

9 March 2015

**Re: LD 403- remarks by Jonas Werner, Azure Cafe, Freeport, Maine
Labor, Commerce, Research and Economic Development Committee**

Good day Senator Volk, Representative Herbig and distinguished members of the Labor, Commerce, Research and Economic Development Committee. My name is Jonas Werner, I am from Freeport and am here today representing Azure Cafe in opposition to LD 403.

On March 24th, my restaurant will celebrate its 12th year in business. We have been in business this long because of the hard work of our dedicated staff. I appreciate the team I have at Azure and feel lucky to work with them each day.

Our servers at Azure, just like all servers in the state of Maine, are guaranteed to make at least minimum wage; this is required by both Federal and Maine law.

The reality is that not one server at Azure makes minimum wage. Instead, every one of them, even the newest or least experienced among them, makes considerably more. Nationally, the average hourly wage for a server, including tips, is between \$16 and \$22, depending on their level of experience.

The average hourly wage for a server at Azure is an enviable \$24.14/hr.

I would purport that a change to the way tipped employees are compensated is unnecessary. Already, a Maine server's hourly earned wage exceeds Maine's minimum wage by 100%. That is, the average server earns twice Maine's minimum wage for each hour worked.

An experienced server in the US, working just 30 hours a week, is earning, on average, over \$34,000 a year. At Azure, the average server working just 30 hours a week earns over \$37,000 a year. This is a job which requires no college degree, requires no homework, and offers a flexible schedule.

It is a job that does require hard work, patience, care, and a skilled salesperson with an ability to match the products of the restaurant with the needs and desires of the guest. If the server does his job well then he is given a tip or sales commission from the customer. This works.

The current law works. If you look at the numbers, you will see that servers in Maine do not need a leg up. They are already riding high. Small business owner's like me struggle to survive. We deal with competition, costs that rise faster than price elasticity will allow price increases, a turbulent economy, global warming, too little snow, too much snow, too short a summer, and caring and well meaning legislators. It is the small business owner, like me that struggles to survive in the state of Maine. If this legislature passes LD 403, my income as the owner and General Manager of Azure Cafe, working 60-80 hours a week, would then be equal to that of my experienced servers working 40 hour a week. This would create a business climate where there would be little benefit to take on the risk and debt of starting and owning a restaurant.

It is my hope that you will examine the numbers and see why it is prudent to reject LD 403.