

OPINION

A Right Denied: 50 year-old law is still being broken today

BY KENNEDY WILLIAMS

The Fair Housing Act was passed in 1968, prohibiting discrimination on the basis of race, sex, religion, and nation of origin when it came to the sale, rental, and financing of housing. States have passed their own laws further protecting the rights of the LGBTQ community and those with disabilities. In Minnesota we have the Minnesota Human Rights Act, which was passed in 1973. Much like the rights granted to African Americans in the 13th and 14th amendments, people found ways of working around these laws, and it is often done in a very subtle manner to avoid controversy and lawsuits. Realtors will oftentimes tell an individual no more homes are available when in fact, they are. This is clearly depicted in the short documentary, *A Matter of Place*, by Fred Freiberg.

As stated in *A Matter of Place*, “Real estate brokers or landlords, they discriminate with a handshake and a smile. It’s actually done often in a sort of congenial way. As if what we should expect is that you would want to live over there with other minorities and not in this neighborhood, we have nothing for you here.” Members of the LGBTQ community receive similar treatment. In the film, a homosexual man is harassed relentlessly in his apartment complex, and another man is given the worst apartment available simply because he was HIV+. This issue continues to hit close to home in recent years, as the city of Faribault, Minnesota was sued in the summer of 2018 for housing discrimination against African American and Somali families.

A study conducted by the University of Minnesota in November of 2018 states, “The exhibit is particularly poignant in light of a recent study that ranks Minneapolis as the 4th worst city in the country for black residents, citing, among other statistics, a homeownership rate of just 24.6 percent, versus nearly 76 percent among whites.” It is unbelievable that this kind of discrimination and denial of basic housing rights is still occurring. Everyone has the right to safe housing, especially if they have good credit and a steady income. Equal housing testers have helped to solve this problem, but oftentimes it is hard to tell if an act is one of discrimination or whether it is simply a coincidence that the person on the receiving end is an individual belonging to a minority group. The job of an equal housing tester is to go through the same process that the individual belonging to a minority group went through and see if they are given the same housing opportunity. This helps the prosecution in civil court cases.

The main way that you and I can help work towards more equal housing is to report an issue of discrimination when we see or experience one to the Fair Housing Justice Center. Since the Equal Housing Act is already a law with multiple clauses added, another law would not do much good in helping the situation. These realtors and landlords are finding ways to work around the law that is already in place and has been for the past fifty years, and it will take personal action of multiple individuals to truly solve this problem. Reporting will not be a simple process. It will be followed by equal housing investigations and eventually a civil lawsuit if it gets that far. For these reasons, housing discrimination is underreported and not many statistics can be found. Housing discrimination was purposely instilled to segregate America and it is appalling that we continue to carry out this practice today. †

The Downside of Increased Wages

BY DANA MURPHY

SINCE SPRING OF 2018, there has been significant discussion regarding hourly wages for tipped service employees, especially in the restaurant industry. In 2017, Minneapolis passed a \$15 minimum wage law. Furthermore, Minnesota has long been one of only seven states that does not allow employers to take a tip credit, which would allow employers to pay tipped employees less than minimum wage, as long as employees make enough in tips to make up the difference.

In addition to the inability to instill a tip credit, the increase in minimum wage has caused restaurant owners to panic and consider other options. Restaurant owners simply cannot afford to pay their staff \$15 an hour, and will either have to cut their employee’s hours or collect a service charge. The most popular alternative being considered is the latter: replacing traditional tipping with an automatic service charge. Restaurants would instead collect an 18% service charge and equally distribute it amongst the restaurant and its staff.

One restaurant, *Heyday* on Lyndale Avenue South in Minneapolis, went as far as to try out the concept of a service charge and quickly learned that it was hurtful not only to the business and its staff but also confusing and not preferred by guests. Servers found that they made significantly more money when they were paid credit and cash tips left to the discretion of the guests. In October of 2018, a protest was held in St. Paul where a crowd of servers, bartenders, and other tipped employees gathered to protest the new minimum wage. One protester, a server herself, explained that she could make twice as much an hour, including tips, when using the traditional tipping method versus using the 18% service charge method.

As an experienced server myself, I can understand the loss of income that would come with this system. Around the holidays, I make a lot more in tips than I would if I were making \$15 an hour plus a service charge that I would only receive part of. Even in slower times, like summer, I still make more on average than what the new minimum wage standards can offer me. Of course, this is not the case for every restaurant and tipped employee. Income depends heavily on the restaurant itself, the location, the demographic, the level of service, and several other factors.

Once the required minimum wage reaches \$15 an hour for tipped employees, I see no harm in allowing companies who staff employees who work for tips using a tip credit system. If not this, restaurants could also consider raising the prices of their food and beverages and in turn, pay their employees more, even if it is a set hourly wage with no tipping required. As long as the servers are still making close to what they could at a restaurant that pays hourly plus tips, then I see little issues with this method.

While raising the minimum wage in Minneapolis will no doubt be beneficial to all hourly workers, those of us who work for tips need to be taken into consideration too. More problems will inevitably arise with the new minimum wage law, and before anything is permanently set in place, all options need to be measured in order to cater to all types of employees to ensure a successful economy across the board. †

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