



## PRESS RELEASE

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### **Attorney General Frosh Joins Comments Defending Rights of Tipped Workers**

**BALTIMORE, MD (December 10, 2019)** – Maryland Attorney General Brian E. Frosh today joined a coalition of 19 attorneys general in submitting a [comment letter](#) to the Department of Labor (DOL) opposing its proposed rescission of protections for tipped workers. Under the Fair Labor Standards Act, employers are required to pay their employees the federal minimum wage. For decades, tipped workers have been protected by what is known as the “80/20 Rule.” The rule ensures that any worker being paid \$2.83 per hour—due to their employer utilizing the “tip credit”—spends at least 80 percent of their work time doing tipped work.

Under DOL’s proposal, the “80/20 Rule” would be eliminated and employers would be able to assign virtually unlimited amounts of non-tipped work – such as cleaning, cooking and other “back of the house” tasks – while still taking a tip credit and paying workers a lower wage.

“This proposal will further erode wages for thousands of Marylanders who rely on tips to make a living,” said Attorney General Frosh. “We will work to ensure workers get the wages they’ve rightfully earned and rely on to support their families.”

In their comment letter, the attorneys general state that the proposed rule would further erode the already low wages of tipped workers and leave them more vulnerable to wage theft. The coalition further argues that the proposal is contrary to the purpose of the Fair Labor Standards Act – to protect workers – and that DOL did not abide by the requirements of the Administrative Procedure Act when it failed to examine the proposal’s impact on wages and increased reliance on social safety net programs.

In addition to Maryland, the letter was signed by the attorneys general of California, Delaware, Hawaii, Illinois, Iowa, Maine, Massachusetts, Michigan, Nevada, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia.