



INDIANA UNIVERSITY PRESS
INDIANA UNIVERSITY

Human Rights from Field to Fork: Improving Labor Conditions for Food-sector Workers by Organizing across Boundaries

Author(s): Joann Lo and Ariel Jacobson

Reviewed work(s):

Source: *Race/Ethnicity: Multidisciplinary Global Contexts*, Vol. 5, No. 1, Food Justice (Autumn 2011), pp. 61-82

Published by: [Indiana University Press](http://www.indiana.edu/~iupress/)

Stable URL: <http://www.jstor.org/stable/10.2979/racethmulglocon.5.1.61>

Accessed: 17/01/2012 16:09

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.



Indiana University Press is collaborating with JSTOR to digitize, preserve and extend access to *Race/Ethnicity: Multidisciplinary Global Contexts*.

<http://www.jstor.org>

Human Rights from Field to Fork: Improving Labor Conditions for Food-sector Workers by Organizing across Boundaries

Joann Lo

Food Chain Workers Alliance

Ariel Jacobson

Unitarian Universalist Service
Committee

In the United States, more than twenty million people work in the food system, joining millions more around the world whose labor and livelihoods are in the food sector. The food system has become increasingly globalized, with much of what we consume here in the United States produced overseas. International trade policies, consolidated corporate control, and increased industrialization of food production have converged to build a food system that relies heavily on exploited labor forces—from tea plantations in India, to banana plantations and packing operations in Guatemala, to cocoa farms in Ghana. Meanwhile, the segments of the food sector that remain in the United States, whether on large-scale farms, or in processing plants, restaurants, and grocery stores located in communities throughout this country, rely heavily on a vast, low-wage labor force.

This article researches and analyzes how the historical roots and current practices in the food sector reflect a widespread disregard for workers' human rights, and how discriminatory power relations between employer and employee are directly connected to the intersection of race, ethnicity,

This article was written with additional contributions from the following authors: Daniel Gross, Executive Director, Brandworkers International; José Oliva, Policy Director, Restaurant Opportunities Centers United; and Diana Robinson, Food Policy Coordinator, United Food and Commercial Workers Union Local 1500.

gender, class, and immigration status in all stages of the food chain. The paper proposes specific ideas for ending unjust labor practices in food-sector industries; for encouraging workers to organize in collaboration throughout the food chain and across racial and ethnic lines; and for creating new business models that will better serve the interests and protect the rights of workers, consumers, business owners, and other stakeholders.

Historical Roots and Current Labor Practices in the Food Sector

Historically, the food system was built on the backs of people of color and immigrants. In the colonial period, African slaves and indentured servants from Europe provided their free labor to produce food. After the Civil War, African American sharecroppers in the South and Asian immigrants in the West became the low-paid workforce in the food system. Then, in the latter part of the nineteenth and early twentieth centuries, many aspects of food production were sustained by a labor force composed of recent Asian and East European immigrants who were considered ethnically distinct from what was culturally defined as mainstream white America, and later, these same food-processing facilities hired African American workers, often on a temporary basis as strikebreakers. In the middle of the twentieth century, Mexican *braceros* were brought to the United States to work in the agricultural fields, a trend that continues in the present day with undocumented immigrant workers serving as the primary laborers in our fields.

Today, due to trade policies, economic depression, political and armed conflict, and other factors in immigrant workers' home countries, millions of people must migrate to the United States to work, often leaving their children behind. Many of these immigrants, along with millions of other people of color,

According to the Bureau of Labor Statistics, five of the eight lowest-paying jobs in the country are in the food system.

take on the most dangerous and lowest-paying jobs in the U.S. food sector. According to the Bureau of Labor Statistics, five of the eight lowest-paying jobs in the country are in the food system. Many food workers are paid poverty wages, do not receive health insurance or paid sick days, and suffer high rates of occupational illnesses and injuries. For example, agriculture is consistently ranked among the five most hazardous occupations by the U.S. Department of Labor (BAMCO and UFW 2011), while in 2007, rates of work-related injury or illness for full-time food manufacturing workers were higher than the rates for all of manufacturing and for the private sector as a whole (MCHR 2008).

The food system also segregates the labor force, both separating workers of color from whites and segregating different races or ethnicities from each other. Whites dominate high-wage jobs,

such that three out of every four managers in the food system are white (Yen Liu and Apollon 2011). At the same time, people of color are overrepresented in low-wage jobs in the food system. According to the 2008 American Community Survey, 34.6 percent of the general population is people of color, while people of color made up 50 percent of food production workers and 45 percent of the food-processing sector (ibid.).

Moreover, in the United States, the racial and gender wage gap is significant. White men earn the highest wages of all race and gender groups working in the food system. For every dollar of median income a white man earns, Asian men make 83 cents, African American men earn 71 cents, and Latino men 66 cents (Yen Liu and Apollon 2011). Women of all races make substantially less than white men. White women earn 63 cents for every dollar a white man makes, Asian women make 68 cents, black women 53 cents, and Latina women 50 cents (ibid.).

In the current environment of high unemployment, some would suggest that a low-paying job is better than none at all. Yet part-time jobs with poverty-level wages are unsustainable both for the long-term health of workers and for the economy, since 70 percent of our economy derives from consumer spending (NELP et al. 2009). Without living wages and adequate benefits, food-system workers often do not have access to and cannot afford healthy food for themselves and their families. They often must work more than one job or more than twelve hours per day to pay for rent, food, and other necessities. As journalist and author Michael Pollan writes, “Instead of paying workers well enough to allow them to buy things like cars . . . companies like Walmart and McDonald’s pay their workers so poorly that they can afford *only* the cheap, low-quality food these companies sell, creating a kind of non-virtuous circle driving down both wages and the quality of food” (Pollan 2010). Yet in this race-to-the-bottom, a small minority of companies, such as unionized businesses, worker-owned cooperatives, and restaurants, have signed agreements with the Restaurant Opportunities Centers United, and choose to pay higher wages with benefits, demonstrating that it is possible to pay adequate wages without the extreme consequences that other influential companies claim will ensue.

Consolidation of Corporate Control

Only a few corporations hold unprecedented market and political control over our food system. For example, the top four meatpacking companies control 80 percent of the market, a percentage that has more than doubled in the past two decades. At the end of June 2010, reports surfaced that JBS, the world’s biggest beef producer, might buy Smithfield Foods Inc., the world’s largest pork processor, which would leave three companies in almost complete control of the U.S. meat market (Philpott 2010).

This consolidation has been increasingly driven by big retailers, especially Walmart, the largest retailer in the world (UFCW

Walmart now controls more than 30 percent of the grocery market in every major region in the United States.

2010). Walmart now controls more than 30 percent of the grocery market in every major region in the United States (ibid.). Walmart's rapid growth and that of other food retailers is a major factor driving the corporate consolidation in the rest of the food chain, and at the same time, squeezing more and more money from suppliers and workers and making larger profits for their officers and shareholders.

In addition to exploiting the labor force, this concentrated corporate power over our food system has resulted in rapidly increasing environmental degradation and global warming, hunger, decreasing food security, and the appropriation of land and water for industrial food production. Over 30 percent of all greenhouse gas emissions now come from clearing land, farming land, and raising animals (WRI 2008).

Meanwhile, in the United States, a movement toward sustainable food production has been growing, as evidenced by interest in community gardens, urban agriculture, and healthy, local, and "slow" food. However, the issues of labor rights in the food system have not received equal attention, and despite many positive efforts, most of these "sustainable food" initiatives do not integrate the voices and leadership of the workers who bring our food from the field to the table. Many are led by whites. Food is a human right, and the human rights of those who produce our food, from field to table, should be respected as well.

While the ownership and management of the food system has been consolidated, and while workers in different segments of the food sector experience similar forms of discrimination and labor violations, grassroots efforts to improve working conditions have not yet been fully consolidated. Efforts to build the collective voice of workers and consumers across boundaries of race, ethnicity, class, gender, and immigration status, and across various industries within the food sector, have been limited.

The following sections focus on workers in farming, food processing, grocery stores, and restaurants to highlight issues pertaining to racial discrimination and to exploitation of a labor force that consists primarily of workers of color. We also demonstrate how some grassroots organizations are focusing their efforts on eliminating racial and ethnic discrimination against workers in specific segments of the food sector.

Farm Workers

The connection between the agricultural sector and the legacy of slavery in the United States is unmistakable. The labor-intensive agricultural economy of the U.S. South that was sustained by the transatlantic slave trade has continued today amidst the grapevines of California and in the tomato fields of Florida.



Photo 1: Marchers at a rally in Tampa, Florida, March 5, 2011, organized by the Coalition of Immokalee Workers as part of its Campaign for Fair Food for tomato farm workers in Florida. © Joann Lo.

The contributions of migrant farm workers and agricultural laborers in many rural communities throughout the country are critical, since hand-picking is a prerequisite for the blemish-free fruits and vegetables preferred by American consumers. Recent estimates suggest that there are 1.4–3 million migrant and seasonal farm workers employed in the United States (BAMCO and UFW 2011; NCFH n.d.), and about 400,000 of these are children (AFOP n.d.). According to the National Agricultural Workers Survey, 83 percent of farm workers self-identify as “Hispanic” (USDOL 2010). Some government estimates state that 60 percent of farm workers are undocumented immigrants, although farm-worker unions and advocacy groups agree that the percentage is likely higher. From 2005 to 2009, about one-third of all farm workers earned less than \$7.25/hour and only a quarter reported working more than nine months in the previous year, while one-quarter of all farm workers had family incomes below the federal poverty line (BAMCO and UFW 2011). In addition, just 8 percent of farm workers were found to be covered by employer-provided health insurance, a rate that dropped to 5 percent for farm workers who are employed seasonally instead of year-round (NCFH 2009). In addition, farm workers suffer from higher rates of toxic chemical injuries and skin disorders than any other U.S. workers (USDOL 2005).

Perhaps most troubling, many undocumented immigrant farm workers work in conditions that meet the definition of slavery under federal law. According to the Coalition of Immokalee Workers (CIW) in Florida, workers have been found living in conditions that include having their arms chained, being forced to live in box trucks, and suffering from beatings and knife wounds. In the past decade, the CIW has helped workers to call employers to justice for forced servitude in seven cases involving over one thousand workers and more than a dozen employers. The cases have been prosecuted by the Civil Rights Division of the U.S. Department of Justice, either based on laws forbidding peonage and indentured servitude, or under the Victims of Trafficking and Violence Protection Act, which prohibits the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Food Processing Workers

In addition to these egregious forms of modern-day slavery, discrimination based on race, ethnicity, and immigrant status is rampant in the food-processing industry. Meatpacking, and in particular the poultry industry, is concentrated heavily in the rural South and the Midwest, where land and water, the main inputs required, were relatively cheap and abundantly accessible at the time the industry was establishing its roots. In southern states like Arkansas, Georgia, and Mississippi, labor regulations and union density have typically been low. In the

Midwest, corporate consolidation in the meatpacking industry in the 1960s heavily decreased well-paying jobs as large corporations bought out and closed unionized companies in urban centers like Chicago and St. Louis and instead opened factories in rural areas with lower wages and no unions (Vidal and Kusnet 2009). As a result, the median salary of meat- and poultry-processing workers is now about \$21,320 per year, as compared with \$33,500 per year as the typical pay for workers in all manufacturing industries (GAO 2005).

Meatpacking, including poultry processing, is the one of the most dangerous jobs in America, and it has a high rate of employment-law violations. Data from the Bureau of Labor Statistics show (from 2003–2007) that the rate of illnesses and injuries for workers in “animal slaughtering and processing” was over twice as high as the national average, and the rate of illnesses alone was about ten times the national average (MCHR 2008). In 2003, close to 20,000 poultry workers nationwide were reported injured or made ill, for a rate of 8.1 per 100 full-time workers (MCHR 2008). In 2008, in the United States 100 poultry workers died and 300,000 were injured, many suffering the decade ending in debilitating repetitive motion injuries or the loss of a limb (OSHA 2010). In addition, the U.S. Department of Labor surveyed fifty-one poultry processing plants and found every one of them had violated labor laws by not paying employees for all hours worked (UFCW 2001). One-third of those surveyed took impermissible deductions from workers’ pay (ibid.).

While labor conditions vary greatly from one processing facility to another and across locations, demographic trends can be observed across the industry. Overwhelmingly, the labor force in poultry-processing plants has undergone a shift away from African American male workers to Latino and Southeast Asian workers. In fact, according to a Congressional Research Service report, at least half of the 250,000 laborers in 174 of the major U.S. chicken factories are Latino (Whittaker 2005) and more than half are women (UFCW n.d.). According to one Southern worker center, the Northwest Arkansas Workers’ Justice Center (NWAJWC), over 80 percent of line workers in poultry plants in that region are immigrants.

Racial discrimination is prevalent. According to workers in northwest Arkansas, supervisors at poultry plants emphasize racial stereotypes, telling each of the groups that they are “harder workers” than others. One staff member at the NWAJWC who formerly worked in a poultry plant explained that supervisors at her poultry plant would use racial epithets, such as calling workers from the Marshall Islands “monkeys.” In addition, the management at poultry-processing plants is known to separate workers into different shifts by race or ethnicity, for example separating Guatemalans from Mexicans, to reinforce the differences between immigrant groups and generate obstacles to

the U.S. Department of Labor surveyed fifty-one poultry processing plants and found every one of them had violated labor laws by not paying employees for all hours worked

organizing. In the Midwest, the Center for New Community (CNC) is organizing meatpacking workers into Health Action Councils in rural areas of Minnesota, Missouri, and Iowa. A Somali immigrant worker in a Jennie-O turkey processing plant in Minnesota reports, “the first thing when you come to the plant you will find out is how segregated the plant employees are. The morning shifts are for the natives while the second shift is mostly minorities, particularly blacks and Latino. But even the minorities work in different lines.” A CNC organizer in Missouri writes that workers “comment that at some companies, having dark skin automatically put them at a disadvantage when it came to distribution of jobs. This, they say, is the case in meat processing plants where the most dangerous and difficult jobs are given to immigrants or refugee workers of color, and the less dangerous, easier jobs to white workers.” (Fuentes 2010).

Northwest Arkansas is also home to policies that render immigrant workers in the food-processing and restaurant industries even more vulnerable, with local police departments and county sheriffs’ departments participating in the federal “287(g) program,” named for Section 287(g) of the Immigration and Nationality Act. This program deputizes local law-enforcement agencies to enforce immigration law, which is traditionally the role of federal immigration agents. Unfortunately, many workers in northwest Arkansas have experienced racial profiling, and 287(g) has intensified the fear of detainment and deportation among Latino workers, as undocumented workers face real or threatened retaliation when attempting to claim their labor rights. The immigrant community, isolated by cultural and language barriers, is therefore more likely to fall victim to the practices of unscrupulous employers who perpetuate unsafe working conditions or fail to pay their workers to increase their own profits.

Racial Exploitation in New York City

But these issues of racial discrimination and exploitation of food-processing workers are not limited to the context of the rural South and Midwest. Brandworkers International is a workers’ organization in New York City that protects and advances the rights of retail and food employees. By training workers in legal, advocacy, and organizing tools, Brandworkers wins justice on the job and challenges corporate misconduct in the community.

In 2010, Brandworkers won a campaign against a food-processing company called Wild Edibles, a top-rated supplier of seafood to fine dining restaurants. The conditions at Wild Edibles were representative of the food-processing warehouses that form an industrial corridor snaking through Brooklyn and Queens. It is exhausting work, where wage-hour laws are violated, and severe racial and gender discrimination exists. Most workers on the lower levels of the pay scale are Latino or Chinese.

In 2007, Brandworkers launched a campaign against wage theft and illegal retaliation at Wild Edibles. The workers led their own campaign and were the primary actors in formulating strategy, carrying out actions, and maintaining solidarity. Four times a week for two and a half years, workers led teams of activists to educate customers about the abuses at Wild Edibles in front of the client-restaurants. Through this grassroots activism, the campaign persuaded around seventy-five of New York's most prominent restaurants to stop serving seafood from Wild Edibles until workers' rights were respected. Wild Edibles lost millions, went through a reorganization process in bankruptcy court, and was ultimately forced to pay twenty-two workers more than \$340,000 in back pay and unpaid overtime. The workers also won a binding protective mechanism for collective activity and full compliance with all workplace laws including health and safety and anti-discrimination safeguards.

Brandworkers is currently campaigning for workplace justice at Flaum Appetizing, a leading kosher food-processing and distribution company. When a group of seventeen workers spoke out against poor treatment and wage theft at the company, they were all fired. In February 2009, the workers won an order for back pay, but the owner has not paid, claiming he is not liable due to the immigration status of the workers. Brandworkers has members from Flaum who worked at the company for up to thirteen years, and the boss never had a problem regarding immigration as he became enriched from the workers' labor. Only when it came time to attempt to escape liability did Flaum latch onto immigration status as an issue.

Through this grassroots activism, the campaign persuaded around seventy-five of New York's most prominent restaurants to stop serving seafood from Wild Edibles until workers' rights were respected.

Grocery-store Workers

At the next step in the field-to-fork process, grocery stores make up one of the largest industries in the United States, providing 2.5 million jobs in 2008 (USDOL 2009). Young workers age sixteen to twenty-four hold nearly one-third of grocery store jobs (ibid.). Thirty percent of grocery-store workers are part-time, with the average work week for nonsupervisory workers at 29.4 hours, compared to 33.4 hours for all industries (ibid.).

For decades after the industry was heavily unionized in the 1930s and 1940s, grocery work was a middle-class career, but starting in the early 1980s, nonunion firms entered the market, first gaining a foothold in rural areas and then entering urban markets, putting downward pressure on the entire industry (Vidal and Kusnet 2009). In 2008, nonsupervisory workers in grocery stores nationwide averaged \$340 a week, compared with \$608 a week for all workers in the private sector (USDOL 2009). A recent report based on worker surveys in New York City, Chicago, and Los Angeles found that 23.5 percent of gro-

cery workers were paid less than the minimum wage, and 65 percent were not paid for overtime work (NELP 2011).

A few decades ago, African Americans were heavily discriminated against in the supermarket industry. Now, most African American grocery-store workers in urban areas tend to benefit from membership in unions. If there are problems of discrimination in stores where workers are represented by unions, the union serves as a mechanism to address the labor issues, since members seek assistance from their union representative. Additionally, union grocery-store workers nationally earn wages on average 17 percent more than their nonunion counterparts (Belman and Voos 2004). However, especially in stores where workers are not represented by a union, racial discrimination is rampant. In the past two decades, grocery chains around the country, in urban and rural areas, have been subject to many class-action lawsuits for discrimination based on race and gender.¹

In New York City, discrimination against immigrants from Africa, Latin America, and other parts of the world is particularly harsh. Immigrants now make up about two-thirds of the workforce in New York City, increasingly from Latin America and especially from Mexico (NELP and BCJ 2007). According to the experience of the United Food and Commercial Workers (UFCW) union Local 1500, based in the New York metropolitan area, the management of nonunion stores often uses the workers' immigration status against them. They intimidate undocumented immigrants, telling them that they are not entitled to basic labor rights and threatening to report them to the federal Immigration and Customs Enforcement agency (ICE). On one occasion, the Department of Labor came to do interviews with workers and the store managers and supervisors told the workers that it was an ICE inspection, so workers hid in freezers and trash bins, or went home.

Management purposefully separates the workforce by race, for example, separating Latinos from African Americans into different jobs and shifts and greatly discriminating against Latino and other immigrant workers. In some cases, UFCW Local 1500 has found that Latino workers are paid less than all other workers, or are not paid for working overtime. In addition, immigrant workers are more likely to be given janitorial duties or ignored when requesting vacation or time off. UFCW Local 1500 has also found that Latino workers are usually not taken into consideration for promotions. In one specific case, the union found that immigrant workers were not permitted to purchase food in the stores where they worked. In other cases, if the owner of a grocery store is of a particular race, he or she will separate workers into different shifts and job classifications by race and treat workers of a different race worse than his or her own, such as by paying them less, not paying them overtime, making derogatory comments, talking down to them, and treating them disrespectfully.

Management purposefully separates the workforce by race, separating Latinos from African Americans into different jobs and shifts.

In the Amish Markets, a chain in the New York City area, Local 1500 found that the majority of Latino workers were not receiving overtime pay, and some were not getting minimum wage. The union helped them recover over \$1.5 million in back wages.

The goal of Local 1500 is to organize nonunion stores and end discrimination, ensuring that all workers have access to equitable benefits and opportunities. The union continues to organize workers in gourmet, high-end stores throughout New York City; currently, its efforts have been focused on combating “big-box” stores and their efforts to enter the city. Walmart is one prime example of such a store, which Local 1500 is currently advocating against through the Walmart Free NYC coalition, made up of community and labor advocates, elected officials, and small-business owners. This coalition is dedicated to informing consumers and communities about Walmart’s harmful practices and its negative impact on the communities it enters.

Restaurant Workers

The restaurant industry employs more than 10 million people, making it the largest fully private-sector employer in the nation. As such, it is a powerhouse that has the potential of setting wages and standards for workers that have a spillover effect in the rest of the U.S. economy. Moreover, what happens in the restaurant industry affects not only workers, but also all people who eat. With its inherent ties to the food industry, restaurant workers are inextricably linked to a new worldwide movement dedicated to creating a more just and sustainable food system.

Unfortunately, today’s restaurant industry has adopted a business model of increasing profits based on practices that marginalize workers. First, the industry relies on contingent labor. Workers find little consistency in their schedules. Workers may be on the schedule one week and off it the next, never to be called back—not fired, just not on the schedule. Similarly, restaurant employees may work sixty hours one week and three the next, depending on the whims of managers, the ups and downs of business, or other factors over which workers have no control. Second, with respect to labor and workplace regulations, restaurants operate with notorious informality. Workers are often paid cash under the table, with no taxes withheld. More often than not, no employee manual is ever provided, and few rules, principles, or workplace policies are set, keeping workers uninformed and uncertain about their rights. The restaurant industry also maintains a culture of legal violations. Labor and employment law is routinely violated and rights are systematically denied as a way of creating a culture of inevitability and futility. And finally, restaurants often engage in a classic “divide-and-conquer” strategy. Employers hire immigrant workers and people of color for “back-of-the-house” jobs such as cooks, preparation kitchen staff, and dishwashers,

The restaurant industry also maintains a culture of legal violations.



*Photo 2: Restaurant workers, Chicago.
©Restaurant Opportunities Centers United.*

while hiring mostly native-born white workers for the “front-of-the-house” jobs, such as bartenders and waiters. Besides creating a huge wage gap in which people of color make an average of three dollars per hour less than their white counterparts, this tactic also pits immigrants against native-born workers and white workers against workers of color.

Unfortunately, the restaurant industry’s unfair employment practices are not new; what is new is their simultaneous deployment, not in the small mom-and-pop diners, but in the trend-setting fine-dining segment of the restaurant industry, which is mimicked by the rest of the industry. Moreover, these employment practices are now finding their way into many other industries and sectors, in essence “restaurantizing” the workplace and creating a new race-to-the-bottom for all workers. In an economic setting where unions only represent about 13 percent of the overall workforce and where capital is globally mobile, the implementation of these three employment practices has compounded a situation of powerlessness, necessitating a new model for creating power for workers.

After September 11, 2001, survivors from Windows on the World, the fine-dining restaurant at the top of the World Trade

Center, banded together to create an organization with a new model to change conditions in the restaurant industry, the Restaurant Opportunities Center (ROC). ROC's research has shown that unlike the automobile industry of days past, in which workers' collective bargaining power through the United Auto Workers union contributed to significant growth of the middle class in the 1950s and 1960s, the restaurant industry is not currently serving as a vehicle to the middle class. However, the Restaurant Opportunities Center believes that the industry is at a crossroads: restaurant owners can either buy into the old business model, or they can embrace a "shared-prosperity" model. This latter model suggests providing a healthy, locally grown, delicious meal, while treating workers well, who will in turn treat customers well.

Nationwide, and in each of the seven regions studied by ROC United's recently released reports, including New York, Chicago, Metro Detroit, New Orleans, Los Angeles, Miami, Washington, DC, and Maine, the restaurant industry is vibrant and resilient, and in the past decade its growth nationally has outpaced the overall economy. In 2009, the restaurant industry contributed more than \$566 billion in revenue to the nation's Gross Domestic Product.² Perhaps the industry's most important contribution to the economy is the thousands of job opportunities and career options it provides. Despite the current economic recession, the restaurant industry is recovering at a faster pace than the rest of economy. In each locality, restaurant employment growth outpaced that of the local region's economy overall. Since formal credentials are not a requirement for the majority of restaurant jobs, the industry also provides employment opportunities for workers who have no formal qualifications, young people just starting out in the workforce, and recent immigrants, whose skills and prior experience outside the United States may not be recognized by other employers.

The "High Road" and the "Low Road"

In all eight locations studied, ROC found that there are two roads to profitability in the restaurant industry—the "high road" and the "low road." Restaurant employers who take the high road are the source of the best jobs in the industry—those that provide living wages, access to health benefits, and advancement in the industry. Taking the low road to profitability, however, creates low-wage jobs with long hours, few benefits, and exposure to dangerous and often unlawful workplace conditions. Many restaurant employers in each of the seven regions examined appear to be taking the low road, creating a predominantly low-wage industry in every region and around the country in which violations of employment and health and safety laws are commonplace.

While there are a few "good" jobs in the restaurant industry that provide opportunities to earn a living wage, the majority are "bad" ones, characterized by very low wages, few benefits,

Low-road restaurants are characterized by a desire to be profitable in the short run and will take short-cuts.

and limited opportunities for upward mobility or increased income. Low-road restaurants are characterized by a desire to be profitable in the short run and will take short-cuts—that is, they buy cheap, conventional food, pay low overhead, and provide low wages and no benefits to their workers. This “dog-eat-dog” business strategy has short-term benefits for the employer, in that they make more money faster. However, the long-term consequences are twofold: workers are unhappy and therefore turnover is high, and the product is ultimately not the quality product that attracts a new customer base, dooming the restaurant to a two-to-five-year life.

At an overwhelming majority of locations ROC studied, earnings in the restaurant industry lagged behind that of the entire private sector. According to U.S. Bureau of Labor Statistics, the national median hourly wage for food preparation and service workers in 2009 was only \$8.59, including tips, which means that half of all restaurant workers nationwide actually earn less. In the same year, the federal poverty line wage for a family of three was \$8.86, meaning that more than half of all restaurant workers nationwide struggle in poverty. In terms of annual earnings, restaurant workers around the country on average made only \$15,092 in 2009 compared to \$45,155 for the total private sector, according to the Quarterly Census of Employment and Wages, Bureau of Labor Statistics (ROC 2011). A substantial number of workers in each local study reported overtime and minimum-wage violations, lack of health and safety training, and failure to implement other health and safety measures in restaurant workplaces, and more than 90 percent of restaurant workers surveyed reported that they do not have health insurance through their employers (ibid.).

In all eight regions studied, workers of color are primarily concentrated in the industry’s “bad jobs,” while white workers tend to disproportionately hold the few “good jobs.” According to a ROC staff member, two young African American workers explained after a long shift in a New Orleans pizza shop on Bourbon Street that they make four dollars per hour while the white women in the upscale oyster bar next door make fifteen dollars per hour with tips. “They’ll never hire us over there. That’s just the way it is,” said one worker.

Workers also reported discriminatory hiring, promotion, and disciplinary practices. These challenges resulted in a three-dollar differential between white restaurant workers and workers of color in the five regions, with the median hourly wage of all white workers surveyed in the eight localities standing at \$13.25, and that of workers of color at just \$9.54 (ROC 2011).

Since its creation in 2002, ROC-NY has won nearly a dozen workplace justice victories against large, fine-dining empires in the city and has developed groundbreaking research and a high-road association composed of several employers who provide benefits above and beyond what the law requires to their employees. The success of this model in New York led the

Percentage of workers surveyed in all eight regions who:	
Did not have health insurance provided through their employer	89.7%
Did not have paid vacation days	79.4%
Did not have paid sick days	87.7%
Worked while sick	63.7%
Suffered from overtime violations	46.3%
Of those being passed over for a promotion reported that it was based on race	28.0%
Reported having to do things under time pressure that might have harmed the health and safety of the consumer	34.6%
Reported that they or a family member had to go to the emergency room without being able to pay	22.6%
Wage Differentials by Race	
Median Wage of white workers	\$13.25
Median Wage of workers of color	\$9.54

Source: Restaurant Opportunities Centers United & Local Restaurant Industry Coalitions survey data
 Note: Data has been weighted by position, industry segment, and size of local workforce

Table 1: Summary of Restaurant Workers' Experiences

founders of ROC-NY to create ROC United in 2008. ROC United is a national organization composed of Restaurant Opportunities Centers in eight locations: Chicago, Los Angeles, New York, Miami, New Orleans, Detroit, Philadelphia, and Washington, DC. Each of the local ROC affiliates follows a three-pronged model of research and policy, workplace justice campaigns, and promotion of the high road to improve conditions in the restaurant industry in their local markets.

High-road restaurants use the “shared-prosperity” model that inherently understands the relationship between happy workers, good product, and a returning, growing customer base. The more workers are paid and better benefits they receive, the lower the turnover rate; this contributes to better customer service and long-term profit. ROC has therefore created “High-Road Roundtables” composed of restaurant owners in each ROC City who believe in the shared-prosperity model. As Phillip Cooley, one of ROC’s High-Road members in Detroit, said, “As a restaurant owner, I am fully aware of the unbelievable market pressures, the wild fluctuations in prices of food, overhead and other operating expenses. I am especially sensitive to labor expenses. However, I know from my own experience that paying our workers more would make a healthier, more productive, and more robust restaurant industry, and that continuing to pay them the tipped minimum wage, which is not enough to survive on, will only hurt the industry in the long run. I think restaurants shut down because they don’t pay their workers well. It is sad to see people’s dreams of creating a community space, with good food and joy destroyed because they don’t take care of the most important piece of the restaurant—their employees. It is sad to see economic growth stifled in our country and opportunities lost. But it is especially sad to see workers having to work for the tipped minimum wage.”

“I think restaurants shut down because they don’t pay their workers well.”

Organizing across Sectors for a Just Food System

While exploitation throughout the food system, especially discrimination based on race, is common, a growing number of workers are organizing for justice, and now they are coming together throughout the food-supply chain, as the trajectory from field to fork involves workers at every step of production and consumption. From seed to harvest, shipping, warehousing, butchering, or processing, from preparing to serving at a restaurant or stocking and selling at the local grocery store, workers do it all for us, the consumers. Workers are a fundamental part of the food chain. And workers and consumers are not in separate, isolated silos—workers are consumers, and vice-versa. Production to consumption, the working class is the driving engine of the global food system.

Food-sector workers, taken together, therefore hold a tremendous amount of potential power. In fact, the food system is an enormous part of the U.S. economy, with total food and restaurants sales totaling over \$1.2 trillion in 2009, constituting almost 9 percent of the Gross Domestic Product.³

To overcome the challenge of grassroots efforts operating in isolation, food workers and their organizations have recently come together to form the Food Chain Workers Alliance (FCWA).⁴ Together, the Alliance members have developed a unified mission and set of priorities: to end poverty and hunger, and to achieve sustainable agricultural and food production practices, social, racial and environmental justice, and respect for workers' rights. As a fundamental tenet of this work, the FCWA believes that worker leadership should be at the forefront of all these efforts. The Alliance also believes that true food sovereignty implies full democratic control of our food system.

There are four key areas of work that will be central to improving the lives and communities of food-system workers and their families:

- 1. Joint Campaigns and Food-Worker Solidarity.** Solidarity among workers along the food chain is essential to winning improvements in the workplace. It will be critical to seek new ways so that workers in the food chain can support each other across racial and ethnic divisions and explore the potential of joint campaigns. The FCWA organizes two workers' exchanges per year so workers can share experiences and strategies, overcome racial and gender divisions, and develop the relationships needed to build their collective power.

Examples of food-worker solidarity include Brandworkers International and ROC-NY's support for each other's campaigns, since members of Brandworkers in food-processing and distribution facilities produce food that is supplied to restaurants throughout New York City. The UFCW Local 1500 has supported the Coalition of Immokalee Workers' Campaign for Fair Food as the Coalition calls on major

- **Brandworkers International** organizes food processing and retail facilities in New York City where mostly Latino and Chinese recent immigrants work. Brandworkers recently won a victory against Wild Edibles, a seafood processor and retailer, for over \$340,000 in unpaid overtime, compensation for workers who were retaliated against for asserting their rights, and a binding protective mechanism for collective activity.
- The **Center for New Community (CNC)** organizes meat and poultry processing workers in twelve communities in Missouri, Minnesota, and Iowa. The workers are largely Latino and Somali immigrants who organize through Health Action Councils to address health and safety concerns, secure better health care, and address a wide range of health concerns in their communities.
- The **Coalition for Immokalee Workers (CIW)** organizes farm workers in Florida, the majority of whom are Latino and Haitian immigrants. CIW has won agreements with major corporations such as McDonald's, Whole Foods, and Taco Bell that include codes of conduct and increased wages for the workers.
- The **Farmworkers Support Committee (Comit  de Apoyo a los Trabajadores Agr colas —CATA)** organizes the mostly Latino and indigenous immigrant farm workers in the Mid-Atlantic States. CATA's organizing has resulted in the independent Kaolin Workers' Union of mushroom farm workers in Pennsylvania, and CATA is a leader of the Agricultural Justice Project, which is developing social justice standards for organic and sustainable agriculture and other food businesses.
- The **International Labor Rights Forum (ILRF)** advocates for humane and just treatment of workers worldwide and partners with food workers organizations in Latin America and the Philippines. ILRF promotes enforcement of labor rights internationally through public education and mobilization, research, litigation, legislation, and collaboration with labor, government, and business groups.
- **Just Harvest USA** is a nonprofit organization that aims to build a more just and sustainable food system with a focus on establishing fair wages, humane working conditions, and fundamental rights for farm workers.
- The **Northwest Arkansas Workers' Justice Center (NWAJWC)** organizes the mostly Latino immigrants in the poultry processing plants, as well as provides support for workers in restaurants and the construction industry in the area.
- The **Restaurant Opportunities Centers United (ROC United)** organizes restaurant workers in Chicago, Detroit, New Orleans, New York, Miami, Los Angeles, and Washington, DC, which include every racial and ethnic group in the United States and immigrants as well as U.S.-born workers.
- The **Restaurant Opportunities Center of New York (ROC-NY)** is a workers' center that was created by workers displaced from Windows on the World, the restaurant at the top of the World Trade Center Tower, on September 11, 2001. ROC-NY is the original center that established the model followed by all ROC United affiliates: workplace justice campaigns, research and policy, promoting "high road" employers, and job-skills training for workers.
- The **UNITE HERE Food Service Division** has over 90,000 members across the country, employed in corporate cafeterias, airports, universities, school districts, sports stadiums and event centers, amusement parks, cultural institutions, and national parks and is organizing nonunion workers in the food services industry. Food-service workers are now primarily women, immigrants, and people of color.
- The **United Food and Commercial Workers (UFCW) Local 1500** organizes grocery store workers in the New York metropolitan area, who are largely African Americans and immigrants from all over the world. Local 1500 is also a leader in the Good Food, Good Jobs coalition to bring grocery stores to underserved communities in New York City.
- **Warehouse Workers for Justice (WWJ)** organizes the mostly African American and Latino warehouse workers in distribution centers of the greater Chicago area. An independent workers' center, WWJ was founded by the United Electrical Workers (UE) union after the successful plant occupation at Republic Windows and Doors in December of 2008.

Table 2: Member Organizations of the Food Chain Workers Alliance

supermarket chains to sign an agreement to ensure higher wages and better working conditions for tomato pickers in Florida, including some of the grocery chains that Local 1500 represents. Additionally, the FCWA members are now exploring ideas for a joint campaign that would include most and possibly all member groups.

2. **Policy.** The FCWA works toward policies that ensure protections for workers, their families, and their community, and for our food supply and the environment. The FCWA is currently conducting a research project to publish a report on the state of food workers in the United States, including food workers' wages, working conditions, food security (or lack thereof), and opportunities for job mobility and promotions. The heart of this research project is a workers' survey conducted by workers themselves so that the survey serves as a leadership development, organizing, and membership recruitment tool. The final report will include policy recommendations for government officials and employers.

The FCWA's current policy campaign is to amend government food procurement policies with fair labor standards requirements and a preference for regional purchasing. These kinds of policies would expand the market for food produced within the regional economy under good working conditions and thereby support "high-road" businesses.

FCWA members have also lobbied Congressional representatives in support of the Healthy Families Act, which would require employers to provide paid sick days to their employees, a benefit that the vast majority of food workers currently lack.

3. **Certification and Standards.** Myriads of programs exist to certify food as fair trade or worker-friendly. These programs can cause confusion for consumers, as well as allow companies to "greenwash" or "sweatwash" their products so that consumers believe the companies' products were sustainably produced with favorable conditions for workers and fair prices for farmers and producers, when in fact they were not. Therefore, the FCWA evaluates these programs in collaboration with the Domestic Fair Trade Association, of which the FCWA is a member. The FCWA is also connecting "high-road" programs of which its members are leaders, such as the Agricultural Justice Project and ROC's Restaurant Industry Roundtable, to promote good employers and thereby increase the number of good jobs for food workers.
4. **Education and Public Awareness.** In recognition of the immense power of consumers to shape practices within the food sector, the FCWA is creating tools and strategies to educate the public and the media about issues facing food-sector workers and the solutions to challenges in the food sector. In particular, the FCWA and its members are collaborating with human-rights groups and communi-

ties of faith to call attention to racial discrimination and labor violations that exist in the food sector. Members of progressive faith communities are especially positioned to be valuable allies, since their spiritual beliefs transcend political affiliation and call them to advocate for marginalized communities. For example, the FCWA has collaborated with the Unitarian Universalist Service Committee (UUSC) because its mission is grounded in the Universal Declaration of Human Rights and in the principles of the Unitarian Universalist faith, which espouse “the inherent worth and dignity of every person” and “justice, equity, and compassion in human relations.” Together, the FCWA and UUSC have created an educational curriculum about food workers and faith and are urging people to take action in support of food-system workers. One of the Presbyterian Hunger Program’s (PHP) core programs is Food and Faith. PHP therefore has provided funding to the FCWA and two of its member organizations and actively builds support for the worker-organizing campaigns of FCWA groups. A faith-based perspective has been, and will continue to be, critical to inserting a moral argument in campaigns for improved wages and working conditions among food-sector workers, particularly in the highly polarized political landscape that exists today. These educational efforts also seek to raise awareness among food workers themselves about other workers throughout the food system.

While the Food Chain Workers Alliance is the only national coalition of workers organizations from throughout the food system, a number of other like-minded coalitions and groups are also working on various aspects of promoting a more just and sustainable food system. The FCWA is a member of the U.S. Food Sovereignty Alliance, a U.S.-based alliance of food justice, antihunger, labor, environmental, faith-based, and food-producer groups working to end poverty, rebuild local food economies, and assert democratic control over the food system. The FCWA also is part of the Domestic Fair Trade Association, a collaboration of organizations representing farmers, farm workers, food-system workers, retailers, manufacturers, processors, and nongovernmental organizations promoting and protecting the integrity of Domestic Fair Trade Principles through education, marketing, advocacy, and endorsement. Other food-justice groups include the Growing Food and Justice for All Initiative, a network of individuals and organizations aimed at dismantling racism and empowering low-income and communities of color through sustainable and local agriculture, and the Rural Coalition, an alliance of farmers, farm workers, indigenous, migrant, and working people from the United States, Mexico, and Canada. This proliferation of grassroots and alliance-building efforts only serves as further indication that the issues of injustice in the food system are coming under increased scrutiny as workers, producers, and consumers alike call for systemic change.

Conclusion

While individual organizations are making an impact in their particular geographic areas and respective industries, they know that they can build more power and win more positive change by coming together with a shared vision. In contrast to a food system that relies on an exploited workforce made up disproportionately of people of color and immigrants, all food-sector workers, regardless of where they work, should be able to earn a decent living, participate in a healthy workplace, and eat healthy, sustainable food.

One of the most direct ways to improve access to good food in low-income communities is to raise the wages of those workers. Just as in the first part of the twentieth century when the collective bargaining power afforded by union representation helped create a larger, more vibrant middle class, we can once again create a thriving middle class in the twenty-first century—one that is engaged, conscious, and aware of the food they eat. The only way we can do this is to include workers more fully in shaping the future of the food sector, overcoming biases of race and class, and allowing for a food chain that prioritizes not just healthy, sustainable food, but also fair and just working conditions for those who bring food to us, from field to fork.

Endnotes

1. *Supermarket News*. Based on online search of term “race discrimination” conducted on April 15, 2011; results at <http://subscribers.supermarketnews.com/searchresults/?ord=r&rp=supermarketnews%2Csubscribers.supermarketnews&terms=race+discrimination&x=0&y=0>.

2. National Restaurant Association. 2010. *Restaurant Industry Outlook Brightens in 2010 as Sales, Economy Are Expected to Improve*. January 20. Calculated from statement, “Industry sales are projected to reach \$580 billion this year [2010], a 2.5 percent increase in current dollars over 2009 sales.” <http://www.restaurant.org/pressroom/pressrelease/print/index.cfm?ID=1879> (accessed January 5, 2011).

3. Laux, Marsha, and Diane Huntrods. May 2010. *Organic Food Trends Profile*. Agricultural Marketing Resource Center. Calculated from the 2010 *Organic Industry Survey* data reporting that organic food sales in 2009 totaled \$24.8 billion and that “[t]he percentage of U.S. food sales that are organic has now reached 3.7 percent.” http://www.agmrc.org/markets__industries/food/organic_food_trends_profile.cfm (accessed January 5, 2011). Also, National Restaurant Association. 2010. *Restaurant Industry Outlook Brightens in 2010 as Sales, Economy Are Expected to Improve*. January 20. Calculated from statement “Industry sales are projected to reach \$580 billion this year [2010], a 2.5 percent increase in current dollars over 2009 sales.” <http://www.restaurant.org/pressroom/pressrelease/print/index.cfm?ID=1879> (accessed January 5, 2011).

4. At the date of the publication deadline of this article, twelve organizations were members of the Food Chain Workers Alliance. Since then, more groups may have joined. Please go to <http://www.food-chainworkers.org> for the most up-to-date list of member organizations.

Works Cited

- Association of Farmworker Opportunity Programs (AFOP). n.d. Children in the fields: Learn the facts. http://afop.org/children-in-the-fields/learn-the-facts/#AFOP_estimates (accessed January 5, 2011).
- Belman, Dale, and Paula B. Voos. 2004. Changes in union wage effects by industry: A fresh look at the evidence. *Industrial relations* 43(3): 19.
- Bon Appétit Management Company Foundation and United Farm Workers (BAMCO and UFW). 2011. *Inventory of farm worker issues and protections in the United States*. March. <http://bamco.com/page/114/farmworker-inventory.htm> (accessed April 1, 2011).
- Fuentes, Axel. 2010. *Racism rampant in food production*. Imagine 2050 blog. March 8. <http://imagine2050.newcomm.org/2010/03/08/racism-rampant-in-food-production/> (accessed April 15, 2011).
- Government Accountability Office (GAO). 2005. *Safety in the meat and poultry industry, while improving, could be further strengthened. Report to the ranking minority member, Committee on Health, Education, Labor, and Pensions, U.S. Senate*. January. <http://www.gao.gov/new.items/d0596.pdf> (accessed January 6, 2011).
- Midwest Coalition for Human Rights (MCHR). 2008. Occupational health issues. <http://www.midwesthumanrights.org/occupational-health-issues> (accessed May 26, 2011).
- National Center for Farmworker Health, Inc. (NCFH). 2009. *Migrant and seasonal farmworker demographics*.
 ———. n.d. *Facts about farm workers*. <http://www.ncfh.org/docs/fs-Facts%20about%20Farmworkers.pdf> (accessed January 5, 2011).
- National Employment Law Project (NELP). 2011. *A year of unbalanced growth: Industries, wages, and the first 12 months of job growth after the Great Recession*. February. <http://www.nelp.org/page/-/Justice/2011/UnbalancedGrowthFeb2011.pdf?nocdn=1> (accessed April 20, 2011).
- National Employment Law Project and Brennan Center for Justice (NELP and BCJ). 2007. *Unregulated work in the grocery and supermarket industry in New York City*. http://www.nelp.org/page/-/EJP/Unregulated_Work_Grocery.pdf (accessed April 15, 2011).
- National Employment Law Project, Center for Urban Economic Development at University of Illinois-Chicago, & the Institute for Labor Research and Education at UCLA (NELP et al). 2009. *Broken laws, unprotected workers: Violations of employment and labor laws in America's Cities*.
- Philpott, Tom. 2010. If JBS gobbles up Smithfield, three companies will own U.S. meat market. *Grist*. June 29. <http://www.grist.org/article/food-wall-street-bets-on-jbs-takeover-of-pork-giant-smithfield> (accessed January 5, 2011).
- Pollan, Michael. 2010. The Food Movement, rising. *The New York Review of Books*. June 10. <http://www.nybooks.com/articles/archives/2010/jun/10/food-movement-rising/> (accessed January 4, 2011).
- Restaurant Opportunities Centers United (ROC). 2011. *Executive summary of behind the kitchen door: A multi-site study of the restaurant industry*. February 14. http://www.rocunited.org/files/1101_BKD_EXEC_final.pdf (accessed April 15, 2011).
- United Food and Commercial Workers International Union (UFCW). 2001. *U.S. Department of Labor poultry processing compliance survey fact sheet*. January. <http://www.ufcw.org/docUploads/Usdept~1.pdf?CFID=5119829&CFTOKEN=98920065> (accessed January 5, 2011).
- . 2010. *Ending Walmart's Rural Stranglehold*. August 31.

- . n.d. *Injury and injustice — America's poultry industry*. http://www.ufcw.org/press_room/fact_sheets_and_backgrounder/poultry_industry_.cfm (accessed January 6, 2011).
- U.S. Department of Labor (USDOL). 2005. The National Agricultural Workers Survey. www.doleta.gov/agworker/naws.cfm (accessed January 5, 2011).
- . 2009. Bureau of Labor Statistics. Career guide to industries, 2010-11 edition, *grocery stores*. December 17. <http://www.bls.gov/oco/cg/cgs024.htm> (accessed January 9, 2011).
- . 2010. The National Agricultural Workers Survey (NAWS) 2001-2002. *Chapter 6: Income, assets, and use of public programs*. <http://www.doleta.gov/agworker/report9/chapter6.cfm> (accessed January 5, 2011).
- U.S. Occupational and Safety Health Administration (OSHA). 2010. *Hazards and disorders of poultry processing: Chicken disassembly—ergonomic considerations*. May 6. www.osha.gov/SLTC/ergonomics/powerpoint/chicken/index.html (accessed January 5, 2011).
- Vidal, Matt, with David Kusnet. 2009. Organizing prosperity: Union effects on job quality, community betterment, and industry standards. Economic Policy Institute and UCLA Institute for Research on Labor and Employment. http://www.epi.org/page/-/orgpros/organizing_prosperity-full_text.pdf (accessed April 15, 2011).
- Whittaker, William G. 2005. Labor practices in the meat packing and poultry processing industry: An overview. July 20. *Congressional Research Service* RL33002: 14. www.nationalaglawcenter.org/assets/crs/RL33002.pdf (accessed January 5, 2011).
- World Resources Institute (WRI). 2008. *World greenhouse gas emissions: 2000*. <http://www.wri.org/chart/world-greenhouse-gas-emissions-2000> (accessed January 5, 2011).
- Yen Liu, Yvonne, and Dominique Apollon. 2011. *The color of food*. Applied Research Center. February. <http://www.arc.org/content/view/2229/> (accessed February 17, 2011).