

# OPINION

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## The LEADER

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### COMMENTARY | SCOTT KLINGER

# Your waiter needs a raise

Most people assume restaurant tips are a reward for good service that helps servers get ahead. In reality, your tip fills a gap created by a loophole. Federal minimum wage law allows restaurant owners to pay their tipped employees just \$2.13 an hour.

This sub-minimum wage hasn't increased for 22 years and amounts to less than a third of the federal minimum wage. It helps large restaurant corporations and their CEOs pad their bottom lines while trapping millions of American workers in economic insecurity.

The average server earned \$20,710 last year, according to the Bureau of Labor Statistics. Because these workers start in such a hole, they are three times more likely to live in poverty and twice as likely to be eligible for food stamps as employees in other industries. A quarter of all servers are over 40, and many of them have families to support.

From 1966, when the tipped minimum wage was first introduced, until 1996, it was pegged at 50 percent of the prevailing minimum wage. But aggressive lobbying by the National Restaurant Association, which is dominated by large restaurant chains, removed the linkage and froze the minimum wage for tipped workers at its 1991 level of \$2.13 an hour. Since then, about half the states have either raised the tipped minimum wage or have no minimum wage at all for tipped workers. For the rest, \$2.13 an hour remains the standard.

The 22-year freeze of the federal tipped minimum wage has been especially hard on women, who fill 71 percent of food server jobs.

Excluding women and people of color from the full protection of the minimum wage is nothing new. When the minimum wage was first adopted in 1938, it covered just 6 percent of the American workforce, most of them white males. The government explicitly excluded domestic and agricultural workers, whose ranks were dominated by women and people of color. Today, only two industries with large female workforces remain not fully covered by the minimum wage law: home health care workers and restaurant servers.

There's momentum in Congress to increase the minimum wage to \$10.10 an hour and peg the tipped minimum wage at 70 percent of this level, or \$7.07 an hour. The National Restaurant Association is again marshalling its tremendous political clout to block this increase for its employees.

Leading the opposition is Darden Restaurants, the world's largest full-service restaurant chain and the owner of Red Lobster, Olive Garden, and Longhorn Steakhouse, among others. In 1991, Darden reported \$2.6 million in sales per restaurant. By 2013, sales per restaurant increased 52 percent to \$4 million.

During the same period, the hourly pay of much of Darden's wait staff increased by, well, zero. Only employees in Darden's fine dining Capital Grille restaurant chain and those in states that have adopted a tipped minimum wage that is higher than the federal minimum earn more.

In 1996, Olive Garden reported an average bill per customer of between \$10 and \$11. Since then, sales per customer have increased by more than 50 percent. While Darden is taking in substantially more revenue from its customers, most of its tipped employees continue to be paid the same \$2.13 an hour they've received for the last 22 years.

A lot of Darden's increase in revenue is finding its way into the wallet of CEO Clarence Otis, Jr., who took home \$6.4 million last year. That's nearly four times what his predecessor was paid in 1996, when the restaurant industry first blocked an increase in the tipped minimum wage. Otis' take works out to \$2,116 an hour (assuming he works 60 hours a week all year, with two weeks of vacation). Every two hours, Darden's CEO makes more than his company pays its \$2.13-an-hour wait staff for a full year's work.

When leaders of extremely profitable restaurant chains fill their own plates while denying raises to those who work hard every day to serve their customers, it should leave a bad taste in all our mouths.

*Scott Klinger is an associate fellow at the Institute for Policy Studies.*

### COMMENTARY | STATE SEN. TOM O'MARA

# Harvesting a N.Y.-grown future

Now that we're about to turn the pages of our calendars to autumn, we should also turn attention to one of New York government's constant responsibilities: maintaining agriculture as a foundation of this state's culture and economy. This state -- and our very own Southern Tier and Finger Lakes regions -- will only be as strong in the future as our farmers and the dynamic industry they sustain.

We can deservedly take great pride in a nationally renowned lineup of agricultural products. But we cannot take it for granted that it will always be so.

One step we all can take is to get out and about this fall when the local farmers' markets are overflowing with high quality, New York-grown offerings. The state Department of Agriculture and Markets offers a convenient, online interactive map to help locate one near you: <http://www.agmkt.state.ny.us/AP/CommunityFarmersMarkets.asp>

We know the current apple crop is robust, for example. According to the New York Apple Association [[www.applecountry.com](http://www.applecountry.com)], a website that includes a comprehensive list of area orchards and other apple-related retailers, this year's crop promises to be one of the best

in a while, potentially surpassing the annual average production of 29 million bushels.

Of course it's always an active time of year across Finger Lakes wine country, with the grape harvest underway and celebrated with numerous festivals and other events (stay updated on [www.fingerlakeswinecountry.com](http://www.fingerlakeswinecountry.com)).

So agriculture-related opportunities abound across the region during September and October. But it takes even more than consumer awareness.

Gov. Andrew Cuomo's administration has cut its teeth, so to speak, on pursuing a strong agricultural agenda. Remember that in his first run for governor in 2010, he promised that a comprehensive "Farm New York" agenda would be a priority, and it has been -- producing achievements from creating new markets to recognizing emerging technologies to addressing tax and regulatory burdens. It's been a good start.

Not long ago the governor toured the Finger Lakes region to help tout our world-class grape and wine industry, the second-largest in America and one of New York's greatest of all success stories. He's provided valuable leadership to promote the amazing growth of the Greek Yogurt industry, which has had a tremendously positive

impact on our fourth-largest-in-the-nation dairy industry.

He's also initiated additional, critical steps to boost burgeoning craft beer and distilling industries, which promise to have even more industry wide impacts.

Our farmers make New York the second-largest producer of apples, cabbage and maple syrup; third in cauliflower, grapes and corn for silage; fourth in pears, snap beans and squash; fifth in tomatoes, onions and tart cherries; and sixth in pumpkins and Christmas trees.

It's an industry that earns and deserves its accolades. Just consider all that's at stake. New York's farmers are the source of the freshest food for New York's consumers at a time of ever-increasing demand for locally grown products regionally, statewide and nationally. Farmers are the first stewards of the land. They provide thousands of livelihoods and anchor so many communities in so many ways.

But it's an industry that's constantly challenged from so many competitive corners. So the Legislature has to stay on board to keep it strong. The Legislature's joint, bipartisan Commission on Rural Resources continues to be a leading voice for rural New York in a government

so dominated by down-state, urban-oriented interests. Earlier this year, I joined many of my Senate colleagues in co-sponsoring a comprehensive agriculture development strategy called "Grown in New York."

One important piece of our Grown in New York agenda made it through this year's legislative process and is expected to be signed into law by the governor to deliver long-awaited property tax relief for state farmers by placing a 2 percent cap on annual agricultural land assessment increases.

So I look forward in 2014 to renewing the call for the rest of our Grown in New York plan, which covers a lot of ground. I'll take this opportunity to invite you to take a closer look. Just visit my Senate website, [www.omara.nysenate.gov](http://www.omara.nysenate.gov), and click on the Grown in New York icon in the left-hand column of the home page.

Grown in New York starts from a single fact: the success of New York's \$5.2-billion agriculture sector begins and ends with the success of New York's 36,000 farm families.

But these farm families and the industry they drive will only flourish with a steadily applied legislative commitment to not risk taxing, regulating and pricing our farmers out of business.

### ANOTHER VIEW



### LETTERS TO THE EDITOR

#### Too much like 'Animal House'

TO THE EDITOR | Does anyone remember the early 1960s scene in the hilarious movie "Animal House" where Bluto (John Belushi) declares that when the "Germans" bombed Pearl Harbor, the Americans got going? Bluto tries to lead his fraternity -- Delta House -- out the door to wreak havoc on Faber College. Now, picture Obama in Bluto's body trying to lead his fraternity (Congress and the American people) out the door to wreak havoc on parts of Syria.

Seven years of college down the drain. Zero

point zero average.

**E.J. Barry**  
Hammondsport

#### Polls can't guide action on Syria

TO THE EDITOR | Whilst not making any comments on the advisability of military action on Syria, I would pose the question for our Congressional representatives seeking public opinion on the proposal our president has made.

I remind the readers of matters before the public in 1941. Germany had conquered France, was bombarding England and had invaded Russia. Japan had invaded

Manchuria, China and held much sway over much of South East Asia.

President Roosevelt had managed to get Congressional approval for Lend Lease and North Atlantic convoy protection, not without great difficulty and the opposition to "involvement" in other peoples' problems. There was a strong isolationist movement, to say the least.

I would venture the guess that any public opinion poll for American involvement in the raging war in Europe on 6th December, 1941 would have been solidly against the USA going to war or dramatically aiding our allies.

But on Dec. 8, 1941, I would venture the guess

that any public opinion poll would be solidly for military action of the strongest nature.

My point is simply that whilst public opinion is of great importance in all national matters, I am disappointed to see Congress trying to make a decision based on opinion polls when, in fact, they may have information as to what is best for our national interests.

And the president of the commander in chief taking certain military actions in the nation's best interest is well-founded, without Congressional approval of the specifics.

**William Weber**  
Pulteney

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