

# Behind the Kitchen Door: Promise and Denial in Boston's Growing Restaurant Industry



BY: The Restaurant Opportunities Center of Boston,  
the Restaurant Opportunities Centers United, and the  
Boston Area Restaurant Industry Coalition

October 2016

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# Behind the Kitchen Door:

## Promise and Denial in Boston's Growing Restaurant Industry

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# Executive Summary

*Behind the Kitchen Door: Promise and Denial in Boston's Growing Restaurant Industry* draws on 500 worker surveys, 21 structured interviews with restaurant workers, and 20 structured interviews with employers in Greater Boston, along with other industry and government data, to offer the most comprehensive analysis to date of working conditions in the Boston Area restaurant industry. This research demonstrates that the majority of Greater Boston restaurant industry jobs are low-road jobs, defined by low wages, few benefits, and dangerous and often unlawful workplace conditions. However, our research also reveals that there are a minority of restaurants that succeed by investing in their workforce, offering benefits, opportunities for advancement, and livable wages. Our survey instrument captured a range of problems with restaurant working conditions related to the availability of wages and benefits, workplace violations, and job-specific training opportunities. In particular, we found that workers who depended on tips for their wages were more likely to experience sexual harassment and wage theft including misappropriation of tips and service charges, overtime, and off-the-clock violations.

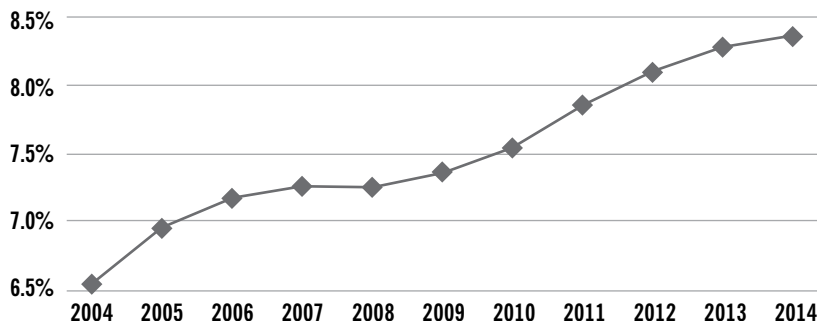
## A VIBRANT AND GROWING INDUSTRY

Boston is home to a resilient and growing restaurant industry. The industry includes more than 170,451 workers in 9,852 establishments.<sup>1</sup> Over the last decade, the industry has grown to 8.5% of the local economy (see Figure ES1),<sup>2</sup> contributing to the region's reputation as a tourism, hospitality, and entertainment destination, and generating over \$9.8 billion in revenue and \$717 million in sales tax for the state and local economy.<sup>3</sup> However, the benefits of this growth have not been equally shared.

FIGURE ES1

### FOOD SERVICES AND DRINKING PLACE JOBS IN GREATER BOSTON AS PERCENTAGE OF TOTAL PRIVATE SECTOR JOBS

In the last decade, restaurants have grown in importance as a percentage of the Greater Boston economy.



Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2001-2014.

## OUR KEY FINDINGS INCLUDE:

### TIPPED WORKERS

- Women make up 52% of the industry's overall restaurant workforce, but comprise 68% of the industry's tipped restaurant occupations, and 71% of servers.<sup>4,5</sup>
- Tipped restaurant workers in the Boston Area earn a median wage of \$12.63 per hour, according to the Bureau of Labor Statistics.<sup>6</sup>
- Thirty-five percent of tipped workers in Greater Boston reported that they have been sexually harassed by customers, over twice as many as non-tipped workers in our survey. While only seven percent of American women work in the restaurant industry, more than a third (37%) of all sexual harassment claims to the Equal Employment Opportunity Commission (EEOC) come from the restaurant industry, and women that depend on customer tips for the bulk of their income are twice as likely to experience sexual harassment as women in tipped occupations in states that have eliminated the subminimum wage.<sup>7</sup>
- Tipped workers were more likely to experience overtime violations (56%), and work off the clock without pay (41%) than restaurant workers overall.
- Over a quarter (26%) of tipped workers reported that management took a share of their tips.



### LOW WAGES AND MEAGER BENEFITS

- Thirty-six percent of restaurant workers responding to our survey reported earning wages below the lower-living-standard wage – the wage required for a full-time, full-year worker to reach a lower living standard for a family of three. 75% earned below 150% of the lower-living-standard wage, which is generally considered to be 'low wage'.<sup>8</sup>
- An overwhelming majority of restaurant workers do not have access to paid sick days (83%) and 74% of respondents reported that they have prepared or served food while sick (see Figure ES2).
- Ninety-four percent of restaurant workers reported that their employer does not provide health insurance.
- Twenty-two percent of restaurant workers reported that they do not have any form of health insurance coverage and seven percent reported that they or a family member had been to the emergency room in the last year without being able to pay.

### WAGE LAW VIOLATIONS

- About one in seventeen (6%) restaurant workers we surveyed have unlawfully been paid less than the legally mandated minimum wage.
- Nearly half of workers that worked over 40 hours a week in the past 12 months reported being paid less than the legally mandated overtime rate, in violation of state and federal laws.
- Thirty-eight percent of restaurant workers reported that they had worked off the clock without pay in the last 12 months.
- Nearly six in ten workers (57%) reported that they have worked 8 hours without a paid break in the last 12 months.



## PROMOTIONS AND TRAINING

- Most restaurant workers (69%) reported that they do not receive regular raises, and 68% reported that they did not move up in position from their last restaurant job to their current job.
- Sixty percent of respondents reported that they do not receive the on-going training they need to advance in position in the restaurant industry and 37% reported that they had been passed over for a promotion, given less favorable shifts, or paid less than others doing similar work.

## HEALTH AND SAFETY HAZARDS

- Restaurant workers reported that health and safety hazards were pervasive at their workplaces: 41% reported that it gets unsafely hot in the kitchen, 28% that there are fire hazards in their restaurant, and over a third (36%) reported that their kitchen does not have mats on the floor to prevent slipping.
- Injuries were widespread among restaurant workers surveyed in Greater Boston: over half (54%) had been cut on the job, 49% have been burned, 28% have slipped, 50% came into contact with toxic chemicals, and nearly a third (29%) reported that they have chronic pain caused or worsened by the job.

## OCCUPATIONAL SEGREGATION

- Census data show that workers of color disproportionately occupy Back-of-the-House positions; and women and white workers disproportionately occupy Front-of-the-House positions (see Table ES1).<sup>9</sup>
- Survey data showed that white workers and men were disproportionately occupied in Front-of-the-House Tier I positions in fine dining, compared to casual full service. Workers of color had lower wages than white workers across all segments, with the largest gap in fine dining where median wages were \$4.26 less per hour for workers of color (see Table ES2).

TABLE ES1

### RACE AND SEX BY TIER I AND TIER II OCCUPATIONS

White Workers and Women Disproportionately Occupy Front-of-House Positions

	Workers of Color	White Workers	Women	Men
Front-of-House Tier I	25.1%	74.9%	67%	33%
Front-of-House Tier II	35.6%	64.4%	64.9%	35.1%
Back-of-House Tier I	52%	48%	30.8%	69.2%
Back-of-House Tier II	46.1%	53.9%	46.4%	53.6%
Total	38.3%	61.7%	52.1%	47.9%

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010).

TABLE ES2

### MEDIAN WAGES IN BOSTON AREA RESTAURANTS

	White Workers	Workers of Color
All	\$14.90	\$13.16
Fine Dining	\$19.26	\$15.00
Family Style Dining	\$16.43	\$12.00
Quick Serve	\$12.30	\$11.25

Source: Boston Restaurant Industry Coalition survey data.

TABLE ES3

**GREATER BOSTON'S RESTAURANT WORKERS BY THE NUMBERS**

WAGES EARNED

- 6% 2016 Less Than Minimum Wage | <MW (\$10.00)
- 30% Below Poverty Wage (DOL LLSIL) | MW – \$12.35
- 39% Low Wage | \$12.36 – \$18.54
- 22% Over 150% of Poverty | \$18.55-\$38.58
- 2% Livable Wage | \$38.59 and higher

JOB BENEFITS AND HEALTH REPORTED

- 94% Employer does not provide health insurance
- 22% Do not have any health insurance coverage
- 7% Gone to emergency room without being able to pay
- 83% Do not get paid sick days
- 86% Do not get paid vacation days
- 74% Have worked when sick

EMPLOYMENT LAW VIOLATIONS REPORTED

- 47% Experienced overtime wage violations – Total
- 56% Experienced overtime wage violations – Tipped occupations
- 6% Experienced minimum wage violations
- 8% Earned at or below the minimum wage
- 38% Worked off the clock without pay – Total
- 41% Worked off the clock without pay – Tipped occupations
- 14% Not paid on time
- 26% Management took share of tips
- 57% Worked more than 8 hours straight without a paid break
- 54% Required to pay for all or a portion of uniforms

Source: Boston Restaurant Industry Coalition survey data.

RAISES AND PROMOTIONS REPORTED

- 31% Received a raise in last year
- 37% Passed over for a promotion, raise, or given worse shifts
- 68% Did not move up in position from last job to current job
- 60% Did not receive on-going training needed to be promoted

HEALTH AND SAFETY VIOLATIONS REPORTED

- 41% Unsafely hot in the kitchen
- 28% Fire hazards in the restaurant
- 36% Missing mats on the floor to prevent slipping
- 37% Missing guards on cutting machines
- 34% Done something that put own safety at risk
- 43% Did not receive instruction or training about workplace safety

WORKPLACE INJURIES REPORTED

- 49% Burned while on the job
- 54% Cut while on the job
- 28% Slipped and injured while on the job
- 50% Came into contact with toxic chemicals on the job
- 29% Chronic pain caused or worsened by the job

WORKPLACE PRACTICES REPORTED

- 81% Worked when the restaurant was understaffed
- 78% Performed several jobs at once
- 44% Experienced verbal abuse from supervisors
- 52% Performed a job not trained for
- 29% Done something due to time pressures that might have harmed the health and safety of customers

FIGURE ES2

**ACCESS TO PAID SICK DAYS AND THE CYCLE OF CONTAGION**

Massachusetts is one of the few regions of the country where workers are ensured a paid sick leave benefit by state law, meaning that if they or a close family member falls ill they can take the day off without fear of retribution or losing a day's wages. However, 83% of restaurant workers in Greater Boston report that they are denied this benefit, with negative consequences for both restaurant workers and the public.

Source: Boston Restaurant Industry Coalition survey data.

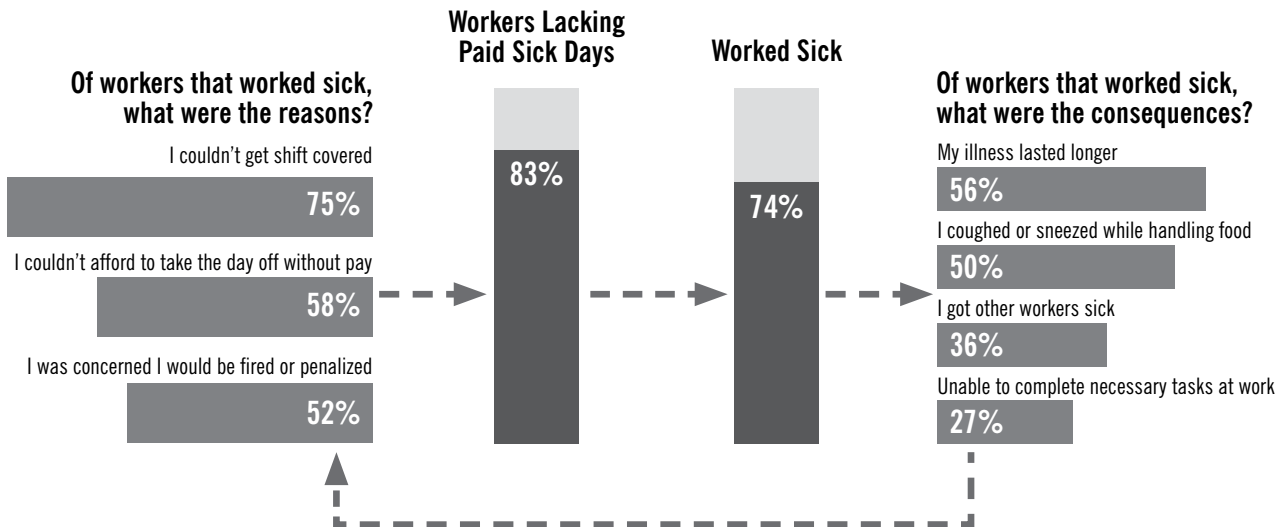
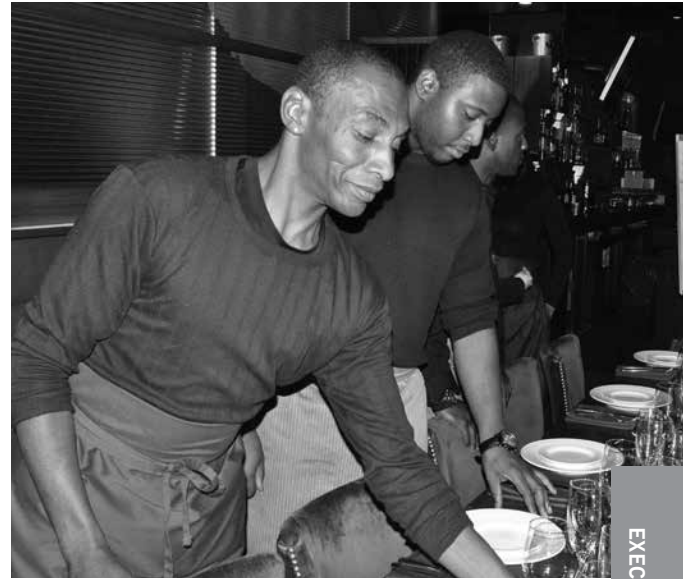


TABLE ES4

## GREATER BOSTON'S STATE OF TIPPED RESTAURANT WORKERS 2016

	Restaurant Workers	Tipped Restaurant Workers	All Tipped Workers	All Workers
<b>GENDER</b>				
Female	51.9%	67.8%	63.7%	49.1%
Male	48.1%	32.2%	36.3%	50.9%
<b>AGE</b>				
Median	29	25	31	42
16-24	37.9%	46.5%	32.3%	12.7%
25-44	37.0%	35.2%	40.5%	42.8%
45+	25.1%	18.4%	27.2%	44.5%
<b>RACE/ETHNICITY</b>				
White	61.2%	72.0%	68.3%	74.6%
Workers of Color	38.8%	28%	31.7%	25.4%
<b>MARITAL AND PARENTAL STATUS</b>				
Married	24.5%	18.5%	29.7%	49.2%
Parents	26.7%	20.7%	29.8%	39.4%
Mothers	31.2%	24.8%	32.4%	40.9%
Single mothers (% women)	14.3%	10.9%	12.6%	12.6%
<b>NATIVITY</b>				
Citizen	81.4%	89.4%	87.6%	89.9%
Not a citizen	18.6%	10.6%	12.4%	10.1%
Birth citizen	68.1%	79.5%	72.4%	77.8%

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010).



## KEY POLICY RECOMMENDATIONS

1. Raise the minimum wage for all workers, and eliminate the subminimum wage for tipped workers.
2. Increase awareness and understanding of sick leave and other labor laws through creating partnerships with community groups that train workers so that they know their rights and can organize to access them.
3. Address racial segregation in the restaurant industry through a combination of policies and programs that increase worker training and certification in livable wage job skills, push and train employers to desegregate their restaurants, and engage consumers in supporting restaurants that desegregate.
4. Mandate transparent, formalized hiring, promotion, and training processes that make a clear and fair ladder for workers to advance to higher-wage positions.
5. Ensure workers have a voice in ownership and control over gratuities and service charges left on their behalf.



# Introduction and Methodology

**T**hrough analyzing 500 worker surveys, 21 interviews with restaurant workers, 20 interviews with employers, and examining government data, we have assembled the most comprehensive picture of the state of working conditions in Boston's restaurant industry to date. The result is a unique overview of the characteristics of workers in the industry, their wages, benefits, and working environment. This study also examines the impact of workers' demographic characteristics — race, gender, and immigration status — on the jobs workers hold and their career opportunities.

Our research revealed a number of areas of concern for restaurant workers, employers, and diners alike. Many restaurant workers earn poverty-level wages while struggling to keep up with quickly rising rents in the area. To make matters worse, many more restaurant workers have jobs that offer limited benefits, few advancement opportunities, and expose them to unhealthy, unsafe, and at times illegal workplace conditions. However, Boston's restaurant industry also has enormous potential to continue as an engine for the city's economic growth while also being a source of livable wage jobs for a growing workforce.

## **METHODOLOGY**

### **INTERVIEW METHODOLOGY**

In order to obtain a holistic picture of the daily lives of restaurant workers and to gain detailed information about the nature of working conditions, in-depth, open-ended, one-on-one interviews were conducted with 21 workers. Additionally, we collected 20 interviews with employers. For both sets of interviews, an interview guide was used to structure interviews and ensure that all interviews covered the same general topics, but workers and employers were also given the space to discuss issues and lead the conversation in directions that they considered relevant or important. Interviewers were trained in how to use the guide to conduct structured, open-ended interviews. The interviews were recorded and analyzed using Dedoose software.

### **SURVEY METHODOLOGY**

The survey was administered from August 2014 to September 2016 by staff, members, and volunteers from the Restaurant Opportunities Center of Boston (ROC – Boston), a community-based organization with significant contacts among restaurant workers and access to



## TERMS USED IN THIS REPORT

**SUBMINIMUM WAGE** describes the two-tiered wage system that allows for the employment of tipped workers at rates below the minimum wage. The Fair Labor Standards Act sets the federal minimum wage (currently \$7.25 per hour), as well as the subminimum wage for tipped workers (currently \$2.13 per hour). Twenty-six states (and the District of Columbia) have a subminimum wage higher than \$2.13 but lower than the state's minimum wage. Massachusetts's current subminimum wage for tipped workers is \$3.35 per hour.

**FRONT-OF-THE-HOUSE** and **BACK-OF-THE-HOUSE** are restaurant industry terms for the placement and function of workers in a restaurant setting. Front-of-the-House generally refers to those interacting with customers in the front of the restaurant including wait staff, bussers, and runners. 'Back-of-the-House workers' generally refers to kitchen staff including chefs, cooks, food preparation staff, dishwashers, and cleaners.

**HIGH ROAD** and **LOW ROAD** are industry terms referring to opposing business strategies for achieving productivity and profitability. In this report, the former is used to denote employer practices that involve investing in workers by paying livable wages, providing comprehensive benefits, opportunities for career advancement, and safe workplace conditions as a means to maximize productivity. This often results in reduced turnover as well as better quality food and service. The latter refers to strategies that involve chronic understaffing, failing to provide benefits, pushing workers to cut corners, and violating labor, employment and health and safety standards. Low-road practices are not just illegal practices – they also include employment practices such as providing low wages and little or no access to benefits. These practices are not sustainable for workers and their families, and they have a long-term negative impact on both consumers and employers.

**TIER I** and **TIER II** are terms to describe variations in earnings within the Front and Back-of-the House. Tier I describes the higher-paid positions in both the Front and Back-of-the-House; Tier II describes the lower-paid positions in both the Front and Back-of-the-House. Tier I positions offer the highest wages, opportunities for advancement, access to benefits, and career paths. Upward mobility from a Tier II position to a Tier I position is the most natural and meaningful form of advancement in this industry. This report primarily focuses on Tier I Front-of-the-House positions.

workplaces in the industry. A total of 500 surveys were conducted face-to-face with workers in the Metropolitan Statistical Area of Boston-Cambridge-Newton, MA, encompassing Essex, Middlesex, Norfolk, Plymouth, and Suffolk counties. Greater Boston refers to those five counties. The sample consisted entirely of workers currently employed in the restaurant industry, with 72% of respondents with three years of experience or more in the industry. We sought to capture a wide range of experiences in each of the three main segments of the industry — fine dining, casual dining, and quick serve.

The sample was stratified to ensure that the workers interviewed were as representative as possible by gender, race, age, and segment, with an oversample in fine dining. Because there is no government data source listing individual restaurant workers and how to contact them, it is prohibitive to conduct a strictly random sample of this industry. Thus, we conducted a sample survey consisting of quotas of workers that agreed to be surveyed within target quotas based on segment, age, gender, and race/ethnicity derived from census analysis. We oversampled full service restaurants because limited service restaurants are far more often chains with less variation. We used the American Community Survey and Bureau of Labor Statistics industry data to identify the demographic quotas as well as proportions of Back-of-the-House and Front-of-the-House staff within full-service and limited service establishments.

To create a diverse sample, we limited the number of surveys to two per restaurant establishment. As with all methods, our sampling methodology has strengths and limitations. The strength of our outreach methodology is that it allowed us to include populations of workers typically underrepresented in the Census. In addition, in-person surveys lead to high question-specific response rates. To add to the rigor of the survey administration, we weighted the data according to proportions of Front and Back-of-the-House workers within full-service and limited service restaurants to appropriately reflect the actual distribution of positions in the industry. Resulting statistics were analyzed using Intercooled Stata 14 statistical data analysis software. Results from this survey refer to the weighted figures unless otherwise stated.

## WAGE METHODOLOGY

Due to annual increases in the state minimum wage occurring during our survey collection, we normalized wage data across the survey population to 2016 based on the date the survey was conducted and year to year increases to base wages according to increases in the Massachusetts State minimum wage and subminimum wage in 2015 and 2016.



# Overview of the Restaurant Industry in Greater Boston

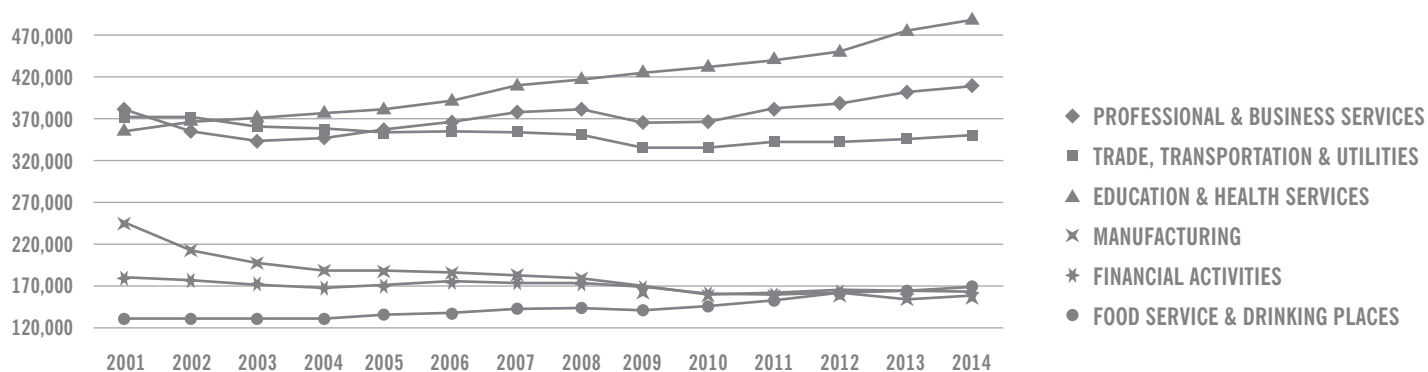
Boston is a vibrant eclectic food city with lobster shacks a few steps from trendy dining experiences and white tablecloth fine dining restaurants, and “food trucks in front of historic brownstones.”<sup>10</sup> Both a historic mainstay of the city, and a symbol of the city’s economic health, the restaurant industry is a key driver of the city’s economic growth. Between 2006 and 2015, the number of food service and drinking establishments in the Boston Area has increased 14%, from 8,625 to 9,852.<sup>11</sup> In 2012, Boston Area restaurants generated \$9.8 billion in revenue, accounting for an estimated \$717 million in sales tax for the state and up to \$74 million for the local economy.<sup>12</sup> Moreover, the area’s restaurant industry has added importance as a key node in the regional tourism and hospitality sectors, attracting visitors and increasing the amount of dollars entering the local economy (see Figure 1). While education and health, trade and transportation, and professional services remain the top three sectors, restaurants recently outpaced manufacturing and financial activities to become the fourth largest sector in Greater Boston.

In order to assemble a comprehensive analysis of the issues faced by restaurant workers in the Boston Area, we collected 500 worker surveys and conducted 21 in-depth interviews with workers and 20 interviews with employers over a 25-month period. This primary research is supplemented with analyses of industry and government data and reviews of existing academic literature. The Boston Area’s growing restaurant industry includes more than 170,451 workers in 9,852 establishments, which contribute to the region’s tourism, hospitality, and entertainment

FIGURE 1

## SIX LARGEST PRIVATE SECTOR EMPLOYERS IN GREATER BOSTON

The restaurant industry is the fourth largest private sector employer in the Boston Area.



Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2001-2014.



## RESTAURANT TERMINOLOGY

As shown throughout the report, wages and working conditions vary markedly between position and industry segment.

### SEGMENT

The North American Industry Classification System (NAICS) categorizes the restaurant industry (“Food Services and Drinking Places”) into four segments: full-service restaurants, which have table service where the consumer orders from a menu at a table; limited-service restaurants, which have no table service; special food services, which provide services such as catering; and drinking places, which serve drinks but not food.<sup>13</sup> The restaurant categories used in this report align with the NAICS categories, with the addition of a distinction within full-service between ‘fine dining’ and ‘casual restaurants.’ Distinguishing between these two categories is critical to our analysis because job quality, employer practices, and patterns for ethnic and racial employment and occupational segregation differ across the two segments. The categories used in this report are as follows:

- 1 FINE DINING** includes full-service restaurants commonly referred to as “upscale” restaurants. The typical dining tab per person is above \$40.
- 2 CASUAL RESTAURANTS**, also described as ‘casual dining’ or ‘family style’ restaurants, are moderately priced full-service restaurants. They include franchise or chain restaurants, such as Olive Garden or Applebee’s, as well as independently owned establishments.
- 3 QUICK SERVE**, limited service restaurants, serve food without table service. Examples include ‘fast food’ restaurants like McDonald’s, or ‘fast casual’ restaurants, like Chipotle, that may have higher prices and cater to different clientele.
- 4 BARS AND OTHER** includes catering, and bars that do not serve food.

### POSITION

Jobs in the restaurant industry generally fall into one of three basic categories, each corresponding to different levels of compensation, potential for mobility, access to training, workplace conditions, and other indicators of job quality:

- 1 MANAGERS AND SUPERVISORS, INCLUDING CHEFS.**
- 2 FRONT-OF-THE-HOUSE POSITIONS**, including all staff that has direct contact with customers, such as servers, bartenders, hosts, and bussers.
- 3 BACK-OF-THE-HOUSE POSITIONS**, or those that do not involve direct contact with customers, but are essential to a restaurant’s functions, such as dishwashers and cooks. Many quick service employees work a combined back of the house and front of the house position. Quick serve jobs are categorized as Back-of-the-House in this study because wages and working conditions in them are similar to those in Back-of-the-House jobs.



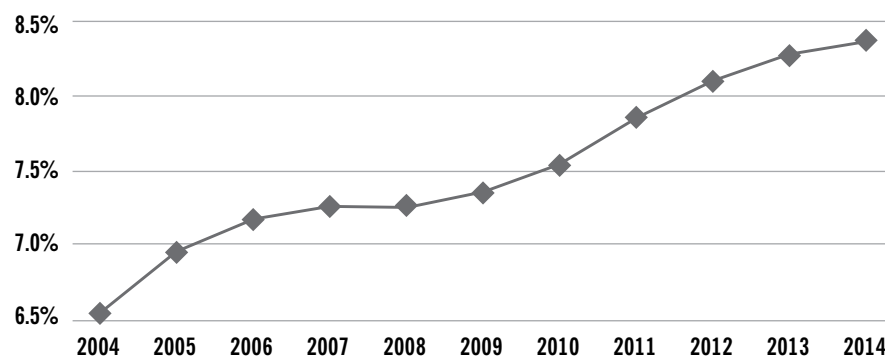
sectors.<sup>14</sup> Boston Area restaurant workers comprise 8.4% of the total private sector employment.<sup>15</sup> Our survey research found that nearly 40% of Boston Area restaurant workers are paid an hourly wage that would not support a family of three above the poverty level in Boston.

### HOW MANY JOBS?

The restaurant industry is the fourth largest private sector employer in Boston. In 2015, according to the Bureau of Labor Statistics, the Boston Area restaurant industry employed over 170,451 workers, 8.4% of all private sector employees.<sup>16</sup>

Since 2005, the Boston Area restaurant industry’s share of private sector employment has risen from 7.3% to 8.4% (see Figure 2).<sup>17</sup> While industry employment briefly dipped during the Great Recession in 2009, it has since rebounded and continued its growth trajectory.

**FIGURE 2**  
**FOOD SERVICES AND DRINKING PLACE JOBS IN GREATER BOSTON AS PERCENTAGE OF TOTAL PRIVATE SECTOR JOBS**  
 In the last decade, restaurants have grown in importance as a percentage of the Greater Boston economy.



Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2001-2014.

### WHAT ARE THE CHARACTERISTICS OF THE WORKFORCE?

Most jobs in the restaurant industry do not require formal education, with the exception of chefs and sommeliers (wine stewards). There is no formalized training or universally accepted certification for most restaurant jobs; instead most employees obtain job skills during on-site training. Back-of-the-House workers, often working in hot, cramped spaces, must be able to fill orders in a timely fashion in a high-pressure environment. Front-of-the-House staff and other employees who interact with customers need strong interpersonal skills, time and task management skills, and a working knowledge of food preparation and presentation.

Census data shows that the Boston Area restaurant industry is generally younger, has a greater representation of women, and workers of color, with a higher proportion of foreign-born workers, and workers without a college degree than the overall workforce (see Table 1). Some key statistics include:

#### GENDER

Women make up 52% of the industry’s overall workforce, but comprise 68% of the industry’s tipped restaurant occupations, and 71% of servers. In contrast, women make up 49% of the region’s overall workforce.<sup>18</sup>

TABLE 1

## GREATER BOSTON'S STATE OF TIPPED RESTAURANT WORKERS 2016

		Restaurant Workers	Tipped Restaurant Workers	All Tipped Workers	All Workers
GENDER	Female	51.9%	67.8%	63.7%	49.1%
	Male	48.1%	32.2%	36.3%	50.9%
AGE	Median	29	25	31	42
	16-24	37.9%	46.5%	32.3%	12.7%
	25-44	37.0%	35.2%	40.5%	42.8%
	45-64	22.6%	16.3%	23.3%	39.1%
	65 and older	2.5%	2.1%	3.9%	5.4%
RACE/ETHNICITY	White	61.2%	72.0%	68.3%	74.6%
	Black	7.4%	5.7%	8.7%	7.1%
	Asian	8.4%	5.7%	7.9%	7.3%
	Latino	19.4%	13.0%	11.8%	8.7%
	Other	3.6%	3.6%	3.3%	2.2%
MARITAL AND PARENTAL STATUS	Married	24.5%	18.5%	29.7%	49.2%
	Parents	26.7%	20.7%	29.8%	39.4%
	Fathers	21.9%	12.1%	25.1%	38.0%
	Mothers	31.2%	24.8%	32.4%	40.9%
	Single mothers (% all women)	14.3%	10.9%	12.6%	12.6%
	Of mothers, % who are single	45.9%	44.1%	38.8%	30.7%
NATIVITY	Citizen	81.4%	89.4%	87.6%	89.9%
	Not a citizen	18.6%	10.6%	12.4%	10.1%
	Birth citizen	68.1%	79.5%	72.4%	77.8%
	Foreign born	31.9%	20.5%	27.6%	22.2%
PLACE OF BIRTH	U.S.	68.1%	79.5%	72.4%	77.8%
	Latin America	18.4%	11.1%	12.7%	9.0%
	Europe	3.7%	3.7%	4.2%	4.2%
	Asia	7.3%	4.6%	7.5%	6.5%
	Africa	1.0%	0.8%	2.6%	1.3%
	Other	1.4%	0.4%	0.6%	1.2%
YEARS IN THE U.S.	Born in the U.S.	66.9%	79.1%	71.5%	76.9%
	0-5 years	6.2%	4.3%	4.9%	3.3%
	6-10 years	6.8%	4.6%	5.5%	3.5%
	11-15 years	6.8%	3.6%	5.3%	4.1%
	16-20 years	4.7%	3.6%	4.5%	3.0%
	21 or more	8.6%	4.7%	8.2%	9.2%
ABILITY TO SPEAK ENGLISH	Speaks only English	63.0%	74.5%	69.0%	75.8%
	Speaks very well	15.4%	14.3%	15.5%	14.7%
	Speaks well	9.0%	7.0%	9.2%	5.2%
	Speaks, but not well	8.6%	3.1%	4.9%	3.3%
	Does not speak English	4.0%	1.1%	1.5%	1.0%
EDUCATION	Less than high school degree	17.6%	13.3%	11.4%	5.5%
	High School Degree	42.0%	37.7%	43.1%	25.3%
	Some college	25.5%	30.7%	28.3%	20.2%
	Bachelor's degree and higher	14.9%	18.3%	17.2%	49.1%
POVERTY AND PUBLIC ASSISTANCE	Poverty times statewide rate	2.3	2.5	2.2	1.0
	Poverty	14.6%	16.0%	13.7%	6.3%
	Twice poverty	35.7%	34.5%	32.5%	14.6%
	Food stamps times statewide rate	2.07	1.66	1.85	1.00
	Food stamps	13.9%	11.1%	12.4%	6.7%
	Medicaid times statewide rate	2.56	2.21	2.47	1.00
	Medicaid	27.1%	23.4%	26.2%	10.6%
	Poverty white workers	12.7%	14.9%	12.3%	4.6%
	Poverty workers of color	17.6%	18.7%	16.6%	11.3%

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010).

## AGE

Boston Area restaurant workers are younger on average than the overall labor force of the city, but the industry is an important source of jobs for workers in all age brackets. The median age of restaurant employees is 29 compared to 42 in the overall work force. Thirty-eight percent of restaurant industry workers are between the ages of 16 and 24, nearly three times the rate of all Boston Area workers in the same age category, and the share of workers between the ages of 45 and 64 is 23%, or less than two thirds of the 39% among all workers. However, 37% of all restaurant workers are between the ages of 25 to 44, compared to 43% of workers in the broader economy.<sup>19</sup>

Among tipped restaurant workers, the age difference is even more striking, with nearly four times as many workers under age of 25 in tipped restaurant occupations and fewer than half as many between the ages of 45 and 64, compared to the total workforce.<sup>20</sup>

**TABLE 2**  
**MEDIAN AND AVERAGE**  
**WAGES FOR RESTAURANT**  
**OCCUPATIONS IN BOSTON-**  
**CAMBRIDGE-NEWTON, MA**

OCC_CODE	OCC_TITLE	H Median	A Median	H Average	A Average
00-0000	All Occupations	\$24.73	\$51,438	\$31.66	\$65,853
35-0000	Food Preparation and Serving Related Occupations	\$11.46	\$23,837	\$13.31	\$27,685
35-1011	Chefs and Head Cooks	\$26.72	\$55,578	\$27.37	\$56,930
35-1012	First-Line Supervisors of Food Preparation and Serving Workers	\$17.31	\$36,005	\$18.51	\$38,501
35-2011	Cooks, Fast Food	\$9.50	\$19,760	\$10.80	\$22,464
35-2012	Cooks, Institution and Cafeteria	\$16.67	\$34,674	\$17.00	\$35,360
35-2014	Cooks, Restaurant	\$13.63	\$28,350	\$14.10	\$29,328
35-2015	Cooks, Short Order	\$13.21	\$27,477	\$13.24	\$27,539
35-2019	Cooks, All Other	\$14.25	\$29,640	\$16.03	\$33,342
35-2021	Food Preparation Workers	\$12.17	\$25,314	\$12.90	\$26,832
35-3011	Bartenders	\$12.09	\$25,147	\$14.76	\$30,701
35-3021	Combined Food Preparation and Serving Workers, Including Fast Food	\$10.00	\$20,800	\$11.51	\$23,941
35-3022	Counter Attendants, Cafeteria, Food Concession, and Coffee Shop	\$9.35	\$19,448	\$9.91	\$20,613
35-3031	Waiters and Waitresses	\$12.39	\$25,771	\$13.95	\$29,016
35-3041	Food Servers, Nonrestaurant	\$10.85	\$22,568	\$12.22	\$25,418
35-9011	Dining Room and Cafeteria Attendants and Bartender Helpers	\$10.61	\$22,069	\$11.80	\$24,544
35-9021	Dishwashers	\$10.56	\$21,965	\$11.38	\$23,670
35-9031	Hosts and Hostesses, Restaurant, Lounge, and Coffee Shop	\$11.23	\$23,358	\$11.72	\$24,378
35-9099	Food Preparation and Serving Related Workers, All Other	\$20.77	\$43,202	\$19.64	\$40,851

Source: Bureau of Labor Statistics, Occupational Employment Statistics, 2015



## RACE

Approximately 39% of the restaurant labor force is comprised of Blacks, Asians, Latinos, and other workers of color, compared to 25% among all Boston Area workers. Latino workers comprise the largest single group within workers of color, at 19%, compared to nine percent among the total workforce. Asian and Black workers represent eight percent and seven percent of the restaurant industry, compared to just above seven percent, respectively, overall.<sup>21</sup> Black workers are only slightly overrepresented in the restaurant industry, but are overrepresented in fast food occupations and food servers outside of restaurants, and earn the absolute lowest wages.<sup>22</sup> In total, the restaurant industry provides greater opportunities for workers of color than the rest of the economy, but as shown in chapter three, tends to segregate them in the lower earning segments of the industry. While workers of color are overrepresented in tipped occupations overall, they are underrepresented in tipped Front-of-the-House occupations (see Table 1).

## MARITAL AND PARENTAL STATUS

Although restaurant workers are younger than the rest of the workforce, 25% of restaurant workers are married, and 27% are parents. Thirty-one percent of all women in the industry are mothers, compared to 22% of men. Of mothers in the industry, 46% are single mothers, compared to 31% of all mothers in the workforce.<sup>23</sup>

## FOREIGN BORN

In Greater Boston, 32% of workers employed in the restaurant industry are foreign born, compared to 22% in the total workforce.<sup>24</sup>

## EDUCATION

The restaurant industry provides greater opportunities for workers without extensive education, 60% have a high school degree or less compared to 31% among all Boston Area workers. Similarly, the restaurant industry provides greater opportunities for workers without a college Bachelor's degree, 86% do not have a B.A., compared to 51% among all workers. However, 40% of all restaurant workers have at least some amount of college education.<sup>25</sup>

## POVERTY AND PUBLIC ASSISTANCE

The restaurant industry creates many poverty level jobs. Restaurant workers are nearly 2.5 times more likely to live in poverty than the overall workforce, and twice as likely to rely on food stamps, and twice as likely to rely on Medicaid as the overall workforce. Fifteen percent of restaurant workers live in poverty, 14% rely on food stamps, and 27% qualify for Medicaid.<sup>26</sup>

## WHAT DO THE JOBS PAY?

While Greater Boston restaurant industry employment has grown in the past decade, wages in the region have not kept pace. According to the Bureau of Labor Statistics' Occupational Employment Statistics survey of employers, in 2015, the median hourly wage for a worker in the Boston-Cambridge-Newton, MA restaurant industry was \$11.46 per hour, compared to a \$24.73 median wage per hour for all occupations.<sup>27</sup> The average annual salary was \$27,685 in the restaurant industry, well less than half the average salary of \$65,853 among all occupations. Tipped restaurant workers earn a median wage \$12.63 per hour after tips. Annually, tipped workers take home an average salary of \$26,264.<sup>28</sup> As seen in Table 2, in the Greater Boston Area, the median hourly wage for food preparation and serving related occupations of \$11.46 per hour is only 46% of the median wage for all the Boston Area Metro Area occupations (\$24.73). Moreover, more than half of all restaurant workers (55%) are employed in positions that earn an hourly median below \$12.36, the 2016 poverty wage needed to reach a low standard of living for a family of three in the metropolitan Boston Area if a person works full-time, year-round (2,080 hours), and over three-quarters (77%) are employed in positions that earn an hourly median wage at or below \$12.39.<sup>29</sup> Our survey data of restaurant workers in the Boston Area found a \$14 median wage, with 40% of workers earning below the poverty wage after adjustment to 2016 wage increases.<sup>30</sup>

## ECONOMIC DYNAMISM OR DANGEROUSLY LOW STANDARDS FOR BOSTON AREA JOBS?

The data presented in this chapter demonstrate the robust growth of the restaurant industry in the Boston Area and its centrality to the city's economic life and recovery from the Great Recession. However, they also call attention to the fact that the growth of the restaurant industry has meant that a growing number of Boston Area jobs do not support a family. The patterns observed in the Boston Area restaurant industry are part of an unsettling broader dynamic in the U.S. labor market of growing inequality with economic growth centered on low-wage service occupations.



# Workers' Perspectives

TABLE 3

## WAGES EARNED

Less Than Minimum Wage < \$10.00	<b>6.4%</b>
Below Poverty Line \$10.00 – \$12.35	<b>30.3%</b>
Low Wage \$12.36 – \$18.54	<b>39.1%</b>
Over 150% of Poverty \$18.55 – \$38.58	<b>22.4%</b>
Living Wage > \$38.59	<b>1.8%</b>

Source: Boston Restaurant Industry Coalition survey data.

## EARNINGS AND BENEFITS

### EARNINGS

*“I make the server minimum wage, I think it’s like \$3.12 or \$3.50 or something, I’m honestly not sure because my checks just say void so I don’t pay attention to it.”*  
—WOMAN SERVER, nine years experience in the industry

Our survey research found that restaurant workers earn poverty wages, confirming the findings of government data presented in Chapter 2. The median wage of restaurant workers surveyed was \$14. As seen in Table 3, nearly 40% of restaurant workers were paid below the Department of Labor’s 2016 poverty rate for Boston of \$12.36 for a family of three.

In our survey, white restaurant workers earned more than workers of color in each restaurant segment, with the widest wage gap being in fine dining, and the narrowest wage gap in quick serve (see Table 4). This reflects pervasive occupational segregation within the industry and between its segments where workers of color are disproportionately excluded from top earning Front-of-the-House occupations, while men and white workers are concentrated in the highest earning positions.

Under current Massachusetts law, tipped workers can be paid just \$3.35 per hour by their employers, \$6.65 per hour less than the full minimum wage.<sup>31</sup> This is the second widest difference between the subminimum and regular minimum wages in all 50 states, behind only

TABLE 4

## MEDIAN WAGES IN BOSTON AREA RESTAURANTS

	WHITE	PEOPLE OF COLOR
All	\$14.90	\$13.16
Fine Dining	\$19.26	\$15.00
Family Style Dining	\$16.43	\$12.00
Quick Serve	\$12.30	\$11.25

Source: Boston Restaurant Industry Coalition survey data.

TABLE 5

## TIPPED WORKERS MEDIAN WAGES

	Men	Women	White	People of Color
All	\$16.31	\$15.13	\$17.10	\$14.88
Fine Dining	\$20.10	\$19.83	\$22.25	\$19.07
Casual Family Dining	\$16.31	\$14.88	\$19.00	\$14.80
Bartenders	\$21.15	\$22.73	\$22.73	\$18.01
Servers	\$21.28	\$18.28	\$21.04	\$17.75

Source: Boston Restaurant Industry Coalition survey data.

TABLE 6

## EXPERIENCE OF SEXUAL HARASSMENT

	Total	Tipped	Non-Tipped
Sexual harassment from customers	27%	35%	15%
Sexual harassment from coworkers	26%	30%	21%
Sexual harassment from management	17%	18%	15%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 7

## EMPLOYMENT LAW VIOLATIONS REPORTED

	Total	Tipped
Experienced overtime wage violations	47%	56%
Earned below the minimum wage	6%	3%
Worked off the clock without pay	38%	41%
Not paid on time	14%	13%
Management took share of tips	26%	26%
Worked more than 8 hours straight without paid break	57%	55%
Required to pay for all or a portion of uniforms	54%	54%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 8

## HEALTHCARE BENEFITS REPORTED BY RESTAURANT WORKERS

94%	Employer does not provide health insurance
22%	Do not have any health insurance coverage
21%	Gone to the ER without being able to pay in the past year
7%	Do not get paid vacation days

Source: Boston Restaurant Industry Coalition survey data.

Nebraska that has a wage gap of \$6.87. With such a low subminimum wage, tipped workers must depend on customers for the bulk of their income. Unfortunately, extensive research has demonstrated that customers routinely discriminate against black servers by tipping them less than white servers, a fact reflected in our survey of workers' earnings, where workers of color earned lower wages than white workers across all segments.<sup>32</sup> When examining the wages of tipped workers (see Table 5), we see that white workers earn the highest median wages of \$17.10 compared to \$14.88 for workers of color. Tipped men earned median wages of \$16.31 compared to \$15.13 for tipped women. Among non-tipped workers, women earned a median wage of \$12 to a median wage of \$11 for men.

## TIPPED WORKERS

*"I hate the assumption embedded in tip culture that customers have the right to sexually harass you and if you stand up for yourself it's at the expense of your income... It's humiliating."*  
—WOMAN SERVER, six years experience in the industry

Massachusetts is one of 43 states that legislates subminimum wages for tipped workers. As a result, tipped restaurant workers experience higher rates of poverty and sexual harassment than tipped restaurant workers in states that have eliminated the subminimum wage. Fifty-four percent of our tipped survey respondents, 55% of servers, and 59% of bartenders were women, earning median wages of \$15.13 overall.

One of the most striking findings from our survey results is that tipped restaurant workers suffer much higher rates of sexual harassment than workers who don't rely on customer's tips for their income (see Table 6). These findings mirror the results from our 2014 report, the Glass Floor, where restaurant workers in states that legislate subminimum wages for tipped workers were twice as likely to experience sexual harassment as restaurant workers in states that have eliminated the tipped minimum wage.<sup>33</sup>

Another source of concern for tipped workers is the misappropriation and distribution of tips. Twenty-six percent of tipped restaurant workers reported that management took a share of their tips. Workers of color were most likely to experience tip theft, 32% compared to 24% of white tipped restaurant workers. Tipped workers also experienced high rates of other labor law violations. Tipped workers were more likely to experience overtime violations and work off the clock than non-tipped restaurant workers (see Table 7). Tipped workers earnings were made even more precarious by the widespread use of just-in-time scheduling by restaurant employers. Just-in-time schedul-



ing, or automated last-minute scheduling tools aimed at minimizing staff hours have little regard for workers' interest in consistent and reliable schedules, and have been linked to an increase in overtime and off-the-clock violations due to managers pressuring staff to check-out at times determined by the scheduling software to meet scheduling quotas.<sup>34</sup> Thirty-seven percent of tipped workers reported that their schedule changes week-to-week and only 29% are offered regular input in the scheduling process.

## BENEFITS

Overall job quality is defined not just by wages but also by access to benefits like health insurance, paid sick leave, and worker voice in scheduling. Many of the surveyed restaurant workers reported not having adequate healthcare access. Ninety-four percent of workers reported that their employer does not provide health insurance, and 22% reported not having any form of health insurance coverage (see Table 8). Twenty-one percent of surveyed restaurant workers accessed healthcare through Medicaid. Seven percent of respondents had to visit the Emergency Room (ER) without being able to pay in the last year, 10% of workers reported that they visited

### WORKER PROFILE

#### Kirsten SERVER, BRIGHTON, MA



"My name is Kirsten and I work as a server in Cambridge, MA. I have worked in the restaurant industry for four years. I support myself working as a server while I also pursue work as an actor in Boston. What I love about the industry is the social aspect of providing hospitality: getting to know my customers and talking to new people all day. I also love being active and busy all day when I'm at work.

Living off tips can also be unpredictable because your income depends on many factors. Which shift you get changes your income, and there is always a calculation about whether to switch shifts with others based on what you can make. At one restaurant I worked at, servers had to pay \$100 per set for our uniforms and we were forced to dry-clean our shirts and aprons before every shift. Then I might make only \$30 in tips on a lunch shift and end up losing money. The whole system of tipping is taboo to talk about with customers, so I don't feel comfortable saying anything if people do the math wrong on their receipt or don't leave me a tip, but all of this impacts my income.

One of the challenges I have faced as a woman in the restaurant industry is dealing with sexual harassment from customers, coworkers, and management. When a manager flirts with me or a customer tries to give me their phone number, I have to think of a way to say "no" that doesn't sound like "no," because my tip could depend on it or my job could even depend on it. I have been told by management in the past that I needed to come to work with a "first date look" — with makeup on and my hair done. In other industries you are told to come to work looking clean and professional. This implies that my appearance is what gets me my tips, and that I didn't earn them because I'm an experienced server who is good at my job. Situations like this get written off as "just part of the restaurant industry," but this culture of sexual harassment brings us down to a level like none of us are even worthy of rights or respect at work.

Having One Fair Wage would help me to make financial decisions with a lot more confidence. I budget every month but I have to guess what I'm going to make because I rely on tips for my income. I don't understand why our industry doesn't invest in employees with good performance or more experience. One Fair Wage would also help to empower workers when we encounter sexual harassment. If we didn't depend on tips for our income, we wouldn't have to worry about risking our tips to stand up for ourselves at work."

TABLE 9

### HOW WORKERS WITHOUT INSURANCE RECEIVE HEALTHCARE

40%	Have not seen a doctor since being uninsured
18%	Free or discount health clinic
18%	Emergency Room

Source: Boston Restaurant Industry Coalition survey data.

TABLE 10

### SICK LEAVE ACCESS IN THE BOSTON AREA

83%	Do not get paid sick days
74%	Have worked when sick
57%	Able to use paid sick days when available
65%	Required to swap a shift

Source: Boston Restaurant Industry Coalition survey data.

TABLE 11

### REASONS WORKERS WORKED WHILE SICK

74%	Have worked when sick
58%	Could not afford to take day off without pay
52%	Concerned I would be fired or penalized
75%	Couldn't find anyone to replace me and didn't want to overburden coworkers

Source: Boston Restaurant Industry Coalition survey data.

TABLE 12

### CONSEQUENCES OF COMING INTO WORK SICK

27%	Unable to complete necessary work tasks
56%	Illness lasted longer or got worse
50%	Sneezed or coughed while handling food
36%	Got other workers sick

Source: Boston Restaurant Industry Coalition survey data.

an urgent care facility because they couldn't afford to visit the ER, and an additional seven percent avoided the ER even though they needed it because they couldn't afford treatment. Many restaurant workers without adequate healthcare coverage rely on community clinics, free services at health fairs, and the Emergency Room to receive their healthcare (see Table 9).

### SICK LEAVE

*"I've definitely worked with a cold...because they needed me to come in, the kitchen being understaffed, needed all hands on deck as often as possible and I was also worried about my job security." —WOMAN LINE COOK*

Massachusetts led the nation in becoming the largest East Coast state to pass paid sick days in 2015. Unfortunately, despite this important advancement, many restaurant workers report that they do not have the ability to take sick leave from work (see Table 10). Even with the new regulations, only 17% of restaurant workers in our survey reported that they had access to paid sick days. Without being able to access their rights under the law, these workers are forced to choose between going to work while ill or forfeiting income they need to make ends meet. As a result, the overwhelming majority (74%) of restaurant workers have handled or served food while sick (see Table 11). Over half (58%) of these workers reported that they came into work while sick because they couldn't afford to take the day off without pay.

Fifty-two percent of workers were concerned that they would be fired or penalized for taking sick leave (see Table 12). Half of restaurant workers that came in to work while sick reported that they have sneezed or coughed while handling food. Thirty-six percent of workers who worked while ill got other workers sick, a pervasive phenomenon during flu season according to one server we interviewed who described "a wave of people getting sick and calling out and getting over it and then more people get sick and they call out, it happens a lot." Tipped workers were more likely than non-tipped workers to report that they came into work while sick because they couldn't afford to take the day off, underscoring how this issue is more acute for workers paid subminimum wages and dependent on customer tips for the bulk of their income. Seventy-nine percent of tipped workers reported working while sick, compared to 65% of non-tipped workers.

## WORKING CONDITIONS

### SCHEDULING

*“You can’t plan your life around working in the restaurant industries because of schedule issues.” —LINE COOK, five years experience in the industry*

Our survey indicates that many of Boston’s restaurant workers struggle with unpredictable schedules (see Table 13). Thirty-five percent of workers reported that their schedule changes on a weekly basis, giving workers little opportunity to plan for obtaining childcare or professional development. Only 27% of workers reported that they had frequent input into making their schedule (see Table 14), and over a third (36%) reported that they are never consulted about their scheduling needs. To make matters worse, many workers reported that favoritism shapes schedule making at their restaurants, one server told us: “it’s either you get a really bad schedule or a really good schedule, it all depends on how the manager is favoring you that week or that day or the particular time that she is making the schedule.” Another worker explained how managers often use scheduling to retaliate against workers, “If one does something to upset or disorient a manager, it affects his or her schedule... what kind of tables one may receive... they will cut down their shifts or cut down their sections until they just quit.”

### WAGE THEFT

*“If someone goes over 40 hours they just reduce their hours in the computer to be less than 40.” —WOMAN SERVER, nine years experience in the industry*

Employer practices that break wage and hour laws are often described as ‘wage theft.’ Our survey found that wage theft is pervasive in the Greater Boston restaurant industry (see Table 15). Forty-seven percent of workers who worked over 40 hours a week reported not receiving the legally mandated overtime rate. Overall, over a third (38%) of

TABLE 13

#### CHANGES IN SCHEDULE

SCHEDULE CHANGE FREQUENCY	ALL	TIPPED	NOT TIPPED
Daily	3%	3%	2%
Weekly	35%	35%	34%
Every other week	7%	8%	5%
Monthly	5%	5%	5%
Never or rarely	50%	48%	54%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 14

#### INPUT INTO SCHEDULE

CONSULTED ABOUT SCHEDULING NEEDS	ALL	TIPPED	NOT TIPPED
Frequently	27%	29%	19%
Sometimes	37%	35%	34%
Never	36%	36%	47%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 15

#### EMPLOYMENT LAW VIOLATIONS

VIOLATIONS REPORTED	TOTAL	FINE DINING	FAMILY STYLE	QUICK SERVE
Experienced overtime wage violations	47%	51%	50%	28%
Earned below the minimum wage	6%	7%	9%	4%
Worked off the clock without pay	38%	46%	31%	35%
Not paid on time	14%	13%	18%	21%
Worked more than eight hours straight without a paid break	57%	63%	59%	45%
Required to pay for all or a portion of uniforms	54%	71%	49%	32%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 16

**EMPLOYMENT LAW  
VIOLATIONS AND  
TIPPED WORKERS**

VIOLATIONS REPORTED	TOTAL	TIPPED
Experienced overtime wage violations	47%	56%
Earned below the minimum wage	6%	3%
Worked off the clock without pay	38%	41%
Not paid on time	14%	13%
Management took share of tips	26%	26%
Worked more than eight hours straight without a paid break	57%	55%
Required to pay for all or a portion of uniforms	54%	54%

Source: Boston Restaurant Industry Coalition survey data.

restaurant workers reported working off the clock without pay. Fifty-seven percent of workers reported having worked more than eight hours straight without a paid break. Fourteen percent reported not being paid on time. Twenty-six percent reported that management took a share of their tips. Over half (54%) reported that they were required to pay for all or a portion of their uniforms. Only 52% of surveyed workers knew what the current minimum wage was, suggesting that workers are under-informed of the law and their rights in Massachusetts.

Employment law violations were concentrated in fine dining positions, where workers were almost twice as likely to work over 40 hours a week without overtime pay as quick serve workers. Restaurant workers in the fine dining sector were most likely to work off the clock without pay and work more than eight hours straight without a paid break. Tipped workers were more likely to experience overtime violations and work off the clock without pay than restaurant workers overall (see Table 16).

**WORKER PROFILE**
**Eduardo BUSSER, REVERE, MA**


“My name is Eduardo. I work in a fine dining restaurant in the North End as a busser. I’ve been working in the restaurant industry for about five years. I have worked as a dishwasher, as a cook, a busser and a food runner. I started working in the restaurant industry at a young age (15), not because I really needed the money but because I wanted to feel a bit more independent. At that time, I didn’t struggle with the low wages of a tipped worker. I only paid for my phone, only my own expenses. I didn’t have to pay rent, buy food or support a family.

However, my dad did have to do all of that. My dad works for tips at a restaurant in the North End. I never realized his situation until a day that I got home after an afternoon playing soccer. He was sitting on his desk with a bunch of bills in front on him. He called me over and asked me to help him count the total amount of money to pay that month, not including the rent. He thanked me and told me I could go. That was the first time I noticed the worry and tired look on his face. That day I understood why he got really upset when my siblings and I let food go bad or left lights on for the whole night. Living off tips is hard and many don’t understand it. No people means no money, but you still have to stay in a place making only three dollars per hour as a busser because you can’t afford to lose that job.

When there are few or no customers, “Front House workers” tend to see their shift as a waste of time—I know I and most of my coworkers do—because they are only making the tipped minimum wage. I think One Fair Wage would change that. It would give tipped workers something to support themselves on even if they are not getting many tips. My main concern about this matter is that restaurant owners are heard the most when setting this wage and workers end up with a fifty-cent raise. I think that workers need to be heard and that is why I am sharing my story.”

## HEALTH AND SAFETY IN BOSTON'S RESTAURANTS

Our survey surfaced hazards in restaurant workplaces and violations of regulations intended to protect the health and safety of workers. Twenty-eight percent of workers encountered fire hazards such as non-functioning fire extinguishers and blocked doors in their restaurants (see Table 17). Thirty-six percent of restaurant workers reported that there were no mats on the floor in their restaurant's kitchens to prevent potential slips and 37% said that cutting machines in their kitchen lacked appropriate guards. Thirty-four percent of restaurant workers reported having to carry out tasks in their restaurants that put their safety at risk. Back-of-the-House workers experienced all these hazards more acutely than Front-of-the-House workers.

As a result of pervasive health and safety hazards in the workplace, the rate of workplace injuries reported by restaurant workers in the Boston Area was high (see Table 18). Forty-nine percent of restaurant workers reported suffering burns on the job, 54% had experienced work related cuts, and 50% came into contact with toxic chemicals in the workplace. Back-of-the-House workers were more likely than Front-of-the-House workers to experience burns, cuts, slip on the job, and come into contact with toxic chemicals on the job, while Front-of-the-House workers were more likely to have chronic pain caused or worsened by the job.

Hazards in the workplace can be made more difficult to negotiate under time pressures caused by understaffing. Eighty-one percent of respondents have worked while the restaurant was understaffed and 78% have had to perform several jobs at once. Over half (52%) have performed a job at their restaurant that they were not trained for. Understaffed restaurants pressure workers to perform under undue stress in ways that endanger their health and safety as well as the well being of customers — 29% of restaurant workers reported that they've done something due to time pressure that might have been unsafe for customers.

## MOBILITY WITHIN THE INDUSTRY

### OCCUPATIONAL SEGREGATION

While the restaurant industry in Boston reflects the multi-racial and multi-cultural fabric of the city, there is also pervasive occupational segregation within the industry. This segregation is evident when the demographics of various positions and industry segments are explored. In our survey, white workers disproportionately occupied living-wage jobs in the industry such as chefs and bartenders, while workers of color were disproportionately concentrated in lower-wage jobs such as dishwashers and bussers (see Table 19). Similarly, tipped workers in fine dining Tier I occupations have some of the only liv-

TABLE 17

### HEALTH AND SAFETY VIOLATIONS REPORTED

	TOTAL	FOH	BOH
Unsafely hot in the kitchen	41%	41%	49%
Fire hazards in the restaurant	28% <sup>35</sup>	23%	23%
Missing mats on the floor to prevent slipping	36%	27%	39%
Missing guards on cutting machines	37%	33%	39%
Done something that put own safety at risk	34% <sup>36</sup>	36%	36%
Did not receive instruction or training about workplace safety	43% <sup>37</sup>	46%	46%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 18

### WORKPLACE INJURIES REPORTED

	TOTAL	FOH	BOH
Burned while on the job	49%	40%	57%
Cut while on the job	54%	44%	63%
Slipped and injured while on the job	28%	25%	36%
Came into contact with toxic chemicals on the job	50%	43%	56%
Chronic pain caused or worsened by the job	29%	34%	23%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 19

### KEY FRONT-OF-THE-HOUSE AND BACK-OF-THE-HOUSE OCCUPATIONS BY RACE AND GENDER

	WHITE	WORKERS OF COLOR	WOMEN	MEN
<b>Front-of-the House</b>	<b>49%</b>	<b>51%</b>	<b>58%</b>	<b>42%</b>
Bartenders	81%	19%	59%	41%
Servers	51%	49%	55%	45%
Bussers & Runners	35%	65%	27%	73%
<b>Back-of-the-House</b>	<b>20%</b>	<b>80%</b>	<b>30%</b>	<b>70%</b>
Chefs (Head & Sous)	47%	53%	27%	73%
Cooks (line and Prep)	19%	81%	40%	60%
Dishwashers	14%	86%	0%	100%
<b>TOTAL</b>	<b>43%</b>	<b>57%</b>	<b>48%</b>	<b>52%</b>

Source: Boston Restaurant Industry Coalition survey data.

TABLE 20

### FINE DINING FRONT-OF-THE-HOUSE AND BACK-OF-THE-HOUSE TIER I AND TIER II OCCUPATIONS BY RACE AND GENDER

	WHITE	WORKERS OF COLOR	WOMEN	MEN
<b>Front-of-the House</b>	54%	46%	47%	53%
Tier 1	56%	44%	50%	50%
Tier 2	36%	64%	47%	53%
<b>Back-of-the-House</b>	39%	61%	65%	35%
Tier 1	60%	40%	50%	50%
Tier 2	35%	65%	75%	25%

Source: Boston Restaurant Industry Coalition survey data.

TABLE 21

### RAISES AND PROMOTIONS REPORTED

31%	Received a raise in the last year
37%	Passed over for a promotion, raise, or given worse shifts
68%	Did not move up in position from last job to current job
60%	Did not receive on-going training needed to be promoted

Source: Boston Restaurant Industry Coalition survey data.

TABLE 22

### RESTAURANT WORKERS OR THEIR CO-WORKERS PASSED OVER FOR A PROMOTION

37%	Responded that in the last 12 months they or a co-worker had been passed over for a promotion
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Of those who reported being passed over for a promotion, reported that a factor was:

19%	Gender
19%	Race or ethnicity
19%	Age
15%	Language
7%	Immigration status
6%	Sexual orientation
5%	Politics
4%	Religion
3%	Childcare constraints

Source: Boston Restaurant Industry Coalition survey data.

able wage positions in the industry, but these jobs are held mostly by white workers (see Table 20).

### DISCRIMINATION IN HIRING, PROMOTION, AND TRAINING

In addition to occupational segregation, our survey and interview data reveals a pervasive lack of fairness in hiring, promotion, and training practices in the Boston Area restaurant industry. Workers reported that their restaurants lack defined career ladders and advancement opportunities, especially for workers of color. Sixty-eight percent of restaurant workers reported that they had not moved up in position from their previous restaurant job, and 60% that they do not receive the necessary on-the-job training to be promoted (see Table 21).

Without clear career pathways and formal training ladders, many workers reported that there was no route to regular raises, new skills, or advancement in the restaurant industry. Sixty-nine percent of workers reported that they hadn't received a raise in the last year. Many workers don't advance in the industry despite significant restaurant experience; half of the workers in our survey have worked in the restaurant industry for five years or more. One server explained their frustration with the lack of advancement opportunities in the industry, "I'm good at my job, but there's no room to progress, and so there's no incentive to stay.... They tell you there's room to move up and never promote you."

While opportunities for advancement in the restaurant industry are rare, they are also unfairly distributed by factors such as race, gender, immigration status, and age (see Table 22). Of the 37% of workers who reported that they or a co-worker were passed over for a promotion, race, gender, and age were the three most cited factors. As a result, workers of color and women were the most likely to report that they or a co-worker had been passed over for a promotion.

### UNFAIR APPLICATION OF DISCIPLINE

Another important indicator of fairness in any workplace is equal application of the rules. Unfortunately, many of the restaurant workers we surveyed reported that they had been more severely or more frequently disciplined than their co-workers. Of those workers who experienced more frequent or severe discipline than their co-workers, gender was the most widely cited factor, followed by race, age, language, and sexual orientation (see Table 23).

Respect is another integral part of a high-road workplace. Forty-four percent of restaurant workers reported that they or a co-worker had experienced verbal abuse in the past 12 months. Of those who had experienced or observed verbal abuse, gender was the most cited factor in shaping that abuse, followed by race, sexual orientation, age, language, and immigration status (see Table 24). One server told us



about the harassment he faced from co-workers because of his sexual orientation, “I was referred to as ‘*la reina*’, the queen, because of my sexuality... and they also vandalized my property. They threw bleach on my jacket and hid my shoes and things like that.” This server decided to quit after management did nothing about the harassment when he reported it.

## TRANSPORTATION AND HOUSING

### HOUSING

In the Boston Area restaurant workers’ purchasing power strongly affects how they can negotiate a housing market with some of the highest rents in the country.<sup>38</sup> The generally accepted standard on housing affordability is that rent should be no more than 30% of income. According to the National Low Income Housing Coalition, the fair market rent for a two-bedroom unit is \$1,567 in Boston.<sup>39</sup> In order to afford that rent, a restaurant worker would need an hourly wage of \$30.13. Ninety-four percent of restaurant workers we surveyed earned less than the amount necessary to afford rent in Boston.

Survey data revealed that restaurant workers in the Boston Area are paying an average of \$877 per month in rent. In addition to this, many workers reported sharing housing costs by living with multiple people and commuting significant distances from lower-income areas with more affordable rents. On average restaurant workers live in a household with four total residents, and 56% of restaurant workers do not live and work in the same city.

### TRANSPORTATION

Access to reliable transportation is critical for restaurant workers commuting in the Boston Area. Our survey revealed that 59% of Boston’s restaurant workers commute to work through the T, and nearly a third (32%) commute by bus (see Table 25). Fifty-seven percent reported that they’ve been late due to a problem with transportation. Twenty-seven percent of restaurant workers reported difficulties commuting home from work, with traffic being the biggest obstacle (see Table 26). One server explained that the biggest difficulty she faced was “working very late hours unnecessarily without [a] safe way of getting home.”

TABLE 25

#### HOW WORKERS GET TO WORK

59%	T
32%	Bus
26%	Walk
19%	Car
10%	Bike
9%	Taxi
4%	Carpool
3%	Train

Source: Boston Restaurant Industry Coalition survey data.<sup>40</sup>

TABLE 23

#### UNEVEN APPLICATION OF DISCIPLINE

27% Responded that in the last 12 months they or a co-worker had been disciplined more severely than others

Of those who reported more frequent or severe discipline, reported that a factor was:

32% Gender

25% Race or ethnicity

19% Age

15% Language

14% Sexual orientation

12% Immigration status

6% Politics

5% Religion

Source: Boston Restaurant Industry Coalition survey data.

TABLE 24

#### EXPERIENCE OF VERBAL ABUSE

44% Responded that in the last 12 months they or a co-worker had experienced verbal abuse

Of Those who reported experiencing verbal abuse, reported that a factor was:

47% Gender

39% Race or ethnicity

30% Sexual orientation

29% Age

25% Language

23% Immigration status

7% Politics

4% Religion

Source: Boston Restaurant Industry Coalition survey data.

TABLE 26

#### TRANSPORTATION DIFFICULTIES

27% Responded that they had problems with transportation getting home from work

Of those who had problems with transport, reported that a factor was:

32% Stuck in traffic

25% Missed the last Bus/T/train

19% Tunnel or bridge was closed

15% Felt unsafe walking or biking home at night

12% Bus/T/train was late

Source: Boston Restaurant Industry Coalition survey data.



HOT  
DRIP COFFEE  
ESPRESSO  
TEA  
HOUSE TEA BLEND



# Employers' Perspectives

In order to gain a better understanding of factors that shape workplace practices, ROC conducted 20 comprehensive interviews with restaurant employers from August 2014 to September 2016. Researchers requested interviews from owners and managers of restaurants from all industry segments in the Boston area — fine dining, casual restaurants, and quick serve. These interviews revealed a number of challenges that restaurant employers in Boston face, as well as strategies for running successful businesses while providing fair wages and benefits to workers and meeting customer preferences for healthy and sustainably sourced food.

## EMPLOYER INTERVIEWS FOUND THE FOLLOWING:

- **Productivity and Turnover:** Worker productivity and low employee turnover were seen as central to maintaining profitability through creating a collaborative working environment.
- **Shifting Customer Trends:** Restaurant employers are recognizing the need to adapt to shifting customer trends, such as niche markets concerned with allergens and dietary restrictions, along with a growing concern for food quality, sustainability, and workers' rights.
- **Business Flexibility:** Restaurants' missions are changing due to external factors such as labor market trends and increased use of technology.
- **Low Road:** While some employers pursued strategies based on increasing employee retention and productivity, they also reported that wage theft and exploitation are the industry norm.
- **Health Insurance:** Many employers said they would like to provide their employees with health benefits but cannot, due to lack of financial resources.
- **Taking the High Road:** A few employers we interviewed model the high road to profitability. These employers demonstrate that it is possible to achieve profitability by paying fair wages, providing workplace benefits, a safe working environment, and opportunities for advancement.

## EXTERNAL FACTORS AFFECTING WORKPLACE PRACTICES

In order to gain a better understanding of the factors that shape employment dynamics in the Boston Area restaurant industry, it is important to examine the salient external pressures on the industry. The employers we interviewed referenced several trends impacting their business practices, including shifting customer preferences for sustainable, just, and healthy food, increased competition, and a shortage of labor in the Back-of-the-House.

According to many of the restaurant employers that we interviewed, diners' preferences are increasingly trending towards organic, local, and humanely sourced foods. Employers reported that they have to revise their restaurant's concepts, missions and practices in order to catch up to customer demand. One family-style restaurant owner observed an industry transition "towards farm to table food, organic food, clearly there is a trend towards gluten free." A fast-casual restaurant employer remarked in our interviews that even in the quick-serve sector, "there is a much bigger trend towards eating healthy" and as a result, "quick serve is becoming fast-casual." Another restaurant owner agreed that, "restaurants are moving towards, not fast food, but a more simplified concept where they can get customers in and out quicker because it's not particularly profitable to have a fine dining establishment."

Some of the employers we interviewed saw in the movement towards more sustainable food-sourcing practices, an incentive to change their restaurant's practices to match a changing industry and clientele. Other employers were more critical of the evolution of diners' preferences, suggesting that they were just passing trends. One family-style restaurant employer told us, "I think all those things are just trends and they come and go." Most employers struck a balance by trying to clearly label their products and provide their customers with precise information on their sourcing and employment practices.

## STRATEGIES FOR PROFIT

To thrive in the changing restaurant industry described above, employers broadly agreed that one of the most effective approaches involves investing in human capital, reducing employee turnover, and increasing productivity.

### MINIMIZING TURNOVER

Almost all employers agreed that minimizing turnover is a crucial component of maximizing profit and dealing with the external pressures described above. Towards reducing turnover, employers described various ways of cultivating community and a sense of a common project amongst their workforce. For some employers this involved creating profit-sharing mechanisms, adopting open-book management practices, or having worker-input in scheduling and other vital business decisions. For others, creating community was mainly a cultural effort, geared towards encouraging workers to feel like they are members of a family rather than employees at a restaurant. One fast-casual employer practiced both approaches, "we thank people and have a budget for employee events... but also give them respect and control over the job."

The majority of employers recognized that paying fair wages, investing in training, and creating opportunities for advancement were key to retaining workers. As one casual restaurant owner stated, "Employees that are satisfied tend to not leave." He recommended that employers

## Josh Lewin CO-OWNER OF JULIET



“Josh, along with co-owner Katrina Jazayeri, owns Juliet, a casual fine-dining restaurant in Somerville. He has worked in the restaurant industry for 16 years, and witnessed the evolution in customer preferences towards favoring restaurants that take care of the environment and their employees. This philosophy frames Josh’s management style at Juliet, where he told us that “purchasing good product and taking care of the earth” goes hand in hand with his mission to “treat our staff well and allow them to make income and benefits that they might not receive otherwise.”

All workers at Juliet are paid above the minimum wage, so unlike in most restaurants in Massachusetts, servers aren’t paid a subminimum wage and expected to make up the difference through tips. Josh made his menu no-gratuity, cost-inclusive, not only because he thought it was the right thing to do, but also because he believes it’s more straightforward for customers who can see upfront the cost for their dining experience. As a restaurant employer, Josh believes “it is a responsibility of the business to collect money and to cover wages”, not the customer. Moreover, he told us that since his workers aren’t dependent on customers’ tips, their income is “not dependent on how many times the front door opens”, creating more fairness by freeing workers from fluctuations in their income based on factors like the weather and what shift they work.

who want to minimize turnover, “Pay a fair wage and treat people with respect.” Other employers cited the role that training has in retaining workers, one quick-serve employer recalled that “We had massive turnover and looking back we realized people weren’t trained very well and people don’t like that.”

## TRAINING AND PROMOTION

*“We had relatively large turnover of restaurant staff and it made us think ‘why is that happening’ and I think some of it can be traced back to us not having our act together, we didn’t train people very well, we didn’t have policies and procedures and things weren’t clear, and we are still struggling with that” —FAST CASUAL RESTAURANT EMPLOYER*

Employers that we interviewed cited promoting from within and providing current staff with more opportunities as key strategies for increasing employee retention and maximizing profits. One family-style restaurant manager explained that she doesn’t have as much employee turnover as her competitors, “I don’t have a lot of turnover... because they have an opportunity here, whereas they might go to another restaurant and a dishwasher would never be a waiter, like, you know what I mean? Here, you know, if it’s the right dishwasher and he wants to be a waiter, why not?” By building internal career ladders and creating opportunities for workers to develop from a lower-paying role to a higher-paying position, restaurant employers can retain skilled workers, increase productivity, and save on training expenses.

While some employers systematically created opportunities for advancement with policies like formal career ladders, most offered workers a chance to take on more responsibility only on an ad-hoc basis. One restaurant owner who placed high value on employee retention, admitted that promotion came primarily from “being a go-to person.” Some invoked the smaller-scale of their business as a reason to not offer training, “We don’t have a formal training program here, because it’s a family owned business. We are very hands on.” Another much larger restaurant

employer echoed this sentiment, “we have been relying on the strength of our employees and managers to teach people, not having a solid set of training materials.”

Most employers agreed that there was value for all parties in placing emphasis on employees’ professional development, but few had formal career ladders or a deliberate program to develop leadership from within their existing workforce. Without intentional hiring and advancement processes, many restaurant employers end up perpetuating occupational segregation in the industry. As one employer observed, “in the kitchen, we are like, virtually 100% Latino.... We hire by word of mouth so it’s not a surprise but it’s also something that makes us wonder why it is that certain positions are from a certain race or certain ethnicity.” The problem of occupational segregation was widely recognized, one fast-casual employer admitted, “It’s very clear that there is a classist system, it’s something I’ve noticed in almost all the restaurants I’ve worked in including mine.”

## WAGES AND OVERTIME

Several of the Boston area restaurant owners that we interviewed recognized the problems low wages in the restaurant industry cause for workers and their families. Many other employers also recognized the value for their business in cultivating talent and leadership among their workers and increasing retention through offering higher wages and advancement opportunities. Influenced by the national conversation about living wages, some restaurant employers sought out ways to get ahead of potential minimum wage increases by implementing their own living wage. One fast-casual employer explained that “We are becoming more conscious that our choices can have a big impact... empowering employees was something we wanted to do...the living wage thing was something we had been thinking about for years.” She consulted the MIT living wage calculator and “decided that we would try to get everyone to that level within one year.”

## VIOLATION OF EMPLOYMENT LAWS

*“Clearly in this industry there is a lot that goes on that’s inappropriate... it gives the industry a bad name.” —CASUAL RESTAURANT OWNER*

Many of the employers we interviewed pointed to the difficulties involved with taking the high-road, and linking their restaurant’s success to their employees’ satisfaction, when other restaurant employers take the low-road and obtain unfair competitive advantage through disregarding employment and wage laws. One fast-casual employer lamented, “we follow all those rules so it’s frustrating for us if other people don’t follow them.” To address the persistent violation of employment laws in the restaurant industry, employers cited the need for more rigorous enforcement by state agencies, incentives for employers who adopt fair compensation and benefits packages, and policies that create a level playing field for the industry.

## HEALTH INSURANCE

The majority of employers that we interviewed recognized the importance of offering health insurance, but most reported that they were unable to afford offering any benefits. Employers cited the costs of providing health insurance as prohibitive. However, where the law legislates these benefits, restaurants are quick to adapt, “Everyone in Massachusetts provides sick time now; I think for our Managers or anyone that works 40 hours gets health insurance, and that’s also by law.”

# Conclusion and Policy Recommendations

## *The High Road is Possible*

**W**hile low-road employment remains the norm in the Boston Area restaurant industry, our interviews with employers reveal that several employers are modeling the high road to profitability. Many employers are keen to re-define their mission as running their business ethically by developing fair working conditions and humane sourcing practices. However, obstacles to taking the high-road remain as Massachusetts law continues to allow for subminimum wages for tipped workers and fails to sufficiently enforce existing regulations.

Our employer interviews surfaced a number of avenues for improving the Boston Area restaurant industry in ways that would benefit all stakeholders: employers, consumers, and workers.

### **POLICY RECOMMENDATIONS**

#### **POLICYMAKERS SHOULD:**

- 1** Raise the minimum wage for all workers, and eliminate the subminimum wage for tipped workers.
- 2** Increase awareness and enforcement of earned sick time regulations by partnering with community groups that train workers so that they know their rights and can organize to realize them.
- 3** Pass policies that increase the legal penalties faced by employers engaging in illegal employment discrimination.
- 4** Mandate transparent, formalized hiring, promotion and training processes that make a clear and fair ladder for workers to advance to higher-wage positions.
- 5** Ensure workers have a voice in ownership and control over gratuities and service charges left on their behalf.

- 6** Support job training programs that provide high-quality and accessible training in the special skills needed to advance within the industry, particularly for underrepresented groups such as people of color, women, and immigrants. Policymakers can provide:
  - Incentives to employers who provide on-the job-or off-premises training of this nature.
  - Training programs for underrepresented populations to obtain skills to advance to living-wage positions within the industry.
- 7** Strengthen and enforce employment laws in the restaurant industry and penalize violators at a level that will deter other employers from violating laws in the first place. This includes:
  - Wage theft: Higher penalties are needed so that risk of potential damages outweighs immediate gains.
  - Similar measures should also be taken to enforce health and safety standards.
  - Employers must be educated about their legal responsibilities to their employees, and employees must be educated about their legal rights.
- 8** Ensure that restaurant workers and their families have affordable access to healthcare. Restaurant workers too often have to rely on emergency room treatment, which raises healthcare costs for the broader community.
- 9** Enact legislation that would help workers cope with erratic scheduling by requiring that employees receive their schedules with enough advanced notice to plan their lives.
- 10** Protect workers from violations of federal, state, and local anti-discrimination and equal employment opportunity laws.
  - Assist advocates engaged in anti-discrimination campaigns through intervention aimed at encouraging employers to change their discriminatory practices. Additionally, by increasing penalties against employers who violate anti-discrimination laws, legislators can create a deterrent to such discrimination.
  - Ensure that employees understand their rights under anti-discrimination laws and make enforcement of such laws within the restaurant industry a priority.
  - Adopt legislation that would provide incentives or require employers to provide regular, ongoing sexual harassment training with all employees, including managers.
- 11** Publicly support collective organizing among restaurant workers.
- 12** Initiate and support further study and dialogue on occupational segregation and other areas where more study is needed.

## EMPLOYERS SHOULD:

- 1 Adopt systematic and fair hiring and promotions practices.
- 2 Adopt and clearly communicate policies and procedures, including anti-discrimination and harassment policies, to protect the well-being of all workers.
- 3 Clearly communicate to workers about their benefits, such as earned sick days.
- 4 Enhance job quality and employee retention by increasing wages and developing scheduling practices that meet both employer and worker needs.
- 5 Employers that move away from tipping should practice open book management so that workers have a clear sense of whether they are receiving their fair share.
- 6 Learn techniques that successful restaurant employers use to implement livable wages, benefits, scheduling control, and career ladders. ROC-Boston can act as a resource to provide technical assistance to employers.

## CUSTOMERS SHOULD:

- 1 Support responsible restaurant owners who provide fair wages, benefits, and opportunities for workers to advance. Many of these restaurants can be found in the Restaurant Opportunities Centers' National Diners' Guide ([www.rocunited.org/dinersguide](http://www.rocunited.org/dinersguide)).
- 2 Speak to employers every time you eat out and let them know you care about livable wages, benefits, and opportunities for women and people of color to advance in the restaurant industry.
- 3 Where workers have filed legal charges against employers who are violating the law, call the company and let them know that you will not support illegal practices.

## WORKERS SHOULD:

- 1 Become involved in the Boston Area restaurant worker movement. There are many opportunities for involvement in worker-led committees, trainings and more.
- 2 Support high road employers and thank them for raising standards in the industry.
- 3 Demand other restaurants they frequent adopt high road practices by speaking to management, writing reviews that include labor standards, and share their experiences on social media.

**UNWEIGHTED SURVEY DEMOGRAPHICS** SAMPLE SIZE = 500

AGE	% OF SAMPLE	RACE/ETHNICITY	% OF SAMPLE
25 and under	41.1%	White	47.5%
26-35	35.2%	Black	6.1%
36-45	13.9%	Latino, any race	33.1%
46-55	8.5%	Asian	2.3%
Over 55	1.3%	Other	11.1%
<b>RESTAURANT SEGMENT</b>		<b>LOCATION OF RESTAURANT</b>	
Fine dining	50.0%	Boston	52.2%
Family style	35.0%	Cambridge	9.6%
Quick Serve	13.0%	Somerville	6.4%
Bars and other	2.0%	Chelsea	4.2%
		Harvard	3.7%
		Allston	1.8%
<b>NATIVITY</b>		Jamaica Plain	1.8%
Born in the U.S.	59.0%	Brookline	1.5%
Foreign born	41.0%	Medford	1.5%
		Peabody	1.3%
<b>GENDER</b>		Lynn	1.1%
Female	49.9%	Other	14.9%
Male	49.6%		
Transgender and other	0.5%		
		<b>POSITION</b>	
		Front-of-the-house	75.2%
		Back-of-the-house	24.8%

Source: Boston Restaurant Industry Coalition survey data



## MASSACHUSETTS STATE OF TIPPED RESTAURANT WORKERS 2016

		RESTAURANT	TIPPED RESTAURANT	ALL TIPPED WORKERS	TOTAL WORKFORCE
<b>GENDER</b>	FEMALE	53.6%	67.2%	66.8%	49.2%
	MALE	46.4%	32.8%	33.2%	50.8%
<b>RACE</b>	WHITE	66.7%	75.7%	72.3%	77.7%
	BLACK	6.3%	4.3%	6.7%	6%
	ASIAN	7.4%	5.7%	7.5%	6.0%
	LATINO	16.2%	11.0%	11%	8.4%
	OTHER	3.4%	3.3%	3.0%	2%
<b>EDUCATION</b>	LESS THAN HIGH SCHOOL	17.5%	14.4%	11.3%	5.8%
	HIGH SCHOOL	43.3%	38.6%	44.3%	28.2%
	SOME COLLEGE	26%	30.8%	28.5%	22%
	COLLEGE PLUS	12.8%	16.2%	15.9%	44.1%
<b>AGE</b>	MEDIAN AGE	28	25	31	43
	≤ 24	41%	46.9%	32.9%	13.2%
	25-44	34.2%	33.5%	39.5%	41.0%
	45-64	22.6%	17.4%	23.7%	40.1%
	65+	2.6%	2.3%	3.9%	5.7%
<b>MARITAL AND PARENTAL STATUS</b>	MARRIED	26.8%	19.70%	31.0%	51.4%
	PARENTS	26%	21.8%	30.4%	39.9%
	FATHERS	19.3%	10.9%	23%	37.8%
	MOTHERS	32%	26.5%	34.0%	42.1%
	SINGLE MOTHERS (% ALL WOMEN)	14.3%	12.3%	14%	12.7%
	MOTHERS WHO ARE SINGLE	44.8%	46.5%	40.2%	30.3%
<b>POVERTY</b>	POVERTY TIMES STATEWIDE RATE	1.5	1.6	1.4	1.0
	POVERTY	18.8%	19.6%	17.8%	12.4%
	TWICE POVERTY	45.9%	44.1%	42.3%	29.7%
	FOOD STAMPS TIMES STATEWIDE RATE	2.0	1.7	1.8	1.0
	FOOD STAMPS	15.0%	13%	13.8%	8%
	MEDICAID TIMES STATEWIDE RATE	2.4	2.3	2.3	1.0
	MEDICAID	28.4%	27%	27.9%	12%
	POVERTY WHITE WORKERS	17.2%	18.7%	17%	10.4%
	POVERTY WORKERS OF COLOR	21.4%	22.2%	19.8%	16.9%
<b>FOOD STAMP MONTHLY USAGE</b>	AVERAGE MONTHLY FOOD STAMP BENEFIT	\$5,292,071.64	\$1,441,609.75	\$2,063,554.10	\$31,023,378.60
	AVERAGE ANNUAL BENEFIT	\$63,504,859.68	\$17,299,317.04	\$24,762,649.23	\$372,280,543.20
<b>MEDICAID USAGE</b>	ANNUAL MEDICAID BENEFIT COST FOR ADULTS	\$334,613,764.32	\$100,800,698.68	\$139,325,940.27	\$1,622,233,882.50
		\$398,118,624.00	\$118,100,015.72	\$164,088,589.50	\$1,994,514,425.70
<b>TOTAL PUBLIC ASSISTANCE</b>					

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010). See also rocunited.org/state-of-tipped-workers-2016-citations.

## WESTERN MASSACHUSETTS STATE OF TIPPED RESTAURANT WORKERS 2016

		RESTAURANT	TIPPED RESTAURANT	ALL TIPPED WORKERS	TOTAL WORKFORCE
<b>GENDER</b>	FEMALE	56.2%	71.6%	69.8%	51.2%
	MALE	43.8%	28.4%	30.2%	48.8%
<b>RACE</b>	WHITE	74.8%	81.1%	79.0%	81.1%
	BLACK	5.7%	4.1%	5.7%	4.9%
	ASIAN	3.5%	3.9%	4.5%	2.4%
	LATINO	14.6%	9.5%	9%	10%
	OTHER	1.5%	1.4%	1.5%	1.5%
<b>EDUCATION</b>	LESS THAN HIGH SCHOOL	19.1%	18.2%	13.1%	6.5%
	HIGH SCHOOL	41.0%	35.7%	41.5%	31.8%
	SOME COLLEGE	31%	32.6%	31.2%	28%
	COLLEGE PLUS	8.9%	13.5%	14.2%	34.2%
<b>AGE</b>	MEDIAN AGE	25	23	29	44
	≤ 24	48%	54.6%	40.2%	15.8%
	25-44	30.2%	30.5%	37.0%	35.9%
	45-64	19.6%	12.2%	18.8%	42.2%
	65+	2.4%	2.7%	4.0%	6.1%
<b>MARITAL AND PARENTAL STATUS</b>	MARRIED	21.2%	14.80%	24.4%	48.6%
	PARENTS	22%	20.2%	27.3%	37.8%
	FATHERS	12.0%	3.7%	18%	35.4%
	MOTHERS	30%	26.8%	31.5%	40.1%
	SINGLE MOTHERS (% ALL WOMEN)	15.6%	16.4%	17%	14.6%
	MOTHERS WHO ARE SINGLE	53.0%	61.4%	52.7%	36.4%
<b>POVERTY</b>	POVERTY TIMES STATEWIDE RATE	1.71	2.09	1.84	1
	POVERTY	25.2%	30.7%	27.1%	14.7%
	TWICE POVERTY	53.4%	54.9%	51.2%	33.6%
	FOOD STAMPS TIMES STATEWIDE RATE	2	1.8	1.88	1
	FOOD STAMPS	20.0%	18%	18.8%	10%
	MEDICAID TIMES STATEWIDE RATE	1.9	2.1	2	1
	MEDICAID	30.4%	33%	32.1%	16%
	POVERTY WHITE WORKERS	21.9%	30.1%	28%	12.9%
	POVERTY WORKERS OF COLOR	33.7%	33.3%	23.1%	20.6%

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010). See also [rocunited.org/state-of-tipped-workers-2016-citations](http://rocunited.org/state-of-tipped-workers-2016-citations).

## WORCESTER STATE OF TIPPED RESTAURANT WORKERS 2016

		RESTAURANT	TIPPED RESTAURANT	ALL TIPPED WORKERS	TOTAL WORKFORCE
<b>GENDER</b>	FEMALE	55.9%	77.6%	76.3%	48.5%
	MALE	44.1%	22.4%	23.7%	51.5%
<b>RACE</b>	WHITE	76.6%	79.3%	77.1%	83.1%
	BLACK	3.7%	1.9%	2.5%	3.7%
	ASIAN	6.0%	4.7%	4.8%	4.1%
	LATINO	9.5%	7.4%	11%	7.6%
	OTHER	4.3%	6.7%	4.6%	1.5%
<b>EDUCATION</b>	LESS THAN HIGH SCHOOL	14.7%	17.3%	13.1%	5.0%
	HIGH SCHOOL	50.3%	46.0%	47.1%	33.3%
	SOME COLLEGE	26%	28.7%	30.0%	24%
	COLLEGE PLUS	9.2%	8.0%	9.8%	37.8%
<b>AGE</b>	MEDIAN AGE	27	25	29	44
	≤ 24	46%	49.0%	36.4%	13.1%
	25-44	28.2%	29.0%	36.3%	39.2%
	45-64	24.4%	20.3%	24.7%	42.8%
	65+	1.9%	1.8%	2.5%	4.8%
<b>MARITAL AND PARENTAL STATUS</b>	MARRIED	27.3%	19.90%	26.8%	54.1%
	PARENTS	25%	23.0%	29.2%	43.1%
	FATHERS	16.0%	9.1%	15%	40.1%
	MOTHERS	32%	27.0%	33.8%	46.3%
	SINGLE MOTHERS (% ALL WOMEN)	12.5%	13.3%	15%	13.8%
	MOTHERS WHO ARE SINGLE	39.8%	49.3%	45.3%	29.9%
<b>POVERTY</b>	POVERTY TIMES STATEWIDE RATE	1.49	1.08	1.43	1
	POVERTY	15.8%	11.5%	15.2%	10.6%
	TWICE POVERTY	46.1%	41.6%	44.8%	28.1%
	FOOD STAMPS TIMES STATEWIDE RATE	1.51	1.5	1.94	1
	FOOD STAMPS	12.1%	12%	15.5%	8%
	MEDICAID TIMES STATEWIDE RATE	2.18	2.08	2.23	1
	MEDICAID	26.2%	25%	26.8%	12%
	POVERTY WHITE WORKERS	16.9%	12.6%	13%	9.4%
	POVERTY WORKERS OF COLOR	12.7%	8.0%	20.4%	14.9%

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010). See also [rocunited.org/state-of-tipped-workers-2016-citations](http://rocunited.org/state-of-tipped-workers-2016-citations).

## GREATER CAPE COD STATE OF TIPPED RESTAURANT WORKERS 2016

		RESTAURANT	TIPPED RESTAURANT	ALL TIPPED WORKERS	TOTAL WORKFORCE
<b>GENDER</b>	FEMALE	58.5%	76.9%	75.3%	49.5%
	MALE	41.5%	23.1%	24.7%	50.5%
<b>RACE</b>	WHITE	82.5%	87.4%	86.1%	88.6%
	BLACK	4.6%	4.1%	2.7%	3%
	ASIAN	3.1%	3.0%	4.4%	1.6%
	LATINO	5.2%	1.7%	3%	4.3%
	OTHER	4.6%	3.9%	4.0%	2.5%
<b>EDUCATION</b>	LESS THAN HIGH SCHOOL	16.2%	15.9%	10.4%	7.3%
	HIGH SCHOOL	46.0%	39.8%	48.1%	35.2%
	SOME COLLEGE	27%	32.7%	28.4%	25%
	COLLEGE PLUS	10.9%	11.7%	13.1%	33.0%
<b>AGE</b>	MEDIAN AGE	28	25	28	45
	≤ 24	42%	49.0%	37.3%	12.7%
	25-44	32.2%	28.6%	34.8%	37.2%
	45-64	23.2%	20.8%	24.7%	43.4%
	65+	3.1%	1.6%	3.2%	6.7%
<b>MARITAL AND PARENTAL STATUS</b>	MARRIED	25.3%	17.80%	26.8%	53.0%
	PARENTS	28%	23.8%	29.5%	41.9%
	FATHERS	16.5%	6.7%	12%	38.8%
	MOTHERS	36%	28.9%	35.1%	44.9%
	SINGLE MOTHERS (% ALL WOMEN)	19.4%	16.8%	18%	14.8%
	MOTHERS WHO ARE SINGLE	53.8%	58.0%	50.2%	32.8%
<b>POVERTY</b>	POVERTY TIMES STATEWIDE RATE	1.4	1.33	1.37	1
	POVERTY	12.2%	11.6%	11.9%	8.7%
	TWICE POVERTY	35.9%	35.6%	36.0%	25.3%
	FOOD STAMPS TIMES STATEWIDE RATE	1.88	1.33	1.14	1
	FOOD STAMPS	16.9%	12%	10.3%	9%
	MEDICAID TIMES STATEWIDE RATE	2.35	2.31	2.26	1
	MEDICAID	30.5%	30%	29.4%	13%
	POVERTY WHITE WORKERS	11.5%	13.7%	14%	7.4%
	POVERTY WORKERS OF COLOR	14.8%	0.0%	3.9%	16.0%

Source: ROC United analysis of American Community Survey (2011-2014). Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database], (Minneapolis: Minnesota Population Center, 2010). See also [rocunited.org/state-of-tipped-workers-2016-citations](http://rocunited.org/state-of-tipped-workers-2016-citations).

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THIS REPORT WAS RESEARCHED AND WRITTEN BY:

Mike Rodriguez, Strategic Research Coordinator

Teófilo Reyes, Research Director, Restaurant Opportunities Centers United.

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- 1 Restaurant Opportunities Centers United (ROC United) analysis of employment and number of establishments reports (Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2001–2014) for NAICS 722 Food Services and Drinking Places in Essex, Middlesex, Norfolk, Plymouth, and Suffolk, MA counties.
- 2 *Ibid.*
- 3 ROC United analysis of total revenue (2012 Economic Census) for NAICS 722 Food Services and Drinking Places in Essex, Middlesex, Norfolk, Plymouth, and Suffolk, MA counties.
- 4 ROC United analysis of American Community Survey (ACS 2011–2014) for the Greater Boston Region, encompassing 34 distinct PUMAs in the Boston–Cambridge–Newton, MA Metropolitan Statistical Area for individuals working in Massachusetts. Ruggles, Steven, Alexander J. Trent, Genadek Katie, Goeken Ronald, Schroeder Matthew B., and Soebek Matthew, *Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database]*, (Minneapolis: Minnesota Population Center, 2010).
- 5 This report considers the following Bureau of Labor Statistics occupations “customarily tipped occupations” for all ACS 2011–2014 analyses: Massage Therapists; Bartenders; Counter Attendants, Cafeteria, Food Concession, and Coffee Shop workers; Waiters and Waitresses; Hosts and Hostesses, Restaurant, Lounge, and Coffee Shop; Food servers, Non-restaurant; Dining Room and Cafeteria Attendants and Bartender Helpers; Barbers; Hairdressers, Hairstylists, and Cosmetologists; Miscellaneous Personal Appearance Workers (including Manicurists and Pedicurists; Shampooers; Makeup Artists, Theatrical and Performance; and Skincare Specialists); Baggage Porters, Bellhops, and Concierges; Taxi Drivers and Chauffeurs; and Parking Lot Attendants. ‘Tipped restaurant workers’ refers only to customarily tipped occupations within the restaurant industry. Survey data analyses include all workers who reported receiving tips.
- 6 Bureau of Labor Statistics (BLS), May 2015 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates (OES), Boston–Cambridge–Newton, MA NECTA Division *available at* [http://www.bls.gov/oes/current/oes\\_71654.htm#00-0000](http://www.bls.gov/oes/current/oes_71654.htm#00-0000). The BLS May 2015 estimates are based on responses from six semiannual panels collected over a 3-year period: May 2015, November 2014, May 2014, November 2013, May 2013, and November 2012. The OES gathers three years of data covering 1.2 million establishments, and close to 57 percent of all employment to reduce sample error and increase the reliability of wage and employment data in small geographical areas. All wage data are updated to the release year by adjusting the earlier two years to the final reference period using over-the-year wage changes in the latest Employment Cost Index of the National Compensation Survey, BLS, a quarterly index measuring change in labor costs.
- 7 ROC United, Forward Together, et al. October 7th, 2014. *The Glass Floor: Sexual Harassment in the Restaurant Industry*. New York, NY: Restaurant Opportunities Centers United.
- 8 United States Department of Labor Employment & Training Administration, “Lower Living Standard Income Level (LLSIL) Guideline.” Accessed at: <https://www.doleta.gov/lisil/2016%20LLSIL.pdf>.
- 9 See note 4, above.
- 10 Nayer, M. “What’s Boston’s dining scene like?,” *Forbes Travel Guide*. Accessed at: <http://www.forbestravelguide.com/boston-massachusetts/whats-bostons-dining-scene-like#showAnswer=melanie-nayer>.
- 11 See note 1, above.
- 12 See note 3 above. Estimated sales tax uses 6.25% sales tax for the state and an optional 0.75% for localities; see Mass.Gov, Department of Revenue, Massachusetts Tax Rates. Accessed at <http://www.mass.gov/dor/all-taxes/tax-rate-table.html>.
- 13 US Census, North American Industry Classification System. Accessed at: <http://www.census.gov/eos/www/naics/>
- 14 See note 1, above.
- 15 *Ibid.*
- 16 See note 1, above.
- 17 *Ibid.*
- 18 See note 4, above.
- 19 *Ibid.*
- 20 *Ibid.*
- 21 *Ibid.*
- 22 *Ibid.*
- 23 *Ibid.*
- 24 *Ibid.*
- 25 *Ibid.*
- 26 *Ibid.*
- 27 See note 6, above.
- 28 *Ibid.*
- 29 *Ibid.* Also, see note 8, above.
- 30 BLS, OES 2015 wage data do not account for the latest increases to the minimum wage.
- 31 United States Department of Labor, Wage and Hour Division, Minimum Wages for Tipped Employees – August 1, 2016, <https://www.dol.gov/whd/state/tipped.htm>.
- 32 Brewster, Z.W., and Lynn, M. (2014). Black-White Earnings Gap among Restaurant Servers: A replication, Extension, and Exploration of Consumer Racial Discrimination in Tipping. *Sociological Inquiry*, 84(4), 545–569.
- 33 See note 7, above.
- 34 Kaplan, E. “The Spy Who Fired Me: The human costs of workplace monitoring.” *Harper’s*. March 2015. <http://harpers.org/archive/2015/03/the-spy-who-fired-me/5/>.
- 35 Not all workers were classified as Back-of-the-House (BOH) and Front-of-the-House (FOH) due to insufficient information on occupation, so totals did not always reflect reported percentages by FOH and BOH workers.
- 36 *Ibid.*
- 37 *Ibid.*
- 38 Woo, A. (2016). April 2016 National Apartment List Rent Report, *Apartment List*. <https://www.apartmentlist.com/april-2016-national-apartment-list-rent-report-rentonomics/>.
- 39 Yentel, D., Aurand, A., Emmanuel, D., Errico, E., Meng Leong, G., and Rodrigues, K. (2016). Out of Reach 2016: America’s Forgotten Housing Crisis. *National Low Income Housing Coalition*. [http://nlihc.org/sites/default/files/oor/OOR\\_2016.pdf](http://nlihc.org/sites/default/files/oor/OOR_2016.pdf).
- 40 Respondents were allowed to select multiple responses, accordingly totals do not sum to one hundred percent.





# Behind the Kitchen Door:

## Promise and Denial in Boston's Growing Restaurant Industry



**ROC United**  
275 7th Ave, Suite 1703  
New York, NY 10001  
212-343-1771  
[rocunited.org](http://rocunited.org)