

December 8, 2017

Melissa Smith
Director of the Division of Regulations, Legislation
and Interpretation
Wage and Hour Division
U.S. Department of Labor
Room S-3502
200 Constitution Ave., NW
Washington, D.C. 20210

Dear Ms. Smith:

The undersigned organizations request that the Department of Labor extend the comment period for responding to the Notice of Proposed Rulemaking, RIN 1235-AA21, Tip Regulations under the Fair Labor Standards Act (FLSA). We request an extension of at least 30 days.

This NPRM announces a major departure from DOL's longstanding position as to ownership of tips for workers whose employers do not claim the tip credit. Impacted workers deserve the opportunity to be heard in this process.

Under any circumstances, 30 days is a short comment period. But for a regulation of this magnitude, stakeholders need adequate time to fully comment on the proposed changes. The 30-day period proposed also comes in the midst of the holiday season, which is an especially busy time in the service industries known for tipping.

To require commentary on such a truncated time-frame, which realistically is far less than 30 days given the holiday season, suggests that the Department has already made up its mind and is not open to a fully developed record on this issue.

For the sake of the integrity of this process, and for the sake of all stakeholders, especially the low-wage workers who will be impacted most greatly, we request that the Department of Labor extend the deadline for responding to this NPRM by no less than 30 additional days.

Sincerely,

A Better Balance
AFL-CIO
African American Health Alliance
AFSCME
Amara Legal Center
American Federation of Teachers
American Sustainable Business Council
Americans for Democratic Action (ADA)
Asian Americans Advancing Justice-LA
Asian Pacific American Labor Alliance, AFL-CIO (APALA)
Bend the Arc Jewish Action
Beranbaum Menken LLP
Bernstein & Lipsett, P.C.
Black Women's Roundtable
Brazilian Women's Group
Brazilian Worker Center Inc.
California Employment Lawyers Association
California Labor Federation
Center for Advancement of Public Policy
Center for Law and Social Policy (CLASP)
Center for Popular Democracy
Center for Survivor Agency & Justice
Center for WorkLife Law, UC Hastings College of the Law
Chicago Jobs Council
Chinese Progressive Association
Coalition of Labor Union Women
Coalition on Human Needs
Colorado Fiscal Institute
Communications Workers of America (CWA)
Community, Faith & Labor Coalition
Congregation of Our Lady of Charity, US Provinces
Connecticut Legal Services, Inc.
Craig Henry PLC
CREDO

CUNY School of Public Health
Daily Kos
Demos
Dhali PLLC
Disciples Center for Public Witness
Don Bosco Workers Inc.
Economic Justice Initiative - Pacem in Terris
Economic Opportunity Institute
Economic Policy Institute
Equal Rights Advocates
Fair Work Center, Seattle, Washington
Faith Action Network
Faith Voices Arkansas
Family Values @ Work
Feminist Majority
Fiscal Policy Institute
Food Chain Workers Alliance
Franciscan Action Network
Freedom Network USA
Fuse Washington
Futures Without Violence
Gender Justice
Granite State Organizing Project
Greater New York Labor Religion Coalition
Greater Syracuse Council on Occupational Safety and Health Inc.
Hawaii Appleseed Center for Law and Economic Justice
Health Professionals and Allied Employees AFT, AFL-CIO
Hip Hop Caucus
Hudson Valley Justice Center
Indiana Institute for Working Families
Indianapolis Worker Justice Center
Indivisible
Insight Center for Community Economic Development
Institute for Agriculture and Trade Policy
Interfaith Worker Justice
Interfaith Worker Justice - New Mexico
Interfaith Worker Justice of East Tennessee
Interfaith Worker Justice of Maryland

International Brotherhood of Teamsters
International Chemical Workers Union Council (ICWUC)
International Institute of Buffalo
Iowa Unitarian Universalist Witness/Advocacy Network
IWJSD
Jacobs Institute of Women's Health
Jane Addams Resource Corp
Jesuit Conference - Office of Justice and Ecology
Jobs With Justice
Jobs with Justice of East Tennessee
Justice in Motion
Kentucky Center for Economic Policy
Kentucky Equal Justice Center
La Plata County Thrive! Living Wage Coalition
Labor Council for Latin American Advancement (LCLAA)
Labor of Love Safety Training
Labor Project for Working Families
Lambda Legal
Lebau & Neuworth, LLC
Legal Aid at Work
Legal Voice
Lippman, Semsler & Salb, LLC
Lloyd Patel LLP
Los Angeles Alliance for a New Economy
Main Street Alliance
Maine Women's Lobby
Make the Road New York
MANA, A National Latina Organization
Maryland Center on Economic Policy
Maryland Working Families
Massachusetts Interfaith Worker Justice
Massachusetts Law Reform Institute
MassCOSH
McCree Ndjatou, PLLC
Metrowest Worker Center - Casa
Michigan League for Public Policy
Midstate COSH
MomsRising

Movement Advancement Project
NAACP
National Advocacy Center of the Sisters of the Good Shepherd
National Advocates for Pregnant Women
National Alliance for Partnerships in Equity (NAPE)
National Asian Pacific American Women's Forum (NAPAWF)
National Black Justice Coalition
National Capital Area Union Retiree Club
National Center for Law and Economic Justice
National Center for Lesbian Rights
National Center for Transgender Equality
National Council of Jewish Women
National Domestic Workers Alliance
National Education Association (NEA)
National Employment Law Project
National Employment Lawyers Association
National Employment Lawyers Association - Georgia
National Employment Lawyers Association/New York
National Immigration Law Center
National LGBTQ Task Force
National Organization for Women
National Partnership for Women & Families
National Urban League
National Women's Law Center
National Workrights Institute
National Youth Employment Coalition
NEAT - the National Equality Action Team
New Jersey Citizen Action
New Labor
New Mexico Center on Law and Poverty
New York Paid Leave Coalition
NH COSH
NMAC
North Carolina Justice Center
Northwest Workers' Justice Project
NWA Workers' Justice Center
Oklahoma Employment Lawyers Association
Okra Tom Yard and Garden Services

OneAmerica
Oxfam America
Parent Voices CA
Partnership for Working Families
PathWays PA
Patriotic Millionaires
Policy Matters Ohio
PolicyLink
PowHer New York
Pride at Work
Progressive Congress Action Fund
Project IRENE
Public Justice Center
Racial and Ethnic Health Disparities Coalition
Restaurant Opportunities Centers United
RESULTS
Rhode Island Center for Justice
Robert B. Landry III, PLC
Safe Horizon, Anti-Trafficking Program
Sargent Shriver National Center on Poverty Law in Poverty Law
SEIU 32BJ
Service Employees International Union (SEIU)
Shareholder Education and Advocacy, Sisters of Charity BVM
South Florida Interfaith Worker Justice
Southern Poverty Law Center
Swan Employment Law
Teamsters Local #38
Teamsters Local 117
Texas Employment Lawyers Association
Texas RioGrande Legal Aid, Inc.
The Bell Policy Center
The Economic Progress Institute
The Leadership Conference on Civil and Human Rights
The Legal Aid Society
The Mississippi Workers Center for Human Rights
The North Dakota Economic Security and Prosperity Alliance
The United Methodist Church - General Board of Church and Society

UltraViolet
UnidosUS (formerly National Council of La Raza)
Unitarian Universalist Association
Unitarian Universalists for a Just Economic Community
United Auto Workers (UAW)
WA State Association for Justice
Washington Lawyers' Committee for Civil Rights and Urban Affairs
Washington State Labor Council, AFL-CIO
Watson & Norris, PLLC
West Virginia Center on Budget and Policy
Western Center on Law & Poverty
Winebrake & Santillo, LLC
Women Employed
Women's Law Project
Women's Voices for the Earth
Woodstock Institute
Worker Justice Center of New York
Workers Defense Project
Working Families Party
Working Partnerships USA
Working Washington
Workplace Fairness
Worksafe, Inc.
YWCA Metropolitan Chicago