


Council of the District of Columbia
COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR
MEMORANDUM

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson
FROM: Councilmember Anita Bonds 
RE: Request to Agendize Measures for the November 7, 2023 Legislative Meeting
DATE: November 2, 2023

I request that the following measures be agendized for the November 7, 2023 Legislative Meeting:

- **Tipped Wage Increase Implementation Clarification Emergency Declaration Resolution of 2023**
- **Tipped Wage Increase Implementation Clarification Emergency Amendment Act of 2023**
- **Tipped Wage Increase Implementation Clarification Temporary Amendment Act of 2023**

This emergency and temporary legislation would amend Initiative 82 – the District of Columbia Tipped Credit Elimination Act of 2022 (the “Act”) – to postpone the date of the first increase to the tipped minimum wage from January 1, 2023 to May 1, 2023.

The Act prescribes dates for progressive increases of the tipped minimum wage until it is equal to the District minimum wage on July 1, 2027. The proponents of the initiative intended for the measure to appear on the June 2022 primary election ballot; but, because of delays in certifying the initiative for the ballot, it appeared on the November 2022 general election ballot. Because of this delay and the mandatory congressional review period, the Act did not become District law until February 2023.

The Act’s actual effective date of February 2023 contradicts the language in the original Act, which mandated that the first increase to the tipped minimum wage would occur on January 1, 2023. To avoid confusion about the effective and applicable dates of the increased tipped minimum wage, the Council passed emergency and temporary legislation in January 2023 to postpone the first increase to May 1, 2023. This temporary legislation, the Tipped Minimum Wage Increase Implementation Clarification Temporary Amendment Act of 2023 (D.C. Law 25-0002), will expire on November 30, 2023.

In order to prevent the effective/applicable date of the first increase to the tipped minimum wage from retroactively reverting to January 1, 2023, the Council must pass another round of emergency/temporary legislation until the change can be permanently codified.

Copies of the emergency declaration and emergency approval resolutions are attached. Please contact Kevin Chavous at kchavous@dccouncil.gov with any questions.

cc: Members, Council of the District of Columbia

Office of the Secretary
Office of the General Counsel
Office of the Budget Director
Mayor's Office of Policy and Legislative Affairs

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