

October 5, 2020

Dear Governor Cuomo,

We are physicians and public health research scientists who are gravely concerned about the potential spread of the COVID-19 pandemic this fall, particularly with respect to the re-opening of indoor dining in restaurants. Without proper safety protocols, restaurants could contribute significantly to New York once again becoming a center of the pandemic, much as it was earlier this year.

In mid-September, the Centers for Disease Control reported that '[adults with positive SARS-CoV-2 test results were twice as likely to have reported dining at a restaurant as those with negative SARS-CoV-2 test results.](#)' Dining at restaurants was the single recent exposure that was clearly related to risk of having a positive CoV-2 test. These results raise the specter that restaurants will become a major source of pandemic spread when they re-open at 25% capacity this week. This could happen despite best protective efforts, including proper social distancing and mask usage when customers are not eating and drinking.

Restaurant workers can be instrumental in helping to implement these protective measures. However, they will be hesitant to do so, because they depend on tips for part of their basic wages and, thus, on the good will of customers. These workers - servers, bartenders, and other service workers - receive a subminimum wage in New York State, and are forced to obtain tips to earn the minimum wage. This situation provides a clear disincentive for restaurant workers to enforce critical safety measures for fear of angering or bothering customers upon whose tips they depend for basic wages to support themselves and their families.

Restaurants and their workers have suffered so much during this pandemic. We urge you to enact a full minimum wage for all restaurant industry workers immediately. Any tips they receive should be on top of the basic minimum wage. It is a matter of basic fairness. It communicates to these workers that they are, indeed, essential. And, most important in the current public health crisis, it would enable restaurant workers to act, freed from an utter dependence on tips, to enforce social distancing and mask-wearing rules by customers.

We would like to speak to you about how this simple measure can help avert recurrence of an acute public health crisis. Please let us know when you might be available to meet with us.

Sincerely,

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(*For identification purposes only)

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