



**STATEMENT OF KYMANI HILL,
RESTAURANT WORKER & LEADER IN ONE FAIR WAGE**

**ILLINOIS SENATE EXECUTIVE, LABOR, COMMERCE, AND ECONOMIC DEVELOPMENT
COMMITTEES**

TESTIMONY ON WAGE EQUITY, WORKERS' RIGHTS, AND CONSUMER PROTECTION

November 12, 2020

My name is Kymani Hill. I was born and raised in Chicago, Illinois. I have worked in the restaurant industry for the last six years.

I want to thank the Committee Chairperson and the other Members of the IL Senate Executive, Labor, Commerce, and Economic Development Committees and the IL Legislative Black Caucus for the opportunity to share my story and lift up the struggles of all of my brothers and sisters in the restaurant industry who work for tips.

I started working in restaurants when I was still in high school, at age 17. I started as a prep cook and server working in the Chicago Bears Stadium. I would bring food and drinks to the customers who were watching the game from the special boxes. It was very fast-paced, and I would hustle to get tips from the customers. I worked there for four years.

At the end of 2018, I started working as a server at a small restaurant where lots of taxi drivers would come to eat and drink tea. It was a 24-hour restaurant, and it worked for me to work in the restaurant on the overnight shift because I had other jobs during the day. I was helping my mom, and I needed the cash. Even though the subminimum wage for tipped workers in Chicago is \$6 an hour plus tips, the owner would pay me \$5 in cash for a 12-hour overnight shift, and then I'd earn a few dollars in tips on top of that. The busiest days were Fridays and Saturdays, and I'd walk home with \$10 in cash on those days.

In March of this year, the restaurant shut down because of the coronavirus, and I lost my job. I applied for unemployment insurance, but I was told that I didn't qualify because I had

been paid all in cash, and so it looked like I hadn't worked enough hours to qualify for benefits. In April, I called my boss to ask if I could go back to work, because I really needed the cash to survive.

The restaurant had reopened for takeout and delivery, but soon after it opened, the restaurant got in trouble for having people sitting too close to each other. The owner told me he didn't have money to pay for fines, so he told me I had to tell the customers to sit further apart. These were the same customers whom I hoped to get tips from because I needed the extra cash.

When I tell customers to sit apart from each other, they get upset with me. I say, "It's the rules, it's not me." They say, 'But the manager lets me do this.'" There's a place outside where the customers go to smoke, and I have to go outside and tell them they can't stand too close to one another to smoke - they have to stand 6 feet apart. They get upset with me. These are customers who want to come in for tea and have a conversation. I try to be polite, but I have to interrupt their conversation to tell them to sit 6 feet apart. Then they get upset and leave without tipping me.

I've been working 6 days a week, 12 hours a day, and not earning enough to make ends meet. Even when I do all the usual chores, mopping floor, cleaning the restaurant, still the owner makes me stay, finds something for me to do, even when there are no customers. He'll tell me to pull the refrigerator out and crush all the cockroaches. Or paint the restaurant. All while I'm earning less than minimum wage and earning no tips.

In August, my mother got sick with pneumonia and the coronavirus. I was working long hours at the restaurant and working for Postmates at the same time. I wasn't able to take care of my mom because I was working so many hours. My mother passed away on August 17 while I was working at the restaurant. I still feel that if I had not been working so many hours, I could have saved her.

I have been fighting for One Fair Wage in Illinois - a full minimum wage of \$15 an hour plus tips - because there are lots of employers like my boss who take advantage of us. They make us work long hours and they are underpaying us. A lot of employers think it's ok to underpay us because we get tips. But even with tips I don't earn the minimum wage in Illinois. The subminimum wage of \$6 is not enough - and I'm not even getting that. We need One Fair Wage because a lot of restaurant owners take advantage of us as low-wage workers so that we can't take care of our families. I don't even make enough money to cover the gas in my car or to pay the \$100 I need when my car needs to be towed because of a flat tire.

We also need One Fair Wage because as a Black man I face a lot of discrimination and judgment from customers, and I shouldn't have to rely on their tips to survive. When I go to tell customers to sit six feet apart, they're already judging me. They think I'm being aggressive because I'm a Black man.

That's why I've joined with my co-workers and we've been going on strike. We can't go back to work without One Fair Wage. If you want us to keep telling customers to sit six feet apart and to wear masks, we need to be paid by our employers so we don't have to rely on tips from the same customers you expect us to tell to sit six feet apart. It's not fair and we as workers will not put up with it. We need One Fair Wage now.

Thank you for the opportunity to share my testimony today and I look forward to your questions.

One Fair Wage is a community organizing and advocacy organization recognized as exempt under section 501(c)(3) of the Internal Revenue Code. It is privately supported and receives no funds from any government at any level, nor does it perform any government or other contract work.