

Methodology

From 2003 until 2010, the Restaurant Opportunities Center (ROC) worked with local restaurant industry coalitions in eight regions – New York, Chicago, Metro Detroit, New Orleans, Los Angeles, Washington, Miami, and Maine - to conduct comprehensive industry analyses, including more than 500 worker surveys, 30 employer interviews, and 30 worker interviews in each locality. This study draws upon the combined health and safety data from these studies, and is thus based on analysis of 4,323 worker surveys, 240 employer interviews, and 240 worker interviews nationwide. In addition, from January to June in 2010, ROC conducted 500 additional surveys of its restaurant worker members in seven of these localities on their health insurance needs and access, as well as their consumer preferences for insurance products. ROC also conducted 20 employer interviews on the same issues with regard to health insurance. This report represents a combination of these two data sets, and also draws upon ROC's previous study on occupational safety and health among New York City restaurant workers, *Burned: High Risks and Low Benefits for Workers in the New York City Restaurant Industry*.

Our Recommendations

Restaurants should offer workers safer workplaces and conventional job benefits, including health insurance, paid sick days, and workers' compensation insurance. Without these improvements, the industry will continue to put both workers and consumers at risk. Our specific policy recommendations are to:

1. Support federal legislation and other policy efforts that would and require employers to provide paid sick days and provide greater access to health insurance for all low-wage workers, including immigrants.
2. Provide education for employers and restaurant workers to help them identify workplace risks and ways to reduce these risks, including rights to workers' compensation insurance, strategies to re-organize workplaces to be more ergonomic, and the importance of providing benefits.
3. Improve workplace safety and health conditions for restaurant workers, by having the Occupational Safety and Health Administration (OSHA) develop a special emphasis program to reduce injuries and illnesses in the industry, and encourage employers to follow ergonomic guidelines developed for the restaurant industry.
4. Provide all workers with greater access to better jobs with improved benefits through promotions policies and anti-discrimination monitoring.
5. Publicize model occupational safety and health employer practices to provide much-needed guidance to other employers.
6. Support collective organizing among restaurant workers to improve working conditions for all workers in the industry, including better wages, access to health insurance, and other benefits.

The Restaurant Opportunities Centers United (ROC-United) would like to thank the many students, volunteers, restaurant owners, and restaurant workers who devoted countless hours to conducting, inputting, and analyzing surveys and interviews and generally assisting with this project. Photos were taken by members and staff of the Restaurant Opportunities Centers United (ROC-United), especially ROC-NY, ROC-NOLA, and ROC-Chicago.

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EXECUTIVE SUMMARY

SERVING WHILE SICK

High Risks & Low Benefits for the Nation's Restaurant Workforce, and Their Impact on the Consumer



By The Restaurant Opportunities Centers United

September 30, 2010

Primary Research Support Provided by:
The National Employment Law Project
The UCLA Center for the Study of Urban Poverty

Funding Provided By:
The Public Welfare Foundation
The Ford Foundation
The Rockefeller Foundation

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With over 10 million workers, the restaurant industry is one of the largest and fastest-growing sectors of the United States economy, even during the current economic crisis. However, most workers in this industry work in restaurants that put them at high risk of injury and illness, and provide them with little or no benefits to cope with these challenges. These conditions increase the likelihood of workers committing dangerous practices that place the health of the dining public at risk.

This report is drawn from analysis of 4323 surveys of restaurant workers nationwide - the largest national survey sample of restaurant workers ever conducted— as well as 240 employer interviews and 240 worker interviews, on their wages, working conditions, and access to benefits. It is also based on 500 additional surveys and 20 additional employer interviews on health insurance needs in the industry. In all of these surveys and interviews, restaurant workers across the country reported very high rates of injury and illness and very low rates of benefits to cope with these symptoms. This report will highlight the increased risk factors faced by restaurant workers and their low access to benefits. It will also outline restaurant workers' and employers' particular needs with regard to health insurance. Our findings have important implications not only for workers, but also for employers, taxpayers, policy-makers, and dining consumers.

Our Findings

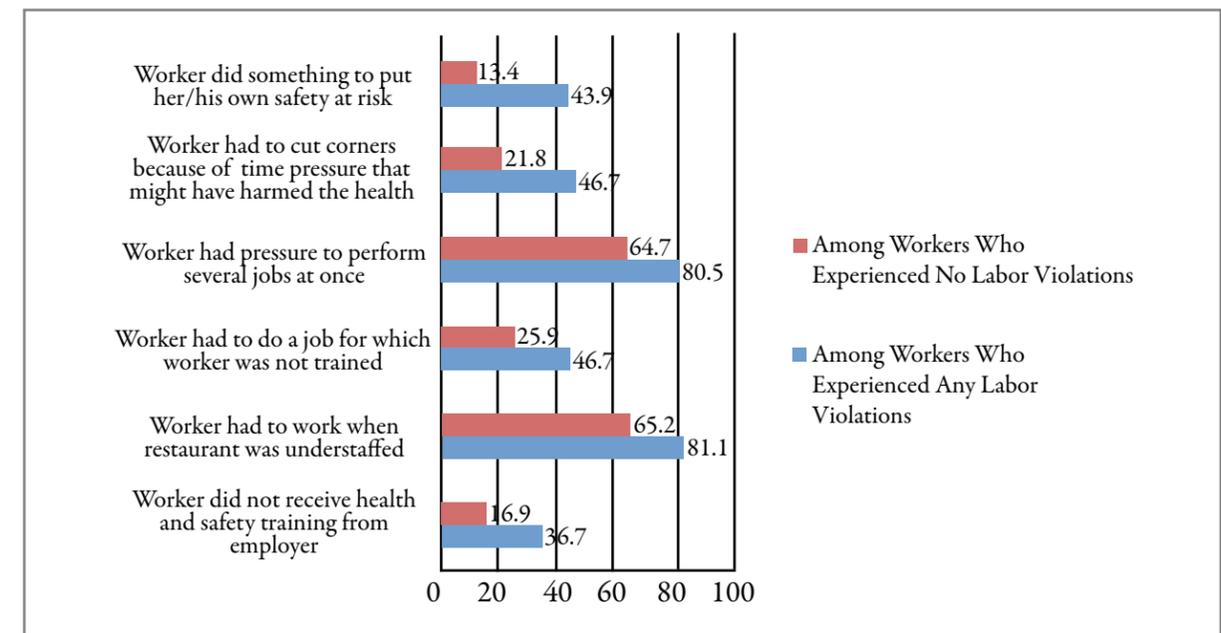
High rates of restaurant workers nationwide report working in 'low road' restaurant jobs, with strenuous work environments and little access to benefits. Direct intervention to reduce stressful, fast-paced working conditions in restaurants would reduce injury and illness in these workplaces. However, access to benefits such as health insurance and paid sick days are both also a necessity. The ability to take time off from jobs and see a physician for prompt care of injury and illness could shorten illness duration and help prevent future injury and illness. Since the median wage of all restaurant workers nationwide is \$8.591, most workers who do not have paid sick days are unlikely to take a day off to recuperate and are unlikely to receive timely medical attention unless desperately ill if they do not have paid health insurance.

Two Roads to Profitability

Our study reveals that there are two roads to profitability in the nation's restaurant industry – the "high road" and the "low road." Restaurant employers who take the "high road" are the source of the best jobs in the industry – those that enable restaurant workers to support themselves and their families, remain healthy, and advance in the industry. Taking the "low road" to profitability, on the other hand, creates low-wage jobs with long hours and few benefits. It ultimately harms workers, other restaurant employers, consumers, taxpayers and the public health.

- Restaurant workers in our survey sample reported facing high rates of exposures to dangerous working conditions; 38.1% reported that they had done something while working that put their own safety at risk. Almost half (49.5%) reported being cut on the job, and nearly as many (45.8%) reported being burned on the job.
- 87.7% reported not receiving paid sick days. More than 63% of all restaurant workers reported cooking and serving food while sick, thus impacting consumers' health.
- Almost 90% of all workers surveyed reported not receiving health insurance through their employer. Workers without health insurance were three times as likely to visit the emergency room without being able to pay as their counterparts with health insurance. Immigrants in our sample were far less likely to have health insurance than U.S.-born restaurant workers, with dire consequences.
- Finally, workers who experienced high levels of employment law violations in their workplace were more likely to have worked under conditions that have negative consumer health impacts. Workers who reported that they had done something as a result of time pressure that might have harmed the health and safety of the customer were much more likely to experience overtime violations (59.6%, as opposed to 48.6% of the entire survey population) and working "off the clock" without pay (63%, compared to 39.4% of the total survey population).

Figure 1: Linkage between Risks to Consumer Health and Workplace Violations



In most of the urban areas we studied, the majority of workers in the restaurant industry are immigrants and people of color. Because they are overrepresented in high-risk, low-wage jobs, immigrants and workers of color disproportionately experience the combination of poor job conditions, high workplace risk factors and low access to employment benefits.