

THE HANDS THAT FEED US

**CHALLENGES AND OPPORTUNITIES
FOR WORKERS ALONG THE FOOD CHAIN**

BY THE FOOD CHAIN WORKERS ALLIANCE



June 6, 2012

RESEARCH SUPPORT PROVIDED BY
The Restaurant Opportunities Centers United
and the DataCenter

WRITING SUPPORT PROVIDED BY
Saru Jayaraman, Director
Food Labor Research Center, University of California, Berkeley

FUNDING SUPPORT PROVIDED BY
The Ford Foundation
The Surdna Foundation
The Jessie Smith Noyes Foundation
The Ben & Jerry's Foundation
The Norman Foundation
The Sociological Initiatives Foundation
The Abelard Foundation East
The Presbyterian Hunger Program



COVER PHOTOS LEFT TO RIGHT
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EXECUTIVE SUMMARY

The sustainability and prosperity of the United States food system is critical to the health and prosperity of workers, employers, and consumers nationwide. In addition to feeding the nation, the U.S. food system is a large and growing segment of the U.S. economy and an increasingly important provider of jobs. The food production, processing, distribution, retail, and service industries collectively sell over \$1.8 trillion dollars in goods and services annually, accounting for over 13 percent of the United States Gross Domestic Product.*

Core food occupations and industries include farmworkers (production), slaughterhouse and other processing facilities workers (processing), warehouse workers (distribution), grocery store workers (retail), and restaurant and food service workers (service). While there are other workers involved in the food system, in this report we focus on these five core segments of the food chain. These particular segments employ in total approximately 20 million workers (19,980,227), who constitute one in five private sector workers and one-sixth of the nation's entire workforce.

*2007 U.S. Economic Census for total sales for NAICS codes 311, 722, and 445, and <http://www.agcensus.usda.gov/Publications/2007/Full_Report/Volume_1_Chapter_1_US%2099_1_001_001.pdf>: Agriculture = \$297,220,491,000, Food Manufacturing = \$589,580,258,000, Food and Beverage Stores = \$541,202,096,000, Food Service = \$423,905,044,000; Gross Domestic Product or Expenditure, 2007 = \$14.0742 trillion, <http://www.infoplease.com/ipa/A0104575.html>
 † The total number of non-farm and non-fisheries food sector workers measured by the Bureau of Labor Statistics Occupational Employment Statistics program was 17.9 million persons in May 2009. This includes food-related occupations in non-food industries and all occupations in core food industries. We extracted food production worker employment numbers and wages using 2010 data from the U.S. Department of Labor's Bureau of Labor Statistics, 2007 United States Department of Agriculture's Census of Agriculture, and 2009 U.S. Census figures for fishing industry employment numbers, which totaled 2,995,447.

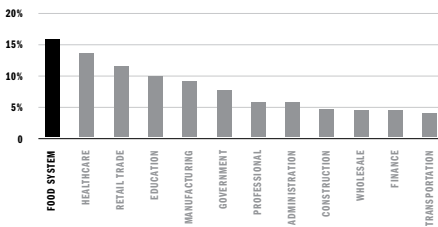
FIG 1 WORKERS ALONG THE FOOD CHAIN



RETAIL Workers in this sector sell food directly to consumers in retail outlets including supermarkets, convenience, grocery stores, and buyers' clubs. Workers in retail also include those who cook and prepare foods for delis and bakeries within the retail outlets, receive shipments, stock shelves, and clean the facilities.

SERVICE The service sector is the largest segment of the food system. Workers in this segment prepare, cook and serve food, bartend, and wash dishes. This sector includes full-service restaurants, casual dining and quick service establishments, catering businesses, food trucks, and food service establishments such as cafeterias and dining halls.

FIG 2 FOOD SYSTEM WORKERS AS A PERCENTAGE OF THE U.S. WORKFORCE 2010



Source: 2010 Bureau of Labor Statistics Occupational Employment Statistics (BLS OES) for all sectors except food sector. Food Sector is our calculation based on 2010 data from the U.S. Department of Labor's Bureau of Labor Statistics, 2007 U.S. Department of Agriculture's Census of Agriculture, and 2009 U.S. Census figures for fishing industry employment numbers.

Using multiple data sources and methods, this study examines wages and working conditions across the food system, advancement opportunities for workers, and potential opportunities for consumers and employers to improve prospects for food workers. These are critical questions for the future of all the food system's stakeholders—including workers, employers, and consumers. This executive summary highlights the report's key findings.

THE WORKERS: LOW STANDARDS, POTENTIAL MOBILITY

There are some livable wage jobs and outstanding employers throughout the food system that facilitate worker advancement and sustainable working conditions. However, most jobs in the food system provide low wages with little access to health benefits and opportunities for advancement. Only 13.5 percent of all food workers surveyed for this report earned a livable wage.

UNIVERSALLY POOR WAGES & WORKING CONDITIONS

More than 86 percent of workers surveyed reported earning low or poverty wages. Ironically, food workers face higher levels of food insecurity, or the inability to afford to eat, than the rest of the U.S. workforce. In fact, food system workers use food stamps at double the rate of the rest of the U.S. workforce. They also reported working in environments with health and safety violations, long work hours with few breaks, and lack of access to health benefits. Table 1 reveals some of the data reported by the more than 600 food system workers surveyed for this report.

POTENTIAL MOBILITY

Some segments of the food chain do have greater potential than others for career advancement to livable wage jobs, particularly in restaurants, grocery stores, and food and meat processing. Within these segments, the potential for advancement within one particular firm is more accessible than in others. However, actual mobility is limited, and discrimination and segregation concentrate people of color and immigrants in the lowest-paying positions.

TABLE 1 WAGES & WORKING CONDITIONS FOR FOOD CHAIN WORKERS

| WAGES | | LACK OF MOBILITY | |
|-------|--------------------|---------------------------|----------------------------------------------------------------|
| | MEDIAN WAGE \$9.65 | 32% | Did not receive any training by employer when employment began |
| % | WAGE SEGMENT | 74% | No ongoing job training by employer |
| 23% | Subminimum wage | 75% | Never had opportunity to apply for better job |
| 37.6% | Poverty wage | 81% | Never received a promotion |
| 25.8% | Low wage | | |
| 13.5% | Livable wage | EMPLOYMENT LAW VIOLATIONS | |
| | | 36% | Experienced wage theft in the previous week |
| | | \$35.48 | Average weekly wage theft |
| | | 12% | Observed minors working in workplace |
| | | BREAKS | |
| | | 30% | Did not always receive lunch break |
| | | 40% | Did not always receive 10-minute break |
| | | HEALTH AND SAFETY | |
| | | 52% | Did not receive health and safety training from employer |
| | | 32.7% | Did not receive proper equipment to do their job |
| | | 11.7% | Did something that put their own safety at risk |
| | | 57.2% | Suffered injury or health problem on the job |

Source: Food Chain Workers Alliance Survey Data

Until there is significant improvement in job quality, the limits on career mobility and promotion are significant. The fact that 86.5 percent of the workers we surveyed reported earning low, poverty, or subminimum wages means that for most of these workers, upward mobility in the food system will require lifting standards system-wide.

THE EMPLOYERS

We interviewed 47 small to mid-size food system employers. Many employers stated that competition with large food corporations created more challenges for business success than the economic downturn. These challenges included pricing. Several employers said that they maintained their business in the face of competition by focusing on niche markets, particularly providing local, sustainable, and organic products, and by lowering labor costs, to the detriment of workers.

Most employers agreed that providing better wages, working conditions, and advancement opportunities decreases worker turnover and increase productivity. However, many admitted to not actually engaging in these practices. Nevertheless, the fact that employers agree in principle indicates that there is potential for industry change, and potential demand from employers for greater tools, incentives, and training to improve wages and working conditions in the food system. In fact, there are outstanding employers in every segment of the food chain, demonstrating that taking the 'high road' to profitability—namely providing livable wages, working conditions, and advancement opportunities—is possible.

THE CONSUMERS: COST & ENGAGEMENT

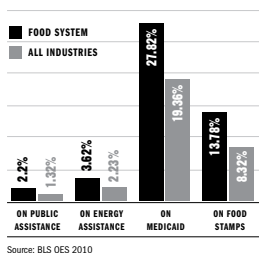
Without a sustainable wage floor or basic benefits such as paid sick days for all workers in the food system, we put the nation's food supply at tremendous risk on a daily basis. Given the size of the industry and its impact on our nation's economy, food security, and public health, it is imperative that wages and working conditions improve for the 20 million workers in all segments of the chain. Our research shows that:

- Due to a lack of sick days provided by employers, more than half (53%) of the workers surveyed reported picking, processing, selling, cooking and serving food while sick, an average of at least three days per year.
- Due to a lack of employer-provided health benefits, more than one third of all workers surveyed (34.8%) report using the emergency room for primary health care. In addition, 80 percent of these workers are unable to pay for such care.
- Furthermore, given low wages, food system workers use public assistance at higher rates than the rest of the U.S. workforce.



PHOTO: UNITE HERE

FIG. 3
USE OF PUBLIC ASSISTANCE
BY FOOD SYSTEM WORKERS
V. U.S. WORKFORCE, 2010



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POTENTIAL FOR CONSUMER INTERVENTION

The food system holds tremendous potential to engage consumers of the nation's food supply and employers of small and mid-size food enterprises to help create the necessary policy changes to raise basic standards for workers throughout the food system.

Intense corporate conglomeration in every segment of the food chain has greatly diminished the quality and biodiversity of our food. In interviews, small and mid-size food enterprises reported that market consolidation has also created unsustainable competition for them. Corporate consolidation has also contributed to unsustainably low wages and benefits for food system workers, in both large corporations and small to mid-size businesses struggling to compete.

Largely in response to this corporate consolidation, consumers have engaged directly and vociferously over the last ten years in support of small farms and sustainable and locally-grown food, resulting in the industry taking strides to address these concerns, as reported by employers we interviewed. In addition, the supply and purchase of food presents the opportunity to link working conditions to unique policy levers. Procurement regulations, liquor licenses, and food safety licenses could help lift standards for workers across the food system. For example, some localities are seeking to use the liquor licensing process to regulate food businesses on both employment practices and the provision of unspoiled, healthy food, building coalitions of food justice and labor organizations. These unique policy levers, combined with the examples of previous successful consumer engagement in the food system, demonstrate the potential to engage consumers and small and mid-size employers on policy issues that will lift wages and working conditions for the 20 million workers in the food system.

POLICYMAKERS SHOULD:

- 1 Increase the minimum wage, including the minimum wage for tipped workers.
- 2 Reduce occupational segregation for food chain workers by working with employers to develop greater pathways for career mobility within the food system.
- 3 Improve food safety and the public's health by guaranteeing food system workers health benefits such as paid sick days and access to health care.
- 4 Increase penalties for food system employers who engage in exploitation, including wage theft, especially through regulatory levers such as liquor licenses.
- 5 Address the serious health and safety risks imposed upon workers in the food system, including providing workers with adequate rest breaks.
- 6 Guarantee workers in the food system the right to organize, and protect against retaliation for organizing.
- 7 Ensure that institutional procurement policies and governmental subsidies and loan programs include labor standards and worker protections.
- 8 Initiate and support further study and dialogue, especially on potential career pathways for workers in the food system and the consumer impact of food system workers' wages and working conditions.

CONSUMERS SHOULD:

- 1 Support responsible food system employers who are providing livable wages, benefits, and advancement opportunities for all workers, and who provide sustainable food.
- 2 Speak to employers with every purchase of food or restaurant visit and let them know consumers care about livable wages, benefits, and opportunities for people of color, women, and immigrants to advance in the food system.
- 3 Where workers have filed legal charges or have a campaign against exploitation in food enterprises, call the company to let them know that they will not support such illegal practices.
- 4 Let policymakers know that consumers will not tolerate poverty wages, lack of basic health benefits, including paid sick days, and wage theft in the food system.
- 5 Help educate other consumers and food justice advocates about the need to include sustainable working conditions for food workers within the definition of sustainable food.

EMPLOYERS SHOULD:

- 1 Permanently enhance job quality by increasing wages and benefits.
- 2 Adopt systematic and fair hiring and promotion practices.
- 3 Adopt and clearly communicate company policies and procedures, including anti-discrimination and harassment policies, to protect the well being of all workers.
- 4 Adopt benefits, such as paid sick days, that would allow employees to care for themselves and their families.
- 5 Understand and follow equal opportunity laws and techniques that successful food system employers use to implement livable wages, benefits, and career ladders.
- 6 Respect the internationally recognized workers' right to freedom of association and collective bargaining.



METHODOLOGY

This report draws upon government data gathered from the U.S. Department of Labor, Bureau of Labor Statistics and from the Current Population Survey (CPS), as well as from numerous secondary sources. The report also draws upon original data—629 surveys of workers across the food chain and 47 interviews with food employers in regions across the United States. The surveys and interviews were conducted by 11 member organizations of the Food Chain Workers Alliance—Brandworkers International, CATA—the Farmworkers Support Committee, Center for New Community, Coalition of Immokalee Workers, Northwest Arkansas Workers' Justice Center, Restaurant Opportunities Centers United, Restaurant Opportunities Center of New York, UFCW Local 1500, UFCW Local 770, Warehouse Workers for Justice, and UNITE HERE.

I. INTRODUCTION AND OVERVIEW OF THE FOOD SYSTEM

The sustainability and prosperity of the United States food system is critical to the health and prosperity of workers, employers, and consumers nationwide. This report focuses on the 20 million workers in five key segments of the food chain: production, processing, distribution, retail, and service. Despite the fact that there are some livable wage jobs, a few outstanding employers in every segment of the food chain, and certain sectors that offer a potential career path, the food system generally offers low wages and poor working conditions, with potentially great impact on the consumer.

This report describes challenges and opportunities for each of these three stakeholders in the food system—workers, employers, and consumers. Chapter I gives a brief overview of the food system and describes the methodology used in this study. Chapter II delves into the many challenges that food workers face in the workplace. Chapter III further explores the potential for career mobility for these workers to advance to livable wage jobs in the food system. Chapter IV provides employer perspectives, and Chapter V describes implications for consumers as well as opportunities for consumer engagement. Chapter VI finishes by providing concrete policy recommendations for policymakers, consumers, and employers to promote a more sustainable food system.

METHODOLOGY

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THE FOOD SYSTEM: A SIGNIFICANT AND GROWING SECTOR

The food system is a large and growing segment of the U.S. economy. The industries of food production, processing, distribution, retail and service collectively sell over \$1.8 trillion dollars in goods and services annually, accounting for over 13 percent of the United States Gross Domestic Product.³ Core food occupations and industries include farmworkers (production), slaughterhouse and other processing facilities workers (processing), warehouse workers (distribution), grocery store workers (retail), and restaurant and food service workers (service). While there are other workers involved

FOOD CHAIN WORKERS ALLIANCE MEMBERS AS OF JUNE 6, 2012

BRANDWORKERS INTERNATIONAL Brandworkers, a non-profit organization protecting and advancing the rights of retail and food employees, is leading a campaign for good jobs and a sustainable food system in New York City's food processing and distribution sector.

CENTER FOR NEW COMMUNITY The Center for New Community is a national organization that builds community by organizing for racial justice and economic fairness; it organizes on a range of health, safety, and community issues with immigrant and refugee meatpacking and poultry processing workers in the Midwest.

COALITION OF IMMOKALEE WORKERS The CIW is a community-based organization whose nearly 5,000 members are largely Latinos, Mayan Indians, and Haitians who work in low-wage agricultural jobs throughout Florida and beyond. The CIW's Fair Food Program—designed to give farmworkers a voice in the workplace, fair wages and respect—has garnered unprecedented support for fundamental reforms from food and agricultural industry leaders.

COMITÉ DE APOYO A LOS TRABAJADORES AGRÍCOLAS (CATA – FARMWORKERS SUPPORT COMMITTEE) For the past 33 years, CATA has been committed to facilitating the organizing of farmworkers and families in the Mid-Atlantic states.

INTERNATIONAL LABOR RIGHTS FORUM ILRF is an advocacy organization dedicated to achieving just and humane treatment for workers worldwide through public education and mobilization, research, legislation, and collaboration with labor, government, and business groups.

JUST HARVEST USA Just Harvest is a non-profit 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 farmworkers.

NORTHWEST ARKANSAS WORKERS' JUSTICE CENTER NNAWJC's mission is to improve conditions of employment for low-wage workers, particularly poultry plant workers, in northwest Arkansas by educating, organizing, and mobilizing them.

RESTAURANT OPPORTUNITIES CENTER OF NEW YORK ROC-NY is dedicated to winning improved conditions for restaurant workers through organizing campaigns, partnerships with responsible restaurants, worker-owned cooperative restaurant development, workforce development, and worker-led research and policy work.

RESTAURANT OPPORTUNITIES CENTERS UNITED ROC United is a national restaurant workers' organization with affiliates in 19 cities that seeks improved wages and working conditions for restaurant workers, following the model of ROC-NY.

UNITE HERE FOOD SERVICE DIVISION The UNITE HERE Food Service Division has over 90,000 members across the U.S., employed in corporate cafeterias, airports, universities, school districts, sports stadiums and event centers, amusement parks, cultural institutions, and national parks.

UNITED FOOD AND COMMERCIAL WORKERS (UFCW) LOCAL 770 UFCW Local 770 represents over 30,000 members in grocery stores, pharmacies, packinghouses, and food processing plants in the counties of Los Angeles, Santa Barbara, Ventura, and San Luis Obispo in Southern California.

UNITED FOOD AND COMMERCIAL WORKERS (UFCW) LOCAL 1500 UFCW Local 1500 represents over 23,000 grocery store workers in the New York metropolitan area and is also a leader in the Good Food, Good Jobs coalition to bring grocery stores to underserved communities in NYC.

WAREHOUSE WORKERS FOR JUSTICE WWJ is an independent workers center founded by the United Electrical Workers (UE) union to win justice for warehouse and logistics workers in Illinois.

WAREHOUSE WORKERS UNITED WWU is an organization of warehouse workers in the Inland Empire of Southern California, dedicated to bringing warehouse workers together to make their jobs better and to build a better future for themselves and their families.

Fig 1 WORKERS ALONG THE FOOD CHAIN

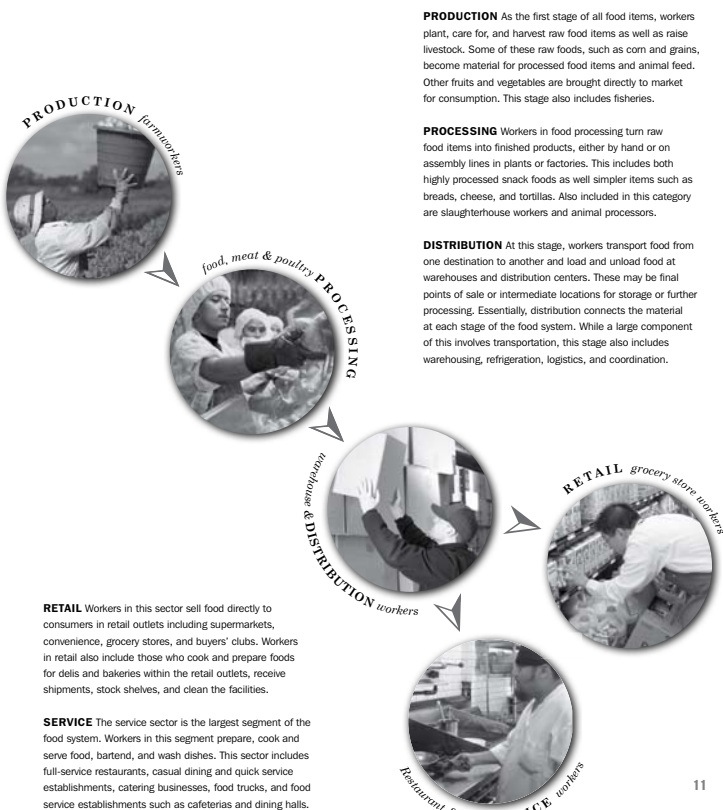
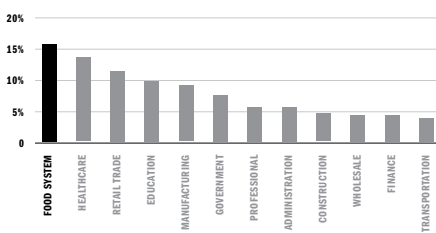


Fig 2 FOOD SYSTEM WORKERS AS A PERCENTAGE OF THE U.S. WORKFORCE 2010



Source: 2010 Bureau of Labor Statistics Occupational Employment Statistics (BLS OES) for all sectors except food sector. Food Sector is our calculation based on 2010 data from the U.S. Department of Labor's Bureau of Labor Statistics, 2007 U.S. Department of Agriculture's Census of Agriculture, and 2009 U.S. Census figures for fishing industry employment numbers.

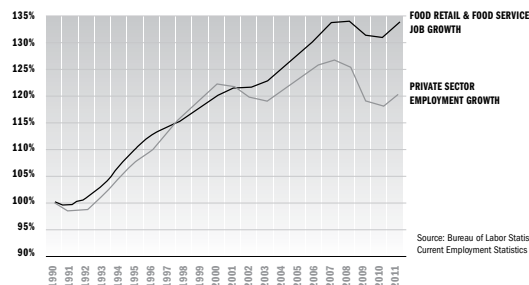
in the food system, in this report we focus on these five core segments of the food chain.

Besides providing the nation's food supply, one of the food system's most important contributions to the nation's economy is the millions of job opportunities and career options it provides (See Figure 1). The five segments covered in this report employ approximately 20 million workers (19,980,227), who are one in five American private sector workers and fully one sixth of the nation's entire workforce.⁴

Some segments of the food chain, such as food retail and service, have outpaced all other private sector growth and have proven robust even during the recent economic recession (See Figure 2).

Since formal credentials are not a requirement for the majority of food system jobs, the food system provides employment opportunities for new immigrants, workers who have no formal qualifications, and young people just starting out in the workforce.

Fig 3 FOOD RETAIL & SERVICE JOB GROWTH & TOTAL PRIVATE SECTOR JOB GROWTH 1990-2011



Source: Bureau of Labor Statistics, Current Employment Statistics

**HISTORY AND BACKGROUND ON THE NATION'S FOOD SYSTEM:
CORPORATE CONSOLIDATION & CONSUMER RESPONSE**

CORPORATE CONSOLIDATION

The nation's food system has become increasingly consolidated over the last 150 years. This trend can be traced back to the industrial revolution. Between 1880 and World War I, technology led to the consolidation of the food industry and a movement away from eating locally grown and produced foods. The expansion of the railroad system, the invention of the refrigerated train car, the use of steam in the processing of food, and the evolution of the assembly line all led to a food industry that could be consolidated regionally as well as preserve foods to significantly increase their shelf life. Consumers were introduced to a marketplace that was resplendent with new foods or ones that were now available year round. By linking the east and west coasts, food could now be transported long distances relatively quickly. With the introduction of the refrigerated railcar, the meat industry was consolidated in the Midwest and shipped meats east, west, and south. While local butchers broke the meat down, cattle and hogs were slaughtered in Chicago, which poet Carl Sandburg named the "hog butcher to the world."⁷ Local grocers began to stock their shelves with more canned goods and less fresh produce. The food industry's innovations functioned to consolidate growing and producing, but also to influence consumer demand. As consumers produced less at home and depended more on the local grocer, trends in the industry began to define consumer demand.⁸

By 1900, the food industry constituted twenty percent of the United States manufacturing sector.⁷ By 1910, a single machine could turn out 35,000 cans a day. Food processors employed more than 68,000 workers who produced over 3 billion cans of food annually.⁸ Only a handful of corporations dominated the three core sectors of the industry—meatpacking, flour milling, and sugar refining.⁹ Rather than balk at federal regulation, the food industry used new regulations such as the U.S. Meat Inspection stamp and the Pure Food and Drug Act to promote the "purity, wholesomeness and host labeling" of their products.¹⁰ Meanwhile, muckraking journalists such as Upton Sinclair revealed meatpackers' actual working conditions.¹¹ However, the public's reaction focused on the unsanitary conditions of their food with little notice to the poor working conditions. After the publication of his book *The Jungle*, a novel about immigrant workers in Chicago's meatpacking industry at the turn of the 20th century, Sinclair stated, "I aimed at the public's heart and by accident hit its stomach."¹²

In the twentieth century, corporate consolidation grew with increased government support. During World War I, the U.S. government expanded their interest in food production and nutrition. Promoting food conservation days such as "wheatless" and "meatless" days during WWI, the act of eating became a patriotic duty. The government began to establish agencies that brought private industry including food processors and distributors along with researchers and academics into "close collaboration" with the government. These collaborations were further cemented during the Roosevelt's New Deal era. The government began to pay subsidies to beef and pork farmers in exchange for limiting production. The price of meat began to skyrocket. In 1935, angry housewives travelled to Washington, DC and demanded to see Secretary of Agriculture Wallace. "Why does the government pay farmers not to raise little pigs?" demanded Mary Zuk, a Detroit housewife and leader of the national meat boycott. While the collaborations were not called off, consumer agitation such as the 1935 meat boycotts shed light on the fact that the U.S. government was playing an increasingly more significant role in the food production and distribution. In fact, the 1946 creation of the National School Lunch Program is one of the most damning examples of the power of consolidated agriculture in the U.S.. For nutritionists and home economists, the impetus to establish a school lunch program subsidized by the federal government was to ensure that United States children were guaranteed at least one healthy meal per day regardless of their ability to pay. However, it was not long before agricultural economists looked at the proposed school lunch program as an opportunity to dump surplus food. As Susan Levine has written in her books on school lunches, nutrition became less important as policy makers "found a way to protect farm prices and send food to the American children at the same time."¹³

Writer Michael Pollan recently shed light on one of the most notable examples of government support for corporate consolidation in the food system—the corn industry. Starting in 1960, food scientists discovered how to develop a



PHOTO: United Food and Commercial Workers International Union

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stores to include grocery sales.¹⁴ Just as self-service grocery stores realized that larger one-stop grocers would appeal to consumers in the post-WWII period, big box stores such as Target known for selling household wares, toys, and electronics are realizing that adding groceries to their shelves will boost consumer traffic in their stores. Research suggests that consumers tend to visit grocery stores ten times more frequently than they visit pharmacies or retail shops.¹⁵

The result of this corporate consolidation has been an increase in the retailer's share of the consumer dollar. For example, in 1990 the share of each consumer dollar spent on beef was distributed across the food supply chain as follows: \$.59 for the farmer and rancher; \$.08 for the packer and the packinghouse worker; and \$.33 for the retailer.¹⁶ By 2009, the distribution of the consumer beef dollar had been significantly altered such that the rancher/farmer's share has declined to \$.42; the packer's share has risen slightly to \$.09 (but still below their 1980 level) and the retailer's share has risen to \$.49.¹⁶

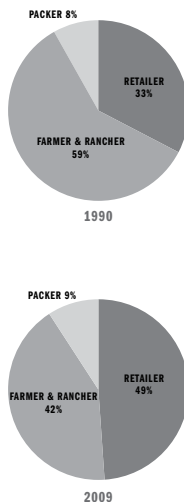
CONSUMER RESPONSE

Consumers have been responding to the food system's domination by large corporations for almost 100 years. In the early 20th century, Jewish immigrant housewives in New York City's Lower East side challenged a growing kosher meat trust among butchers.¹⁷ In the late 1960s, a small group of suburban Chicago housewives, including U.S. Representative Jan Schakowsky, then a young stay-at-home mother, took on the National Tea Company, a large supermarket chain based in Chicago, and demanded transparency in their food labeling. Until their campaign, foods did not have a clear expiration date. Instead, only the grocery stores and the distributors were able to decipher the codes to reveal the expiration dates on foods such as bologna and baby formula. Through a campaign of pressuring local stockboys at area grocery stores, the women were able to break the codes. Using this information, they wrote a "codebook" that drew national attention. Housewives across the country began to send in fifty cents to purchase the codebook. The national media attention encouraged A&P Grocery, National Tea Company's competitor, to mount an ad campaign that their products were stamped with clear and transparent expiration dates. The National Tea Company quickly followed suit.¹⁸

The most recent national consumer movement around food, emerging over the last thirty years, is both a response to corporate consolidation in the food system and rising environmental concerns. Since the early 1970s, the movement to challenge the consolidation of the food industry has been growing. With the publication of Frances Moore Lappe's *Diet for a Small Planet* in 1971, food activists have called for a more sustainable way to live.¹⁹ However, greater consumer concern with fresh, local, organic, and sustainable food practices can also, in part, be traced back to these historical moments when members of the public began to raise serious concerns about the threats posed by the use of pesticides, particular DDT, in the cultivation of foods.¹⁸

Emboldened by the actions of activists like Ralph Nader, consumer rights activists took on large corporations seeking greater regulation of their business practices for the protection of the public;²⁰ this movement extended to the food industry and resulted in a recalibrated orientation to vegetarianism and organic foods. One of the first restaurants that integrated an environmentalist ethos into its selections was Alice Waters' Chez Panisse, opened in Berkeley, California, in 1971.⁴⁰

Fig 4
DISTRIBUTION OF THE CONSUMER BEEF DOLLAR, 1990 AND 2009



Source: Ending Walmart's Rural Stranglehold. UFCW, August 31, 2010.

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PHOTO: Noah Lanard

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large number of corn-based byproducts including high fructose corn syrup. Within a decade, the versatility of corn prompted the USDA to offer direct subsidies to farmers who grew more corn. Over the last decade, the federal government has poured more than \$50 billion into the corn industry. These subsidies have had a direct impact on the nation's health; United States residents consume 83 additional calories a day from sweeteners alone, with high fructose corn syrup (HFCS) accounting for 81 percent of those calories. The annual per-capita consumption of caloric sweeteners has increased by 40 pounds in the last 40 years. A recent study by researchers at Tufts University examined how much cheaper HFCS was between 1997-2005 because corn prices fell below corn's cost of production as a result of the 1996 Farm Bill, which ended production controls in federal commodity programs. They concluded that U.S. farm policy "effectively lowered corn prices and HFCS production costs, offering HFCS producers an implicit subsidy of \$243 million a year, a saving of \$2.2 billion over a nine-year period, and over \$4 billion since 1986."²¹

Overall, federal subsidies related to food production from 1995-2010 totaled \$261.9 billion.²¹ This includes subsidies for commodities such as corn, and soy, crop insurance, conservation, and disaster. However, 62 percent of farms in the U.S. did not receive a subsidy, while 10 percent collected 74 percent of all subsidies.²²

As a result of this kind of direct government support and subsidy, corporate consolidation can be seen in every segment of the food chain. Only a handful of companies, for example, still control the majority of the meat packing industry. Tyson, Cargill, and JBS now process more than 70 percent of all beef.²³ In pork, Smithfield Foods is the top packer, while Tyson, Swift (owned by JBS), and Cargill follow behind. These four packers controlled an estimated 66 percent of the market in 2007.²⁴ Poultry is no different, with only a handful of companies dominating the processing of broilers (Pilgrim's Pride—now also owned by JBS, Tyson, Perdue, and Sanderson Farms) and turkeys (Butterball, Hormel Foods, Cargill, and Sara Lee).²⁵

In the grocery industry, competition to attract consumers has been vicious since the end of World War II. Large self-service stores with meat counters began to grow at a rapid pace. Supermarkets were achieving overwhelming dominance in food retailing.²⁶ Between 1948 and 1958, supermarket sales grew faster than either the population or per capita income.²⁷ The Super Market Institute was founded in 1935 with 35 members, but grew to 7,000 by 1950.²⁸ In 1977, the Super Market Institute and National Association of Food Chains collaborated to form the Food Marketing Institute, a 1,500-member company organization that represents the interests of the largest food retailers and wholesalers through research and lobbying. In the U.S. alone, FMI member companies represent 75 percent of all retail food sales with a combined annual sales volume of \$680 billion.²⁹ The relatively small number of member companies (1,500) of the FMI compared to the 7,000 member companies of the SMI represents the extent to which the supermarket industry has become dominated by large retailers over the past several decades.

Wal-Mart currently commands approximately 33 percent of the share of the grocery market.³⁰ However, other big box stores such as Target and pharmacies such as CVS and Walgreens are expanding their retail sales into the grocery market. In 2010, Target invested \$500 million to expand grocery operations while CVS redesigned about 200

Today, a hallmark of the food movement is the commitment, implicit or explicit, to environmental issues. Publications such as Eric Schlosser's 2001 *Fast Food Nation: The Dark Side of the All-American Meal* and Michael Pollan's 2006 *The Omnivore's Dilemma: A Natural History of Four Meals* have directed increased attention to eco-friendly domestic and restaurant practices.

As concerns over the environmental impact of food production catalyzed the turn towards locally grown foods and sustainable culinary practices—a staple of the food movement—these issues have transformed otherwise apolitical individuals into activists. Participants in the growing food movement express "concern about the industrial food system, and its implication in health problems, ecological devastation, and social injustices." In this sense, the time and care given to selecting locally grown food or seeking out organic eateries has become a form of social protest that is "more alluring than conventional political channels, particularly in a political climate where many people feel disenfranchised from traditional political processes and institutions."³¹ Likewise, "In terms of the rhythms of daily life, it is often easier to express one's politics through a food purchase, than it is to find the time to write a letter, attend a protest, or participate in social movement politics."³²

Consumer activism around locally-grown, fresh, and organic foods has successfully changed the food supply to include more of these food items; in Chapter III, several employers note that they have maintained or grown their business by focusing on this niche market. However, the food movement of the last several decades has not focused on sustainable labor practices within the food system, with some notable exceptions, particularly with regard to farmworkers. For example, the United Farm Workers realized that the only way they would win justice for farm workers was through a collaborative effort with consumers. At its peak, the UFW grape boycott claimed that 10 percent of United States consumers were boycotting grapes. The boycott worked and farm workers won collective bargaining in the fields.

More recently, Pineros y Campesinos Unidos del Noroeste (PCUN), an Oregon-based farmworker union, called on consumers to boycott NORPAC foods, a large grower cooperative in the Northwest that employs both farmworkers and packers, by boycotting Gardenerburg which was distributed by NORPAC. Given the popularity of Gardenerburg on college campuses, PCUN organized a campaign to target key college campuses and their food service companies. In 1999, PCUN was successful in getting Gardenerburg to find another distributor. These and other examples of consumer activism having broad influence on the food system demonstrate the potential for consumer activism with regard to working conditions along the food chain. In fact, the members of the Food Chain Workers Alliance have engaged in significant consumer engagement work over the last decade, unanimously promoting the concept that sustainable food system must include sustainable labor practices for food workers; see Chapter IV for more information.

WHAT KINDS OF JOBS?

Besides feeding the United States, the food system has tremendous potential to provide low-wage workers with opportunities for meaningful career advancement and incomes that will allow them to support themselves and their families. The largest segments of

the food chain are experiencing job growth, and most jobs along the food chain cannot be easily outsourced to other countries or replaced by technology. Furthermore, unbeknownst to most United States residents, there are some livable-wage jobs in the food system. 13.5 percent of workers we surveyed along the food chain reported earning livable wages. Unfortunately, most workers in the food system do not enjoy livable wages and experience little or no mobility to these jobs. People of color in particular are least likely to be able to obtain livable wage positions in the industry, as discussed further in Chapter IV.

Jobs vary throughout the food system, with average wages for each segment varying slightly, and positions within each sector varying greatly. On the whole, however, workers throughout the food system experience very low wages, much lower than those of workers in the overall economy. However, Chief Executive Officers of food industries earn millions in income and stock options.⁴³

Eight of the top 100 CEOs in the United States are Food System CEOs. Together these eight individuals will make almost 200 million dollars in 2012, the same amount as over 10,300 food service workers. See endnote for list of CEOs and earnings.

There are a total of 19,980,227 workers in the five segments studied of United States food sector, broken down by segment in Figure 6.

Fig 5
**WORKERS IN THE FOOD CHAIN:
MEDIAN ANNUAL INCOME IN
THE FOOD SYSTEM 2010**

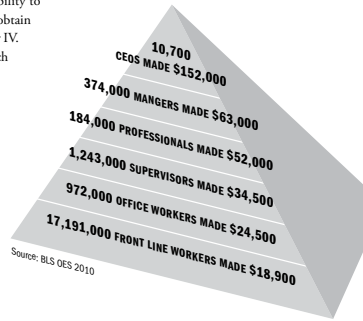


Fig 7
BREAKDOWN OF FOOD SYSTEM EMPLOYEES BY POSITION 2010

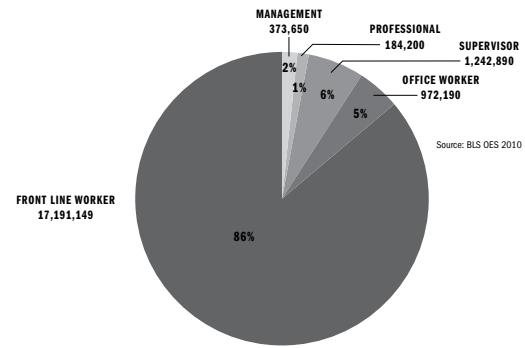


Fig 8
ANNUAL INCOMES IN THE FOOD SECTOR 2010

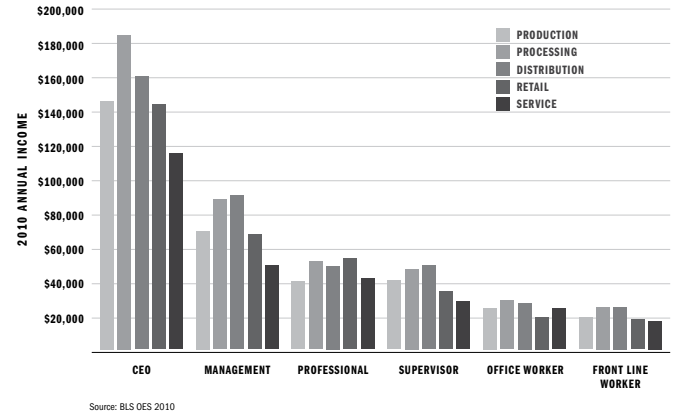
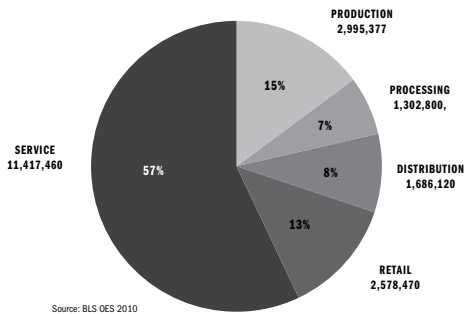


Fig 6
BREAKDOWN OF EMPLOYEES BY FOOD CHAIN, SEGMENT 2010



Front-line workers make up the core of the food industries, yet they earn the lowest of all positions. Workers earn a median salary of \$18,889 a year. CEOs, on the other hand, earn a median income of \$151,833 annually. But while these average food system chief executives' median annual earnings are eight times that of front-line workers' salaries, some executives earn much more. The top paid food chain company executive, Howard D. Schultz, CEO of Starbucks, earned \$41.47 million in 2010, including salary, bonuses, stock gains, and other income.⁴⁴

Figure 8 shows the annual salary of food chain workers across industries and groups.

Wages and working conditions vary greatly among front line positions, some of which offer livable wages and many that do not. For example, in the restaurant industry, 'front line workers' include dishwashers, who earn a median wage of \$8.51, and bartenders, who earn a median wage of \$23.67.⁴⁵ While certain segments of the food chain do offer livable wage jobs and potential career advancement (see more Chapter IV), the fact that 86 percent workers are front-line workers speaks to the importance of improving job quality and standards across the board. Since less than 10 percent of the jobs in the food system (about one million jobs) are professional, management, or supervisory positions, efforts to improve wages and working conditions for millions of food system workers cannot rely entirely on these workers obtaining education and career advancement to management positions.

The median annual earnings of manager in the food sector is \$63,002 dollars, while front line workers earned between \$11,168 and \$27,649 dollars annually, depending on industry. Food chain workers' median income can also be calculated as hourly wages, as can be seen in Table 2.



Photo: United Food and Commercial Workers International Union

Tab 2
MEDIAN HOURLY WAGES IN THE FOOD SECTOR

| CATEGORY | PRODUCTION | PROCESSING | DISTRIBUTION | RETAIL | SERVICE | AVERAGE |
|-------------------|------------|------------|--------------|---------|---------|---------|
| CEO | \$70.73 | \$80.00 | \$77.08 | \$69.59 | \$56.06 | \$70.46 |
| Management | \$33.91 | \$43.10 | \$44.32 | \$33.17 | \$24.83 | \$30.38 |
| Professional | \$20.42 | \$25.47 | \$24.79 | \$26.44 | \$19.59 | \$25.04 |
| Supervisor | \$20.25 | \$23.73 | \$25.14 | \$17.82 | \$14.78 | \$16.59 |
| Office Worker | \$12.84 | \$14.83 | \$14.39 | \$10.31 | \$12.91 | \$11.78 |
| Front Line Worker | \$10.10 | \$13.06 | \$13.28 | \$9.69 | \$9.11 | \$9.90 |

Source: BLS OES 2010

Fig 9
INCOME IN THE ENTIRE ECONOMY VS. IN THE FOOD CHAIN 2010

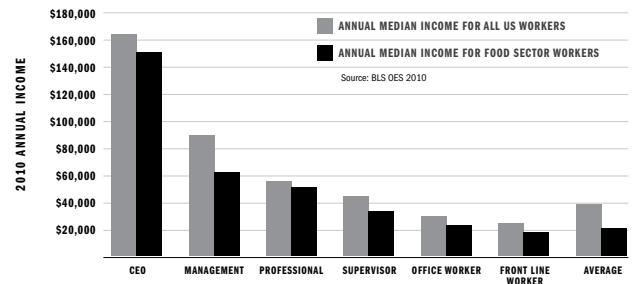
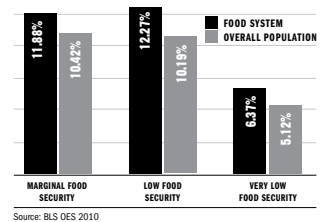


Fig 10
FOOD SECURITY AMONG FOOD SYSTEM WORKERS V. OVERALL POPULATION 2010



Source: BLS OES 2010

⁴⁴Methodology: conducted weighted average analyses of median wages for the standard occupational classifications (SOCs) in each category of worker (manager, professional, supervisor, etc.) for all food system industries and for food service occupations and compared them to the weighted average analyses of median wages for the SOC's in each category of worker (manager, professional, supervisor, etc.) for all non-farm industries counted in the BLS survey.

CHARACTERISTICS OF THE WORKFORCE

Government data indicates that food system workers are in majority white, U.S.-born workers whose primary language is English and who have a high school degree. The data also show that half of workers are female, and two-thirds are below the age of 44. According to government data, only about one in five food chain workers are born outside of the U.S., and most have lived in the United States their entire lives.

TABLE 3 DEMOGRAPHICS OF FOOD CHAIN WORKERS, UNITED STATES, 2010

| | NUMBER | PERCENT |
|----------------|----------------------------------|------------------|
| GENDER | Male | 7,842,007 53.2 |
| | Female | 6,889,021 46.8 |
| AGE | 16-24 | 4,901,491 33.3 |
| | 25-44 | 5,957,846 40.4 |
| | 45-64 | 3,520,533 23.9 |
| | 65 or older | 351,158 2.4 |
| RACE/ETHNICITY | Asian | 808,168 5.5 |
| | Black | 1,529,617 10.4 |
| | Hispanic | 3,526,817 23.9 |
| | White | 8,757,123 59.4 |
| | Other | 109,303 0.7 |
| PLACE OF BIRTH | U.S. | 11,166,109 75.8 |
| | Latin America | 2,457,587 16.7 |
| | Asia | 722,736 4.9 |
| | Europe | 254,311 1.7 |
| | Africa | 84,105 .6 |
| | Other | 35,350 .2 |
| | NATIVITY | Citizen by birth |
| | Foreign born | 3,430,947 23.3 |
| EDUCATION | Less than high school | 3,733,826 25.3 |
| | High school degree or equivalent | 4,814,043 32.7 |
| | Some college | 4,628,152 31.4 |
| | Bachelors degree or higher | 1,555,007 10.6 |

SOURCE: 2008-2010 American Community Survey 3-Year Estimates.⁴⁶

Government data may exclude workers who are difficult to contact, including undocumented workers, and thus these statistics likely undercount immigrant populations. In addition, this overall demographic snapshot of the food system may hide large differences in certain segments of the food chain. For example, Pew Hispanic has found that 12 percent of restaurant workers and 25 percent of farmworkers are undocumented immigrants.⁴⁹ Bread for the World Institute cites even higher statistics, that 50 percent of U.S. farmworkers are undocumented immigrants.⁵⁰ Thus, the exact amount of undocumented immigrants in the food system is not known.



PHOTO: SCOTT LIBERTSON

FOOD SECURITY AMONG FOOD WORKERS

Poverty-level and low wages among food workers mean many are unable to afford food for themselves and their families. Almost one third (30.5%) of all food system workers experience "very low" to "marginal" food security, as defined by the U.S. Census.^{47*} In fact, food system workers experience marginal food security at 1.2 times the rate of the overall U.S. workforce.

See figure 10 on previous page.

*Marginal food security is defined as "One or two reported indications—typically of anxiety over food sufficiency or shortage of food in the house. Little or no indication of changes in diets or food intake." Low food security is defined as "Reports of reduced quality, variety, or desirability of diet. Little or no indication of reduced food intake." Very low food security is defined as "Reports of multiple indications of disrupted eating patterns and reduced food intake." Accessed 21 April 2012 at: <<http://www.ers.usda.gov/Briefing/FoodSecurity/labels.htm>>



II. THE WORKERS

As mentioned in Chapter I, our survey data indicates that there are some livable-wage jobs in the food system. However, the vast majority of workers in the Alliance suffer under poverty wages and poor working conditions, with few opportunities for career mobility and little economic stability.

Data in this chapter was drawn from the Food Chain Workers' Alliance's 629 surveys of food system workers, with at least 80 surveys conducted in each segment of the food chain. Worker surveyors and staff from the Alliance's member organizations approached workers outside workplaces, bus/metro stops near workplaces, religious and community centers, check-cashing businesses, and other areas where workers congregate in their community, as well as at the workers' homes. The member organizations also conducted 18 additional in-depth interviews with food system workers.

EARNINGS

According to our survey data, about 40 percent of jobs in the food industry provide a wage above their regional poverty line, but only 13.5 percent of jobs provide wages higher than 150 percent of the regional poverty level.

In interviews, many workers also reported fluctuation with regard to their wages and hours, making it difficult to plan, pay bills, and maintain economic stability. One male farmworker reported, "More or less, we are paid \$20 per box [that we fill up]. [There are 18 people in his team and they have to split that \$20 per box equally.] When the cucumbers are good, we are making \$100-125 a day each. We start work about seven and we're leaving maybe between three and five o'clock; we're not leaving very late right now. [We work] six days per week." In addition, several workers in the food system reported earning a "piece rate" rather than an hourly wage, making their wages dependent on their physical stamina, health, and ability to concentrate on a daily basis. One female loader/unloader at a Wal-Mart warehouse reported, "We get paid by the piece, and it depend[s] on how many pieces are on the trailer. I never made more than \$200 per week."

Education appeared to make little or no difference with regard to food system workers' wages. Our analysis indicates that workers with less than a high school degree earned a median hourly wage of \$9.00, workers with a high school degree a median hourly wage of \$9.28, and workers with some college or more earn a median hourly wage of \$10.19 (see Table 4).

Poverty-level wages make it difficult for most food system workers to provide for themselves and their families. According to the National Low Income Housing Coalition (NLIHC), the Fair Market Rent for a two-bedroom unit in the United States is \$959. A full-time food service worker, working 40 hours per week, would have to earn \$18.25 an hour to afford the two-bedroom unit.⁵¹ Our survey data show that eight out of 10 food system workers sampled earn less than this. As one male farmworker



PHOTO: DREW LUMEN/NOAH WOMEN HEALTH AND SAFETY EDUCATION PROGRAM/UNIVERSITY OF MICHIGAN

METHODOLOGY FOR DETERMINING WAGE SEGMENTS

About one-third of the surveyed workers were able to report their gross pay amount for their previous full week of work. Two-thirds were only able to report their net pay amount for their previous full week of work. We therefore calculated their gross annual pay in the following manner: Each of these worker's annual net pay was then calculated based on the weekly net pay amount. To calculate each worker's annual tax rate, we determined their projected income tax rate based on the annual net pay calculation. To calculate the projected income tax rate, we added the state rate, the federal rate based on income, and the FICA tax rate, based on their marital status. To determine each worker's weekly tax rate, we divided the annual tax rate by 52 (weeks). We added the weekly tax rate to the annual weekly net pay calculation to obtain each worker's gross annual pay.

Wage groups were then created using the worker's state minimum wage and the 2011 Lower Living Standard Income Level (LLSIL) for a family of three. The annual LLSIL for a family of three in the four regions is \$31,900 (Northeast), \$28,169 (Midwest), \$27,140 (South) and \$30,718 (West). All the surveys except for those conducted in Missouri were determined to be within metropolitan areas. Poverty is considered less than or equal to 70 percent of the LLSIL for a given region. A livable wage is considered 150 percent of the LLSIL for a given region, and low wage is simply the category between the poverty level and the livable wage level.

stated, "I feel that [we] make less money now than back in the '80s. Because in the '80s, you got more money and everything was cheaper then, and now we get paid less and everything is more expensive, so the wages we earn [don't] last. Everything is going up, the gas went up, the price of food went up, the rents and... houses, and yet our pay rate is still the same out in the field."

Workers also reported a lack of raises. 58 percent have not received a raise in the last year. One male cook at a restaurant reported, "In terms of wages, my situation is pretty bad. Maybe my wage has risen once or twice [in 15 years]. Like five or six years ago, there was a raise.... It was really tiny."

HOURS

Perhaps not surprisingly, given how little they earn per hour, workers in the food system reported working long hours. 40 percent of workers surveyed reported working more than 40 hours per week at their primary employer. A full 10 percent reported working more than 10 hours per day, and the vast majority of those workers (who worked more than 10 hours per day) reported working 60 or more hours per week.

Almost half of the workers also reported working multiple jobs to make ends meet. 42 percent of workers work more than 40 hours per week at two or more employers, and 11 percent of workers report working 60 or more hours per week at two or more employers.

TABLE 5 HOURS WORKED

| | |
|------------|-----------------------------------------------------------|
| 40% | Worked more than 40 hours per week |
| 10% | Worked more than 10 hours per day |
| 42% | Worked more than 40 hours per week at 2 or more employers |
| 11% | Worked more than 60 hours per week at 2 or more employers |

Source: Food Chain Workers Alliance Survey Data

BENEFITS

Workers in the food system reported not having access to benefits that would allow them to care for themselves and their families when sick or injured. 60 percent of food system workers reported not having paid sick days, and an additional 19 percent reported not even knowing if they had paid sick days. Only 21 percent of all workers surveyed confirmed that they had paid sick days.

In addition, 58 percent of food system workers surveyed reported having no access to health care coverage. Only 17 percent reported having health insurance through their employer. In addition, one quarter of all workers surveyed (25%) reported having no transportation to get to medical appointments and treatment.

TABLE 6 ACCESS TO BENEFITS

| | |
|------------|------------------------------------------------------|
| 79% | Do not have paid sick days or do not know if they do |
| 83% | Do not receive health insurance from employer |
| 58% | Do not have any health care coverage at all |
| 53% | Have worked when sick |

Source: Food Chain Workers Alliance Survey Data

Given their lack of health benefits, **more than half of all the workers we surveyed (53%) reported having worked while sick**, and these workers reported having worked while sick for a median of three days. Among workers who worked while sick, almost two-thirds (65%) reported having done so due to a lack of paid sick days. 43 percent thought they would lose their job, and seven percent chose to work while sick because they had been threatened by an employer. As one male farmworker stated, "There have been days where people have not worked because of the pain [from working every day]. Sometimes they ask for a day off, and the boss doesn't want to [give it to them]. Sometimes they decide not to go to work, and they risk getting fired." A male meatpacking worker stated, "We don't have sick days. We have to call if we get sick or we're not going to come in... they will still subtract some points from us for not coming in. If I get sick, I probably [work] three days in a row. I'll still work or I'll sweat it out or work it out or something. I also got sick from my kidneys—I was getting a fever on and off, having a hard time breathing. I held on to the pain as long as I could. I was supposed to come to work on that Saturday. I finished the shift [on] Friday. I didn't get out of the hospital for a week. And I didn't have my badge so I couldn't call, since I was at the hospital. But my wife called... that Monday. When she went to go pick up my check, they said I was... almost fired."

Several workers reported that having to work while sick prolonged their illness, particularly since they were working in extreme temperatures intended to ensure food safety. Another male meatpacker stated, "I've lasted up to a month, more than a month sick, and that's how someone has to go to work... it's difficult because where we work, it's cold. You breathe the cold, and you take longer to get better." The lack of paid sick days creates financial strain and job insecurity for most food system workers. Many workers run the risk of being fired when they are too ill to report for work. A male line cook in a restaurant described his experience going to work sick five to six days per year. "We don't have paid sick days. In the winter, I had a lot of colds, my throat closed, a fever, a headache. I had to work like that one day. Then I called to say that I wasn't going to work, but they said they would punish me because no one could take my place. They almost fired me, but I felt so bad but couldn't work so I didn't go in. [One time] when I was sick, I didn't go to work for three days. When I got my check, it was only \$100 and I had to pay rent that day, which is \$300—I couldn't buy food or my Metro card." Finally, a female warehouse worker stated, "I had no sick days. [I] went to work sick a lot. If you wanted to take any time off, they said you wouldn't have a job when you came back."

LACK OF MOBILITY & TRAINING OPPORTUNITIES

Low wages and lack of benefits are compounded for workers in the food system by the general lack of opportunity to advance to higher-paying positions in their segment of the food chain, or to obtain training that would allow them to advance. Unfortunately, many workers did not even receive training for the job they were currently doing. **Almost one third of workers (32%) did not receive any training at the start of their job, and 16 percent reported that their training was inadequate.** **Almost three quarters (74%) reported never having been given the opportunity to apply for a better job at their current employer, and 81 percent reported never receiving a promotion.**

Unfortunately, even in segments of the food chain where there are potential career paths to livable wage jobs, workers experience little upward mobility. As one male cook at a restaurant stated, "You know, us cooks, people who work in the kitchen, we're all just cooks. There's no such thing as promotion. There's just hard work." In addition, workers reported that there is often no formalized process by which to apply, leaving promotions to the arbitrary decisions of management. As

TH 7

LACK OF MOBILITY

- 32%** Did not receive any training
- 74%** No ongoing job training
- 75%** Never had opportunity to apply for better job
- 81%** Never received a promotion

Source: Food Chain Workers Alliance Survey Data

25

TH 8

PERCENT OF INDUSTRY CASES OF WAGE THEFT BY RACE

| | Farm/ agricultural & nurseries | Meat-packing & poultry processing | Food processing, distribution & packing-houses | Restaurant & food services | Grocery | Warehouse | Total Wage Theft |
|------------|--------------------------------|-----------------------------------|------------------------------------------------|----------------------------|---------|-----------|------------------|
| Latino | 92.9% | 25% | 68.2% | 36.4% | 78.6% | 10.3% | 57.9% |
| Black | 0% | 0% | 18.2% | 40.9% | 14.3% | 75.9% | 27.8% |
| White | 0% | 0% | 4.5% | 4.5% | 7.1% | 6.9% | 3.8% |
| Asian | 0% | 75% | 9.1% | 4.5% | 0% | 0% | 4.5% |
| Indigenous | 7.1% | 0% | 0% | 4.5% | 0% | 0% | 3% |
| Other | 0% | 0% | 0% | 9.1% | 0% | 6.9% | 3% |
| TOTAL | 100% | 100% | 100% | 100% | 100% | 100% | 100% |

Source: Food Chain Workers Alliance Survey Data

wage theft experienced by workers ranged from \$25.93 in restaurant and food services to \$48.49 in food processing, distribution, and packing-houses.

Wage theft was highest among Blacks. However, Black workers were also concentrated in warehouse, where wage theft was highest. Black workers experienced 76 percent of cases of wage theft in warehouse, where they represented 76 percent of the workforce. Latino and Indigenous workers experienced 100 percent of the cases of wage theft on farms and nurseries and were 100 percent of the workforce in those sectors. Latinos experienced much higher rates of wage theft in grocery retail (79%), where

* To calculate wage theft, we measured gross earnings during the previous week and compared to gross earnings due (either by hourly rate or minimum wage, accounting for all hours worked including overtime.) Wage theft was the difference between actual gross earnings and the earnings due. This figure did not account for wage theft due to lack of breaks. This figure excludes individuals who did not report number of hours worked.

they comprised 53 percent of the surveys sampled. Blacks and Latinos experienced comparable rates of wage theft in restaurants (41% and 36%), but Latinos comprised 52 percent of restaurant workers compared to 29 percent of Black workers.

In interviews, workers earning piece rate or production rate wages reported not making the minimum wage. One male warehouse worker reported, "They pay by production rate, which means for each 5,000 boxes you move off this truck, this truck is only worth \$62. There is no way you can finish a 5,000-box truck in eight hours. So that means by my production rate, I'm working eight hours per day for a \$62 [truck]. And then I come back tomorrow, and I still gotta work this truck. And it is still the [same] \$62. So I am working today for free, basically. Seven hours for free for this day."

Workers also complained about the shaving of hours and lack of overtime. A male stocker working in food services (cafeteria) reported, "I know other co-workers would punch out for their [lunch] break" so it would look like they had taken their lunch break, which the employer is required in some states to provide by law. "But then [my co-workers would] continue working because... if they took a break, they would get behind [in their work]." Then at the end of 30 minutes, they would punch back in and keep working." Another male cook in a restaurant complained, "I work 12 hours every day, five days, and half a day on Saturday [= 66 hours per week]. I don't get overtime because we get set wages. Working in this restaurant, there's no overtime pay, and our pay is not calculated by the day or hour. It's a set wage.... I earn \$500 each week."

Finally, child labor, which can be a violation of federal employment law, is unfortunately not a thing of the past in the food system. More than one in ten (12%) food workers we surveyed reported that minors under the age of 18 worked in their workplace. Although employing minors is not always a violation of law, this statistic indicates that there are significant numbers of youth in the workforce. From young children working alongside their parents picking fruits and vegetables to under-age youth utilizing dangerous instruments in hot restaurant kitchens, minors are helping to provide our nation's food supply, according to workers surveyed.

MEAL AND REST BREAKS

The ability to take lunch and other short breaks can be important to food service workers, who work long, arduous hours harvesting, preparing, and serving the nation's food, and to consumers of this food. Furthermore, breaks are mandated by law in several states. Of the states in which workers were surveyed, only California and Minnesota require breaks. Minnesota workers surveyed always received 10-minute breaks, compared to less than half of California workers. In most other states, a majority of workers did not always receive breaks.

Regardless of whether they are mandated by law, the high number of food service workers not receiving breaks indicates the arduous nature of the jobs. Almost one-quarter of all food workers surveyed (22%) reported not always receiving a 30-minute lunch break when they worked an eight-hour day, and almost one in 10 (8%) reported never receiving this break. 22 percent of workers reported not receiving 10-minute breaks at all, and another 28 percent reported that they do not always receive 10-minute breaks. As one female Wal-Mart worker reported, "Some don't take it [a break] because they have so much work to do. Managers see them that they don't take breaks. They pretend they don't know, but they know about it."

TH 9

BREAKS

- 22%** Did not always receive lunch break
- 8%** Never received lunch break
- 28%** Did not always receive 10-minute break
- 22%** Never received 10-minute break

Source: Food Chain Workers Alliance Survey Data

27



PHOTO: ILLUSTRATION BY COMMERCIAL PHOTO: NASH LARSEN

TH 10

HEALTH AND SAFETY VIOLATIONS REPORTED

- 52%** Did not receive health and safety training
- 32.7%** Did not receive proper equipment for job
- 21.7%** Did something that put own safety at risk
- 57.2%** Suffered injury or health problem on job

Source: Food Chain Workers Alliance Survey Data

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SUSTAINABLE FOOD HASN'T ALWAYS MEANT SUSTAINABLE LABOR PRACTICES

Several member organizations of the Food Chain Workers Alliance have launched campaigns against food system employers that proclaim to serve organic, sustainable, locally-sourced food but engage in worker exploitation. These campaigns demonstrate to consumers that simply supporting food system employers that provide sustainable food is not sufficient to ensuring a sustainable food system; sustainable labor practices are essential.

For example, the Restaurant Opportunities Center of New York (ROC-NY) recently launched and won a campaign against discrimination and wage theft at Mario Batali's restaurant Del Posto. Batali's company has prided itself for promoting 'slow food,' an international movement for a food system that is fair to farmers and sustainable for consumers. Del Posto waiters and captains were trained to tell customers about the slow food concept and describe the organic and locally-sourced menu items that the restaurant carried, but management engaged in discrimination and wage theft. Workers of color were verbally abused and denied promotions, and tips were misappropriated from service workers. After a multi-year campaign that engaged slow food activists, ROC-NY won back wages, the firing of an abusive chef, a new promotions policy and actual promotions, and much more. ROC's current national campaign is against discrimination and wage theft at the Darden Corporation, the world's largest full-service restaurant company, which owns the Olive Garden, Red Lobster, Capital Grille Steakhouse, and Longhorn Steakhouse. Although Darden has received awards for its recent program providing healthy foods for children at Olive Garden restaurants, it endangers the health and safety of all of its consumers daily by not providing its employees with paid sick days and paying them as little as \$2.13 per hour. In fact, in the fall of 2011, an Olive Garden worker in Fayetteville, North Carolina, was forced to work with Hepatitis C because the company did not provide paid sick days. 3000 people had to be tested for possible infection.

Brandworkers International in New York City organizes a joint campaign with the Industrial Workers of the World called Focus on the Food Chain to coordinate comprehensive workplace justice campaigns with the mostly immigrant workers at food processors, distributors, and retailers in New York City. The first Focus on the Food Chain target was New York's #1-rated seafood retailer and wholesaler, Wild Edibles, Inc., which advertises on its website that it is concerned with the sustainability of its seafood. Wild Edibles exploited its Latin American workforce, mostly from Peru and Mexico. Workers were subjected to wage theft, abusive management, and forced to work without proper safety equipment. The campaign trained low-wage immigrant workers in organizing, legal rights, media advocacy, and grassroots communications. The workers convinced over 75 of New York's most renowned restaurants to stop serving seafood from Wild Edibles until workers' rights were respected. The workers won \$340,000 in illegally withheld wages and compensation for retaliation and a binding agreement protecting all workplace rights, including the right to address grievances collectively.

Harvard also took itself as a leader in sustainability. In September of 2011, Harvard University dining hall workers, members of UNITE HERE, won a contract that involves the workers in Harvard's sustainability efforts. After a six-month campaign that included multiple rallies with students around both sustainable food and sustainable jobs, the workers won contract improvements concerning summer work opportunities, wages and protections for immigrant employees. Harvard also agreed to create a committee with workers, students and the school's top administration to develop and monitor a sustainable food program.

The Coalition of Immokalee Workers (CIW) has launched a campaign focused on Chipotle Restaurants, which claims to sell and serve organic, sustainable, and healthy foods. However, Chipotle has so far refused to sign a Fair Food Agreement with the CIW to guarantee tomato pickers higher wages and healthier and safer working conditions.* This is in contrast to 10 major corporations that have already signed the agreement.

Wal-Mart claims to be a leader in environmentally friendly business practices and has said that it will double its sale of locally sourced produce. However, Wal-Mart pays poverty wages to its own employees and does not ensure livable wages for all workers in its supply and distribution chain. According to market researcher IBISWorld, a Wal-Mart associate makes an average of \$8.81 an hour.¹³ Wal-Mart workers are now organizing together through their own organization called OUR Walmart. In addition, warehouse workers in Southern California and in Illinois are suing Schneider Logistics, which operates Wal-Mart distribution centers, and staffing agencies that the Schneider uses for wage and hour violations. These violations include failure to pay a minimum wage or premium pay for overtime in many cases. The UFCW International, OUR Walmart, Warehouse Workers for Justice, and Warehouse Workers United are organizing a campaign to win a livable income, affordable health insurance, respect for the freedom of association, and other rights for Wal-Mart employees and workers in its supply and distribution chain.

*As of May 2012

HEALTH AND SAFETY

Given their direct contact with the nation's food supply, food system workers' health and safety should be of great concern to all consumers. However, food system workers reported working in high-risk environments, and that accidents and injuries in food harvesting, processing, distribution, retail, and service environments were frequent.

More than half of all workers surveyed (52%) reported that they did not receive health and safety training from their employers. Almost one-third of all food system workers (32.7%) reported that their employers did not always provide necessary equipment to do their jobs, and 5.7 percent reported that their employer never provided necessary equipment. More than one in 10 workers (11.7%) reported being required to do something that put their own safety at risk. One example of such high-risk work is exposure to toxic chemicals, from pesticides for farmworkers to oven-cleaning chemicals for restaurant workers. Almost one-quarter (23%) of all workers surveyed reported regularly coming into contact with such dangerous chemicals.

Another example of high-risk work is unsafe equipment. As one male meatpacking worker reported, "I got hurt one time [because] the railing on the machine was not welded completely. [It] was not closed right so as I was pushing the meat in. I missed, and I kinda fell off the railing and hit the corner of the machine. It knocked the air out of me and knocked me to the floor. After somebody got hurt, they fixed the situation. They made us run a machine where the safety controls weren't properly hooked up. I had to unscrew the machines in order for me to get the blade out. I'm working with the blade really sharp and with the safety disconnected."

In interviews, workers also reported that exposure to extreme temperatures intended to preserve food safety resulted in regular illness. One male meat-processing worker reported, "I realized that in the room that I'm working in, it's almost like a refrigerator—it's really cold, like 10 degrees or below. The sausage is already cooked and packed and ready to be shipped, so it has to be kept under refrigeration. The first couple of days you really aren't used to the cold. Your feet get numb, your hands get numb, your whole body starts aching because of the cold—I mean you wear gloves, they give you gloves, but you can still feel the cold because you're touching the product in the freezer—and of course you get cold. First week you're there, you're not used to it. First week you're there, you have to get sick. You have to catch a cold—it's mandatory that you have to get sick because no one's used to being cold for eight hours at a time and we only get a 30-minute break." At the other extreme, farmworkers and kitchen workers report being exposed to extreme heat. As one male farmworker reported, "When it passes 100 degrees Fahrenheit, that's when you feel you can't take it no more. [Some workers] can't continue [working] because they can't stop vomiting because they drink too much water since it's too hot. The arm, you can't move it for the same reason that you are tired or sometimes your foot or sometimes all your body too. Even if [the boss] sees that a person can't work anymore because of the heat or because they feel sick because of the heat, he doesn't stop the [other] people [from working]. Instead, he just brings another person to replace the worker. [Harvesting asparagus], the hardest part is when it's wet, when it's raining, the people don't have good support on the ground because they slip."

In addition, across the food system, workers are exposed to repetitive stress on



PHOTO: UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL/UNION

ANGIE RODRIGUEZ, 63 BALDWIN PARK, CALIFORNIA overnight stocker, 8 years in retail



Angie Rodriguez immigrated from the Philippines in 1977. She is a mother of three grown daughters, and she helps to take care of her 7-year-old granddaughter and her 5-year-old autistic grandson. Angie also works full-time as an overnight stocker for the Wal-Mart store in Baldwin Park, from 10pm to 7am. "I was one of the original first workers there," she says. "When we started this store, it

was not a supercenter yet, and we were over 800 employees. After four years, it became a supercenter, but now it's just a little bit over 500 workers." Her workload has also gotten heavier: "I used to do only one department—a department is like a store within a store. But now, they make you work a minimum of three departments. That's overwork but underpaid." Angie also says that many full-time workers are now being replaced by part-time and temporary workers because they don't receive benefits.

As an overnight stocker, Angie must unload products from pallets and stock them from the floor up. She hurt her back pulling a pallet. "I have an L-4/L-5 herniated disc," she explains. "The recommendation of your own doctor is to have surgery, but it's over a year. [Wal-Mart's

workers' compensation insurance] denied it, so now we are on appeal!" Angie was active in the democracy movement in the Philippines and is now a leader in OUR Walmart, "a group for associates, by associates... It's always in my blood to fight for the welfare and the rights of the oppressed," she says. Even before she became involved in OUR Walmart, she organized her co-workers to stand up for what's right. "I do petitions—like, [about 4 years ago] when they want us to work on Christmas Day. We never did. Because other stores open on Christmas, they want us to too. I said, no, we have so many holidays and we all work all the holidays and it's only 1 day we have to close, why do you have to take it away from us? So everyone signed [the petition]. They weren't able to enforce it, so they asked for volunteers instead. They were doing that for 3 years. So now... because it's holiday pay, they don't want to pay. So we've closed [on Christmas]."

Angie says that OUR Walmart is trying "to fight for the things that we need to survive. We need decent pay, benefits, better hours or more hours, safe environment, [and] better treatment." She explains that in 14 other countries, Wal-Mart workers have some kind of organization or union. "It's only the United States that Wal-Mart doesn't have a union, so we're starting an organization by all the associates. I like what I'm doing because I could make a difference and start something in America."

WAGE THEFT BY LENGTH OF TIME ON THE JOB

| YEARS ON JOB | PERCENT |
|-----------------|---------|
| <1 year | 30.9% |
| 1 to <2 years | 27.4% |
| 2 to <3 years | 22.8% |
| 3 to <5 years | 12.8% |
| 5 to <10 years | 15.5% |
| 10 to <20 years | 11.7% |
| 20+ | 22.2% |

Source: Food Chain Workers Alliance Survey Data

muscles and joints. As one female line worker at a poultry processing plant stated, "The lines are running super fast, and yet they say that they're planning to make them even faster... We can't work harder than a machine, and they want us to be working more than a machine can, and we don't want to work that way because we are the ones getting hurt—our muscles, hands, fingers. Here I have something hard forming [on my thumb] like a bump, and I barely have a year working here. I went to the nurse because it hurts and itches, and all she told me was to put tape [on it] and with that it won't get as big."

Given these high-risk conditions in food system workplaces, it is not surprising that a vast majority of food workers surveyed reported suffering accidents, injuries, and illnesses on the job. 57.2 percent of workers reported suffering an injury or health problems while working. In these cases, of the workers who reported to their employer such an injury or illness, only 28.8 percent of workers stated that they received free medical care from their employer. In many cases, these accidents and injuries can result in lasting, sometimes permanent bodily damage. As one female Wal-Mart worker, an overnight stocker, described, "I have hurt my back. I was pulling a pallet of [beverage supplements]... Suddenly I was wondering why my leg was hurting. I told my manager that I had to go to the hospital because I didn't feel good. I was in the pharmacy department so I checked my blood pressure and it was really high because I was in

pain. So I went, and they say it was just a bursitis. That bursitis never went away for six months... when they try to push you more with your pain, and every time I go down on the floor, [I have pain]—because you have to stock from the floor up—so I asked them to take me to the doctor... for three days I was asking for it. Finally they did... I went to a specialist, and they sent me for an MRI, and I have an L-4/L-5 herniated disc. And now, the recommendation of their own doctor is to have surgery. It's over a year. At first, they gave me shots to see if I get better. It's not going to get better—just two months the pain went away, but it came back again and so [I] have to get surgery. [Workers' compensation insurance] denied it so now we are on appeal." This particular worker attributes her severe injury to the lack of proper health and safety training. "At the beginning, we had training—there was somebody who showed you how to use box cutters, how to lift, the proper technique. They did away with that. There's no more training coordinators. They use the computers for you to go in and hurry up and pass the lesson, the module, so they can have some kind of paperwork from them that you've been trained by a computer."

TURNOVER

The poor wages and working conditions suffered by workers across the food system, as described in this chapter, have an impact on the length of time workers reported staying at a current job. Employee turnover can present tremendous challenges for

UYOLANDA DICKERSON, 39 JOLIET, ILLINOIS loader/unloader/verifier, 2 years in the warehouse industry



Uyolanda Dickerson was born in Illinois. She is a mother of a three-year-old daughter and cares for her disabled niece. Uyolanda worked at a Wal-Mart warehouse outside Chicago, Illinois, from 2009-2010. At the warehouse, she loaded and unloaded trailers and verified items on the trailer. Depending on the work

load, she worked anywhere from 4-12 hours a day on the first shift. Working at the warehouse, she was paid according to how many items were on the truck—"I never made more than \$200 a week," she says.

While working at the Wal-Mart warehouse as a temporary worker, which was managed by a logistics contractor, Uyolanda says she was discriminated against for being a woman. The men at the warehouse made comments like "Did you break a nail?" and "Are you going cry because the box fell on you?" She also feels that she was paid less than men and purposely given a heavy workload to prove a point. She also suffered sexual harassment on a daily basis. Her male co-workers would call her "hot momma" and commented on her body. On one occasion,

she was locked in trailer with a male co-worker who said, "I'm going to do this and that to you" and then made sexual advances at her. She went to management to let them know what had taken place, and Uyolanda reports, "they said, 'Stop being soft, you're just being a girl; I didn't see anything so I can't do anything about it.'"

"I went to work sick a lot" because they would tell you "if you don't come, you have no job," Uyolanda reports. Towards the end of her employment, she received health insurance and paid \$27 a week for it. At work, Uyolanda suffered from back pain, leg pain and shoulder pain. When she requested to take time off, the management refused.

After a while, Uyolanda couldn't take the harassment any longer and left her job at the warehouse. She began organizing with Warehouse Workers for Justice (WWJ). She says that she wants to "let [other workers] know [there] are people out there like you and that you aren't alone." Uyolanda is now the head organizer of the steering committee of the WWJ workers committee and is also on the women's committee. She says, "Everything I went through at the warehouse made me want to tell others about their rights and that they could do something about it. I also want to better my community."



INCREASE IN NON-STANDARD WORK

Workers across the food system have seen an increase in 'non-standard,' or temporary and part-time work. This phenomenon is not unique to the food system but has been seen in many low-wage industries. In fact, economists at the U.S. Department of Labor's Bureau of Labor Statistics report that "during the 1990-2008 period, employment in the temporary help services industry grew from 1.1 million to 2.3 million and came to include a larger share of workers than before in higher skill occupations; employment in this industry has been very volatile because temporary workers are easily hired when demand increases and laid off when it decreases."⁵⁴ Furthermore, Bonillan and Morales write that, "the number of workers who are not employed full-time and year round has increased. Part-time work rose from 15 percent in 1955 to 20 percent in 1977 and 24 percent in 1986. Over the last few years the government has implemented a number of decisions that promote the growing use of part-time and temporary workers."⁵⁵ The result has been a growing subcontracting out of such services as food preparation, building maintenance, warehousing and data processing. They involve types of jobs that are organized in part-time or temporary work hours, and being labor intensive, can cut costs significantly by reducing wages.⁵⁶ These arrangements hit low-wage workers the hardest. Leon-Guerrero and Zentgraf report that, "The shift to nonstandard work arrangements through the 1980's-1990's not only enhanced flexibility but also reduced labor costs (by decreasing health care benefits, vacation, sick pay and pensions). The average part-time worker, for example, gets paid 60 percent of the wage rate of a full-time worker. And 25 percent of part-time workers earn minimum wage compared to five percent of full-time workers."⁵⁷ Over the 1980s and 1990s, temporary work doubled each decade,⁵⁸ with low wage workers hit the hardest by these changes."⁵⁹ Warehouse Workers for Justice surveyed 319 workers in warehouses outside of Chicago in 2010 and found that 63 percent of the workers were temporary workers.⁶⁰

Agricultural work has traditionally seen a high level of temporary or seasonal work. Two studies reported that 10-12 percent of the workforce is "follow-the-crop" farmworkers who follow well-established migrant streams corresponding to agricultural production cycles.⁶¹ An ILO study found that 83 percent of workers on agricultural crops (mainly fruits, nuts and vegetables) are hired on a seasonal basis.⁶² Also, the use of the guest workers program has begun to threaten what little stability exists for farmworkers in terms of wages and job security (one study counted the number of H2A visas in 2007 to be 50,000—current figures state 30,000).⁶³

However, while food workers are not the only workers experiencing a shift to temporary and part-time work, together they represent one of the largest segments of the economy shifting to non-standard work. Amerison reports that the fast-food restaurant industry "often keeps labor costs low by hiring young people on the part-time basis.... In the 1990s the 3.5 million fast-food workers represented the United States' largest minimum wage group."⁶⁴ Our survey data indicated that temporary workers suffered lower wages and greater levels of wage theft than other workers. Seasonal workers reported a median wage of \$7.35, and temporary workers reported a median wage of \$9.76, while year-round workers reported a median wage of \$10.00. 27.7 percent of temporary workers and 41.5 percent of seasonal workers reported experiencing wage theft, as opposed to only 14.5 percent of year-round, permanent workers. For many temporary warehouse workers, for example, this greater wage theft is due to the fact that the workers regularly change their workplace location, making it easier for management to withhold wages. One male warehouse worker said, "I ended up getting into it with the lady. I called her about my check and she tell me I never worked there. 'We have no record of you ever, ever being employed here.' I lost my home twice, dealing with this."

both workers and employers. For workers, regular movement from job to job creates economic instability, and for employers, high rates of turnover impose tangible costs such as screening, hiring, and re-training costs, and intangible costs such as a lessened employee morale and loyalty. A recent report by the Restaurant Opportunities Centers United, based on interviews and focus groups with restaurant employers nationwide, indicated that restaurant employers were well aware of the cost of turnover and of the relationship between employee wages and working conditions and their willingness to stay on the job. This relationship was also borne out in our surveys of workers throughout the food system.

In the Food Chain Workers Alliance survey data, we noted a correlation between working conditions and length of time on the job. Workers who stayed at one place for longer periods of time were less likely to report experiencing wage theft. **Almost one-third of all workers (30.9%) who stayed on the job for less than a year reported wage theft, whereas only 11 percent of the workers who stayed between 10 and 20 years reported wage theft. Frequency of reported wage theft generally decreased the length of time that workers stayed on the job.** In general, workers who experienced wage theft stayed on the job a median of 3.5 years, while those who did not stay on the job a median of 5.12 years. Thus, workers who do not experience wage theft seem far more likely to stay at one job in the food system.

MATYE BEAUCECOT, 56 IMMOKALEE, FLORIDA
Farmworker and coop worker, 20 years in the food system



PHOTO: JARIS EMMO SOBER

Matye Beaucecot was born in Haiti. He immigrated to the United States in 1992, seeking political asylum after the coup that removed President Jean Bertrand Aristide from power in 1991. When Matye arrived in the United States, he began working in the tomato fields of Immokalee, Florida. He worked on the fields for one year and then worked in the produce packinghouses for five years.

Matye says that, on an ordinary day, "[we] start at 4:00 AM and then a bus picks us up between 6-8am. If it rains, [we] must wait for it to stop." He earned four dollars an hour and generally worked 10 to 12-hour days. If the farmworkers were picked up by the bus and were unable to work because of the rain, they were not paid for the day. While working in the fields, Matye reports that workers were not allowed to eat or drink any water. On some occasions, Matye says workers were beaten.

Matye began organizing with the Coalition of Immokalee Workers (CIW) in 1994. The CIW is a community-based organization of mainly Latino, Mayan Indian, and Haitian immigrants working in low-wage jobs in

Florida. Matye says he began organizing with the CIW because "Since Haiti, I want to see change. It has nothing to do with money." Matye goes to meetings at churches, schools, and community organizations to educate them about conditions in the fields and to let them know how they can get involved to make change. He says, "I can motivate the community to join the coalition and make the businesses pay [more to the workers] through protests and dialogue."

Since 1998, Matye has been working at the CIW grocery coop. He says the coop began when a group of 11 workers put money together to buy groceries and resell them at a lower cost. "The community benefits from the lower costs," he says.

Currently, the CIW is leading the Campaign for Fair Food, which encourages corporations to sign on to the Fair Food Agreement that would increase pay for tomato pickers to a penny more per pound and put into place a code of conduct that the workers can enforce. Ten major corporations have signed on to the agreement, as well as the Florida Tomato Growers Exchange, covering over 90 percent of the tomato farmworkers in Florida. Matye sees the agreement making a real impact in the lives of the farmworkers. "Now workers have the right to speak up and use their voices about abuses on the job without fear of being fired or retribution. This is a very important change for us."

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IMMIGRANT WORKERS

Immigrant workers comprise a large percentage of workers in the food system. **According to the American Community Survey, 18 percent of all food system workers are foreign-born. In our survey of more than 600 food system workers, more than half (56.8%) were foreign-born.** There are many possible reasons for this large discrepancy. First, as mentioned earlier, government data is likely to undercount hard-to-reach populations such as undocumented workers, who may be afraid to speak to government data collectors for fear of detention or deportation. Second, many of the organizations in the Food Chain Workers Alliance have large immigrant memberships. Whatever the reason, it is clear that the food system relies heavily on these workers to produce, serve and sell the nation's food supply.

Our research shows that immigrant workers, particularly those who are undocumented, experience lower wages and greater wage theft than other workers in the food system. **Undocumented workers surveyed reported a median actual hourly wage of \$7.60, compared to all other workers' reported median hourly wage of \$10. Furthermore, undocumented immigrant workers experienced wage theft at more than double the rate than other workers experienced it; 39.9 percent of all undocumented immigrant workers experienced wage theft, compared to 15.5 percent of all other workers. In addition, undocumented workers lost more money per hour to wage theft;** while all other workers suffered losing approximately \$.28 per hour to wage theft, undocumented immigrant workers lost \$.43 per hour to wage and tip misappropriation. Undocumented immigrant workers also reported earning less than the minimum wage at almost three times the rate of all other workers. While about 16.6 percent of all other workers earned less than the minimum wage, 43.6 percent of all undocumented immigrant workers surveyed had earnings below the legally required minimum wage.

Undocumented immigrant workers in the food system we surveyed were also more likely to be married and use their incomes to support themselves and their spouses, making their relatively lower wages and higher levels of wage theft more difficult burdens to bear. 56 percent of all undocumented immigrant workers reported being married, compared to 44.5 percent of all other workers, and undocumented workers almost twice as likely to support their spouses (78.2% compared to 42.6%).

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SPECIAL ISSUES FOR WORKERS IN EACH SEGMENT OF THE CHAIN SUMMARY DATA

Workers in different segments of the food chain experience challenges particular to their segment. Below is a list of particular issues named by member organizations of the Food Chain Workers Alliance and evidence of these challenges from our surveys and other sources.

RESTAURANTS & FOOD SERVICE ISSUE *Tips and Low Wages*

EVIDENCE The presence of tips in the restaurant industry has allowed restaurant employer lobbying groups to win very low required minimum wages in most states and at the federal level. The National Restaurant Association has successfully lobbied to keep the federal minimum wage for tipped workers at \$2.13 for the last 21 years, which has contributed to the fact that restaurant occupations were named by the US Department of Labor as seven of the 10 lowest paid jobs in 2010 and the two absolute lowest paid jobs in the U.S. As a result, restaurant servers have three times the poverty rate and use food stamps at double the rate of the rest of the U.S. workforce.

GROCERY STORES ISSUE *Part-time Work*

EVIDENCE Grocery store workers face high rates of part-time employment. Almost half (46%) of the grocery store workers we surveyed reported working part-time hours, either some of the time or all of the time. On the whole, in surveys and interviews, grocery store workers reported that their schedules do not follow a five-days-on, two-days-off pattern. This makes it hard for these workers to plan their weeks, find other jobs, and maintain income security. It also leads to high rates of workers lacking health insurance because they do not have enough hours to qualify for employer-sponsored programs and they cannot afford it on their own. Half of the grocery workers surveyed who said they have health care coverage reported obtaining it through Medicaid or another state program.

WAREHOUSE ISSUE *Temporary Employment*

EVIDENCE A majority of the warehouse workers we surveyed have temporary jobs at their warehouses. A full half (50%) defined their current job as temporary, and another eight percent defined their job as seasonal. These workers move from warehouse to warehouse, picking up temporary employment as our food is stored and then moved to retail stores and restaurants. This makes it difficult for warehouse workers to maintain economic stability and facilitates wage theft, as employees have no ongoing relationship with an employer.

FOOD PROCESSING, MEATPACKING & POULTRY PROCESSING ISSUE *Health and Safety*

EVIDENCE Workers in food, meat, and poultry processing plants suffer from a high rate of injuries on the job due to the repetitive and rapid nature of assembly line work and due to the lack of training and lack of safety with regard to dangerous slaughtering and processing machines. 65 percent of processing workers surveyed reported experiencing injuries or illnesses on the job, and among those workers, the most frequently reported injuries were: cuts (37.8% of injured processing workers), repetitive motion injuries (34.6%), slips and falls (26.8%), and back injuries (25.2%). These injuries can be fatal. For example, in March 2012 a Guatemalan immigrant worker died in a tortilla factory when he fell into a dough-mixing machine. The U.S. Department of Occupational Safety and Health Administration found that the accident would not have happened if the machine had a required safety guard. Unfortunately, large meat and poultry processing corporations lobby government regulators to allow them to increase line speeds for increased profit, to the detriment of worker health and safety. In April 2012, the U.S. Department of Agriculture proposed allowing poultry plant line speeds to go from 70-91 birds per minute to 175.

FARMWORKERS ISSUE *Child Labor*

EVIDENCE Farmworkers surveyed reported that there were minors at work at almost double the rate that all food system workers reported working with minors. Almost one-quarter (23.2%) of farmworkers surveyed reported that there were 10 to 20 minors in their workplace, ages 12-17. The Association of Farmworker Opportunity Programs reports that as many as 500,000 children work as hired labor in our fields and orchards.⁶⁵ This means that children may be exposed to harmful chemicals in the workplace, such as pesticides. 54 percent of farmworkers surveyed reported being exposed to toxic chemicals, and another 10 percent did not know if they had been exposed. 16 percent of farmworkers surveyed reported being asked by their employers to do something that would put themselves at risk, including working in the rain, working in the dark, working in sub-freezing temperatures, jumping over ditches, spraying without proper training, and picking during or right after spraying.

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III. THE WORKERS: OCCUPATIONAL SEGREGATION & CHALLENGES FOR CAREER MOBILITY

Although the food system largely provides low-wage jobs, there are some higher-wage jobs in the industry. 13.5 percent of all workers we surveyed nationwide reported earning 150 percent of the poverty line for a family of three. Certain segments of the food chain in particular—restaurants, grocery stores, and food processing plants—have potential to provide workers with a career advancement to a livable wage job. This is due to the prevalence of unionization in these sectors, as in grocery stores and food processing plants, and because the sheer size and growth of the sector means that there are large numbers of livable wage jobs available. Furthermore, as the employer interviews in Chapter IV demonstrate, even in other segments of the chain such as farmwork and warehouse work, small to mid-size employers have indicated that there is potential to provide a formalized career ladder for advancement, even if these segments do not provide as many livable wage job opportunities as others.

It should be noted, however, that until there is significant improvement in job quality, the limits on career mobility and promotion are significant. The fact that 86.5 percent of the workers we surveyed reported earning low, poverty, or subminimum wages means that for most of these workers, upward mobility in the food system will require lifting standards system-wide.

In this chapter, we show some of the potential career paths in some segments of the food chain. Some segments have very clearly delineated paths for mobility; however, more research, conducted with both workers and employers, is needed to map out more formalized career paths in all segments of the food chain.

Fig 12 PERCENT OF WORKERS EARNING A LIVING WAGE IN EACH INDUSTRY

| INDUSTRY | SUBMINIMUM WAGE | POVERTY WAGE | LOW WAGE | LIVING WAGE |
|----------------------------------------|-----------------|--------------|----------|-------------|
| Agriculture & nurseries | 52.4% | 40.2% | 7.3% | 0% |
| Meatpacking, poultry & food processing | 13.1% | 38.4% | 31.8% | 16.7% |
| Restaurants & food service | 21.6% | 33% | 28.9% | 16.5% |
| Grocery | 16.7% | 53.6% | 14.3% | 15.5% |
| Warehouse | 25% | 25.9% | 35.2% | 13.9% |
| Total | 23% | 37.6% | 25.8% | 13.5% |

Source: Food Chain Workers Alliance survey data

Unfortunately, despite this potential, across the food system—both in the segments with high potential for career mobility and in all others—immigrants and workers of color are concentrated in low-wage jobs. Occupational segregation and discrimination in the food system have contributed to the fact that the lowest-wage jobs are held largely by people of color, and undocumented immigrants suffer worse working conditions than other workers.

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In grocery stores (includes supermarkets, big box retailers and clubs, specialty food retail), union presence has resulted in some higher-wage jobs in the industry. Our data revealed that 15.5 percent of grocery store workers surveyed reported earning more than 150 percent of the poverty line. However, the deteriorating presence of unions and increased competition presented by multi-national corporations such as Wal-Mart is having a major effect on low-wage workers. Health coverage and other benefits, wages, and favorable working conditions are all being scaled back as unions lose ground to franchised chain companies and international competition.⁶⁸ For example, one study found that even though Wal-Mart started their employees at the same rate as unionized workers, in two years Wal-Mart workers were making 25 percent less than their union counterparts.⁶⁹ Discrimination is also an issue. A survey in supermarkets in New York found that workers felt that hiring, firing and promotion was based on immigration status, and harassment was also based on immigration status.⁷⁰ Nevertheless, the grocery store workers' union, United Food & Commercial Workers (UFCW), sees a potential career path in grocery stores that it is able to implement in unionized stores.

Fig 12 GROCERY STORE CAREER PATH

| DEPARTMENT MANAGERS | | MEAT MANAGERS | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------|--|
| oversee departments, handle scheduling and orders for the department | | supervise meat cutters, conduct inventory and place orders for merchandise | |
| TIER 2 | | | |
| FRONT END | | BACK END | |
| FOOD CLERKS/CASHIERS fill in as General Manager during holidays/vacations; stock shelves in the dairy, deli, and frozen department; serve as cashiers when the store is busy | | MEAT CUTTERS butcher meat for customers and for packaging | |
| TIER 3 | | | |
| FRONT END | | BACK END | |
| | | GENERAL MERCHANDISE MANAGERS & MEAT CLERKS serve as bakery, service deli, meat clerks; cut fruit in produce department; do some cashiering | |
| TIER 4 | | | |
| FRONT END | | BACK END | |
| CLERK HELPERS provide customer service, check prices, collect carts, do general cleanup, return products to shelves | | | |

Higher-wage jobs exist in logistics workplaces (including warehouses and transportation). For example, 13.9 percent of workers we surveyed in warehouses reported earning above 150 percent of the poverty line. However, research shows that this segment still does not provide many opportunities for career advancement due to the high rate of temporary work in this segment of the food supply-chain. Employees within these fields often leave before they receive training that will allow them to advance within their organization.⁷¹ Many of these employees work long hours in difficult working conditions and decide to look for opportunities elsewhere where the conditions are more favorable. In the two major warehouse areas in the country—the Inland Empire in Southern California and the greater Chicago area - a majority of

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This chapter draws upon the 629 surveys and 18 in-depth interviews that Food Chain Workers Alliance member organizations conducted with workers across the food chain. It also includes information gathered from interviews with the member organizations' staff members, as well as secondary sources, to understand the potential for career advancement for food workers.

OCCUPATIONAL MOBILITY BY SEGMENT

As mentioned above, while there is potential for increased occupational mobility throughout the food system, certain segments of the food chain have greater potential for career mobility than others. However, occupational segregation remains a problem in all segments of the food chain.

Fig 13 POTENTIAL FOR CAREER PATH TO LIVABLE WAGE JOBS BY SECTOR

| Segment | Workers Reporting Earning Livable Wages | Potential for Career Path to Livable Wage Job | Reason |
|-------------------------|-----------------------------------------|-----------------------------------------------|--------------------------------------------------------------------------|
| Restaurant/Food Service | 16.5% | High | Large Numbers of Jobs |
| Grocery | 15.5% | High | Union Density |
| Warehouse | 13.9% | Medium | Substantial number of higher-wage jobs, but high rates of temporary work |
| Food/Meat Processing | 16.7% | High | Union Density |
| Farmwork | 0% | Low | Smaller Number of Higher-Wage Jobs |

Source: Food Chain Workers Alliance Survey Data

In the restaurant and food service industry, our data revealed that 16.5 percent of restaurant and food service workers surveyed earn more than 150 percent of the poverty line. However, workers of color have limited access to livable wage jobs in the industry. Workers that have continual contact with customers tend to be white, while Black, Latino, and other groups of color tend to be hired into positions that are not seen by patrons.⁶² Less visible positions in the 'back of the house' tend to be paid less than more visible positions in the 'front of the house.' Undocumented immigrants are largely concentrated in back of the house jobs (as well as some lower-wage jobs in the front).⁶⁷ Nevertheless, the national restaurant workers' organization, Restaurant Opportunities Centers United (ROC-United), has drawn up a formalized career path in the industry that it has implemented in its own worker-owned restaurants, COLORS, and that its high-road restaurant partners have implemented as well.

Fig 13 RESTAURANT CAREER PATH

| "Front of the House" DINING FLOOR | "Back of the House" KITCHEN |
|--------------------------------------|--------------------------------|
| TIER 1 | |
| Captain | Chef |
| Sommelier | Sous Chef |
| Bartender | Line Cook |
| Waiter | |
| TIER 2 | |
| Busser/Runner | |
| Barback | Prep Cook |
| Barista | Dishwasher |
| Host | Porter |

the workers surveyed by Warehouse Workers for Justice and Warehouse Workers United work for temporary work or staffing agencies. Temporary work results in high turnover because of the insecurity of the employment and the low wages. Although at least one employer in Chapter IV defined a probable career path for workers in his company, the probability of most workers advancing up such a career ladder is medium to low.⁷²

In food processing (including food manufacturing), 16.7 percent of workers surveyed reported earning more than 150 percent of the poverty line. However, wage increases in this segment infrequently track employee's competency and increased technical ability.⁷³

According to the U.S. Department of Labor's Bureau of Labor Statistics, training for food processing varies.⁷⁴ Simple cutting operations require a few days to learn, while more complicated tasks, such as eviscerating slaughtered animals, generally require several months of training. The training period for highly-skilled butchers at the retail level may be one or two years. Helpers usually progress to jobs as machine operators, but the speed of this progression can vary. Some workers who perform exceptionally well on the production line, or those with special training and experience, may advance to supervisory positions.

Food processing workers in retail or wholesale establishments may progress to supervisory jobs, such as department managers or team leaders in supermarkets. A

few of these workers may become buyers for wholesalers or supermarket chains. Some food processing workers go on to open their own markets or bakeries. In processing plants, workers may advance to supervisory positions or become team leaders.⁷⁵ The potential career mobility path in food processing is presented here.

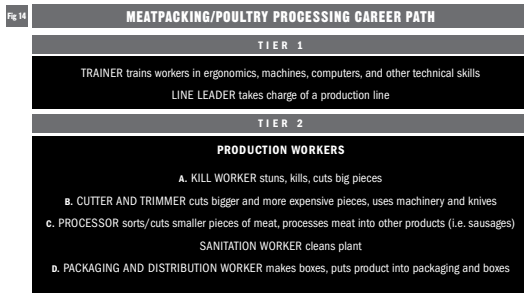
Fig 13 FOOD PROCESSING CAREER PATH

| TIER 1 | |
|------------------------|---------------------------------------------------------------------------------------------------------------------------|
| PLANT GENERAL MANAGER | manages daily operations in the entire plant |
| PRODUCTION MANAGER | manages food production |
| PACKING MANAGER | manages the packaging of food |
| DISTRIBUTION MANAGER | manages drivers |
| TIER 2 | |
| SALES PERSON | gets new clients |
| TIER 3 | |
| QUALITY CONTROL PERSON | supervises the quality of food |
| TIER 4 | |
| DRIVER | makes deliveries to customers |
| TIER 5 | |
| HELPER | rides in truck with driver to make deliveries, deals with customers, unloads truck, and brings merchandise into locations |
| PROCESSOR | cuts, operates machines to mix foods, packages and puts foods in containers |
| WAREHOUSE WORKER | packs boxes and loads trucks |

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Within food processing, meat and poultry packing plants represent a very large and growing sector. As with the rest of food processing, while some amount of unionization does allow for the existence of some livable wage jobs, poor working conditions persist across the segment.⁷⁶ A 2002 ethnographic study of life within a Tyson poultry processing plant found high numbers of immigrant workers from all over the world toiling under very low wages and tough working conditions, with very little or no chance of upward mobility, and few higher-level positions.⁷⁷ Nevertheless, a potential career ladder does exist, as described below.



In agriculture workplaces (including farms, nurseries, and vineyards), immigration status is the most common barrier to upward mobility, but education, language, and lack of union representation also contribute to the lack of promotions for many low-income farm workers. None of our farmworker survey respondents reported earning above 150 percent of the poverty line. One study found that female farmworkers were particularly vulnerable to discrimination.⁷⁸

Overall throughout the food supply chain, statistical investigation confirms that moving from the bottom is somewhat more difficult. One-third of workers are no longer in the industry five years later. Of those who remained, just under 50 percent of those hired in 1991 and starting among the bottom quarter of earners in their firm were able to move up out of this quartile after five years. This figure is down slightly from 60 percent for those hired in 1985.⁷⁹

EXPERIENCES OF DISCRIMINATION AND SEGREGATION BY RACE ACROSS THE FOOD CHAIN

The challenges with occupational mobility described above in all segments of the food chain, particularly the lack of formalized career ladders in most segments, compounded with historical, geographical, transportation, and other forms of race discrimination has resulted in workers of color being concentrated in the food system's lowest-paying jobs. In its 2011 report, "The Color of Food," the Applied Research Center (ARC) reported that, on average, people of color earn less than whites working in the food chain. Half of white food workers earn \$25,024 a year, while workers of color make \$5,675 less than that. This wage gap was found in the four sectors of the food system that ARC examined, with largest income divides occurring in the food processing and distribution sectors. This fact was confirmed by our survey data, in which the wage gap between white workers and workers of color was largest in the food processing and distribution sector, at \$3.07. ARC also examined race by position and found that three out of every four managers in the food sys-

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SEGREGATION BY GENDER ACROSS THE FOOD SYSTEM

Women food system workers earn slightly less than men in the food system. Women earn median weekly wages of \$400, while men reported a median weekly take-home pay of \$421. Women also reported suffering worse working conditions than men surveyed. Women reported feeling discriminated against at much higher rates than men (44% v 32%). They also reported suffering verbal abuse from employers at a higher rate than the men surveyed (16.9% v. 11.1%).

Both men and women reported that women experienced sexual harassment in different segments of the food chain. One male warehouse worker reported, "[I've seen] female workers being sexually harassed, women being touched inappropriately and if they complain or take action, being fired, or men writing their numbers on money and putting it in an inappropriate place on female workers and making inappropriate comments about their clothing."

DISCRIMINATION AND SEGREGATION BY IMMIGRANT STATUS

Immigrant workers are more vulnerable to exploitation in the food system. Foreign-born workers reported earning that were less per hour on average than U.S.-born workers surveyed (\$10.55 versus \$11.08). Undocumented workers were far more concentrated in lower-wage jobs, as can be seen in Table 19. Less than one percent of undocumented workers reported earning more than 150 percent of the poverty line, compared to 20 percent of documented workers. As mentioned in Chapter III, the median wage reported by undocumented workers—\$7.60 per hour—was significantly lower than the median wage reported by all other workers, which was \$10 per hour. Undocumented workers also suffered a greater burden from wage theft. They reported losing 43 cents per hour, on average, to lack of overtime, shaving of hours, non-payment of wages and tips, and other forms of wage theft. Finally, perhaps in part due to their lower wages, they also reported working more hours than documented workers. Undocumented workers reported working a median of 48 hours per week, compared to all other workers reporting that they worked a median of 40 hours per week.

Finally, immigrant workers reported experiencing verbal abuse at almost six times the rate that U.S.-born workers reported such abuse (3.4 percent for white workers v 20.5 percent for foreign-born workers).

In interviews, immigrant workers reported that they knew they were vulnerable to exploitation. One male prep cook reported, "I came by myself. It's very

Fig 15 DISCRIMINATION EXPERIENCE BY RACE/ETHNICITY

Workers who feel they have been discriminated against by their main employer.

| | |
|------------|-----|
| Black | 38% |
| Latino | 37% |
| Asian | 37% |
| Indigenous | 35% |
| White | 18% |

Source: Food Chain Workers Alliance survey data

Fig 16 PROMOTION OPPORTUNITIES & PROMOTIONS BY RACE

| | Has had the chance to apply for a promotion | Has been promoted | Median Years in Current Job |
|------------|---------------------------------------------|-------------------|-----------------------------|
| Black | 20.2% | 11.7% | 2.7 |
| Latino | 29.6% | 22.8% | 3.6 |
| Asian | 30% | 25% | 2.1 |
| Indigenous | 21.4% | 14.3% | 2.3 |
| White | 28.9% | 21.1% | 2.0 |
| Other | 50% | 25% | 2.0 |
| Total | 26.7% | 19.1% | 3.0 |

Source: Food Chain Workers Alliance survey data

Fig 17 HAS SUFFERED VERBAL ABUSE BY GENDER

| | |
|-------|-------|
| Men | 11.1% |
| Women | 16.9% |
| Total | 12.9% |

Source: Food Chain Workers Alliance survey data

Fig 18 IMMIGRATION STATUS BY WAGE SEGMENT

| | SUBMINIMUM WAGE | POVERTY WAGE | LOW WAGE | LIVING WAGE |
|--------------|-----------------|--------------|----------|-------------|
| Documented | 16.6% | 35% | 30.5% | 17.9% |
| Undocumented | 43.6% | 48.2% | 7.3% | .9% |
| Total | 23% | 37.6% | 25.8% | 13.5% |

Source: Food Chain Workers Alliance survey data

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tem are white. Almost half of white men working in the food chain were employed as managers, while less than 10 percent of workers of color held comparable positions.⁸⁰

Our survey data corroborated these findings from government data, but further study is needed. Collectively among the more than 600 workers we surveyed across the food system, we found differences between white workers and workers of color in terms of wages, particularly at the lowest end of the wage spectrum, and working conditions. The percentage of workers who earned a living wage did not vary much by race, but the percentage of workers concentrated in subminimum wage jobs was strikingly different. While about one-quarter of Black and Latino workers and almost 40 percent of Asian workers reported earning less than the minimum wage, only 13.5 percent of white workers surveyed reported earning less than the minimum wage. However, the low numbers of White, Asian and indigenous workers surveyed make percentages reported by those particular groups somewhat unreliable. More study is needed on differential experiences between white workers and workers of color in the food system.

Furthermore, the workers of color we surveyed for this report suffered wage theft at higher rates of frequency than white workers. More than one-fifth of all workers of color reported experiencing wage theft, while only 13.2 percent of all white workers reported having their wages misappropriated. Table 15 provides information on wage theft by racial group.

Not surprisingly given these differences, more than one-third of workers surveyed (35.6%) reported feeling that

they had been discriminated against by their employer. Black, Latino, and Asian workers felt discriminated against at more than twice the rate reported by White workers (38% v. 18%). (Given the small numbers of Asian and indigenous workers surveyed, those particular statistics are unreliable.) One male restaurant prep cook reported, "I think for all the people who are Hispanic, yes [there is discrimination]. I see the people who are from here, who speak English—they're treated in a different way. We Hispanics can't enter the bar to get a soda or water; they've just said no to us. It makes you feel bad."

Black and indigenous workers in particular reported having fewer opportunities to apply for promotions, and actually receiving promotions, than all other workers. 20.2 percent of Black workers reported having the opportunity to apply for better positions, while close to 30 percent of White, Latino, and Asian workers reported having this opportunity. Furthermore, only 11.7 percent of Black workers reported actually receiving promotions, compared to more than one in five workers in other racial groups.

Fig 19 RACE/ETHNICITY BY WAGE SEGMENT

| | SUBMINIMUM WAGE | POVERTY WAGE | LOW WAGE | LIVING WAGE |
|------------|-----------------|--------------|----------|-------------|
| Black | 21% | 28.4% | 36.9% | 13.6% |
| Latino | 24.4% | 38.7% | 22.9% | 14% |
| Asian | 37.5% | 31.3% | 18.8% | 12.5% |
| Indigenous | 28.6% | 64.3% | 7.1% | 0% |
| White | 13.5% | 62.2% | 8.1% | 16.2% |
| Other | 0% | 50% | 50% | 0% |
| Total | 23% | 37.6% | 25.8% | 13.5% |

Source: Food Chain Workers Alliance survey data

Fig 20 WAGE THEFT BY RACE/ETHNICITY

| | |
|------------|-------|
| Black | 19.5% |
| Latino | 21.9% |
| Asian | 30% |
| Indigenous | 28.6% |
| White | 13.2% |
| Other | 0% |
| Total | 20.9% |

Source: Food Chain Workers Alliance survey data

ROGELIO BOBADILLA, 38 POMONA, CALIFORNIA
dining hall stocker, 22 years in the food system



Rogelio Bobadilla is married with a five-year-old son, an 18-month-old daughter, and a baby on the way. In Mexico, he worked briefly in a candy store and a cattle ranch before immigrating to the U.S. when he was 17 years old. "My brother was working here, and I came for a better life."

His first, and only job, in the U.S. was in the dining halls of Pomona College in Claremont in Southern California. In 1990, he started as a dishwasher and was paid the minimum wage of \$4.25 per hour for part-time work and a schedule that regularly changed. Two years later, he was able to gain full-time work in the stock room.

Over the years, Rogelio has seen a lot of changes at Pomona. Marriott was Pomona's food service provider when he started working there. In 1998, Aramark took over, and soon the dining hall workers started to organize for a union for better pay and working conditions. In 2000, Pomona College removed Aramark and hired the dining hall workers as direct employees with management by Sodexo, another major food service company. Rogelio says the working conditions didn't improve much as direct employees of the college, just a slightly better wage and more benefits. In 2011, Pomona did not renew the contract with Sodexo and hired its own management. "That's when the situation got really hard," says Rogelio. "The new manager came in very much like a despot. No one liked him, and up to now, I don't think anyone likes him." Trainings also stopped when the new management came in.

Rogelio says that the workers started to organize again a few years ago, because Pomona College decided to cut benefits, claiming that it was due to the economic crisis. "When we started as Pomona employees, we were guaranteed 240 hours of work in the summer. The people decided to organize because [Pomona College] didn't want to give us the hours of work in the summer and they wanted to take away the holidays that they had always paid us for. We also organized because the health insurance was very expensive. For me, I paid \$326 per month for my family [of four]. So, many of us organized for

the 12 months [of work], health insurance, and better wages." After the workers began organizing together, the college offered year-round employment to those who wanted it, conducted a compensation study to bring all employee compensation up to fair market rates, and lowered the health insurance premiums.

As part of the organizing effort, on March 1, 2010, Rogelio and his co-workers turned in petitions signed by over 90 percent of the dining hall workers requesting the freedom to choose to form a union without intimidation or interference from the College. President David Oxtoby pledged publicly that there would be no intimidation of dining hall workers, but Pomona College has not followed through on that pledge. The National Labor Relations Board's General Counsel issued a complaint, alleging that a Pomona College dining hall manager told a cook that he was denied a promotion because he wore a button supporting unionization. He also alleged that the college administration violated federal labor law by implementing a policy during a unionization drive that prohibits dining hall workers from speaking to non-employees in the dining hall, even when they are on break. Pomona College has settled the complaint.

On November 7, 2011, Pomona informed various faculty, staff, and students, including Rogelio, that it had reviewed their documents authorizing them to work in the United States and found deficiencies in the documentation of 84 individuals on campus. The Board of Trustees and the administration were not required by law to conduct this investigation and did so without prompting from any federal agency. The college administration gave workers—several of whom have been working at the college for decades—mere three weeks to correct the discrepancies and fired 17 people when they did not meet the deadline, including Rogelio, his sister-in-law, and 14 other dining hall workers. Rogelio said he "felt humiliated... it was the only job I ever had since I came here... I feel that they don't appreciate [me], that your sweat that you put in there is not worth anything. It's hard. I have my family, and it's hard to find a job now because of the economic crisis."

difficult living here without knowing anyone, not knowing where a store is, not having money to buy water or bread. When you find a job, if they offer you \$50, you don't have to think about it—you need this money, so you take it."

IMPLICATIONS FOR CAREER MOBILITY – WORKFORCE DEVELOPMENT PROGRAMS

For those segments that do have high potential for developing career paths, workforce development programs that can assist low-wage workers with career advancement along those paths are critical. Innovative and effective workforce development models do exist in these segments, often pioneered by labor organizations.

The Restaurant Opportunities Centers United (ROC-United), a member of the Food Chain Workers Alliance, and the United Food and Commercial Workers (UFCW) international union—of which two Alliance members, UFCW Locals 770 and 1500, are affiliates—house innovative and effective workforce development programs to help low-wage workers move to livable wage jobs.

FROM THE BACK TO THE FRONT

COLORS HOSPITALITY OPPORTUNITIES FOR WORKERS (CHOW) INSTITUTE

Since its inception, ROC-United has provided job training classes to low-wage restaurant workers as a recruitment tool. The classes are overwhelmingly popular with restaurant worker members of the organization. In 2007, this program became institutionalized with the COLORS Hospitality Opportunities for Workers (CHOW) Institute. Created inside COLORS, ROC's worker-owned cooperative restaurant, in New York City in 2006, CHOW is a national restaurant workforce development program that provides a multi-tiered curriculum to help restaurant workers advance from 'back of house' (kitchen) to higher-paying 'front of house' (dining floor) positions, and from lower-paying segments of the industry, such as fast food and casual, to fine dining restaurants, where wages, tips, and benefits are higher. CHOW's curriculum is hands-on, providing classes in a real restaurant space. In New York and Detroit, training occurs in ROC's own worker-owned restaurants, COLORS. In other cities, CHOW takes place in partnering restaurants. This is a key element of the program—as mentioned in Chapter III, ROC has organized more than 50 'high road' restaurants nationwide, who hire and mentor CHOW trainees and, in some cities, host CHOW classes. ROC hires experienced bartenders and servers from its own membership to teach students using the national CHOW curriculum. Training and job placement is tracked in a national online database, and regular follow-up allows staff to monitor job retention as well. In some cities, graduates also obtain college credit for CHOW classes from a partnering community college. CHOW's mission is to create formalized career ladders in an industry that has traditionally hired based on appearance and informal contacts rather than certification.

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HOURLY WAGE, WAGE THEFT, AND TOTAL HOURS WORKED BY IMMIGRATION STATUS

| | DOCUMENTED | UNDOCUMENTED |
|-------------------------------------|------------|--------------|
| Actual Hourly Wage (Median) | \$10 | \$7.6 |
| Wage theft per hour (Mean) | \$0.28 | \$0.43 |
| Hours Worked Sum of 7 Days (Median) | 40 | 48 |

Source: Food Chain Workers Alliance survey data

RITA MCCRAY, 22 CHICAGO, ILLINOIS

Restaurant shift leader and grocery store baker, 3 years in the food system



"Ever since I was little, I always knew I wanted to do something in food," said Rita McCray when asked how she began working in restaurants. The 22-year-old Chicago native credits a wonderful teacher at the Chicago Vocational Career Academy for inspiring her to then go to Le Cordon Bleu College of Culinary Arts. She began an externship at a fine-dining Italian restaurant during her last few weeks at Cordon Bleu and continued working there after graduating in September of 2009.

"I worked in the back of the house, doing the pantry station – soups, salad, and desserts," Rita explained. She later then moved to being the line cook for the cured meat and cheese station and then the fry station. "They had someone to look over me, yes, that's right, that's wrong," but I had to learn it on my own." Rita was paid \$8.25 per hour. She later trained others how to work these various stations and oversaw their work, but she didn't receive a raise with these additional responsibilities. "I didn't have benefits because I couldn't pay for them—health insurance was [equal to] one of my paychecks, and I got paid every 2 weeks."

Rita eventually quit two years later because of the low pay, the pressure, and the stress of dealing with the chef/owner. "The chef would throw bowls at me. We would get cussed out. He does a lot for people, but the problem is, he doesn't know how to keep his anger to himself," Rita explained. "As much money as [the restaurant] made, we were still

getting robbed. There were only four blacks working there, then there were 2, and now none."

Rita then went to work as a baker at a family-owned grocery store. She works there part-time and, after graduating from the Restaurant Opportunities Center of Chicago's Front of the House (FOH) 101 training class, began working part-time at a casual-style restaurant at the end of March of 2012, earning \$9 per hour. "As shift leader [in the front of the house], I'm like a manager—I manage the other workers that work there." She also serves customers and handles money. Rita believes she was able to get this job because of her graduation from Le Cordon Bleu and ROC's FOH training.

Rita said she became involved in ROC-Chicago "because I am a very activist person—they bring out a side of me that I don't bring out, only because I never needed to. Now, I can say it can be properly used here, as far as protesting to help somebody else, learning a new skill..." Rita has protested against Darden to support Capital Grille Restaurant workers because of wage theft. "That used to be me. They are me. It's our duty to help everyone because we're all in this together, we're all going through the same thing... the restaurant wouldn't stand without us. If we can fix it, why not fix it? That's always been my motto."

For the future, Rita said, "I really want to be a manager in a restaurant where I can help the restaurant flow easier than ever by teaching and by allowing my front-of-the-house [staff] go to the back of the house and learn something—learn how to cook, learn how to make that dish. That way, it could be a nice rotation."

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ADVANCING TO GOOD GROCERY JOBS

The Canadian Region of the United Food and Commercial Workers (UFCW) has over 250,000 members concentrated in food manufacturing and retail food sales and distribution. Since the late 1980s, the union has negotiated Training Trust Funds at the local level, which support training facilities and programs in remedial and vocational areas. The Trust Fund agreements are included in the collective bargaining agreement or as a separate addendum and provide an employer contribution towards the cost of education. Some of the local funds are sent to UFCW Canada's National Training and Education Department to develop local training centers throughout Canada focused on food retail. At the centers, a variety of training courses are offered to union members such as academic upgrading computer courses, English as a Second Language, labor education, pre-apprenticeship, and courses specific to food retail. The local centers build relationships with universities to create curriculum around food retail. Some centers offer certificate programs in food retail. In addition, they offer a variety of courses online through *webCampus* to members and their families.

The HOPE Program provides impoverished and unemployed New York City residents with the opportunity for job training, job placement, job retention, and career advancement opportunities. HOPE includes GROCERY works, an 8-week training program for men and women interested in working in the growing food retail industry. Participants learn skills on completing paper and online job applications, writing cover letters, creating resumes, conducting successful job searches, preparing for interviews, customer service, using office equipment, and computer skills, such as using email, typing, Microsoft Word, and Excel. In addition, participants have a 200-hour unpaid internship with an employer in their industry of interest to gain work experience. Roughly 70 percent of graduates find full-time employment, many within a month or two of completing the program.³¹

The UFCW Local 1500 partnered with the HOPE Program to develop classes and to find food retail companies to participate in the program. The union has also given presentations to program participants about unions and informed union members about the program when they were facing potential layoffs due to some union supermarket closures.

ELISHA WILSON, 33 NEW YORK CITY, NEW YORK

Department manager, 8 years in retail



Elisha Wilson is an African-American 33-year-old single mother of two girls who lives in New York City. She began working for Pathmark (A&P) supermarket in 2004 in the Floral Department earning \$6 an hour. She then went on to become assistant manager. In 2012, she was promoted to a department manager at Pathmark on 145th Street in New York City. As a manager, she earns \$25.65 an hour, and she works an average of 44-45 hours a week. She is in charge of ordering merchandise, and she delegates task to her team, such as packing out merchandise and placing merchandise on the floor.

When speaking about how she was promoted, Elisha says that she thinks that management saw something in her that she didn't. She was very passionate about

her work and enjoyed it very much. Management approached Elisha and asked her if she was interested in becoming a manager. To become a manager, she had over a one-year of training with managers in other stores, where she learned the different computer systems and protocols for the department.

Elisha is a member of UFCW Local 1500. "The first thing about being in a union is that it's like being in family. It's like a community raising a child—you have a whole group of people who have your back." Through her union contract, she receives raises every six months, as well as paid personal, sick and vacation days. She says, "Thank God I don't have to work another job" because having a union provides her with good wages and the benefits that she needs.

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IV. THE EMPLOYERS

Employers in the food system vary greatly in size, ownership structure, and focus. Their perspectives and business practices also vary. In this chapter, we focus on the perspectives of smaller, independent food system employers, those often not heard above the clamor of the multinational food corporations that dominate our food system. We focus on these employers for two reasons. First, corporate employer voices dominate dialogue in the media and with policymakers, and smaller food system employers are rarely heard, even though they employ a sizeable share of workers in the food system. The United States Census reported that 39.8 percent of food processing, distribution, retail and service workers worked for small and mid-sized firms employing fewer than 100 employees in 2008.⁵² We also focus on small to mid-size employers because only one representative of a large corporate employer agreed to be interviewed for this study.

The Food Chain Workers Alliance conducted 47 interviews with small- to mid-size food system employers all over the country. While the staff size of the businesses run by owners and managers interviewed in each segment varied tremendously, the median number of employees for these businesses was quite small in each segment, indicating that most employers interviewed were not large corporations. Table 21 shows the range and median staff size of the employers interviewed.

EXTERNAL FACTORS

Small to mid-size food system employers reported several external factors that impact their success and business practices. Perhaps the largest concern discussed was the state of the national economy and its impact on both consumption (revenue) and food prices (costs). On the whole, employers interviewed reported that while they perceived their segments of the food chain to be suffering great losses as a result of the crisis, they themselves were surviving it quite well. These perceptions may reflect generalized myths rather than reality. For example, several restaurant employers reported that they thought the industry was suffering, though they themselves were not. In reality, the industry experienced growth nationwide in 2011.⁵³ However, a much more widely-agreed upon concern was the increased domination of the food system by large multinational food corporations.

1 Economic Downturn

A handful of employers did report suffering as a result of the economic crisis. One manager of a produce distribution company stated, "The economy is in a really, really

In fact, multiple small- to mid-size employers noted that corporate domination in the food system has created a plethora of challenges for them. This was a far more universal complaint than even the state of the economy. Some employers complained about their inability to compete because large corporations are able to offer lower prices or have more recognizable brand names.

"We're too small and that's a real problem for a company like us... because of the consolidation of the industry... They've got all these systems. They're financially secure. They're going to do it low cost. And can we do it as low cost as they can? Probably not," said the owner of a distribution company.

"Then Starbucks opened and Target opened. So what we saw during that period was a big drop in business. A big drop in business in lunch, which was one of our biggest things," said a restaurant manager.

Others complained that the large corporations are able to buy directly from suppliers, sometimes in unfair ways.

"Yeah, a Wal-Mart, Costco, BJ's those places—it cuts out a guy like us, because they can go direct to the farmer, and it cuts out the wholesaler. The customer can go directly to those places, instead of going to the little mom-and-pop stores stuff like that," said the owner of a distribution company.

"Right now you have IBP, Tyson, you have a Cargill, XL... they own, you know, chicken companies. So they have this parent company that owns all these meat companies. You know, it almost comes down to price-fixing. Cause at that level you've got four choices to make. And they're all there to make money. And you won't have the little packer—I used to make money. There was a packer called Federal Meat. Because they're smaller, they don't have the sales exposure or the customer exposure... Now all these big companies have come in and bought 'em all. Now they got 'em under their control. They have a vast distribution channel. So now they have the outlet for the meat. They don't have to succumb to the lower prices to get rid of it. They've got the [edge] to get rid of it at market or competitive prices. So that makes, you know, your opportunities to buy meat cheaper from smaller packers nonexistent," said the owner of a distribution company.

Others complained about the fact that the large employers are unfairly receiving government subsidies and tax breaks while they are not, and also that they are buying our smaller employers.

"[In] Columbia Heights, Target has gotten tax abatements. We've got nothing. We don't even have our name on the metro [subway] that it's [our neighborhood]. And they are getting money back and free parking and everything, and I get the tax collector coming after me. So yes, there absolutely is a trend towards favoring big business," said a restaurant manager.

"In the industry as a whole, everything is conglomerating into large companies. All the small companies are being absorbed by the large companies. That's the trend right now," said the owner of a distribution company.

3 Competing Through Sustainable Food Concepts

To compete with the large multi-national corporations, small and mid-size companies have had to find niche markets and creative ways to maintain a competitive advantage, and several of the employers we interviewed reported finding great success by focusing on specialty goods, and locally-grown, organic, and sustainable food concepts.

One small farm owner focused on marketing to local markets reported, "We've had growth every year. The last couple of years, we've actually had more growth than previous, and people are looking for local, home-grown stuff." The sales manager of a specialty rice and spices wholesale retailer indicated, "Yeah, like few years ago we had maybe few items—like lentils, spices and flour, rice. And in flour, there was only two flour we had. Lentils are basic. And then now, you see we have 10 kinds of flour, rice we have 10 kinds, frozen food and many varieties. A lot of people coming to this business. The variety has increased... People are consuming more also. And they're buying more food. This industry is really heating up."

bad situation right now. Every year since we opened, three years right, every year it is going down." Some employers in particular noted increased gas and food prices and weather as additional hurdles to face at the current time. One employer noted, "We've had a lot of different challenges over the years. We've had flooding in the Midwest that caused trains to not be able to run on normal schedules. We've had ice storms..." Another employer in food processing noted increased fuel and food costs. "Costs have gone dramatically up. I think everybody knows that. A lot of raw materials are tied into fuel. Fuel is going crazy. It has been a nightmare, the increases over the past few years."

However, many small to mid-size food system employers reported that they were weathering the economic crisis. As one owner of a distribution company stated, "For our industry it is not too much a change because we selling food. That is something I like about this business. Not like anything professional. I have no money. I don't need a change of fancy clothes. Alright, but this is food industry so if you [have] no money for the restaurant, you can buy from the supermarket and cook everything by yourself. It's very reasonable, it's very cheap. So our supply is very steady. Our volume of business, the revenue is very steady. It's not highly affected by the economy." A restaurant manager noted, "I thought the economy would make it a lot slower, but it has been pretty steady. We serve quick and it's pretty steady over here."

Other employers noted that they have weathered the economic crisis, but that the competition is greater. As the manager of a distribution company noted, "The money that was coming in before is not the same that was coming in now... because of the economy... Because of the competition, it is not the same as before. Now we gotta work twice as hard to get half of what we used to get." Interestingly, even though employers perceived general losses in their industries, they also noted that many new businesses opening during the same time created increased competition. One restaurant manager stated, "On top of that, downtown, where we're based, is highly competitive, right now there's 25, 30 new restaurants that have opened all around us in the last two years, and some are direct competitors with us, tailored to the exact customer that comes here, and we've had to compete on price with them, and on service standard with them."

Another restaurant manager noted that the economic crisis created a setback, and that the market has recovered with consumers seeking lower costs. "The trends I saw were in December 2007 when the economy crashed and gas prices went up. We were in the middle of our growth and still new and that set us back... At first we just lost in general, then we started to see people coming back. But the economy was hard on people... Breakfast became more popular because they could go out for something else that wasn't necessarily taxing on them."

2 Corporate Control of the Food System

Several employers noted that this increased demand among consumers for greater value has put larger multinational food companies that can reduce costs due to bulk and receive large government subsidies at a greater advantage. One restaurant owner said, "I think fast food is getting the most money, people need to eat and right now fast food is the way to go." Another farm owner noted the competitive advantage the larger corporate farms have over small- and mid-size farms. "Well, a lot of them are internal, in terms of organization and farm plan here. But I would say, if I take a step back, I would say in general that for me as a regional producer outside of the state of California, the greatest challenge is a kind of low price and universal availability ethic that many customers seem to have because of California, and because the food industry has moved to such a consolidated, international kind of procurement model. I would say that low cost, universal availability, that kind of thinking within the general public, and specifically within the food industry, that's probably a big challenge." Another farm owner noted that corporate domination of the food system, based on a model of bulk and government subsidy, has resulted in changing expectations of consumers with regard to prices. "But part of it is the pricing, and it's also consumers' expectation that food is supposed to be cheap. And it's amazing to me that sometimes I've been at the farmers market and someone will have a cup of Starbucks coffee that you know they paid close to five bucks for and they don't want to buy a three-pound bag of organic apples for five bucks."

| INDUSTRY | NO. OF INTERVIEWS | RANGE IN NO. OF EMPLOYEES | MEDIAN NO. OF EMPLOYEES |
|---------------------------------------------|-------------------|---------------------------|-------------------------|
| Warehouse | 10 | 3-200 | 53 |
| Agriculture | 9 | 7- 250 | 19 |
| Restaurant | 18 | 4-106 | 18.5 |
| Food Processing, Meatpacking & Distribution | | | |
| | 10 | 3-1000 | 135 |
| TOTAL | 47 | | |

Source: Food Chain Workers Alliance Interview Data



EMPLOYER PROFILE FAIRWAY MARKET



Fairway Market started in 1933 with Nathan Glickberg. He founded a small fruit and vegetable stand in New York City to support his family. In 1954, Nathan and his son, Leo, partnered to create the beginnings of the first store at 74th St. and Broadway. In 1974, after having grown up learning the family trade, Leo's son, Howie Glickberg, came into the business with a bigger dream and grander vision of growing Fairway. Howie inherited sawdust-covered wooden floors, item racks supported by milk crates, and a square footage that only had room for four cash registers. Howie found opportunities to expand, and soon Fairway lived up to its slogan "LIKE NO OTHER MARKET", which is a registered trademark of the company. He brought in two partners, Harold Seybert and David Sneddon, and together the three of them catapulted Fairway well beyond anything that Howie's grandfather, Nathan, could have imagined.

Fairway is well-known for providing a variety of products. In recent years, organic and specialty products have accounted for 30-40 percent of Fairway's sales. In addition, Fairway sells a variety of fair trade coffees. Fairway has nine stores in New York, New Jersey and Connecticut and employs over 3,000 workers. The workforce at Fairway is hired from

local job fairs in the communities it wishes to do business. All nine stores owned by Fairway have union contracts with the United Food and Commercial Workers Union.

At the Harlem store, workers are represented by UFCW Local 1500. After six months, employees enjoy benefits such as paid vacation, sick days, personal days, health insurance and a pension through their union contract. In addition, at this location, employee retention is very high with a turnover rate of just five percent a year. There are employees at the store who have been there 15-20 years. Fred Paesano, the General Store Manager, feels that having a union is helpful in recruiting employees because [they] "view it as an incentive." About 99 percent of promotions are done from within, and employees have many opportunities for advancement, says Fred.

Fairway Market has achieved excellence and recognition as an industry leader. In 2010, Fairway Market was recognized as one of the Top 50 Retailers by The Gourmet Retailer, and in January 2012, Fairway was voted Best Supermarket on Long Island in the "Best of LI." Long Island Press poll.

Fairway's tagline, "Like No Other Market," holds true in many aspects—the company sells a plethora of food items at low prices to the communities into which it enters while treating their employees with respect and dignity.

Some small food employers noted that the increased demand created by the slow and sustainable food movement has helped their business. A small farm owner said, "Also, I think just the popularity of writers like Michael Pollan has made people look around their own communities to see how they can get access to local produce, so I think we are benefiting from the locavore movement. But still for us, it has primarily always been word of mouth in terms of getting new people, and now that we are down here, it is kind of like we are pioneering a region that doesn't have many organic farms."

4 Competing by Cutting Labor Costs

Unfortunately, many small- and mid-size employers also reported reducing labor costs and wages to remain competitive with large corporations receiving government subsidies. As one restaurant manager noted, "Everything comes back to labor. You try to do more with less. Your back of the house guys—where you'd normally have two people, you try to get it done with one, or maybe one and a half where you have someone help out. Your salaried... managers... have to pick up slack along the way, too. Maybe if they're working five days a week then they work six. Putting in a little more time, a little more effort, a little more work... The hourly people, you have to cut back [on workers]... You see the competition—it's steep." Another employer, a restaurant owner, noted, "I think for the most part, people get paid as little as the restaurant will let them. I think that's kind of the rule. Everywhere I've been a chef, I push and push the owners to pay a living wage, you know. But for the most part, when I start out, it's always the same. Everybody's struggling to make minimum wage. And often times, the owners will be even lying to the point where they're lying about how many hours people have. It's terrible."

MANY SMALL- & MID-SIZE EMPLOYERS WANT IMMIGRATION REFORM

Many of the small- and mid-size employers we interviewed remarked on the need for immigrant workers and their desire to see immigration reform that would allow these workers to stay in the country. Many described how important these workers are to the food system.

"Once all the farmers say, 'Aw, I cannot hire illegal alien, I have not enough workforce, I have to cut down my farmer acreage, I have to cut down.' Once the food supply will be short... What will be happen? The tomato instead of 50 cents a pound, it will go to \$2 per pound. So who will be affected? ...[the] restaurant business and the household. We'll all be suffering because of this," said a farm owner.

"The informal economy is essential to the survival of the restaurant industry... I'm the only person in this restaurant who speaks English as their first language and was born here out of 70 people," said a restaurant manager.

"I think that, just speaking on very broad terms, my sense is that a lot of work in farms in this country is done by experienced people who have been around for a long time, but who are undocumented and who cannot become documented because of their presence illegally here. To me, this reliance on people who have been here a long time, the experienced people who know how to operate equipment and know how to do things, the inability to get these folks documented is huge, even though we've been relying on them as an industry for so long... It doesn't deal with the essential problem that we're already, as an industry, we're relying on undocumented people that have been here for a long time that are essentially running farms at this time already," said a farm owner.

Others described how the system, and employers, benefit from these workers. The manager of a distribution company said, "[Immigration] makes the [country] run. It makes the country, period. You see Central Americans, people from Mexico, Guatemala, Bolivia, they are all working... trying to make something out of their lives. Other companies are benefiting from undocumented workers—they are willing to do so. As for documented workers—some citizens who are here, who don't... want to do that work, so who else is going to do it? And it is kind of sad in a way, because the employers know that. So you know, cheaper labor, while they make more of a profit."

Several food system employers openly denounced the current immigration system and advocated for allowing food system workers to legalize their status. A restaurant owner said, "I think workers are coming to the country because there is a demand for them. I believe it should be legalized. Everybody pays taxes... You don't discriminate against people. I think it should be passed."

"I am against all the laws... I think they're completely retarded. I don't know why anyone who's here shouldn't be able to work. My wife is European. She's sitting at home right now because she can't get a job until whatever form gets filed or whatever. It's just completely stupid. We need them so badly, and so I don't know why [they can't work]... I think the reason it's like that is to just keep it the way it is. To keep that economy that's untalked about left untalked about. I think a lot of people are afraid that once it's all legalized, these guys are gonna step up about getting more money. Which they deserve, you know," said a restaurant owner.

"And the idea that our border needs to be closed is the most knuckle-headed idea. We are a nation of immigrants, you know, and any of these people who open their mouths need to shut up and remember when they came over as Irish immigrants in the 1850s... or when they came over in the 1930s and were put upstairs... in New York with a sewing machine... As wealthy as they may be, that's how they got here. And it's ridiculous for them to be pointing a finger and saying we shouldn't be doing this. It's ridiculous. To me, that's some holdover from White America, some sort of Yankee, WASP-y White America which is so out of touch with today's world. Until we get this race thing sorted out and mixed out, racism is going to be a huge factor for us in this country, and it's going to be making crazy decisions for us," said a restaurant manager.

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PHOTO: Once Again Nut Butter

EMPLOYER PERSPECTIVES ON WAGES AND WORKING CONDITIONS IN THE FOOD SYSTEM

1 Reducing Turnover

The small and mid-size food system employers we interviewed generally agreed that good wages and working conditions allow for greater longevity of hires and reduce employee turnover. One restaurant owner noted, "[A] good restaurateur, paying well, turnover doesn't happen. The problem with the... places where they don't treat people well, they don't understand the value that comes from not training someone, from having a lot of turnover and having things change all the time. I think, from what I read, the estimated cost on that is somewhere around \$6000 a turnover—for training, social security tax changes, all that stuff, lost product, they say it's around six grand, so I think it's a big deal." When asked how to keep turnover low, another restaurant owner replied, "Paying people well, communicating with them, encouraging them... All employees get 50 percent off of anything they want. They get a free meal every day. Their friends get 25 percent off. Things like that." Another warehouse manager, when asked about the company's low turnover rate, agreed. "I think a lot of it is the fact the owner of the company is very good to his employees, treats them well... If you have a decent job with benefits, people have a tendency to stay with it. As far as hourly salary... obviously it's enough for people to stay here." On the other hand, employers note that high turnover is due to low wages. One warehouse manager, when asked whether workers turn over frequently in the industry, replied, "Yes, they do, especially when the money is not as good, then... it is easy to move around, especially in this area."

Employers also noted the connection between providing benefits and opportunities for advancement and reducing turnover. One restaurant general manager, when asked how the restaurant manages to keep turnover low, responded, "You know, listening to your employees, trying to provide opportunities for advancement if that's what they want, regular performance evaluations and raises if they deserve it, just listening to what their concerns are... what their major issues are and do what you can within your policies and your business model to address your employees' wants and needs." Another restaurant manager noted the importance of paid time off. When asked how the company keeps turnover low, the employer responded, "By treating them with respect and accommodating them as much as I can. If they ask for a vacation day, I will give it to you if I can, and they come back happy and energized. I think vacation and having a few days off is good because it's not an easy business and not 8-5 like an office, so we help each other as much as we can, but when it is not busy and you want some days off to see family, I understand that..." A human resources manager at a unionized distribution business noted that the presence of unions—which provide higher wages and benefits—in his segment of the food chain resulted in low turnover. "So the industry itself, I couldn't name how many different people they are. But [in] the market itself [there] is a pretty stable job core of people that stay at companies for a very long time. It is usually if somebody moves here, it is sort of news because we have employees who have been here from between 15-25 years. And with a union environment also, they don't have a tendency to move too much."

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2 Increasing Productivity

The small and mid-size employers we interviewed also noted that providing employees with better wages and benefits increases job performance. One warehouse owner noted, "So over the years, I've found that if you pay a little more, you get to pick and choose who you hire. You're not down in the dregs of the trenches trying to seduce some guy that's making eight bucks an hour to come work for you for another quarter. I don't want those kind of people... I'll pay a little more. I'll pick and choose who I want. I'll get a good crew. And the upshot of that is that I can go away a couple of days and I don't have to hold their hands. And I know stuff's going to be done right because the

EMPLOYER PROFILE ONCE AGAIN NUT BUTTER



Once Again Nut Butter is an employee-owned and operated company located in Nunda, New York. Founded in 1976 as a worker co-op by Jeremy Thaler and Constance Potter, Once Again has grown from six to 35 employees over the past 35 years. Once Again is a company not only committed to manufacturing high quality, organic nut butters, but also to providing a living wage to the people living in their small rural community.

their current quality assurance manager, started at Once Again on the ground floor jarring peanut butter and worked his way up to an upper-level management position over the course of four years. He is currently earning a Bachelor's degree in food sciences at Alfred University, the full cost of which is covered by the company.

Beyond the formal benefits offered to employees like insurance, vacation pay, and educational opportunities, Once Again Nut Butter provides a flexible work environment where employees can take time off in order to attend to the needs of their families. Gael states, "We have a families-first attitude. If my kids are sick or I can't come to work, that's understood. If I have to drop everything to take care of my child or spouse, that's okay. I can do that. Because we have that level of flexibility and care for the employees, they give back to the company in a way that we could never mandate." One example of how employees give back to the company is by giving 100 percent dedication to their jobs. At Once Again Nut Butter, issues of employee absenteeism are virtually non-existent. Furthermore, if there is a problem at the factory or the line breaks down, the maintenance workers will come in on their day off to fix it. This level of commitment shows in the quality of the product as well. In 2010, Once Again Nut Butter was awarded the Safe Quality Foods (SQF) 2000 Level 3 Certification. Level 3 Certification is the highest Safe Quality Foods Qualification that can be attained.

Once Again Nut Butter is a fellow member of the Domestic Fair Trade Association with the Food Chain Workers Alliance.

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guys that aren't doing it right I fire! And I've got guys in line waiting to take this job, so in this economy, I probably could pay less but I don't feel comfortable going to my people and saying, 'You know what. Times are tough, and you're going to have to take a cut.' I don't operate that way. It's a personal decision and I'm not AT&T. What can I tell you?" Another warehouse owner responded similarly when asked how other companies that underpay workers impact his business. "Of course, they would impact us. They are more competitive because they have a lower payroll. But I think that a lower payroll, I think the working atmosphere, the productivity would not be as good as compared to mine."

One warehouse owner noted that hiring people at lower wages can lead to costing the company extra dollars in damage. "If you have another employer that underpays their workers, then what are they going to get? They're going to get guys at cost. I brought a temp in once because I was hardened for labor and I paid the guy 10, 12 bucks an hour. In 15 minutes, he ran the forklift off the dock and did \$400 worth of damage. So how much money did I save doing that?" The assistant manager of a food retail shop also noted better customer service when workers are treated well. "I mean, our company really takes pride in our workers. We try and offer them health insurance when they get paid salary, and we start at a pretty high starting wage. I feel like when you take care of your employees, they'll take care of your customers. When you have happy workers, you have happy customers."

CONTRADICTIONS IN THEORY AND PRACTICE: TAKING THE LOW ROAD

Despite the general agreement that higher wages and benefits are beneficial to business in the food system, the employers we interviewed noted that most companies in the food system do not provide these benefits, and many of them noted that low employment standards industry-wide drives wages down, even in their own companies. Some of the employers we interviewed admitted to engaging in low-road employment practices themselves.

1 Wages and Benefits

Several food system employers noted that there are widespread problems with low wages and wage theft across the food system. When asked about low wages and wage theft in agriculture, a farm owner in New Jersey responded, "Certainly that would be bad because they are able to produce a product for less, you know, on the backs of their employees so that they are suffering so that they are able to produce a cheaper product. So you know that certainly hurts me. Hell, it makes it hard for me to compete, and it's not fair to their employees." Other restaurant employers noted hearing about such low road practices from their employees or experiencing it themselves. A restaurant owner said, "I hear some pretty wild stories as I'm doing interviews of previous jobs people have held at restaurants. Everything from not getting overtime to checks not cashing to all sorts of wild things. Doors being locked when they show up for work one day, nobody knows why. All sorts of things." Another restaurant manager who had been an hourly worker in the industry for many years noted from personal experience, "I think it's obvious, it's unfair and I've experienced this myself too. Not myself doing it, but I've been in positions where I wasn't paid... on time, or I wasn't paid at all. There

PHOTO: JOHN CONROE

have been times where I've invested my own money into businesses because I couldn't get... the owners to do what I needed to do. Even as a server, I've had to buy my own things that I've needed during my shift."

Some of the small to mid-size employers we interviewed admitted to engaging in wage theft themselves, particularly not paying overtime wages. One restaurant owner reported, "I can't afford it. If they do work more than a forty hour week they're not getting overtime. I pay them for whatever. I'm just not set up that way." This same restaurant owner noted the importance of treating people well, but seemed to feel that an annual bonus of \$50 compensated workers for the lack of overtime and raises. "I try to be a benevolent boss. I appreciate that these people show up to work every day on time and that's a huge thing because a lot of times they don't. Tolerance and a little bending is what I can do. My anniversary people get \$50 per year per anniversary. So my nine-year people get \$450 this year on their anniversary. I definitely appreciate their time. I could have given hourly increases, but I hope they recognize that is what their raise is coming in."

In terms of benefits, several employers noted that they would like to provide benefits but feel that they cannot afford them. One distribution warehouse company representative in the Bronx noted, "We don't give much. There is really not a large benefit package. It is too expensive."

2 Discrimination and Upward Mobility

While employers did note the importance of providing people with opportunities for advancement to reduce turnover and increase productivity, several employers agreed that there is little mobility in the food system to livable wage jobs, even in those industries with more potential to provide career ladders to move up within particular firms. In this section we focus on interviews with managers and owners in two segments in particular—restaurants, which have high potential for upward mobility, and warehouses/distribution companies, which have medium potential for upward mobility. Even in those two segments, upward mobility was also one of the issues most avoided by employers in interviews. One manager at a distribution company said, "Let's not go into that. That's personal. There is no movement over here. You can't move up."

Some employers also openly admitted to discriminating against certain groups of workers in considering mobility. One restaurant manager noted, "Well, I mean, we like pretty girls... you look classy and nice and also have basically very good communication skills. Good education and a good way about yourself too. So you represent the restaurant well when you talk to the customers." This manager also stated that the restaurant doesn't discriminate.

Other employers noted the lack of formalized career ladders in their sector compared to other industries. One warehouse owner noted, "You only pay people to do a certain job. It's not like you're a doctor, you get more education—or I should say a schoolteacher, where you get more education, you go up the pay scale."

Without a formalized process, many employers noted that their promotion processes were somewhat arbitrary. One warehouse owner, when asked if the company had an internal promotion process, responded, "Not really a process per se, but it's if we see you are a hard worker, you get the job."

Nevertheless, several employers noted the potential for a career path in ware-

houses and restaurants. A Minnesota warehouse owner noted the potential for a career map—a clear progression from one position to another—but stated that such progression generally does not occur. The warehouse owner agreed that an employee might start as an order filler. "The next position would be either that they'd move into—if they wanted to—if they were capable of moving into data entry, that would be a next step for 'em. Or they'd move into receiving. That would be the next step for 'em... Or they'd move into truck driving." By the end of the interview, the warehouse owner identified a clear career ladder, from order filler to data entry to receiving to truck driving.

Another warehouse sales manager reported that several managers in the warehouse had been promoted from the floor, identifying the potential for a career path, and that promotion from within was actually beneficial to the business. "Waves planners and stuff—we've had a couple or several people actually that have stepped off the floor and got into there. People that are really good with computers and probably have gone to college. They got a degree of some kind and kind of ended up in a warehouse for some reason. We've got actually almost everyone that's down there now at one point or another was on the floor. That's good because they've got a good understanding of how the warehouse works. How the process of picking the products works. And we really try to promote from within because the same thing goes for sales. We have

a merchandising department, which is out basically working with produce managers trying to fight to get us more shelf space for our CPG products." In this instance, workers who had been on the floor had obtained a college degree and/or computer literacy and stayed working in the warehouse but in a higher position. Here, although the employer had not identified a clear career pathway, workers had realized how they could advance within the company.

One segment of the food chain with a very physically-observable potential career pathway is the restaurant, in which workers in the "back of the house"—kitchen workers—generally earn less than workers in the "front of the house", and within each side of the house there are clear occupational tiers that result in higher wages. The Restaurant Opportunities Center (ROC) has identified the restaurant career path to livable wage jobs in the industry, but has also noted in numerous reports that the lack of a recognized, formalized career pathway has resulted in occupational segregation, particularly for workers of color.⁵⁴ The employer interviews we conducted for this report confirmed this general lack of formalized promotion systems in the restaurant industry.

One restaurant general manager, when asked what type of training or experience is required to be promoted, responded, "I don't think there's a set answer to that. I think it depends on the position we're looking for. Definitely, the company is interested in finding people who are trustworthy and are loyal and hospitable... exhibit the type of characteristics we put together as our company policy... our corporate culture. And so, we're less concerned with work history or longevity of work history as we are with potential." When asked if there was any real progression from one "side of the house" to another, this same general manager responded, "There is a lot less movement between the back of the house and the front of the house."

It should be noted that employers even in other segments of the food chain, with lower potential for upward mobility within a particular firm, expressed the desire to create more formalized career ladders. A farm owner in the Midwest expressed desire to create a more formalized promotions process.

"Yeah, I mean... because we haven't organized job descriptions and job titles into a formal matrix—we're very, very close to this now, by the way. We got 80 percent of the way there, 90 percent of the way in March of this year, but need to finish it off. You know, categorizing people with different job descriptions and job categories into a matrix where the benefit levels are very codified, and the job descriptions are very codified, and so forth. Because we lack that type of clear codification of the jobs, there's not a very clear line of progress by way of promotion or whatever, at least that's described by a written policy or procedure or anything like that. But I think it's well understood that anyone who comes in the door and who's taking initiative and is getting engaged, you know, we give raises and give more responsibility sort of informally, as needed, as I deem fit. But I well recognize that kind of thing needs to be codified for whole sets of reasons, so it's not arbitrary, just me deciding I like someone, I'm going to give them a raise; or don't like someone, I'm going to relieve them of that responsibility. We're trying to codify that."



PHOTO: UNLÉD RIVERA AND COMMERCIAL WORKERS ORGANIZATION (CWO)

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EMPLOYER PROFILE GOOD GIRL DINETTE CHEF-OWNER DIEP TRAN LOS ANGELES, CALIFORNIA



Chef-owner Diep started working in her family's Vietnamese restaurant when she was nine years old. She worked for 10 years as a community organizer in Southeast Asian communities around HIV/AIDS issues and women's health issues, before returning to her restaurant roots in 2003. By 2009, Diep had opened Good Girl Dinette, an American diner

would hear people say things that are absolutely unacceptable. I was usually the only woman in the kitchen too. They learned not to mess with me, but other women stayed away, which they shouldn't have to do... I think that putting a stop to that type of behavior is better for everyone... even those that might otherwise be the ones doing it. It's like they have these expectations put on them to say these disgusting things and act this way, and when you take those expectations away, they feel better too in the long run." Diep has promoted several people to higher-level positions within her restaurant.

servicing contemporary Vietnamese comfort food that pays fair wages and serves food that is local, sustainable, and seasonal.

As Diep notes, her employment practices reflect her values: "When I interview someone, I tell them right off the bat, 'We don't tolerate homophobia, sexism, racism, or any kind of harassment, and if you have a problem with that, then this is not the place for you. This place is not like 90 percent of the other restaurants you've worked in.' I've had conversations where I've corrected someone for saying something out of line and offending someone. And I've had to let one person go because they wouldn't modify their behavior... I think not tolerating ignorant, sexist, or racist comments, and other forms of sexual harassment has made this a lot better place to work. People feel safer... Before opening my own restaurant, I worked in a few kitchens, and I

"One thing that I'm working on now is to make these rules formal and in writing. I have never had an employee manual. As an owner-operator, I've always been working like crazy just to keep the business going. If it's not an emergency, it's another. I love it, but it's a lot of work and it's not like I have a [human resources] department like a corporate restaurant would to help me on stuff like this... I'm working with ROC [Restaurant Opportunities Center of Los Angeles] to help make [an employee manual]. It's going to show my employees that this is a fair workplace—with a fair process for complaints and for me to let them know when positions are available...but this is also for me. I want to make sure everyone understands the rules and procedures because this will prevent unnecessary battles that would hurt both me and the employees."

houses and restaurants. A Minnesota warehouse owner noted the potential for a career map—a clear progression from one position to another—but stated that such progression generally does not occur. The warehouse owner agreed that an employee might start as an order filler. "The next position would be either that they'd move into—if they wanted to—if they were capable of moving into data entry, that would be a next step for 'em. Or they'd move into receiving. That would be the next step for 'em... Or they'd move into truck driving." By the end of the interview, the warehouse owner identified a clear career ladder, from order filler to data entry to receiving to truck driving.

Another warehouse sales manager reported that several managers in the warehouse had been promoted from the floor, identifying the potential for a career path, and that promotion from within was actually beneficial to the business. "Waves planners and stuff—we've had a couple or several people actually that have stepped off the floor and got into there. People that are really good with computers and probably have gone to college. They got a degree of some kind and kind of ended up in a warehouse for some reason. We've got actually almost everyone that's down there now at one point or another was on the floor. That's good because they've got a good understanding of how the warehouse works. How the process of picking the products works. And we really try to promote from within because the same thing goes for sales. We have

THE HIGH ROAD IS POSSIBLE

Despite all the challenges that small- to midsize firms in the food system face, and the generalized low wages, lack of benefits, and low employment standards in the industry, there are several examples of food system employers taking the high road to profitability. Several are profiled in this chapter. There are also several examples of how Food Chain Workers Alliance organizational members have recognized these high-road employers and promoted these businesses to consumers. These examples demonstrate that taking the high road to profitability is possible for employers and that consumers have opportunities and wield power to influence more food system employers to take the high road as well.

EMPLOYER PROFILE FEATHERSTONE FARM



Featherstone Farm is a small, organic farm located in Rushford, Minnesota. Founded in 1997, Featherstone Farm has expanded from three acres, which were tended to by family members, to 140 acres of vegetables and nearly 40 employees. The majority of the crops produced on the farm are sold to direct-delivery customers with half of the produce going to nearly 1,000 Community Supported Agriculture customers, one third going to co-ops, grocery stores and restaurants, and the remainder going to wholesalers in the Upper Midwest region.

These types of benefits as well as a positive work environment and open communication contribute to the decisions of many farmworkers to remain employed with the business year after year. Says owner and operator Jack Hedin, "I really think that's got to be the main thing, and I think we've got a very positive spirit of camaraderie and cooperation among people that are working." Featherstone Farm also offers opportunities for advancement, giving raises and increased responsibility to employees who show initiative and enthusiasm for their work. In fact, the majority of supervisors on the farm come from within the business. He also looks to hire people who are interested in establishing their own farms eventually.

The leadership at Featherstone Farm strives to benefit everyone at the company rather than focusing on enriching only those at the top tiers of employment. Moving forward, Hedin hopes to expand benefits to employees by offering health insurance, formalizing overtime policies, and increasing wages. This speaks to the company's commitment to retain employees through fair labor practices. Hedin states, "I would hope that if you asked me in three years, I would say that 80 percent of the people have been with us five years or more."

Featherstone Farm is committed to the fair treatment of their employees. Featherstone engages in direct hiring practices, pays its immigrant laborers an hourly wage rather than engaging in the piece work employment that is heavily favored by others in the vegetable industry, and provides housing for workers who come from Guanajuato, Mexico, year after year on H2-A visas through a family network. Housing and other benefits are also provided to long-term employees, some of whom have been with the business for eight to 10 years. In addition to traditional benefits such as sick days and workers compensation, Featherstone Farm provides loans to employees who need advances to buy land, cars or other items.

Featherstone Farm has previously been Food Justice-Certified by the Agricultural Justice Project (AJP), a domestic fair trade label with social justice principles. Featherstone Farm is still recovering from the financial difficulties caused by flash flooding that wiped out the farm and forced Featherstone to relocate—once they're back on their feet, Jack intends to pursue certification by AJP once again.

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**FOOD CHAIN WORKERS ALLIANCE CERTIFICATION PROGRAMS:
THE AGRICULTURAL JUSTICE PROJECT & ROC'S HIGH ROAD PROGRAM**

AGRICULTURAL JUSTICE PROJECT



Begun in 1999, the Agricultural Justice Project (AJP) is a third-party certification program that assesses fairness and equity in the food system. Co-founded by FCWA member el Comité de Apoyo a los Trabajadores Agrícolas (CATA – the Farmworkers Support Committee), AJP certification focuses on agriculture, processing, production, and retail by endorsing products as “Food Justice-Certified.” CATA and the AJP steering committee accredits and trains certifiers and workers’ representatives to inspect farms and other food businesses. AJP also provides technical assistance to employers who currently do not meet the AJP standards but desire to.

AJP certification addresses a number of issues facing workers in the food system, including: freedom of association and collective bargaining; fair wages and benefits; equitable contracts for farmers and buyers; fair pricing for farmers; conflict resolution policies for owners, managers, and workers; protection of indigenous rights; workplace health and safety; housing for farm workers; and rigorous standards for interns, apprentices, and children on farms.

“Food Justice-Certified” is a distinctive approach to food labeling. Unlike other fair trade labeling programs, it focuses exclusively on the food system of North America. It requires the participation of worker representatives in all certification inspections. Furthermore, AJP standards improve transparency for consumers by incorporating high percentage requirements for multi-ingredient products, and AJP utilizes a tiered labeling framework that highlights products certified at both the farm and processor level.

Certification standards were developed over four years of extensive input from stakeholders, including farm workers, farmers, certifiers, processors, manufacturers, retailers, and representatives of indigenous populations. AJP certification codifies, in concrete terms, strong and viable standards of “social justice” in organic and sustainable agriculture.

ROC'S HIGH ROAD RESTAURANT PROGRAM

The Restaurant Opportunities Centers (ROC) United recognizes high-road employers in the restaurant industry and promotes them to consumers. Any and all restaurant employers are invited to join ROC's local Restaurant Industry Roundtables, regular convenings of employers where information and technical assistance are provided on high road practices. The Restaurant Industry Roundtable in each of the ROC affiliates cities is composed of employers who are currently taking or trying to take the high road to profitability and provides a space for sharing and mutual support to help more employers adopt best employer practices. With over 50 employers participating in the Restaurant Industry Roundtable nationally, these employers speak at local, state, and federal legislative hearings advocating for worker-friendly policies and assist ROC-United to improve the working conditions for restaurant workers.

From this larger group, some employers receive recognition for their high road practices in the National Diners' Guide. The 2012 ROC National Diners' Guide informs consumers about the employment practices of the 150 most popular restaurant companies in the United States, as well as the same practices of high road restaurant partners of ROC. The Guide provides information on whether these employers: 1) provide paid sick days; 2) provide training and internal promotions; 3) pay the lowest paid tipped workers at least \$5 an hour; 4) pay the lowest paid non-tipped worker at least \$9 an hour; and 5) participate in ROC's Restaurant Industry Roundtable, an indication of their desire to take the high road. Information was gathered from owners and managers at all of these establishments. In the case of high road restaurants, this information is verified through discussions with employees. Restaurants that met at least 2 of the above 5 criteria were given a silver award in the Guide, and those that met at least 3 were given a gold award. Consumers are then encouraged to dine at award-winning restaurants and to use “tip cards” provided in the Guide to indicate to all other restaurants that, as consumers, they want to see them improve their practices.

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V. THE CONSUMERS

Since food workers have the most direct contact of anyone with our nation's food supply, health and safety for food workers has direct implications on the public's health and the public health system.

Food workers' lack of benefits and poor health status directly impacts consumers' food safety. In addition, food workers' lack of benefits results in regular use of emergency rooms, leading to the taxpayers subsidizing the food industry's lack of employee benefits. Fortunately, consumers are responding to these concerns in small ways, and greater opportunities for engagement do exist. As consumers increasingly voice demand for a more sustainable food system in terms of environmental and health concerns, it becomes imperative to ensure that the definition of a sustainable food system includes sustainable labor practices for food workers, as these conditions also impact consumer health.

This chapter focuses on the implications for consumers of the low wages and lack of benefits experienced by workers and the potential for consumers to create change for the benefit of all the system's stakeholders. Information in this chapter has been drawn from the 629 surveys and 18 in-depth interviews of food system workers conducted by Food Chain Workers Alliance member organizations, as well as from interviews conducted with these member organizations themselves and secondary sources.

PUBLIC HEALTH/ FOOD SECURITY

1 Paid Sick Days and Public Health

Only 21 percent of food workers surveyed reported having access to paid sick days. 60 percent of food workers surveyed reported definitely not having access to paid sick days, and an additional 19 percent did not know if they had paid sick days. Workers' lack of knowledge about paid sick days prevents them from utilizing any paid sick days, since our survey and interview data indicate that workers fear employer retaliation for taking a sick day if there is no stated policy to do so.

Not surprisingly, the majority of food workers surveyed (53%) reported harvesting, processing, distributing, selling, cooking, and serving food while sick. Most of these workers reported working sick a median number of three days. We asked these workers in particular why they worked while sick and allowed them to select all responses that applied. Among those workers who worked while sick, 65 percent reported doing so because they did not have access to paid sick days and could not afford the day off from work. 43 percent of those who worked while sick reported that they thought they would lose their job if they took an unpaid sick day, and seven percent were actually threatened by an employer that they would lose their job if they took an unpaid sick day. As seen in the table to the right, women went to work sick at a higher rate than men.

Th 22

WORKERS REPORTING WORKING WHILE SICK

| | |
|-------|-------|
| Men | 50.4% |
| Women | 58.6% |
| Total | 52.9% |

Source: Food Chain Workers Alliance Survey Data

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THE FOOD CHAIN WORKERS ALLIANCE

2 Worker Health and Hygiene/Consumer Health

More than one in 10 food chain workers surveyed (11.7%) reported having to perform duties that put their own health and safety at risk. Food system workers reported that employers did not provide safe and healthy environments in which to work, and that many did not provide adequate resources for workers' personal hygiene and care. Almost one in 10 workers surveyed (9.6%) reported that their employers do not provide clean water to drink, and a similar number of workers (9.9%) reported that they do not have access to a clean toilet at work. Most disturbingly for workers handling food, 4.4 percent reported not having access to a sink with soap and running water. As can be seen in Table 23, these challenges were most frequently reported by farmworkers.

Th 23 LACK OF CLEAN DRINKING WATER, CLEAN TOILET, AND SINK WITH SOAP AND RUNNING WATER, BY SECTOR

| INDUSTRY | NOT PROVIDED WITH CLEAN DRINKING WATER | NOT PROVIDED WITH A CLEAN TOILET | NOT PROVIDED WITH A SINK, SOAP AND RUNNING WATER |
|------------------------------------------|----------------------------------------|----------------------------------|--------------------------------------------------|
| Farm/agricultural & nurseries | 12.8% | 22.5 | 18.4 |
| Meatpacking, poultry and food processing | 8.5 | 11.3 | 3.7 |
| Restaurant & food services | 8.5 | 7.8 | 0.8 |
| Grocery | 18.0 | 7.9 | 2.3 |
| Warehouse | 3.7 | 0.9 | 0.0 |
| TOTAL | 9.6 | 9.9 | 4.4 |

Source: Food Chain Workers Alliance Survey Data

Various studies have reported that employers that provide unsustainable working conditions for their employees are more likely to provide unsafe and unhealthy conditions for consumers. The Restaurant Opportunities Centers United's 2010 report, “Serving While Sick,” indicated that restaurant workers who experienced numerous employment law violations in their workplace were more likely to have worked under conditions that have negative consumer health impacts. Workers who reported that they had done something as a result of time pressure that might have harmed the health and safety of the customer were much more likely to experience overtime violations (59.6 percent, as opposed to 48.6 percent of the entire survey population) and working “off the clock” without pay (63 percent, compared to 39.4 percent of the total survey population).

PUBLIC COST

Food workers whom we surveyed reported receiving low wages and few health benefits. While employers in the food system save costs from paying low wages and not offering benefits, these cost savings result in externalities to the public, which bears the cost of subsidizing workers' resulting reliance on public health and public assistance systems.

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POSSIBILITIES FOR CONSUMER ENGAGEMENT

Given its size and the critical role it plays in the nation's economy, health, and nutrition, the food system presents tremendous opportunities for consumers to engage in addressing the poor wages and working conditions of food system workers, and their negative impact on consumers. In particular, organizations in the Food Chain Workers Alliance have used food safety and other government regulations to link working conditions to broader consumer food health and food security issues. Other organizations have used institutional procurement policies to attempt to improve employment standards for

PEDRO A., 40 LOS ANGELES, CALIFORNIA
Meatpacker, 17 years in the food system



Pedro A. was born in Guadalajara, Jalisco, and is married with two children. In Mexico, he completed his primary education, and in the United States, he completed his courses in English as a Second Language. Before working in the meatpacking industry, Pedro worked in a restaurant making tacos and burritos. For the last 17 and half years, he has worked for Farmer

John's, a hog slaughterhouse and processing plant in the city of Vernon, California. He has worked in different areas within the plant, from the cooler to cutting the meat.

Working in the meatpacking industry is hard work. He says there are two ways in which workers get tired: first is the body's physical tiredness working on the line with the knives. The other way is being psychologically tired from the "pressure because of the line and the velocity [that] is very fast. The psychological pressure comes from having the supervisors over you as you work trying to get more product out."

Pedro states that in some areas, there have been abuses when it comes to receiving the end of the shift break with pay. Some supervisors try to bypass this last break. Occasionally, other workers ask Pedro about what to do, and he shares with them the protocol. He tells them that if you have already brought the situation up with the supervisor and human resources and nothing has been done, "then go to the union and make a formal complaint, and then we will go investigate the problem."

Pedro also noted the benefits he receives from having a union at the workplace. "Under the contract that we have with the union, there are four different classifications that go by letters A, B, C and D. Starting with A - X means labor ... X is the most basic," Pedro explains. During his time at Farmer John's, Pedro has been able to apply and receive

promotions so now he works in the 'C' classification.

Pedro says that because of the union, they do have health insurance with the company. He says he would not be able to afford an independent medical insurance outside of work because it would be too expensive for him to afford a family plan on his salary.

Pedro shared that they finally have new restrooms in their area, but it took many years of fighting to finally get them. There were times when the supervisor would not let them go to the restroom even if they really had to go because they said there was no one available to replace them on the line. Before these new restrooms were built, "there were only two toilets and to pee there were only three for a department that had more than 300 people," and they were also shared with workers in another department.

Pedro is very active in organizing with the union, United Food and Commercial Workers Local 770. He started working in 1994, and although the union was already functioning in the company, he said it was a weak union that needed a lot of work. There was a contract, but the workers did not know their rights. Pedro became involved with the union after attending general meetings because he felt that what was discussed in the meetings affected the workers and there were also "benefits that you could have if you were a member of the union and if you united in fighting for [your] rights." Over the years, Pedro has helped to organize his co-workers, and he shared how this past year the workers won a major victory under their new contract. After 25 years of fighting for the union to get access inside the plant, now "the union can go inside and they can see you when you are working, they can see if we are being treated good, and it is a change that is very positive." Additionally, in 2011, a majority of the workers in another section of Farmer John's who did not have a union voted to join UFCW Local 770. Pedro is hopeful that the addition of these workers to the union will make the union stronger and help him and his co-workers negotiate a stronger contract to improve wages, benefits, and working conditions.

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2 Procurement Policy Campaigns

Procurement policies can be a strong lever in improving the food system for workers, for producers, for communities, and for the environment. Annually, the federal government spends half a trillion dollars on contracts for goods and services from private contractors.⁹⁶ In 2011, the value of contracts awarded by the federal government for food procurement was \$12 billion, of which \$8.8 billion was purchased domestically—\$9 of the \$12 billion was spent by the Department of Defense, and \$2.3 billion by the U.S. Department of Agriculture for donation to federal nutritional assistance programs.⁹⁷ In 2011, the federal government also gave \$16 billion in grants to school meal authorities and other social service providers, \$8 billion of which is estimated to have been spent on food commodities rather than services.⁹⁸ Federal procurement, directly or indirectly, influences about one in four jobs in the entire economy.⁹⁹ Adding in procurement by state, county, and city governments, as well as school districts, the number of jobs due to government procurement increases.

Institutional and government procurement can benefit economic development in the food system. One study in Oregon determined that for each dollar spent initially by school districts on local food procurement, successive rounds of spending led to another \$0.86 of spending, for an overall increase of \$1.86 dollars to the Oregon economy.¹⁰⁰ The same study calculated that for each job created by school districts purchasing local foods, successive rounds of economic activity create another 1.43 jobs, for an overall increase of 2.43 jobs in Oregon.¹⁰¹

Local procurement by governments and institutional buyers can also benefit the environment. Food for the average North American meal travels 1,500 miles from source to plate.¹⁰² One study compared 28 fresh produce items and determined that an estimated "280 to 346 gallons (1060 to 1310 litres) of fuel would be saved, resulting in a 6.7 to 7.9 million pound (3 to 3.6 million kilogram) reduction in CO₂ emissions annually" if the food were purchased locally.¹⁰³

Food is becoming more locally procured. In the past decade, farm to school programs increased from a handful to over 2,000. However, this trend has generally not included labor standards for workers throughout the food supply chain. Historically though, government procurement has been a major influence on labor standards and human rights in the U.S. and abroad. The 1931 Davis-Bacon Act for construction workers employed on federal contracts, the 1936 Walsh-Healey Public Contracts Act for manufacturing workers, and the 1965 Service Contract Act for service employees all require federal contractors in these industries to pay at least the wages and benefits provided by better-paying employers in the industry and labor market.* In World War II, President Franklin Roosevelt's administration required "companies engaged in war production to pay prevailing wages and not to interfere with the right of their workers to organize unions."¹⁰⁴ Beginning in 1961, before the passage of civil rights laws, presidential executive orders required government contract bidders to take "affirmative action" to overturn the history of racial discrimination and exclusion of people of color from hiring and promotion.¹⁰⁵

According to a chapter by Bjorn Claeson, executive director of the Sweatfree Purchasing Consortium, in the forthcoming book *Workers Rights and Labour Compliance*



PHOTO: Scott Robertson



PHOTO: Scott Robertson



PHOTO: Noah Lerner

* Modeled in part on these prevailing wage laws, the 1949 International Labor Organization Labor Clauses (Public Contracts) Convention (No. 94) was intended to ensure government contract employees enjoy the most favorable conditions of work for a certain locality. See <http://www.dol.gov/dol/topic/wages/govtcontracts.htm>

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food system workers. Finally, many FCWA member organizations also have broader consumer engagement campaigns, many of which have been successful, that present tremendous opportunities for consumer intervention on these issues. Universally, all FCWA member organizations have worked to educate consumers interested in promoting a more sustainable food system about the fact that simply introducing organic, sustainable, locally-sourced and healthy food products into the market is not sufficient to ensure consumer health and well-being; sustainable labor practices are an essential component of a sustainable food system.

1 Regulatory Mechanisms

The Restaurant Opportunities Center (ROC) has worked to use various regulatory mechanisms to improve working conditions and consumer safety in restaurants and other food enterprises. From 2005 until 2010, ROC spearheaded a campaign in New York City to link the New York City's Department of Health and Mental Hygiene's (DOHMH) food safety operating license to working conditions. The DOHMH granted, revoked, or suspended food safety operating licenses to city restaurants based on DOHMH inspectors' ratings of sanitation in restaurants. After 2006 ROC report, "Dangerous Dining," showed that restaurant sanitation was directly linked to restaurant working conditions, ROC worked with the City Council for several years to have employment conditions included in DOHMH inspections and in the criteria for obtaining an operating license. The campaign resulted in two major victories: 1) the DOHMH did include restaurant worker health and safety guidelines in its training of inspectors; and 2) the DOHMH added additional criteria to the application for obtaining an operating license. In order to obtain an operating license, restaurants must now indicate the name of their workers' compensation insurance carrier, thus

requiring that restaurants have workers' compensation insurance in the case of worker accidents and injuries.

In Detroit, Michigan, ROC has worked to link a second regulatory framework—the liquor license—to food enterprise working conditions. Detroit requires any establishment that sells liquor—including restaurants, bars, and liquor stores—to have a liquor license, and the city has the power to revoke such licenses on the basis of irresponsible business practices. Examining the liquor license as a potential way to regulate exploitative and thus irresponsible employment practices of Detroit-area restaurants brought ROC-Michigan into alliance with local food security organizations fighting the lack of regulation of local liquor stores that provided spoiled food to Detroit restaurants. These liquor stores are often the only source of groceries for a majority of Detroit residents, given the dearth of other grocery stores in the region. ROC-Michigan thus initiated a "Good Food, Good Jobs" campaign, building a coalition of over 80 labor and food justice organizations in the region and drafting legislation that allows the government to revoke or suspend a food enterprise's liquor license on the basis of exploitative employment conditions or the provision of spoiled food. The Detroit "Good Food, Good Jobs" campaign has received national attention as a unique campaign that brings labor and food security organizations together around a common purpose.

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in Global Supply Chain. Is a social label the answer?, anti-apartheid procurement policies may be the first and most strikingly successful examples of states and local governments amassing their procurement power to further international human rights.¹⁰⁶ By the end of the anti-apartheid campaign, 25 states and 164 local governments either avoided purchasing from or investing in companies doing business in South Africa. According to the U.S. consulate in South Africa, municipal procurement power was the most significant external pressure on U.S. firms to desinvest.¹⁰⁷

Anti-sweatshop government procurement policies are another example, Claeson continues. These efforts date to 1997, when North Olmsted, Ohio, became the first U.S. city to adopt a "sweatfree" procurement ordinance in the wake of a wave of media revelations linking major apparel brands and stars like Kathy Lee Gifford and Michael Jordan to sweatshops and child labor.

According to Claeson, in 2001, Maine became the first U.S. state to commit to ending public purchasing from sweatshops as legislators joined a broad "clean clothes" coalition of human rights groups, small businesses, laid-off shoe workers, and others. In 2003, anti-sweatshop campaigns from around the country founded a new organization, Sweat-Free Communities, to support and coordinate this national movement. By 2011, eight states, 41 cities, 15 counties, 118 school districts, and one nationwide religious denomination had adopted similar procurement labor rights policies to ensure decent working conditions for the workers who make the products they buy.* Three states and 12 cities, that together represent over 40 million people and a combined \$50 million apparel purchasing market, formed the Sweatfree Purchasing Consortium in June, 2010, to help them act with combined strength and transparency in meeting their goals for sweatfree purchasing. The Consortium provides expertise and pools resources to monitor working conditions and enforce procurement labor standards.

Institutional procurement policies or agreements can also improve wages and working conditions for food workers. An example is the Fair Food Agreement that, as of April 2012, 10 major corporate buyers of tomatoes have signed with the Coalition of Immokalee Workers (CIW). The agreement's code of conduct includes the payment of one penny more per pound of tomatoes directly to the farmworkers in Florida, collaboration with a health and safety committee composed of farmworkers, and zero tolerance for slavery or forced labor. In November of 2010, the Florida Tomato Growers Exchange signed an agreement with the CIW to pass on the penny per pound to the farmworkers and to

implement a strict code of conduct, a cooperative complaint resolution system, a participatory health and safety program, and a worker-to-worker education process—this agreement now covers just over 90 percent of Florida's tomato fields.¹⁰⁸ Farmworkers are now enjoying the benefits of the agreement. In addition to an increase in their pay, workers can report abuses without fear. The CIW reports, in the 2011 season already, "several complaints have been reported, investigated, and resolved to the satisfaction of workers who lodged the complaints."¹⁰⁹

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The Food Chain Workers Alliance and Sweatfree Communities of the International Labor Rights Forum are co-leading a coalition in the Campaign for Fair Food Procurement to win policies that include strong labor standards and preferences for local and sustainably produced food and covers workers from food service down the supply chain—from distribution, processing, and production. The coalition includes the Center for New Community, CATA—the Farmworkers Support Committee, the Presbyterian Hunger Program, the Fair World Project of the Organic Consumers Association, and others.

EMPLOYER PROFILE **YALE DINING WORKERS & STUDENT CONSUMERS** NEW HAVEN, CONNECTICUT



PHOTO: Stu Comen

Yale University provides one example of what is possible when workers and consumers work together to ensure that the definition of sustainable food includes food service workers. Yale has committed to purchasing 45 percent of food from sustainable sources by 2013 in all of its dining operations. However, there are two aspects of the Yale sustainable food story that underscore the positive role workers and consumers can play in building a new food model.

First, unlike food workers at many universities, Yale food workers earn a living wage with health and retirement benefits. Represented by UNITE HERE Local 35, Yale workers struggled with the administration for decades to achieve a living wage. In 2003, after a three-week strike, Yale signed an agreement with UNITE HERE that established a framework for labor-management cooperation.

The second aspect is the key role that workers and the union played in pushing for sustainable food at the university. For several years, Yale turned to a major food service contractor to run the food operations. With the switch, food workers found that the quality of food deteriorated, and recipes were replaced with processed food from companies like Sysco.

Chef Stu Comen, a cook at Yale, noted that when the outside food service operator was brought in, "we went right to canned sauce, processed cheese, pizza dough out of a box, and it was like, here we are, with our chef coats with our names on them, and we're opening up cans of sauce." Another cook said at the time, "[w]e spent a lot of years in this industry; now we're just warm-up cooks." The union cooks were ashamed of the food they served students.

With the protection of their union contract, and working with students and parents, food workers mounted a campaign that exposed the quality of food at Yale and how their skills as cooks were not being used. In a drive to cut costs, the food service operator decided to close the Yale bakeshop (which had been in operation for decades) and buy baked goods from an out-of-state food processor. The workers decided to hold a taste test in the center of campus, where they offered students samples of Yale's baked goods versus the processed baked products. They also posted the long list of ingredients from the processed bakery products. "Our bakeshop won hands-down," said Chief Steward Meg Riccio. "When [the students] saw the ingredients that were in the baked goods from the outside vendor, they wanted our bakeshop."

This campaign eventually resulted in the termination of the contract with the food service company and set the stage for Yale's move toward sustainable food. Workers and student consumers were active participants in making change on campus. Although there are challenges and tensions between the Yale administration and UNITE HERE workers, Yale is still a starting point for creating a truly sustainable food model on campuses across the United States.

3 Consumer Engagement Campaigns

Several FCWA member organizations have worked to mobilize consumers nationwide around specific campaigns for worker justice. Across the food system, the Food Chain Workers Alliance, with the Unitarian Universalist Service Committee, has created a curriculum to educate consumers about the food system and workers in the food chain. The curriculum is entitled "From Field to Fork," and participants are challenged to consider where their food comes from and the workers involved. The workshop has been used at conferences around the country to educate students, food justice advocates, and consumers about the food system and its workers.

FCWA MEMBERS ORGANIZATIONS' CONSUMERS ENGAGEMENT WORK

SEGMENT FARMWORKERS

ORGANIZATION CIW - Coalition of Immokalee Workers

CONSUMER ENGAGEMENT PROGRAM

The Coalition of Immokalee Workers (CIW) has capitalized on consumer education and support to win their campaigns. Their organizing model of Commitment + Consciousness = Change involves organizing students, communities of faith and consumers to move forward campaigns against corporate targets. As described above, the Campaign for Fair Food asks corporations to sign on to a Fair Food Agreement in which they commit to pay a penny more per pound of tomatoes to the farmworkers, apply a zero tolerance policy for forced or slave labor, and purchase from farms that work with a worker-led health and safety committee and implement a complaint process for workers to resolve issues at work. The Campaign for Fair Food was launched in 2001 with the first-ever farmworker boycott of a major fast food company, Taco Bell. The Alliance for Fair Food was formed as a network of human rights, religious, student, labor, sustainable food and agriculture, environmental and grassroots organizations. The Student/Farmworker Alliance (SFA) was also launched as a national network of students and youth organizing with the CIW. During the Taco Bell Boycott, 25 high schools, colleges and universities removed or prevented Taco Bell restaurants and sponsorships as part of SFA's Boot the Bell campaign. After a four-year campaign, Taco Bell became the first major corporation to sign the Fair Food Agreement. In March of 2009, SFA launched the Dine with Dignity campaign, calling on major food service providers to take responsibility for the conditions in which the tomatoes they serve are harvested. Within 16 months, four of the nation's leading food service companies—Bon Appetit, Compass Group, Aramark and Sodexo—had agreed to work with the CIW.

The CIW also has toured the country with the Florida Modern-Day Slavery Museum, which consists of a cargo truck outfitted as a replica of the trucks involved in a recent slavery operation (U.S. v. Navarette, 2008), accompanied by displays on the history and evolution of slavery in Florida. The museum toured the state intensively for six weeks in the lead-up to the 2010 Farmworker Freedom March and was exhibited in various cities in the Northeast in the summer of 2010. As mentioned above, today 10 corporations (Taco Bell, McDonald's, Burger King, Subway, Whole Foods, Bon Appetit Management Company, Sodexo, Aramark, Compass Group and Trader Joe's) have signed on to the Fair Food agreement with the CIW, as has the Florida Tomato Growers Exchange, so that now the Fair Food Agreement covers over 90 percent of the tomato fields of Florida.

SEGMENT FOOD PROCESSING

ORGANIZATION Brandworkers

CONSUMER ENGAGEMENT PROGRAM

Brandworkers International is a New York City-based not-for-profit organization protecting and advancing the rights of retail and food employees. They have focused on direct actions and consumer education to win their campaigns. Their Flaum Appetizing campaign in NYC involves many consumers requesting their grocery stores to stop carrying the products produced by this company until they respect the workers. The Flaum workers, with the support of consumers, convinced 120 grocery stores in NYC no longer carry Flaum Appetizing products due to consumer concern over worker rights violations. In addition, because of consumer actions, Truwa, the largest kosher cheese producer, ended its distribution relationship with Flaum Appetizing. Brandworkers also partnered with Uri LTzedek, an Orthodox social justice organization dedicated to combating suffering and oppression through community-based education, leadership development and action. With campaign partner Uri LTzedek, the workers won the support of rabbis and a broad spectrum of concerned Jews through a series of dialogues in synagogues, community centers, and educational institutions. The campaign resulted in a successful settlement with Flaum in May of 2012, in which the company agreed to pay 20 former workers \$577,000 in back wages and other compensation as part of a global settlement which includes a binding code of conduct ensuring that Flaum will comply with all workplace protections including appropriate pay for all hours worked, anti-discrimination, and health & safety safeguards.

SEGMENT MEATPACKING

ORGANIZATION Center for New Community

CONSUMER ENGAGEMENT PROGRAM

The Center for New Community (CNC), through its Food Justice initiative, addresses food worker issues and consumer safety, especially during the Thanksgiving season, by drawing attention to the hardships faced by workers in turkey processing plants. For example, workers at an Iowa processing plant make 40 cutting motions per minute on the turkeys speeding by their position on the line. CNC has developed flyers that they hand out to consumers outside supermarkets with the message that the safety of workers who produce food for communities all over the nation is necessary to ensuring healthy food for consumers. The flyer asks consumers to call the U.S. Department of Agriculture's Office of Food Safety Inspection Services to request that steps be taken to reduce the turkey processing line speeds to safer levels.

SEGMENT GROCERY

ORGANIZATION UFCW Locals 1500 & 770

CONSUMER ENGAGEMENT PROGRAM

In recent years, to support its campaigns organizing grocery store workers, United Food and Commercial Workers union Local 1500 in New York developed the Building Blocks Project, a food policy program to deal with the lack of access to healthy food in underserved neighborhoods. Out of this project a coalition of community, labor and food advocacy organizations was formed, called Good Food, Good Jobs, which developed the Food Retail Expansion to Support Health (FRESH). FRESH is a subsidy program that provides both financial and zoning incentives to food retailers to open in underserved neighborhoods. Communities affected by the legislation attended Department of City Planning meetings and gave testimony for the need of FRESH. In addition, the Good Food, Good Jobs coalition has started a new campaign to add labor standards to the existing policy and have more community involvement in the process of awarding subsidies to food retail businesses. The coalition organized creative street theater skits during leafleting in front of the Department of City Planning urging the public to not let "FRESH GO ROTTEN." Participants dressed in fruit costumes and danced in a conga line and sang "you know you want it, good food good jobs, you know you need it, good food good jobs".

United Food and Commercial Workers union Local 770 in California represents 30,000 retail workers. During their 2011 contract negotiations with the major grocery store chains Von's, Ralph's and Albertsons, consumers were very important in protecting members' healthcare coverage. Before the contract expired, union members wore buttons stating "March 2011" in order to prompt questions by the store customers. Members were then prepared to explain that the union contract was going to expire in March 2011, to thank the customers for their support during the 2007 contract negotiations, and to ask for their support again to protect good jobs during the 2011 negotiations. Then union members talked outside the stores, handing out reusable grocery bags with the union's name, and asking consumers to sign a petition to the CEOs of the three grocery chains stating their support for the workers. All throughout Southern California, 100,000 bags were distributed and 78,000 petition signatures collected—40,000 by Local 770, 20,000 at the Los Angeles County Fair, and the rest by the other UFCW locals involved in the contract negotiations. Community supporters also wrote letters to store managers stating they would not shop at the store if the workers went on strike and organized 300 delegations to their local store, including 75 in one day to Ralph's. The result? The union was able to win an increase in contributions to the health and welfare fund by the companies in order to maintain the members' healthcare coverage, an important achievement considering the skyrocketing costs of health insurance in the U.S.

SEGMENT RESTAURANT WORKERS

ORGANIZATION ROC United

CONSUMER ENGAGEMENT PROGRAM

The Restaurant Opportunities Center has conducted a consumer engagement campaign over the last several years to support its national campaigns to: 1) raise the federal minimum wage for tipped workers, which has stagnated at \$2.13 for the last twenty-one years, and the overall minimum wage as well; 2) win paid sick days for all workers; and 3) address occupational segregation based on race in the industry. In particular, in 2011 ROC released its first National Diners' Guide, providing consumers with information on the minimum wage, paid sick days, and internal promotions policies of the 150 most popular restaurants in the U.S., as well as those of 35 of its high road employer-partners. The Guide also provides "tip cards" that facilitate consumers speaking with restaurant workers, managers and owners about their preference to see improved workplace policies every time they eat out. The Guide was featured in dozens of local, national, and international press outlets, and is now being developed into an online platform, and ultimately, Android phone application for consumer use. In conjunction with this Guide, ROC has also developed a series of cultural tools to win the hearts and minds of consumers, including a nationally-touring photo exhibit that includes photos restaurant workers have taken of their lives in the industry; a popular book that includes in-depth profiles of over a dozen restaurant workers and much of the data ROC has collected over the last years; short film portraits of several of the workers profiled in the book; and ultimately, a full-length feature film on ROC and the restaurant industry. ROC has also created an online consumer membership, so that consumers can directly engage every time they eat out and weekly, when they go online. In these ways, ROC hopes to create a culture shift among every one who eats out, every time they eat out.

Source: Food Chain Workers Alliance Member Interviews



VI. POLICY RECOMMENDATIONS

To improve the food system for workers, employers, and consumers, we must address poor job quality and lack of career mobility throughout the industry. This will level the playing field for responsible employers who are providing good wages and working conditions, and who are being undercut by unscrupulous employers not complying with basic employment standards. It will also improve food safety and public health, since irresponsible food system employers also put the health and safety of their customers at risk. There are concrete steps that policymakers, employers, and consumers can take to improve job quality and food safety in the nation's food system.

POLICYMAKERS SHOULD:

- 1 Increase the minimum wage, including the minimum wage for tipped workers. Policymakers should raise and index the federal subminimum wage for tipped workers to at least 70 percent of the regular minimum wage, and raise and index the federal minimum wage for all workers as well. Raising the minimum wage would increase wages, reduce poverty and reduce reliance on public assistance programs for millions of food system workers.
- 2 Reduce occupational segregation by developing greater pathways for career mobility in the food system. First, employers should be made aware that discrimination on the basis of race, gender, and national origin is illegal. Greater government enforcement of federal, state, and local equal opportunity laws is needed to ensure that workers of color and women do not face illegal barriers to advancing to livable wage and green jobs in the food system. Second, support is needed for research conducted in partnership with responsible employers to better define career pathways and job ladders in the food system, and to develop incentives to employers who offer transparent promotions systems. Finally, funding is needed for job training programs in the food system that are open to all workers, including undocumented workers, and that genuinely help workers advance to livable-wage and green jobs in their segment of the food chain.
- 3 Improve food safety and the public's health by guaranteeing health benefits such as paid sick days and access to health care to food system workers. Policymakers should establish a national standard that allows workers to earn seven to nine job-protected paid sick days each year to be used to recover from their own routine illness, access preventive care, or provide care for a sick family member. Requiring paid sick days of all employers would level the playing field for responsible employers who currently provide these important benefits. Similarly, national health care reform is essential to allow food system workers to care for themselves and their families and not incur unsustainable medical debt. In the interim, health care cooperatives for food system workers such as ROC-MD, ROC's national restaurant workers' health care cooperative, should be funded and expanded.
- 4 Increase penalties for employers who engage in exploitation, including wage theft. Besides being illegal, rampant wage theft in the food system reduces food workers' actual take-home pay and also results in a reduction in income taxes that are owed to the government. Since current laws and enforcement mechanisms do not appear to be sufficient deterrents to prevent food system employers from misappropriating workers' wages and tips, policymakers should legislate increased penalties for employers who do not pay proper overtime payments, shave hours, fail to pay workers their wages and tips, or engage in other forms of wage theft. Policymakers should use regulatory levers such as food safety and liquor licenses to ensure that employers are complying responsibly with basic employment laws.

EMPLOYERS SHOULD

- 1 Adopt systematic and fair hiring and promotion practices. These practices must have clear and explicit criteria as well as structured and uniform tools for interviewing, formal and transparent protocols for current workers to find out about open positions, and performance evaluations to encourage workers to improve performance and obtain advancement. Several FCWA member organizations provide technical assistance to employers on how to implement these practices and all the practices described below. Some even provide employee handbook templates. Employers should contact the FCWA if they are interested in such assistance.
- 2 Adopt and clearly communicate company policies and procedures, including anti-discrimination and harassment policies, to protect the well-being of all workers. Provide all employees with regular, on-going training on sexual harassment. Establish an effective complaint or grievance process that is clearly outlined in employee manuals, and maintain records of all grievances or complaints. Provide training to supervisory employees on proper handling of grievances.
- 3 Adopt benefits, such as paid sick days, that would allow employees to care for themselves and their families. These policies make "business sense" because they decrease the risk of spreading diseases between employees, which in turn would increase the productivity of employees, increase employee job satisfaction and loyalty, and decrease turnover costs.
- 4 Permanently enhance job quality by increasing wages and benefits. Not all workers will be able to move to higher-paid positions. Employers should ensure that workers in all positions can support themselves and their families. Ultimately, enhancing job quality with respect to higher wages and benefits is an essential way to increase productivity and retention. In addition, employers can develop schedules that meet both employers' and workers' needs.
- 5 Understand and follow equal opportunity laws and techniques that successful food system employers use to implement livable wages, benefits, and career ladders. As mentioned above, several Food Chain Workers Alliance member organizations have served as resources to provide legal advice and technical assistance to employers. Some even provide forums for successful, responsible restaurant employers to share their expertise with others and support each other. More information can be obtained by contacting the Food Chain Workers Alliance.
- 6 Respect the internationally recognized workers' right to freedom of association and collective bargaining. Allowing workers to organize and have a voice on the job results in reduced turnover and increased productivity.

5 Address the health and safety risks imposed upon workers in the food system, including providing workers with adequate rest breaks. The Occupational Safety and Health Administration (OSHA)—a federal agency intended to protect worker health and safety—should address the health and safety risks that 20 million workers in the food system face. OSHA should create a special health and safety task force in partnership with the Food Chain Workers Alliance to address the great risks faced by workers throughout the food chain, that could work to highlight egregious violations and educate employers about the mutual benefits of reducing hazards on the job. Policymakers should enact legislation that guarantees workers 10-minute work breaks during the day; especially for food workers, many who have hazardous, repetitive jobs. These breaks are critical to ensure both worker safety and food safety.

6 Guarantee workers in the food system the right to organize, and protect against retaliation for organizing. Governments, employers, and non-governmental social sector organizations should facilitate and support organizing among food system workers to improve wages and working conditions in their workplaces and publicize the public benefits of these collective actions.

7 Ensure that institutional procurement policies and governmental subsidies and loan programs include labor standards and worker protections. As bulk purchasers of food, governmental institutions wield enormous power over food purveyors and should demand certain labor standards and worker protections in every bulk food purchase. Municipalities should enact legislation requiring all such purchases meet such high labor standards. Additionally, government entities should require that farms and food businesses meet certain labor standards before receiving approval for any subsidies, loans, or other financial support.

8 Initiate and support further study and dialogue. Understanding occupational segregation and career mobility in the food system is a complex issue that deserves ongoing discussion and participation from workers, employers, and policymakers alike. More detailed information is needed regarding the potential for career advancement for food system workers and the true cost of sustainable food in the United States.

CONSUMERS SHOULD:

- 1 Support food system employers who are providing livable wages, benefits, and opportunities for all workers to advance, and sustainable food. Many of these employers have been certified by the Agriculture Justice Project (AJP) – www.agriculturaljusticeproject.org or awarded the Gold and Silver Prizes in the Restaurant Opportunities Centers' National Diners' Guide (www.rocunited.org/dinersguide).
- 2 Speak to employers every time you buy food or eat out and let them know you care about livable wages, benefits, and advancement opportunities for people of color, women, and immigrants. To initiate these discussions in restaurants, ROC can provide you with "Tip Cards", available for download at www.rocunited.org/dinersguide.
- 3 Where workers have filed legal charges or have a campaign against exploitation in food enterprises, call the company to let them know that you won't support such illegal practices.
- 4 Let policymakers know that you will not tolerate poverty wages, lack of basic health benefits, including paid sick days, and wage theft in the food system. Let policymakers know that such practices impact not only the 20 million workers in the food system and their families, but also you as a consumer.
- 5 Help educate other consumers and food justice advocates about the need to include sustainable working conditions for food workers within the definition of sustainable food. Include food workers in every conversation about organic, locally-sourced, sustainable, and healthy food. Without this element, consumers cannot truly enjoy better health.

APPENDIX

SURVEY DEMOGRAPHICS

The survey was administered by staff, members, and volunteers from 11 member organizations of the Food Chain Workers Alliance that organize and represent workers—Brandworkers International, CATA – the Farmworkers Support Committee, Center for New Community, Coalition of Immokalee Workers, Restaurant Opportunities Centers United, Restaurant Opportunities Center of New York, UFCW Local 1500, UFCW Local 770, Northwest Arkansas Workers' Justice Center, Warehouse Workers for Justice, and UNITE HERE. These organizations are all unions or community-based organizations with significant contacts among food system workers and access to workplaces in the industry. A total of 629 surveys were conducted face-to-face with workers outside workplaces, bus/metro stops near workplaces, religious and community centers, check-cashing businesses, and other areas where workers congregate in their community, as well as at the workers' homes.

TABLE 2.3 CHARACTERISTICS OF FOOD CHAIN WORKERS ALLIANCE SURVEY SAMPLE

| DEMOGRAPHIC VARIABLE | N | PERCENT OF TOTAL | DEMOGRAPHIC VARIABLE | N | PERCENT OF TOTAL |
|------------------------------|-----|------------------|----------------------------------------------------------------------------------------------------------|-------|------------------|
| RACE | | | IMMIGRATION STATUS | | |
| Black ¹ | 191 | 30.8% | Documented ⁷ | 429 | 72.6% |
| Latin ² | 357 | 57.7% | US Born | [268] | [45.3%] |
| Asian ³ | 20 | 3.2% | Permanent Resident | [88] | [14.9%] |
| Indigenous ⁴ | 11 | 1.8% | Refugee | [8] | [1.4%] |
| White ⁵ | 37 | 6% | Undocumented ⁸ | 123 | 20.8% |
| Other ⁶ | 3 | 0.5% | Temporary Worker ⁹ | 10 | 1.7% |
| Total | 619 | 100% | Other ¹⁰ | 29 | 4.9% |
| SEX | | | Total | 591 | 100% |
| Women | 195 | 31.6% | PRIMARY INDUSTRY | | |
| Men | 423 | 68.4% | US Born | 268 | 43.2% |
| Total | 618 | 100% | Foreign Born | 352 | 56.8% |
| AGE | | | Total | 620 | 100% |
| Under 25 | 130 | 22.5% | AGRICULTURE & NURSERIES | | |
| 26 to 35 | 221 | 38.2% | Agriculture & nurseries | 90 | 14.3 |
| 36 to 45 | 113 | 19.6% | MEATPACKING, POULTRY & FOOD PROCESSING | | |
| 46 to 55 | 71 | 12.3% | Meatpacking, poultry & food processing | 219 | 34.8 |
| Over 55 | 43 | 7.4% | Restaurants & food service | 118 | 18.8 |
| Total | 578 | 100% | Grocery | 92 | 14.6 |
| EDUCATION | | | Warehouse | 110 | 17.5 |
| Below High School | 231 | 38.2% | Total | 629 | 100% |
| High School Graduate or GED | 260 | 43.1% | <small>Source: Food Chain Workers Alliance Survey Data</small> | | |
| Some College | 78 | 12.9% | <small>1 Black = Black/African American, Jamaican, and Caribbean</small> | | |
| College Degree | 35 | 5.8% | <small>2 Latin@ = Latino/Latina/Hispanic and Puerto Rican</small> | | |
| Higher than a College Degree | 0 | 0% | <small>3 Asian = Asian or Pacific Islander, Southeast Asian/Indian, and Chinese</small> | | |
| Total | 604 | 0% | <small>4 Indigenous = Indigenous, Maya, Quiche, and Native American, Hawaiian, or Alaskan Native</small> | | |
| | | | <small>5 White = White and Hebrew/Jewish</small> | | |
| | | | <small>6 Other = Mixed Race</small> | | |
| | | | <small>7 Documented = U.S. Citizen, Permanent Resident, Refugee or Asylee</small> | | |
| | | | <small>8 Undocumented = Undocumented and Have a Tourist Visa</small> | | |
| | | | <small>9 Temporary Worker = Have a Work Visa and Have an H2A Visa</small> | | |
| | | | <small>10 Other = Other, Don't Know, Didn't Answer</small> | | |

CHARACTERISTICS OF FOOD CHAIN WORKERS ALLIANCE SURVEY SAMPLE

| | MARRIED OR PARTNERED (N) | PERCENT OF TOTAL | IF YES, DEPENDENT PARTNER (N) | PERCENT OF TOTAL |
|-------|--------------------------|------------------|-------------------------------|------------------|
| YES | 295 | 48.4% | 204 | 70.8% |
| NO | 314 | 51.6% | 84 | 29.2% |
| Total | 609 | 100% | 288 | 100% |

Source: Food Chain Workers Alliance Survey Data

NOTES ON SAMPLE

Because there is no government data source listing individual food system workers, it would have been impossible to conduct a strictly random sample of this industry. Thus, we conducted a convenience sample survey. Surveyors attempted to survey 50 percent men and 50 percent women, except in agriculture and warehouse segments, which are heavily dominated by male workers.

Many of the member organizations organize heavily Latino-dominated industries in their geographic area. However, in order to not skew the survey results, these groups attempted to survey no more than 80 percent Latino workers, with the other 20 percent comprised of other races: African American or immigrants, Asian Americans or immigrants, Caucasians, and Native Americans or other indigenous groups. However, the farmworkers organizations, the Coalition of Immokalee Workers and el Comité de Apoyo de Trabajadores Agrícolas, reported that the great majority of farmworkers they organize are Latino and therefore did not follow this guideline.

The surveys were conducted in the following geographic areas by the following organizations:

- Brandworkers International: New York City
- CATA – Farmworkers Support Committee: southern New Jersey (counties of Gloucester, Atlantic, Salem, Cumberland, Camden, and Burlington)
- Center for New Community: west-central Minnesota, southeast Iowa (Johnson and Henry counties), northern Missouri
- Coalition of Immokalee Workers: Immokalee, Florida
- Northwest Arkansas Workers' Justice Center: northwest Arkansas (Washington and Benton counties)
- Restaurant Opportunities Centers United: Chicago, New Orleans, Detroit, Los Angeles, Washington, D.C.-area, Miami
- Restaurant Opportunities Center of New York: New York City
- UFCW Local 1500: Long Island
- UFCW Local 770: Los Angeles County
- UNITE HERE: Los Angeles County, Indianapolis
- Warehouse Workers for Justice: greater Chicago area

Over a period of eight months from April 9 to December 3, 2011, surveyors contacted food system workers outside their workplaces, in the community, or in workers' homes. Like all methods, our sampling methodology has strengths and limitations. While ours were not strictly random surveys, the strength of our outreach methodology is that it allowed us to include populations of workers typically underrepresented in the Census, such as undocumented immigrants. In

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THE FOOD CHAIN WORKERS ALLIANCE

ALLIANCE MEMBERS

- Brandworkers International
- Center for New Community
- Coalition of Immokalee Workers
- Comité de Apoyo a los Trabajadores Agrícolas (CATA – Farmworkers Support Committee)
- Just Harvest USA
- International Labor Rights Forum
- Northwest Arkansas Workers' Justice Center
- Restaurant Opportunities Center of New York
- Restaurant Opportunities Centers United
- UNITE HERE Food Service Division
- United Food and Commercial Workers (UFCW) Local 770
- United Food and Commercial Workers (UFCW) Local 1500
- Warehouse Workers for Justice
- Warehouse Workers United

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THE ALLIANCE WOULD LIKE TO THANK the many professors, researchers, students, interns, employers, and workers who devoted many hours to conducting surveys and interviews and generally assisting with this project. In particular, we would like to thank the following staff, volunteers, and student interns for their writing contributions: Professor Emily E. LaBarbera Twarog of the University of Illinois at Urbana-Champaign, Dan Lichtenstein-Boris, Joann Lo, Chris Moulton, Diana Robinson, Karyn Medina, Biko Koenig, Bjorn Claeson, and Bernette Serranor. We would also like to thank the following workers, volunteers, student interns and Alliance members' staff for their research and analysis assistance: Dan Lichtenstein-Boris, Ben Palmquist, Teofilio Reyes, Chris Moulton, Sophia Cheng, Carrie Freshour, Meaghan Mroz-Barrett, Chris Moulton, Aden Abdi, Marianela Acuña-Arreaza, Tara Agrawal, Brandon Barber, Oakland Bautista, Darlynn Bohanny, Claire Cahen, Stephen Cheng, Demetrie Collins, Rob Cook, Jessica Culley, Cathy Dang, Jordan Delano, Uylonda Dickerson, Marcus Dijon, Katie Duberg, Rebecca Ellis, Antonio Espinoza, Antonio Fuentes, Axel Fuentes, Fernando García, Juanita Gausin, Nick Gerber, Grace Goldfarb, Guadalupe Gonzalo, Beth Gutelius, Jose Manuel Guzman, Garat Ibrahim, Rafael Hernandez, Robert Hines, Olivia Levins-Holden, Kevin Hom, Mariana Huerta, Deathrice Jimerson, Van Joseph, Marty Kirchner, Jesse Kling, Alejandro Lazaro, Anthony Lo, Eddie Lopez, Jesus Lugo, Jessica Lynch, Marilu Maldonado, Alexa Malishchak, Agustin Marales, Diana Marino, Amelia Meza, Britney Miller, Angelica Muñoz, Fatima Murreria, Christina Narcisse, Christina Ocampo, Jose Oliva, Oscar Orzoq, Geof Paquette, Maria Patino, Nick Pehlman, Elvin Perez, Santiago Perez, Silvia Perez, Wilson Perez, Julia Perkins, Dario Pinos, Carlos Rich, Adrian Ricketts, Derrick Robinson, Marc Rodrigues, Nely Rodriguez, Ely Romero, Darinel Salas, Cruz Salucio, Crescenciano Jose Sanchez, Joseph Sanchez, Natalie Sanchez, Easton Smith, Jean Souffrant, Brandi Trapp, Jorge Vera, Jimmy Xi, and Annette Zamora. The Alliance would also like to thank Christine Schweidler of the DataCenter for supervising the interns in the employer interview analysis and developing, with Saba Waheed, a participatory data analysis workshop for workers and organizers of the Alliance member organizations.

Report designed by Michael Quanci at quancidesign.com



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