The Impact of COVID-19 on Restaurant Workers Across America

JANUARY 2022
In 2020, ROC United surveyed over 1,000 restaurant workers to better understand the impact of COVID-19 on workers throughout the industry. In addition, more than 600 of these respondents replied to a follow-up survey in September and October of 2021. The findings of this report demonstrate the severe effects of the pandemic on restaurant workers’ lives, and help explain why restaurants continue to struggle with staffing as the economy reopens. This compelling evidence points to poor working conditions and ongoing health and safety concerns as barriers to a just recovery, leading to staffing or restaffing challenges for employers. The likelihood of restaurant workers refusing to return or even leaving the industry remains high unless employers and the government ensure robust employee protections, including paid leave policies, expanded access to healthcare, and higher wages compensating for lost income and ongoing health risks.

Restaurant workers, a majority women and disproportionately workers of color, continue to bear the brunt of the pandemic. Restaurant professions have been among the most likely to die of COVID-19. Over a third of all Black and Latina/o/x workers in the industry are cooks, found in one study to be the profession with the highest mortality rate from the virus. The quick rise of new variants is again leading to restaurant closures, even as policy makers have largely moved on. Emergency paid sick leave, eviction moratoriums and unemployment insurance have now largely expired, but the conditions for restaurant workers have not improved.

**KEY FINDINGS**

- **COVID-19 decimated the restaurant industry.** Sixty-three percent of respondents reported that they knew somebody who had tested positive for COVID-19, and 42 percent said that someone at their workplace had tested positive for COVID-19. By the time of the follow-up survey, 68 percent of respondents said that the virus had hit their workplaces, and that they or their coworkers had tested positive.

- **Workers are afraid of contracting COVID-19 while on the clock.** Fifty-eight percent of respondents reported being concerned or very concerned about themselves or their loved ones contracting COVID-19 due to their exposure at work.

- **Restaurant workers experienced death in their communities.** Nearly a third of all workers surveyed shared that they had experienced the death of family or friends due to COVID-19 or suspected COVID-19. This number was even more alarming when looking at the responses of Black restaurant workers—over half experienced a death among their family or friends.
Social distancing is nearly impossible in restaurants. Eighty percent of survey respondents reported regularly working in physical proximity to co-workers and/or customers as part of their job.

Nearly all restaurant workers saw a change in their job status that resulted in lost wages in 2020. An overwhelming number of restaurant workers (95 percent) experienced some shift in their job status, whether they were furloughed, laid off, had their hours cut, were fired or terminated, or experienced loss of their job due to the closure of their restaurant.

The vast majority of essential workers weren’t compensated for the increased hazards they endured while working through the pandemic. Ninety-one percent of workers surveyed said they did not receive hazard pay or increased pay from their employer for working during the coronavirus outbreak. Less than 5 percent of restaurant workers reported increased income from work in 2020. Of the workers who did receive some hazard pay (9 percent), more than 50 percent said it was inadequate.

One in 10 restaurant workers went to work with COVID-19 symptoms because of economic pressures. One in ten respondents went to work with symptoms during the three months before they participated in the survey. When workers were asked why they made this decision, they cited loss of income, lack of proper paid sick leave, and fear of retaliation.

Five months into the pandemic, a significant number of workplaces still weren’t providing PPE to their employees. Thirty-four percent of respondents reported that they did not receive PPE (e.g., masks, gloves, face shields) at their workplace, and 41 percent said they did not receive any workplace safety training or instructions for PPE use.

Restaurant workers lost income due to the pandemic. Though many received unemployment benefits, 85 percent of respondents said they lost income from paid work due to the COVID-19 pandemic in 2020.

Wage theft remains a significant concern for restaurant workers, and many employers have failed to pay their workers a final paycheck. Less than a third of all restaurant workers surveyed received the full wages they were owed before being laid off (including vacation and sick day payouts).

Restaurants are not providing their workers with access to paid sick time, despite health risks. When asked about whether they had used paid sick leave due to the pandemic, 42 percent of respondents reported that they did not receive paid time off or that the time off requested was denied. An overwhelming majority of respondents, 72 percent, said they had no access at all to either paid sick leave and/or paid family leave.

A majority of workers support government relief efforts, especially efforts that provide access to food and housing. Eighty-two percent of respondents supported increased access to money to cover food, rent, etc., via unemployment check or stimulus check. Forty-nine percent supported access to food via food stamps, emergency food, and meals for kids. Fifty-two percent of respondents supported a prohibition on evictions.
Continuing to endure the pandemic, restaurant workers support government-sponsored health insurance. Fifty-eight percent of respondents said the local/state/federal government ought to provide medical insurance in response to the pandemic.

Restaurant workers are taking more safety measures than the general public to protect themselves against COVID-19. In a short follow-up survey, we found that restaurant workers are nearly twice as likely to protect themselves against the virus by wearing masks as the patrons they serve. Restaurant workers are also almost 20 percent more likely to be vaccinated than the general population.

Restaurant workers are getting vaccinated. In a short follow-up survey, we found that 74 percent of respondents were vaccinated while only 56 percent of the population was fully vaccinated. A fifth of all unvaccinated restaurant workers reported that they were planning on getting vaccinated, meaning that 80 percent of restaurant workers were either vaccinated or planning on getting vaccinated at the time of the survey.

Understaffing is impacting restaurant workers and employers, and many workers are looking to leave the industry. In a short follow-up survey, we found that 86 percent of respondents reported that their restaurants are understaffed, and more than half of respondents (59 percent) said that they had or were trying to find work outside of the restaurant industry.

### COVID-19 FOLLOW-UP SURVEY FINDINGS

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
<td>Did you or are you trying to find work outside of the restaurant industry?</td>
<td>59.1%</td>
<td>40.9%</td>
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<tr>
<td>Did you receive unemployment insurance?</td>
<td>67.4%</td>
<td>32.6%</td>
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<tr>
<td>Workers who received unemployment insurance and were pushed off by their state</td>
<td>43.6%</td>
<td>56.4%</td>
</tr>
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<td>Do you feel safe returning to your workplace considering the ongoing transmission of COVID-19?</td>
<td>58.5%</td>
<td>41.5%</td>
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<tr>
<td>Do workers wear masks at your main restaurant employer?</td>
<td>63.9%</td>
<td>36.1%</td>
</tr>
<tr>
<td>Do customers wear masks at your main restaurant employer?</td>
<td>34.8%</td>
<td>65.2%</td>
</tr>
<tr>
<td>Is your main restaurant employer understaffed?</td>
<td>86.2%</td>
<td>13.8%</td>
</tr>
<tr>
<td>Have you or your coworkers tested positive for COVID-19?</td>
<td>68%</td>
<td>32%</td>
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<tr>
<td>Have you or your friends or family tested positive for COVID-19?</td>
<td>59.2%</td>
<td>40.8%</td>
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<tr>
<td>Have you been vaccinated against COVID-19?</td>
<td>74.4%</td>
<td>25.6%</td>
</tr>
<tr>
<td>Unvaccinated but plan to get vaccinated</td>
<td>22.1%</td>
<td>77.9%</td>
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Since March of 2020, workers across all industries have experienced a massive upheaval. However, the restaurant industry has been one of the hardest hit. The COVID-19 pandemic has undermined restaurant workers’ income, wages, housing security, and has taken the lives of their friends and families. A California-based study on COVID-19 mortalities found that cooks, among all essential workers, are at the greatest risk of death working during the COVID-19 pandemic. Bartenders, chefs, and head cooks were also listed among professions with the highest “risk ratio for mortality.”¹ Not only has this pandemic meant a continual crisis for restaurant workers, but it has also laid bare longstanding structural inequalities in the United States, many of which were already woven into the fabric of American restaurants. Women and people of color, those hit hardest by the pandemic’s devastation, are the backbone of the restaurant industry. Compounding this devastation is the fact that the restaurant industry is the largest employer of both minimum and subminimum wage workers in the United States, reinforcing historical race and gender divisions.²

Dramatic changes in employment hit many industries, yet restaurants were uniquely devastated by the onslaught of COVID-19 cases and shutdowns. In many states, as kitchens remained open and dining rooms were closed, workers were dragged through ongoing closures and reopenings, whiplashed between essential and non-essential status. Nearly 6 million restaurant workers lost their jobs in 2020. Restaurant unemployment at the height of the pandemic officially reached 42 percent, and by the end of 2020, unemployment remained three times higher than before the pandemic. By comparison, the private sector recorded an unemployment high of 16 percent in April 2020, less than half that of the restaurant industry.

In January 2020, restaurant (food preparation and serving related occupations) and private sector (nonagriculture, private wage and salary workers) unemployment were at similar levels. With the pandemic’s impact, unemployment in the restaurant industry far surpassed the private sector as a whole.

As of December 2020, restaurant unemployment was still triple that of January’s pre-pandemic levels and continues to hover above the private sector.

¹https://www.bls.gov/news.release/empsit.t079.htm
²https://www.bls.gov/news.release/empsit.t079.htm
States with the most significant drops in restaurant employment included New York and Vermont, and Washington, D.C. Restaurant workers in states with high levels of unemployment were forced to navigate the bureaucracy of pandemic relief if they were eligible for benefits. Those workers without United States citizenship or who were denied benefits fell through the cracks of pandemic relief programs. States which retained higher levels of employment included Oklahoma, Mississippi, and Utah. These states are among those that offer the lowest subminimum wage allowed by federal law to tipped restaurant workers—$2.13 an hour. The federal subminimum wage of $2.13 an hour has not been changed since 1991. Tied to these lowest wages, states with a $2.13 subminimum wage also stand out for providing few protections to low-wage workers and weak enforcement of labor laws. Tipped workers in these states that reopened their dining rooms at the height of the pandemic found themselves conscripted into the essential workforce with already weak worker protections. More than two-thirds of restaurant workers in states with a $2.13 subminimum wage are women, and nearly half are people of color, populations that saw themselves bearing the brunt of both essential work and the pandemic.

In 2020, nearly six million restaurant workers lost their jobs, while the remaining eight million were employed in high-risk jobs on the frontline of the pandemic. Overrepresented in the states with the lowest wages, women and people of color have long been the backbone of the restaurant workforce across the country. In the restaurant industry, women comprise 54 percent of the workforce, 49 percent of back-of-house, and more than 66 percent of tipped restaurant workers. Workers of color represent nearly half of the restaurant industry and more than half of back-of-house, yet only 40 percent of tipped restaurant workers.

Women and people of color have also disproportionately borne the brunt of the pandemic, both in terms of being essential workers as well as being those who have experienced job loss. The National Women’s Law Center reported that due to pandemic-related job loss, women lost a generation of labor force participation gains. Restaurant workers who were parents were driven out of the industry by the pandemic’s impact on childcare access, since more than a third of all women working in the industry are mothers, well over half of whom are single parents. A national survey of essential workers found that 40 percent of women and 41 percent of workers of color were negatively impacted by unpaid care. The same report found that Black and Latina/o/x workers lost income at notably higher rates than white workers, especially among the lowest paid workers. Most restaurant workers were barely making ends meet, living in poverty at nearly three times the rate of the rest of the workforce, and accessing food stamps and Medicaid at nearly twice the rate of the total workforce. Pandemic relief and recovery must address the concerns of these frontline workers and recognize longstanding inequities within the food-labor system.
Restaurant workers are involved in powerful movements that are taking center stage in conversations about economic recovery, including efforts to win a $15 minimum wage, the end of subminimum wages, access to paid leave, childcare, and paid sick time, and obtain racial and gender justice across the country. The media has been captivated by countless stories of restaurant workers refusing to return to work or walking off the job. Our survey findings make clear that what restaurant workers want most is dignity and respect on the job.

In the context of these challenges, ROC United surveyed over 1,000 restaurant workers to better understand the experience of restaurant workers in 2020, in the midst of the pandemic. The survey focused on three main topics. First, we asked workers about their current employment, how their work changed in the context of the pandemic, and whether they had accessed unemployment insurance. Second, we sought to understand how workers felt their restaurants handled workplace safety issues, whether workers received hazard pay, and if they had health benefits at their jobs. Third, we focused on government aid and the financial impacts of COVID-19. We then followed up in 2021 with our original survey panel and asked them a short battery of questions to understand if they were vaccinated, if they felt safe at work, and if they had left the industry. The following report shares our survey methodology, presents our findings, and lays out our policy recommendations to support the dignity of all restaurant workers.
SURVEY METHODOLOGY

ROC United, in 2020, launched a project to build a National Research Panel (NRP) of 1,000 restaurant workers. The NRP is an effort to build a representative sample of restaurant workers to help educate industry leaders, elected officials, and advocacy organizations about the conditions faced by restaurant workers, and lift up the voice of restaurant workers with the goal of promoting greater equity and improved wages and working conditions in the industry. The NRP was recruited using targeted social media advertisements to reach restaurant workers across the country, with an ultimate digital reach of 4,000 people. NRP respondents were invited to complete a COVID Impact Survey through Qualtrics, with a total battery of 85 questions. The survey was administered from August to October 2020. A total of 1,040 responses were collected over three months, representing restaurant workers across all 50 states. NRP respondents who participated in the survey were entered into a drawing, where three respondents were randomly selected to win a $200 gift card.

Because of the rapid spread of COVID-19 and the changing landscape of restaurants with vaccine roll-outs, a follow-up survey was conducted to assess the experiences of workers during reopenings as well as their vaccination status. From September 14th to October 7th, 2021, we invited all original respondents to complete a short follow-up survey with a battery of 11 questions conducted over text using Strive Digital. The survey was designed as a series of “yes” or “no” questions over Strive, a texting platform, to prioritize quick responses and higher response rates. Of the original respondents, 629 replied and were entered into a drawing with three chances to win a $100 gift card. Responses were imported into Qualtrics for analysis. Workers were asked about the following: whether they were looking for employment outside the industry, staffing, mask usage, COVID-19 cases at their restaurants and in their communities, and vaccination status.

DATA ANALYSIS

We derived race and gender restaurant worker demographic data from the American Community Survey to weight responses by race/ethnicity and gender to more rigorously reflect the United States restaurant worker population, and all results in the report refer to weighted figures. For race/ethnicity, a binary variable was used to weight respondents of color and white respondents to match restaurant industry demographics. “People of color” included all respondents who identified as Black/African American, Hispanic/Latino, Indigenous, or Asian/Pacific Islander.
who identified as Native American, Asian or Pacific Islander, Black or African American, Latina/o/x, Arab or Middle Eastern, or a combination (mixed-race respondents that marked white as well as other race/ethnicities were included as people of color). Responses were then analyzed using Qualtrics reports and crosstabs tools.

The weighting scheme adjusted responses to match ROC United’s analysis of the restaurant industry’s gender and race/ethnicity demographics based on the American Community Survey: 45.43 percent male and 53.44 percent female. Although trans, non-binary, and other non-cisgender identities were not significant enough to weigh, they were included in the sample, marking the remaining percentages. The race/ethnicity weighting scheme was based on a binary of workers of color and white workers mirroring restaurant industry demographics from the American Community Survey: 46.40 percent workers of color and 53.60 percent white workers.

The survey oversampled restaurant workers slightly older than the restaurant worker population as a whole, who are an often underrepresented group in the industry’s policy decisions. Two percent of respondents were 16-24, 55 percent were 25-44, 42 percent were 45-64, and only 1 percent were 65 or older. Among the survey respondents, 43 percent were single, 26 percent were married, 16 percent were divorced, 10 percent were in a domestic partnership, and 6 percent were widowed or separated.

Looking at respondents’ education levels, nearly half had high school diplomas, and 4 percent had several years of high school. Twenty-four percent had an associate’s degree, 17 percent had a B.A., 5 percent had a professional degree, and 2 percent had trade school/vocational degree/certificates. Less than 2 percent had post-graduate degrees or less than high school levels of education.

When respondents were asked about the number of jobs they had, we found that 71 percent had one job, and 23 percent held more than two jobs. Survey respondents also reported on the size of their employer. Though a fifth of all workers surveyed were unemployed at the time, we asked respondents the size of their most recent employer. A plurality of respondents worked at large restaurant companies (15 percent at an employer with 50-499 workers across all US locations and 27 percent at an employer with more than 500 workers across all US locations). Nearly a third (31 percent) of respondents worked at an employer with 5-49 workers across all US locations, and 6 percent of respondents worked at restaurants with 1-4 workers across all United States locations. Among the survey respondents, 18 percent were back-of-house restaurant workers, 58 percent were front-of-house restaurant workers, and 24 percent were from restaurant management.
WORKER EXPERIENCES WITH COVID-19

THERE WAS NO SOCIAL DISTANCING

“There was no social distancing. People would just cough and spit loudly right in front of people with food there. It was pretty much business as usual despite concerns from a number of us. My mom is immunocompromised, COVID could kill her. She’s not gotten it yet, but I was worried every day that I worked that she would.”

—Barista, Washington

According to the Centers for Disease Control and Prevention’s COVID Data Tracker, the United States experienced over 51.5 million cases of COVID-19 and more than 800,000 deaths. Essential workers were among those hardest hit by the pandemic, including many restaurant workers who continued to work through the pandemic. This essential workforce disproportionately included Black and Latina/o/x workers. For example, in New York City, Black and Latina/o/x workers make up more than half of all restaurant workers and 65 percent of Back-of-House workers (those

<table>
<thead>
<tr>
<th>Worker Experience</th>
<th>Yes</th>
<th>No</th>
<th>Unsure/Don’t Know</th>
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<tbody>
<tr>
<td>Know somebody that tested positive for COVID-19</td>
<td>62.53%</td>
<td>33.56%</td>
<td>3.92%</td>
</tr>
<tr>
<td>Know someone who has died from COVID-19 or suspected</td>
<td>31.73%</td>
<td>68.27%</td>
<td></td>
</tr>
<tr>
<td>Immediate or extended family</td>
<td>5.65%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Friends or acquaintances</td>
<td>23.31%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both family and friends/acquaintances</td>
<td>2.77%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Had a coworker test positive for COVID-19 at the</td>
<td>42.35%</td>
<td>57.65%</td>
<td></td>
</tr>
<tr>
<td>workplace</td>
<td></td>
<td></td>
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<tr>
<td>Experienced COVID-19 symptoms or know a coworker</td>
<td>37.64%</td>
<td>38.99%</td>
<td>23.37%</td>
</tr>
<tr>
<td>who has experienced symptoms since March 2020</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I have experienced symptoms</td>
<td>9.50%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Me and my coworkers have experienced symptoms</td>
<td>11.49%</td>
<td></td>
<td></td>
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<tr>
<td>My coworkers have experienced symptoms</td>
<td>16.65%</td>
<td></td>
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<tr>
<td>Went to work during the last 3 months with COVID-19</td>
<td>12.06%</td>
<td>85.85%</td>
<td>2.09%</td>
</tr>
<tr>
<td>symptoms</td>
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most likely to have become essential workers). The city’s COVID-19 deaths were overwhelmingly (greater than 60 percent) Black and Latina/o/x people, including many in the restaurant industry.

WE ARE TIRED. WE ARE GETTING SICK... WE ARE LOSING FRIENDS AND FAMILY.

“The handful of us left that are still working are trying our best. We are tired. We are getting sick... we are losing friends and family. We just buried our manager yesterday, he had a heart attack in the office on the job. He’d been working doubles to make up for the lack of staff. It’s a big struggle out there for us all. Please have compassion.”

—Restaurant Worker, Macomb County, MI

Unsurprisingly, most restaurant workers we surveyed had experience with COVID-19, whether it was their friends and family or personal experiences at work. Sixty-three percent of respondents reported that they knew somebody who had tested positive for COVID-19. An alarming percentage of workers surveyed, nearly a third, shared that they had even experienced the deaths of their family or friends due to COVID-19 or suspected COVID-19. This number was even more concerning when looking at the responses of Black restaurant workers, over half of whom experienced a death among their family or friends. Restaurant workers shared their fears of contracting COVID-19. Fifty-eight percent reported being concerned or very concerned about themselves or their loved ones contracting COVID-19 due to exposure at work. Workers’ concerns of COVID-19 in the workplace were validated by the high number of cases across the country and among populations who were more likely to work jobs deemed “essential.”

Looking at respondents’ workplaces, we found that many restaurant workers had experiences with COVID-19 in their restaurants. Thirty-eight percent of respondents shared that they and/or their coworkers experienced symptoms. For the purpose of the survey, we defined symptoms as “including, but not limited to fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea.” Twenty-three percent of respondents said they didn’t know if they experienced symptoms, revealing the uncertainty around COVID-19 symptoms and general confusion as workers navigated this unprecedented pandemic with little guidance. A greater number, 42 percent, of restaurant workers surveyed, reported that someone at their workplace had tested positive for COVID-19. The increased percentage of positive tests suggests that several COVID-19 cases experienced by restaurant workers were likely asymptomatic. The
extent to which asymptomatic spread affected the restaurant industry is yet to be determined. Still, it is cause for concern as the U.S. Center for Disease Control and Prevention found that more than half of COVID-19 infections are transmitted asymptomatically and pre-symptomatically.7

HOW DO WE KNOW WHAT THEY HAVE?

“We’re seeing many different people, hundreds of people a day, how do we know what they have?”

—Server, New Jersey

In their study on asymptomatic spread, the CDC highlighted the need for people to wear a mask, wash their hands, and stay socially distant from others regardless of whether they feel ill or well. Yet following these recommendations has been a challenge in the restaurant industry as workers have had to navigate small kitchen spaces and lack of employer-provided PPE. Many kitchens, already notorious for their cramped and poorly ventilated quarters, make it nearly impossible to maintain social distance. Eighty percent of restaurant workers surveyed reported regularly working in physical proximity to co-workers and customers as part of their job. In another study, the CDC emphasized restaurants as hotspots for COVID-19 transmission and found that adults with positive COVID-19 test results were “approximately twice as likely to have reported dining at a restaurant than were those with negative test results.”8

Beyond asymptomatic spread, some restaurant workers reported going to work with symptoms. One in ten workers surveyed had gone to work in the previous three months with symptoms, and a small percentage were unsure whether they went to work with symptoms. When workers were asked why they made this decision, they cited loss of income, lack of proper paid sick leave, and fear of retaliation. Nearly half of respondents believed that they would lose out on tips as a fundamental part of their income if they missed work. A majority of workers surveyed were afraid of punishment for calling in sick. Nearly half reported that finding a shift cover was mandatory at their workplace, and they, therefore, were not able to stay home while sick.

Workers were failed by policy and employers

1 in 10 workers went to work while experiencing COVID-19 symptoms

Lack of Paid Sick Leave | Fear of Retaliation | Lack of Enforcement | Unnecessary Spread of COVID-19
CURRENT WORK AND UNEMPLOYMENT

I GOT NEXT TO NOTHING

“I was fired from my second job which was a big part of my income because they weren’t social distancing and I had something to say about it. No one can help because Ohio is a right to work state. So I’m out money. Also, I found out they were claiming way lower tips than I was getting which in turn messed up my unemployment back in March and I got next to nothing.”

—Server, Ohio

A supermajority of restaurant workers, 95 percent, experienced some change to their job status—whether they were furloughed, laid off, had their hours cut, were fired or terminated, or experienced the closure of their restaurant. Restaurant workers fell into two categories, those who lost their jobs and those who became essential workers. Thirty-three percent of survey respondents reported getting laid off during the pandemic, 26 percent reported their hours were cut, 31 percent of workers reported being furloughed, and 10 percent reported being fired or terminated due to the pandemic. Eighty-five percent of respondents said they lost their income due to the COVID-19 pandemic in 2020. Notably, 69 percent of respondents applied and received unemployment insurance or pandemic unemployment assistance.

I LOST MY ORIGINAL JOB AND WAS CUT OFF UNEMPLOYMENT

“I lost my original job and was cut off unemployment and forced to take a job for $6 less/hour and lost my 401K and Health Benefits. And am now living paycheck to paycheck and looking at filing bankruptcy.”

—Restaurant Worker, Michigan
Not all restaurant workers were able to access unemployment insurance. We found that 11 percent of workers surveyed applied and didn’t receive unemployment insurance or were ineligible for benefits. Likely, the number of restaurant workers ineligible for benefits is much higher, considering the undocumented workforce. A survey launched by a broad coalition of social justice organizations and academic institutions found major racial, gender, and economic disparities in the impact of the COVID-19 pandemic, pointing towards disparities in unemployment access. The survey reported that 34 percent of Black workers, 26 percent of Latina/o/x workers, and 14 percent of white workers who applied for unemployment assistance were denied benefits. Not only did significant percentages of workers lose their jobs and were not able to receive emergency relief, but their experience reflects racial inequities already entrenched in the restaurant industry. It should also be noted that even before the pandemic, the Department of Labor had high denial error rates. As states have moved to predominantly online processing, many have created systems inaccessible to workers on the other side of the digital divide—workers with limited English proficiency, and people with disabilities.

Our survey oversampled front-of-house workers, which also raises the question of eligibility and access to unemployment for back-of-house workers who may have been forced into the essential workforce or are statistically more likely to be immigrants with less access to government aid. People of color are also more likely to work in the back-of-house, were overrepresented in the essential workforce, and were among those denied unemployment benefits.

Despite access to unemployment benefits, another concern was whether workers received their full wages before shutdowns. For 33 percent of laid-off workers, the vast majority, at 67 percent, said they neither received severance pay or their last paycheck (that included their owed vacation and sick day payout). Of particular concern is the clear violation of wage and hour laws found in our survey, already a major issue before the pandemic. Less than a third of all restaurant workers surveyed received the full wages they were due before they were laid off. While many workers across the country received severance pay as they lost their jobs, less than 2 percent of restaurant workers surveyed said they received severance pay (a typical benefit for an hourly, union-represented, employee is one week of pay for each year of service, up to 26 weeks of pay).
MANAGEMENT USED SERVERS AS JANITORIAL CREWS

“It was not about collecting unemployment that I decided to not go back to work in a restaurant. It was the $2.13/ hour side work that servers had to do without getting paid. Basically, management used servers as janitorial crews. In addition, tipping bartenders, busboys, food runners, and hosts a percentage of my sales is ridiculous. Oftentimes in a tourist driven economy like the one I worked in, tips did not reflect the proper percentages of sales. Therefore, I was losing money not making money. Not having benefits or a set schedule is hard too. The childishness of management when you are sick and have to come to work to prove you are sick is tiresome.”

—Server, New Orleans, LA.

While shutdowns and unemployment may have protected some restaurant workers during the first half of the pandemic, another major issue arose, which happened to workers as restaurants began to reopen. Though the United States lagged behind other countries implementing shutdowns, Illinois was the first state in the United States to close restaurants and bars in March 2020, while other states issued closures later that same day. As of mid-March 2020, Illinois, Massachusetts, Ohio, Washington, Los Angeles, and New York City had limited restaurants to delivery and takeout orders while shutting down all bars.

Later in the spring of 2020, many states were eager to reopen restaurants and stimulate local economies. Across the country, many restaurant reopenings began in May and June of 2020. New York City reopened on June 8th, after a nearly three-month lockdown (still restricting restaurants to take-out and delivery), and on the 22nd, the city opened for outdoor dining. In California, Los Angeles County reopened bars, wineries, breweries, and tasting rooms on June 19th despite rising COVID cases. Texas and Florida opened earlier. Governor DeSantis gave restaurants the go-ahead to operate at 50 percent capacity in Florida as early as May 15th. In Texas, restaurants were permitted to reopen at 25 percent capacity on May 1st and increased to 75 percent capacity on June 12th. Florida and Texas each hit record high COVID cases after reopening. By the time the survey was completed, many restaurant workers were called back into work by their former employers, and were faced with difficult decisions as the pandemic raged on. From August to October 2020, at the time of our study, 28 percent of workers said they were forced off unemployment benefits/insurance when their restaurants reopened. These figures likely increased in the following months as states ended their expanded unemployment benefits in a bid to force people back into the workforce.
WORKING THROUGH THE COVID-19 PANDEMIC

MISTREATMENT FROM MANAGEMENT

“In my opinion, the lack of care concerning COVID is just a manifestation of the general lack of care ownership has for their employees. At one point we had an employee test positive for COVID-19 and some of us did not feel comfortable coming into work until getting back test results. Several people were fired. If they’re not invested in our emotional well-being, of course they are not invested in our physical well-being. In the middle of a pandemic and historic economic crisis, management showed zero care for its staff, who were economically vulnerable and reliant in a way. Oftentimes, this condescension was so subtle and twisted that it was difficult to document and put into words. When I was finally terminated my only option was to file a COVID-19 complaint with the city.”

—Restaurant Worker, Philadelphia, PA

LEVEL OF WORKER SATISFACTION WITH COMMUNICATION FROM MANAGEMENT AROUND COVID-19

% OF SAMPLE

<table>
<thead>
<tr>
<th>Level</th>
<th>% of Sample</th>
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</thead>
<tbody>
<tr>
<td>Extremely satisfied</td>
<td>23.25%</td>
</tr>
<tr>
<td>Moderately satisfied</td>
<td>19.62%</td>
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<tr>
<td>Slightly satisfied</td>
<td>11.08%</td>
</tr>
<tr>
<td>Neither satisfied nor dissatisfied</td>
<td>13.20%</td>
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<tr>
<td>Slightly dissatisfied</td>
<td>7.43%</td>
</tr>
<tr>
<td>Moderately dissatisfied</td>
<td>6.98%</td>
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<tr>
<td>Extremely dissatisfied</td>
<td>18.43%</td>
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EXPERIENCED A CHANGE IN DUTIES TO ACCOMMODATE NEW SERVICES DUE TO COVID-19

% OF SAMPLE

<table>
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<tr>
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<td>No</td>
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RECEIVED TRAINING ON USING PPE AND WORKPLACE HYGIENE DURING COVID-19

% OF SAMPLE

<table>
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<th>Training</th>
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<td>Probably yes</td>
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<tr>
<td>Might or might not</td>
<td>10.37%</td>
</tr>
<tr>
<td>Probably not</td>
<td>9.74%</td>
</tr>
<tr>
<td>Definitely not</td>
<td>30.97%</td>
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</table>

HARASSED BY CUSTOMERS BECAUSE THEY WERE WEARING A MASK OR OTHER PPE

% OF SAMPLE

<table>
<thead>
<tr>
<th>Experience</th>
<th>% of Sample</th>
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<tbody>
<tr>
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<td>29.71%</td>
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<td>No</td>
<td>65.20%</td>
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<td>Maybe</td>
<td>5.09%</td>
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</table>

“WORKERS LIKE ME HAVE A SAY IN HEALTH AND SAFETY RULES IN MY WORKPLACE.”

% OF SAMPLE

<table>
<thead>
<tr>
<th>Level</th>
<th>% of Sample</th>
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<tbody>
<tr>
<td>1 – Strongly agree</td>
<td>29.64%</td>
</tr>
<tr>
<td>2</td>
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<tr>
<td>3</td>
<td>13.37%</td>
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<tr>
<td>4</td>
<td>12.04%</td>
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<td>5 – Strongly disagree</td>
<td>31.50%</td>
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<tr>
<td>Not sure</td>
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</table>

RECEIVED PERSONAL PROTECTIVE EQUIPMENT (PPE) FROM EMPLOYER

% OF SAMPLE

<table>
<thead>
<tr>
<th>Experience</th>
<th>% of Sample</th>
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</thead>
<tbody>
<tr>
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<td>62.56%</td>
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<tr>
<td>Maybe</td>
<td>3.83%</td>
</tr>
<tr>
<td>No</td>
<td>33.61%</td>
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IN REGULAR PHYSICAL PROXIMITY TO CO-WORKERS AND CUSTOMERS AS PART OF THEIR MAIN JOB SINCE MARCH 2020

<table>
<thead>
<tr>
<th>Experience</th>
<th>% of Sample</th>
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<tbody>
<tr>
<td>Yes, co-workers</td>
<td>10.81%</td>
</tr>
<tr>
<td>Yes, customers</td>
<td>0.97%</td>
</tr>
<tr>
<td>Yes, co-workers and customers</td>
<td>68.47%</td>
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<tr>
<td>No, neither</td>
<td>19.74%</td>
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RECEIVED HAZARD PAY OR INCREASED PAY FROM EMPLOYERS FOR WORKING DURING THE CORONAVIRUS OUTBREAK

% OF SAMPLE

<table>
<thead>
<tr>
<th>Experience</th>
<th>% of Sample</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>9.04%</td>
</tr>
<tr>
<td>No</td>
<td>90.96%</td>
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</table>

ADEQUACY OF HAZARD PAY

% OF SAMPLE

<table>
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<tr>
<th>Level</th>
<th>% of Sample</th>
</tr>
</thead>
<tbody>
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<td>2.41%</td>
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<tr>
<td>Moderately adequate</td>
<td>1.44%</td>
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<tr>
<td>Slightly adequate</td>
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<tr>
<td>Neither adequate nor inadequate</td>
<td>40.56%</td>
</tr>
<tr>
<td>Slightly inadequate</td>
<td>2.13%</td>
</tr>
<tr>
<td>Moderately inadequate</td>
<td>3.85%</td>
</tr>
<tr>
<td>Extremely inadequate</td>
<td>45.98%</td>
</tr>
</tbody>
</table>
Restaurant work has long been a profession with associated health and safety concerns. Yet with the onslaught of COVID-19 cases and transmissibility of the virus, working in restaurants means potentially risking serious illness or even one’s life by simply showing up to work. Social distancing and other suggested practices are often impossible due to the nature of restaurant work. Eighty percent of survey respondents reported having to work regularly in physical proximity to co-workers and customers. Thirty-four percent of respondents reported that they did not receive PPE (e.g. masks, gloves, face shields) at their workplace, and 41 percent said they did not receive any training on using PPE and workplace hygiene during COVID-19.

About a quarter of workers shared that they work in restaurants where most customers don’t wear masks. On the other hand, restaurant workers themselves were more likely to wear masks while working. A majority of respondents, 84 percent, work in restaurants where most workers do wear masks. A little over a third of workers shared that they had to force a customer to wear a mask or other PPE while in the restaurant, and 18 percent of workers said they hadn’t been in such a situation because their employer didn’t allow them to enforce mask-wearing. Furthermore, 30 percent said customers harassed them for wearing a mask or other PPE. When asked about customer harassment, responses included, “customers have complained that I socially distance from them, especially in instances where they have refused to wear a mask,” “I have been made fun of, laughed at, spit on, and treated [like] less,” and “[I] even had carrot cake thrown at me!” Another respondent said they were too nervous to enforce the mask policy because they work alone. Only one respondent expressed anything close to disapproval of mask mandates, saying “customers ask me to pull it up over my nose.” More than half of all workers surveyed said fears of employer retaliation prevent them from raising concerns about unsafe conditions and/or refusing to perform job duties that expose them to unsafe conditions. When asked if workers have a say in health and safety rules at their workplace, 44 percent said they did not have a say and 33 percent said they were dissatisfied with communication from management around COVID-19, though many respondents did report being satisfied with communication from their management.

Considering workers’ hazards on the job and the difficulty of social distancing, many essential workers united around demanding access to hazard pay; yet few restaurant workers received extra compensation for working through the pandemic. A majority of respondents shared that their duties changed to accommodate new service due to COVID-19, yet less than 10 percent of workers surveyed received hazard pay. Ninety-one percent of respondents said they did not receive hazard pay or increased pay from their employer for working during the coronavirus outbreak. While many workers may have been receiving unemployment insurance, only 3 percent of all workers reported that they had
increased income paid from work in 2020. For the workers who did receive some hazard pay, more than 50 percent said it was inadequate. Despite the few who received hazard pay and those who benefitted from the extra income on unemployment due to the CARES Act, 85 percent of survey respondents said they lost income because of the COVID-19 pandemic in 2020.

Another critical issue for restaurant workers who have worked through the pandemic is access to paid sick leave. An overwhelming majority of respondents, 72 percent, said they had no access to paid sick leave and/or paid family leave. When asked about whether they had used paid sick leave as a result of the pandemic, 42 percent of respondents reported that they did not receive paid time off or that their time off request was denied. Though there is no federal policy guaranteeing paid sick leave to workers, this response raises concerns about restaurant workers falling through the cracks during the pandemic, considering the Families First Coronavirus Response Act (FFCRA), guaranteed paid sick leave for COVID-19-related reasons from April 1, 2020 and throughout the period of the survey. However, over a quarter of our respondents, 27 percent, worked for employers with over 500 employees across the country, employers who were exempt from the FFCRA. Despite already low rates of access to employer sponsored health insurance in the restaurant industry, 30 percent of respondents said they lost employer sponsored health coverage because of their own or a family member’s job loss since March 2020.

GOVERNMENT AID AND FINANCIAL IMPACT

WHO IS MAKING SURE WE HAVE FUNDS TO SUPPORT OUR FAMILIES?

“Yes there have been a lot of national programs and grants out there that have helped the service industry but our government did nothing but offer unemployment. I applied for a program to help pay my back rent and utilities with my local government and even though I was approved back in May, they have yet to make a utility payment. I am still owed $3,500 dollars from unemployment and I have been to 3 in person appointments at this point. Who is making sure we have funds to support our families? People are still scared and we are not making anything close to what we made before COVID. This whole pandemic has changed people, and many of them, it has not been for the good. Owners who got the PPP loans have been able to secure their families’ interest but what about their employees? The federal government should have done more to secure our future since we are the people that make the place able to run. People don’t want to go back to work for these places because they didn’t make them feel secure in their future.”

—Restaurant Worker, Kentucky

Our survey found that 85 percent of respondents lost income from paid work due to the COVID-19 pandemic in 2020, and in the United States, workers across all industries have lost an
estimated 10.3 percent of their wealth since March 2020. According to a limited service industry publication, hourly restaurant workers saw the biggest reduction in hours of any other industry, with 78 percent of the workforce claiming reduced hours. Our respondents’ loss in income likely impacted their communities, since 55 percent of workers surveyed shared that they were also the primary source of financial support to family members or loved ones outside their household.

While there is much attention given to whether pandemic unemployment incentivized workers not to return to their jobs, we found that less than 2 percent of respondents said their restaurant reopened, but they chose not to return because of the $600 unemployment stimulus. It should be noted that the vast majority of restaurant workers either lost their work or were working under extreme conditions.

Government policy and COVID response had the potential to either support or undermine restaurant workers’ ability to fare the pandemic. Although restaurant workers were hit hard, access to rent relief and the rent moratorium was slim. Ninety-three percent of restaurant workers did not access any kind of rent-related programs in their cities. Respondents overwhelmingly agreed that local, state, and federal governments could provide additional support. Eighty-two percent
of respondents supported government aid for food and rent via unemployment or stimulus. Restaurant workers also overwhelmingly supported government-provided medical insurance. Nearly half of all respondents supported the government increasing access to food via food stamps, providing loan forgiveness, and prohibiting evictions. Over a third of respondents supported requiring employers to provide personal protective equipment, improving enforcement and safety precautions on the job during COVID-19, providing job protection with the right to get their job back once their place of work opens back up, and prohibiting internet service shut-offs. A quarter of all workers, similar to the percentage of restaurant worker parents in the United States, said the government should provide additional child care support. Policy supporting a just recovery must center on the needs of restaurant workers, which have been amplified by COVID-19, including unemployment relief, access to food and housing, and access to medical care and paid sick leave.

In our 2020 survey, we found that 69 percent of respondents received unemployment insurance. Despite the Delta outbreak and ongoing spread of COVID-19, the percentage of workers who reported receiving unemployment insurance during the pandemic did not change dramatically, with 67% receiving the benefit in the 2021 follow-up survey. Though there were ongoing
shutdowns, survey responses suggest that workers were unable to access unemployment benefits beyond the first closures, and those who were ineligible remained ineligible. Unemployment insurance’s insufficiencies are further demonstrated by the 44 percent of respondents who reported that they had been pushed off the benefit by their states at the time of the follow-up survey, up from 28 percent in the previous year.

In the follow-up survey, workers were asked whether or not they or their family and friends had tested positive for COVID-19. More than half of all respondents, at 59 percent, responded yes. When asked whether they or a coworker tested positive for the virus, respondents reported yes in even higher numbers, with 68 percent sharing that COVID-19 had infected their workplaces. While initially 45 percent of respondents reported that COVID-19 hit their workplaces in 2020, in 2021 restaurant workers were 1.5 times more likely (at 68 percent) to say that they or a coworker had tested positive for COVID-19.

Our survey found that restaurant workers are far more likely to take safety precautions against COVID-19 than patrons or the general population. A majority of respondents (64 percent) reported that workers wore masks at their primary employer. A similar number (65 percent) said that customers do not wear masks at their primary employer, indicating that workers are nearly twice as likely to protect themselves against the virus as the patrons they serve are. We also found that restaurant workers are more likely than the general population to be vaccinated against COVID-19.

At the time of our supplemental survey, only 56 percent of the population was fully vaccinated, while 74 percent of respondents reported that they were vaccinated against COVID-19, meaning that restaurant workers are nearly 20 percent more likely to be vaccinated than the general population. While such high vaccination rates among restaurant workers are promising, workers’ perception of their own safety remains low. Though many workers reported feeling safe to return to work, a troubling number, 41 percent of respondents still don’t feel safe to return to their jobs. Considering the discontinued unemployment insurance benefits and re-openings, many restaurant workers are likely experiencing the pressure to work despite continued concern about the virus. Restaurant workers’ perceptions of their safety are pivotal to their well-being.

Our findings and public data are increasingly showing that restaurant workers are at a greater risk of contracting and even dying from COVID-19. High rates of vaccination and masking show that workers are doing everything they can to protect themselves. As restaurants reopen and lawmakers are focused on economic recovery, workers’ experiences must inform the agenda. Understaffing in restaurants is a serious concern for both workers and employers. We found that 86 percent of respondents to our follow-up survey reported that their restaurants are understaffed and more than half of our respondents, 59 percent, reported that they had or were trying to find work outside of the restaurant industry. The on-the-job pressures of working in the pandemic must be addressed in a just recovery.
THERE NEEDS TO BE PENALTIES

“There needs to be harsher punishments and higher penalties for companies failing to comply with CDC guidelines and allowing workers to come in knowing they either have COVID or are exposed to COVID. The ideal restaurant would NEVER put their employees and customers at risk.”

—Team Member, Michigan

In this time of great transition where the issues of restaurant workers have captured national attention, our findings reveal the need for state and federal policy that intervenes in longstanding labor abuses and inequities in the restaurant industry. Yet, policy alone will not transform conditions in the restaurant industry. For the restaurant industry, reforms must include enforcement of mask mandates and haphazard social distancing that failed restaurant workers who were vulnerable to contracting COVID-19 on the job. While the pandemic has driven restaurant workers to the edge, including many tragic and preventable deaths, restaurant workers have also banded together to demand significant reforms. Though the media has focused on their employers’ labor shortages, our findings reveal the perilous conditions that many workers continue to face, and the high levels of job loss that drove many to leave the industry in search of other careers. Government officials and policymakers have a tremendous responsibility to support working-class people and ensure that the lowest-paid workers are prioritized in the national recovery plan. Our findings direct policymakers towards multiple avenues for transformative policy:

1. **Mandate Large Employers to Require their Staff to be Vaccinated Against COVID-19.**

I WAS DEATHLY ILL IN THE ER

“I was fully vaccinated as soon as I could be. I was literally deathly ill and in the ER because of a girl that I work with who chose not to be vaccinated and then tested positive. This is totally not OK. And the health department can’t tell me that I won’t catch it again as a vaccinated person being around unvaccinated people. Shame on their thoughtlessness.”

—Server, Minnesota

Vaccine mandates are a public health imperative and are intended to keep the population safe.
There is strong evidence that mandates are highly effective in encouraging the vast majority of the workforce to get vaccinated.\textsuperscript{18} Vaccinations are critical in mitigating the impact of COVID-19, as restaurant workers are at greater risk of exposure than other workers and, as our survey shows, are likely to get COVID-19 or be in a community with people who have gotten COVID-19. Restaurant workers are already vaccinated at higher rates than the general population but are largely bearing the brunt of risks associated with the unvaccinated, often against their will and without their consent. Vaccines are an issue of public health that will protect essential workers, especially those who work in an industry where they do not have the opportunity to make personal choices about risk. The Department of Justice and the Equal Employment Opportunity Commission have determined that “businesses may lawfully require workers to get a COVID-19 vaccine as a condition of coming to the workplace.”\textsuperscript{19}

Although OSHA has adopted a vaccine mandate for large employers, it is currently on hold and under review by the courts. In the meantime, state and local governments should adopt similar mandates, and all employers should voluntarily adopt this requirement as well. Universal vaccination will prevent the spread of new variants and ensure the restaurant industry finally reopen fully and safely.

2 Restaurant Employers must Provide Security Personnel to Check Vaccination Status when Governments Mandate Restaurants to Verify Customers are Fully Vaccinated Against COVID-19.

“We have been threatened. Cursed at.”

—Server, New Jersey

Restaurant workers aren’t trained to act as security, yet they have been forced to police behavior throughout the pandemic, acting as ad-hoc security guards. In most states, front-of-house workers have been forced to enforce COVID-19 protocol while being paid the subminimum wage, as little as $2.13 an hour. Several restaurant workers reported experiences of harassment, including sexual harassment, while enforcing COVID-19 protocols. As workplaces report being short-staffed, restaurant workers are already taking on multiple jobs. This treatment is unconscionable and employers must recognize their responsibility to support the physical and emotional well-being of their workers. Employers must provide additional support to comply with government mandates.

3 Guarantee Strong Workplace Health and Safety Protections.

“All restaurant workers should be wearing masks, no ifs ands or buts.”

—Restaurant worker, Florida
WE ARE IN A PANDEMIC, LIFE ISN’T GOING TO BE NORMAL

“Mask mandates need to be reinstated even if it’s an oxymoron that they wear one inside but get to take it off at the table. That we’re all in the middle of a pandemic, life isn’t going to be normal, stop trying to act and live normally. And we need to go back down to social distancing the tables and people. Also, there needs to be someone in charge of making sure businesses are following disinfecting practices, following mask mandates, and put back the social distanced tables.”

—Restaurant worker, Virginia

Restaurant workers are being failed by the lack of workplace health and safety precautions across the country. However, it is not too late to implement policies that support restaurant workers’ well-being. Restaurant workers interact with the public daily, so their health and safety impact patrons and the broader community. Both workers and the public must feel safe with the reopening of restaurants and bars. Additional protections and enforcement must be implemented for the duration of the COVID-19 pandemic and for all future public health crises, prioritizing low-wage workers and marginalized communities. Restaurant workers must have the opportunity to quarantine when exposed to contagious diseases and be free from intimidation or pressure to come to work when sick. States and local governments must continue to follow and enforce the Occupational Safety and Health Administration’s (OSHA) emergency temporary standards to protect workers from the virus as long as the pandemic continues, and be nimble in implementing emergency standards in preparation for future outbreaks. State and local authorities should implement whistleblowers protections when workers speak out about unsafe workplaces conditions and protect workers against retaliation with more robust enforcement. State and local officials must hold corporations accountable when their practices endanger workers and the public.

6 Guarantee Paid Family and Medical Leave and Paid Sick Days.

“Restaurant workers deserve health insurance, better pay, and better benefits in general and commensurate with exposure/risk.”

—Restaurant Worker, Maryland

Restaurant workers are among the least likely to have access to any paid sick days or paid family or medical leave. Only 4 percent of accommodations and food service workers across the country have access to paid family leave.²⁰ Many restaurant workers support their families both economically and as caregivers. Nearly a third of restaurant workers are parents, and many more care for elders or other family members. These workers found themselves with an impossible decision: how to maintain financial security and keep themselves and their families safe from COVID-19.
As our findings show, these kinds of tradeoffs meant that one in ten workers went to work sick, which put many more workers and the public at risk. State and local governments must enact permanent access to Paid Family and Medical Leave and Paid Sick Days for all workers, especially low-wage workers who cannot afford to miss work.

7 Raise the Minimum Wage and Eliminate the Subminimum wage.

PEOPLE WHO WORK IN THE BACK ARE PRACTICALLY WORKING IN A SWEAT FACTORY

“We all know that the reason people aren’t working in the restaurant business is because warehouse owners like HomeGoods, Amazon, and really any fulfillment center pays $15.50 an hour. In order to get more staff, the restaurant owners and CEO’s should increase the pay of their workers. Not just servers, but kitchen staff, expo, hosts, bartenders, and managers. While your food comes out on plates, note that the people who work in the back are practically working in a sweat factory.”

—Server, Georgia

WORKERS NEED TO BE PAID MORE

“Industry workers need to be paid more than $2.13 an hour. Tips aren’t guaranteed, and $2.13 just isn’t enough to pay the bills. Federal tipped minimum wage hasn’t increased since 1973, and it’s time for that to change.”

—Restaurant Worker, Richmond, VA

Low-wage workers demanded higher wages even before they incurred the risks of being essential workers. Restaurant workers are among the lowest-paid workers, yet their industry is one of the fastest-growing industries in the United States. Growth will likely continue after the pandemic-related recession (as we saw a rapid recovery of restaurants after the 2008 crash). States should heed the calls of restaurant worker organizing and legislate higher minimum wages, gradually raising the minimum wage to at least $15 per hour, then index it to keep pace with inflation and rising wages overall. Restaurant workers are significant consumers in their own industry, and higher wages for restaurant workers can help boost consumer demand, contributing to the recovery of restaurants. States should phase out the subminimum wage to arrive at one fair minimum wage for all working people. As technology changes and consumer patterns have resulted in decreased tips for restaurant workers, it is abundantly clear that tips are not wages and should not be legislated as such. Higher wages must be accompanied by an economic policy that ensures that the lowest-paid workers can meet all basic needs and raise the bar beyond basic needs, so that restaurant workers cannot just survive, but flourish.
Use this Opportunity to make Restaurant Jobs Good Jobs with Strong Worker Protections.

“Remember we’re servers not servants.”

—Server, Ann Arbor, MI

WE WERE BEING TREATED NO DIFFERENT THAN THE MACHINES

“Customers would be an inch away from our faces loudly yelling at us because we couldn’t source their oat milk due to the food shortages. I wanted to be treated as if I was also a person that mattered in the workplace and not just the espresso machine. I mean it literally felt as if we were being treated no different than the machines.”

—Barista, Washington

Workers must have dignity in their workplaces. The transformation of low-wage work, disproportionately done by women and people of color, is essential to a just recovery. Restaurant employers must support the revitalization of their workplaces by promoting safe and fair conditions, and by recognizing institutionalized racism and gender inequity in their industry. Undocumented and immigrant workers must be entitled to the same protections as all other workers, and states must address and eradicate discriminatory employment practices. All actors must promote higher wages, benefits, fair scheduling practices, and restaurant worker power as central to this process. Our findings suggest that restaurant workers have experienced major wage theft and violations throughout the pandemic. Lawmakers and high road employers must fight wage theft and the violation of minimum wage and overtime laws. Lawmakers must investigate misclassification, forced arbitration, and surveillance related to digitization and challenge the legality of these practices, acknowledging the imbalance of power between workers and the large corporations they work for. As we have seen, weak enforcement of labor law and bad government actors leave restaurant workers with few avenues for redress other than forming their own organizations as the greatest force to resist unfair practices. Transformation of the industry requires worker power and strong restaurant worker organizations. Restaurant employers must follow federal law and allow their workers to join with coworkers to have a meaningful say in the terms of their work without harassment or retaliation. Legislation that protects that right to organize must be prioritized for the sake of all working people.
Expand and Strengthen Unemployment Insurance and Ensure Undocumented Workers are not Left Behind.

UNEMPLOYMENT CUT ME OFF

“In the middle of the pandemic, unemployment cut me off from pandemic unemployment and put me on regular unemployment and let me run out my regular unemployment. Then they cut me off of pandemic employment and all of this for no reason. All while my son was murdered and I’m trying to recover. And then after they cut off pandemic employment I can’t get regular unemployment because they used it all up before they cut me off in March.”

—Restaurant Worker, Houston, TX

Restaurant workers have experienced ongoing closures and reopenings of their workplaces, and unemployment insurance has been essential to protecting some from food and housing insecurity. However, restaurant workers faced accessibility issues with unemployment insurance. We found that many restaurant workers were pushed off by their state or received insufficient benefits to support their families. Substantial research has suggested higher denial rates for Black and Latina/o/x workers, which must be addressed. States should make unemployment insurance accessible for restaurant workers to shield them from the most extreme economic impacts of the COVID-19 pandemic, and to be prepared for future closures if they happen. Unemployment insurance programs should ensure sufficient benefits and duration of benefit during the recession and into the future. States should improve bureaucratic processes to improve accessibility for all workers. States and local governments must create and invest in excluded workers’ funds, ensuring that undocumented workers and other excluded workers receive financial assistance and other forms of social support. Undocumented workers are essential workers and must be protected as such.

Continue to Pass Eviction Moratoriums and Provide Rental and Mortgage Assistance.

MONEY IS SCARCE

“I work daily as a server. I’m pregnant and I’m scared to work but I have no choice because I am already facing eviction. Money is scarce.”

—Server, Atlanta, Georgia
Access to affordable and dignified housing is inseparable from workers’ issues on the job and essential to their well-being. Restaurant workers already face housing insecurity, and a just recovery must address the fundamental needs of all workers, including the right to housing. With the ongoing spread of COVID-19, federal and state actors must reinstate eviction moratoriums and mortgage forbearance programs. Thousands of workers have already faced evictions, throwing them into greater precarity and burdening weak social service systems. Greater enforcement of and protection of tenants’ rights should be on the table in policy agendas going forward.

11 Expand Access to Affordable, Accessible, High-Quality Childcare.

About four million restaurant workers are parents, which is nearly a third of the industry. More than half of all working mothers in the restaurant industry are single moms. Restaurant workers face major barriers to securing affordable, accessible, and high-quality childcare because of non-traditional working hours, unpredictable scheduling practices, and the nature of the restaurant industry. Investment in childcare must take into account non-traditional workers’ needs. Affordability is a major issue for restaurant workers, the majority of whom cannot afford to pay steep prices for private daycare and childcare options. Restaurant workers and childcare workers, both low-wage industries that rely on immigrant workers and women, should not be pitted against one another. Large-scale investment in the childcare industry that accommodates non-traditional workers will support restaurant worker families and communities.


Black and Latina/o/x workers have been the hardest hit while working through the pandemic and by virtually every economic measure, as well as pandemic unemployment. Unfortunately, Black and Latina/o/x workers have also disproportionately experienced major health impacts and death in their communities from COVID-19. Lawmakers have the opportunity to ensure that these workers don’t also carry the burden of a pandemic-related recession. The recovery must investigate structural racism in low-wage professions and prioritize anti-racist policy that increases protections for all workers. Training and opportunities for advancement must be accessible to Black and Latina/o/x workers for a just recovery. Restaurants must implement fair hiring practices, including hiring people with arrest or conviction records. Lawmakers should promote clean slate reforms to increase the welfare of workers with criminal records.

“"The restaurant I currently work at had at least three employees test positive and never told any of us!!! I was furious. We will never get out of this with irresponsible behavior like this. But, it’s work or go homeless with two children.”

—Restaurant Worker, Louisville, KY
Upgrade Local Building Codes to Improve Air Ventilation and Ensure Compliance Through More Frequent and Rigorous Inspection.

Social distancing is nearly impossible in restaurants. Kitchens and other areas for food preparation, serving and delivery are often too small to social distance. Restaurant workers spend prolonged periods of time in high-risk environments where airborne viruses, including those causing COVID-19, can reach high concentrations leading to infection. To protect workers and the public, we recommend codifying CDC recommendations on ventilation in buildings and ensuring meaningful enforcement.

CONCLUSION

This unprecedented crisis has made it clear that workplace issues are inseparable from the problems workers face when they are off the clock. Access to healthcare, housing, childcare, and good jobs must be part of a just recovery. Therefore, policymakers must advance platforms that consider these interconnected issues and promote the well-being of the lowest-paid workers. Our survey finds that restaurant workers are leaving the industry en masse. Corporate actors should not be surprised that restaurant workers are likely looking for opportunities with higher pay and greater workplace protections. Revitalization of the restaurant industry must take into account the toll that COVID-19 has taken on the lives and families of restaurant workers. All stakeholders must fight for meaningful, comprehensive, and equitable economic and political change. Restaurant workers have been leading this fight long before the pandemic, and until the restaurant industry makes radical changes, their calls will continue.


6 CITATION TO COME


