



To the New York City Department of Consumer and Worker Protection,

We are writing to comment on the proposed rule recently published by the Department that would set a minimum pay rate for app-based restaurant delivery workers.

The Yemeni American Merchants Association (YAMA) advocates for Yemeni-American bodega owners through outreach, education, and by providing a community and support system with the collective goal of providing a brighter future for Yemeni-Americans. Our organization works to support these largely immigrant-owned small businesses, and ensure they continue to have access to economic opportunity and a level playing field in New York's economy.

We understand the need to establish a minimum pay rate for food delivery workers, and we support the city's efforts to do so. As an organization that also represents a community of essential workers, we know firsthand the difficult work that delivery workers grappled with during the pandemic and the critical role they played in helping the restaurant industry survive. However, the way the initial DCWP proposal is structured presents significant concerns about how it will potentially impact small business owners like those we represent.

New York City bodegas were hit particularly hard by the pandemic, with many facing staffing issues, COVID-19 illness in their communities and a decrease in foot traffic in their stores. One of the few opportunities during the pandemic was the increased demand for food and grocery delivery. We saw this as an opportunity for our members and worked to get our bodegas on delivery platforms like DoorDash, equipping them with the technology to modernize and grow their businesses through delivery with a goal of sustaining them for the long term. Many of our bodegas have seen great success on these platforms and have relied on delivery as a key revenue stream in this post-pandemic economy.

As currently proposed, the minimum pay rate contains provisions that will likely add significant costs to deliveries, namely basing total pay for all workers around the time they have an app open, even if they have no plans to accept orders during that time. We are concerned that this rule as drafted will mean a decrease in delivery orders for small businesses like bodegas offering prepared meals and groceries due to rising costs to the consumer. Our bodega owners are already struggling with rising costs due to inflation. This drop in revenue could be harmful to our bodegas who have grown to rely on delivery services for the survival of their businesses, and cannot afford additional hurdles to opportunities that are helping them modernize their businesses.

We want to reiterate that our organization does support a reasonable minimum wage for delivery workers, but we urge the DWCP to carefully consider the potential impacts of the proposed rule. Specifically, there needs to be reasonable changes to the pay model that will still ensure meaningful wage protections for delivery workers but does not impose unnecessary costs on the small businesses community, including bodegas. We hope the DCWP will re-evaluate the proposed rule and come up with a solution that works for all hard working New Yorkers.



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