

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