDuffie’s legislation would allow restaurants to charge up to a 22% service charge to customers,

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<sup>1</sup> [Initiative 82 - Wikipedia](#)

<sup>2</sup> [Tipped wage - Wikipedia](#)

<sup>3</sup> [B25-0280 - Workers and Restaurants Are Priorities Act of 2023 \(dccouncil.gov\)](#)



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WHEREAS, ANC 2A is home to many restaurants with tipped workers, and restaurant patrons in our ANC are often from outside DC, and

WHEREAS, the confusing service charge model, charging more on the end of a bill without a clear indication of the charge’s purpose, would lead customers to believe they are paying an auto-gratuity or otherwise paying for an employee’s wages beyond their base pay.

THEREFORE, BE IT RESOLVED that ANC 2A opposes the “Workers and Restaurants Are Priorities Act of 2023” as currently written on the basis that it will harm small restaurants that are not yet ready to make the full jump to the full minimum wage for their tipped workers, confuse and discourage restaurant patrons from dining in DC, and reduce tips for restaurant workers.

BE IT FURTHER RESOLVED that ANC 2A believes that the DC Council should adjust the “Workers and Restaurants Are Priorities Act of 2023” in the following ways:

- Encourage or require service charges to be passed on entirely to workers as a supplement to base pay,
- Strengthen restaurants’ obligations to clearly explain service charges to customers,
- Encourage restaurants to implement minimum wage parity faster without changing the wage increase schedule passed by the voters in I-82,
- Outline a robust public education campaign around the subminimum wage increase and service charge laws in DC, and
- Avoid unfair preferential treatment for restaurants over all other commercial entities and retailers in the District.

Commissioners Trupti Patel ([2A03@anc.dc.gov](mailto:2A03@anc.dc.gov)), Yannik Omictin ([2A01@anc.dc.gov](mailto:2A01@anc.dc.gov)), and Jim Malec ([2A02@anc.dc.gov](mailto:2A02@anc.dc.gov)) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Jim Malec  
Chairperson