



**Support for Delivery Worker Minimum Wage**  
**April 7, 2023**

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Vila Vera Mayuga  
Commissioner  
Department of Consumer and Worker Protection  
42 Broadway, 9th Floor  
New York, NY 10004  
via: email  
April 07, 2023

Dear Commissioner Mayuga,

Families for Safe Streets is submitting this written testimony to express our deep disappointment with the delay of implementation of Local Law 115 of 2021 – the law requiring a minimum pay standard for deliveristas by January 1, 2023 – and to raise concerns about the updated minimum pay proposals.

Families for Safe Streets is comprised of individuals who have all lost loved ones or suffered a serious injury in a traffic crash. Together, we transform our grief by telling our personal stories of trauma and loss to bring about policy and legislative change.

This issue is important to our organization because there are critical safety issues involved. **Working cyclists have one of the most dangerous jobs in the city. Since 2020, at least [33 delivery workers](#) have been killed on the job in traffic crashes. A component of the work's danger is a result of its wage structure. Tip-based work incentivizes faster job completions/deliveries to pad meager hourly wages.**

As we know all too well, that is not only 33 lives cut unnecessarily short but also 33 families devastated by the loss of their loved one.

We're deeply disappointed by the Department of Consumer and Worker Protection's decision to reissue the draft rule for implementation of Local Law 115 of 2021. This decision is causing unnecessary delays and withholding at least five months of pay from essential delivery workers who rely on tips. There's no more time for delay. We must ensure that delivery workers are given a minimum wage now.

The revised rule reduced, but continues to include, a “phase in,” which explicitly allows multi-billion dollar app corporations to delay paying their workers a minimum wage for an additional two years. All other employers (even including small businesses, such as the restaurants these apps are delivering for) were required to begin paying their workers a \$15 per hour minimum wage four years ago, in 2019. The initial TLC driver pay rule immediately brought FHV drivers up to minimum wage with no phase-in. There is no conceivable justification for it here.

By missing the deadline to enact the minimum pay law earlier this year and continuing to delay the process, DCWP has reduced the pay of workers it is charged with protecting and putting many more lives at risk. We urge you to revisit and strengthen the updated rule so that the City doesn't make this any worse for our essential Deliveristas.