

Workplace Hazards and Abuses in Chicago Fast Food Restaurants

Fight for Fifteen | Chicago, IL

Esther Bier: MPH candidate at UIC

Inez Dufresne: BA candidate at Grinnell College

Summer 2019



Fast food workers demanding \$15/hr and a union

Over the next year, subsequent strikes took place in:

Chicago



St. Louis



Detroit



Kansas City, MO



Milwaukee



Seattle



creating a national (and international) movement.



Fight For 15 Chicago is comprised of members from Chicago, Indianapolis, and Rockford IL fighting stagnant wages, racism/sexism, and lack of dignity.

Has successfully lobbied Illinois to increase statewide minimum wage to \$15/hr by 2025.

- Current IL min. wage: 8.25/hr
- Current Chicago min. wage: 13/hr

FF15 Chicago specifically targets McDonald's HQ as it is located in Chicago and is a leader in the fast food industry

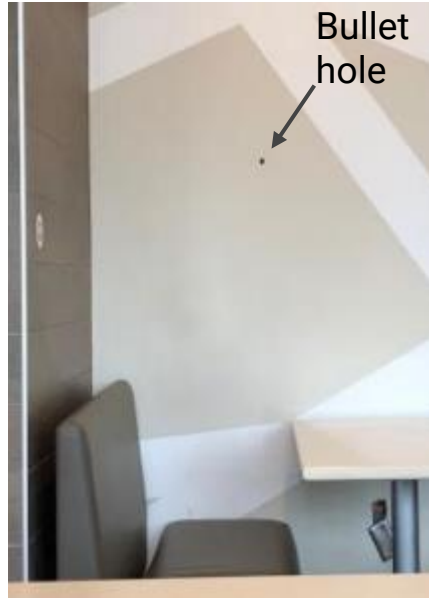


Workers at an action
07/19/19

Hazards faced by fast-food workers include:



Makeshift AC unit at a Wendy's



McDonald's at 95th and Dan Ryan

- Sharp objects
- Hot grease
- Slippery floors
- Defective heating/cooling
- Cramped workspace
- Heavy lifting
- Lack of adequate training and safety management
- Erratic shift scheduling
- Sexual harassment
- Violence
- Exposure to contaminated
—needles

Health impacts of hazards

- Burns
 - Cuts
 - Slips and falls
 - Heat-related illnesses
 - Emotional Stress, trauma
 - Strains and sprains
 - Joint pain
 - Risk of contracting bloodborne diseases
-

Objectives

- Document workplace hazards in the fast food industry
 - Report on worker experiences related *workplace violence*
 - Determine employer *compliance of paid sick time ordinance*
 - Report on employment abuses
-

Why focus on Paid Sick Time?

In 2017, Chicago passed a city ordinance requiring paid sick time. How well is it being enforced?

CITY OF CHICAGO PAID SICK LEAVE ORDINANCE

MUNICIPAL CODE OF CHICAGO CHAPTER 1-24 • EFFECTIVE DATE: JULY 1, 2017
CITY OF CHICAGO • MAYOR RAHM EMANUEL

The Paid Sick Leave Ordinance Applies to:

- Employees that maintain a business facility within the City of Chicago and/or are required to obtain a business license to operate in the city.
- Employees of an employer that is subject to the Ordinance who work at least 80 hours within any 120-day period qualify. This includes domestic employees, day laborers, tipped workers, and home health care workers.

How Paid Sick Leave is Calculated:

- Paid sick leave begins to accrue either on the 1st calendar day after the start of employment or on July 1, 2017, whichever is later.
- For every 40 hours worked, an employee earns one hour of paid sick leave in full-hour increments.
- Salaried employees who are exempt from overtime requirements shall accrue one hour of Paid Sick Leave for each week of employment.
- Paid sick leave hours are capped at 40 hours per 12-month period unless the employer sets a higher limit.
- At the end of a 12-month accrual period, employees must be allowed to carry over up to half of unused paid sick leave (a maximum of 20 hours) unless the employer sets a higher limit.
- If subject to Family and Medical Leave Act (FMLA), each employee must be allowed to carry over up to 40 hours of unused paid sick leave. In addition to half of all unused paid sick time, to use exclusively for FMLA-eligible purposes.

How Businesses Can Comply with the Ordinance:

- **WHAT EMPLOYERS MUST DO**
- If employers already have a paid sick leave policy that meets the requirements of the Ordinance they are not required to provide additional paid leave.
- If the policy awards all paid sick leave immediately upon date of eligibility instead of an accrual method, employees must be provided 40 hours of paid sick leave within one calendar year of their date of eligibility the first year and 80 hours for each subsequent year.
- Employers must allow employees to begin taking paid sick leave no later than on the 180th calendar day after their start of employment.
- Employers are required to post this Notice of Paid Sick Leave in their business facilities and to provide the notice to each employee on July 1, 2017, or with the employee's first paycheck after that.
- Employers must maintain records of paid sick leave accrued and make such records available to the Commissioner of the Department of Business Affairs and Consumer Protection (BACP) upon request.

Why focus on violence/harassment?

Democratic senators press McDonald's on workplace violence

Posted May 22, 2019

REPORT: MCDONALD'S FAILS TO PROTECT WORKERS FROM GUN VIOLENCE, ROBBERIES, ATTACKS

Not lovin' it behind the counter: McDonald's fails to keep workers safe

519 of the 721 attacks reported in McDonald's restaurants in the last 3 years involved a gun

Why Fury Toward McDonald's Is at an All-Time High

Sexual harassment, workplace violence, and employees on strike are among the reasons the fast-food chain currently finds itself in a storm

by [James O. Ziegler](#) | [@jamesoziegler](#) | May 23, 2019, 4:46pm EDT

McDonald's workers say restaurants are a magnet for crime

Violent Scuffle Caught On Video At Chicago McDonald's Is Just One Of More Than 30 Incidents Called Into Police Over Past Month

Time's Up: McDonald's faces 25 new sexual harassment charges

Man beats teen over who was 1st at McDonald's

'Hangry' woman arrested for biting Wendy's worker over wrong order

Deputies: Man sexually assaulted North Fort Myers fast food employee



- Literature review
- Observations at worksites
- Interviews and surveys
- Attended FF15 actions and worker meetings
(to the left: protest of McDonald's HQ on 7/19/19)

Methods

Survey Questions

Sick time questions

- Are you required to find someone to cover your shift if you want to take time off?
- Have you had issues receiving your paycheck on time?
- Have you had to work a shift while sick?
- Does your employer require a doctor's note when you call off sick for one day?
- Are you aware of the Chicago law requiring paid sick time?

Violence questions

- Have you experienced or witnessed violence at your job?
- Have you (or coworkers) experienced harassment at your job?
- Do you feel safe leaving and arriving at work?
- Is there a security guard at your work?
- Do people loiter in your store and cause disruption to you or to customers?

Results

- Reached 35 workers
- Received 29 completed worker surveys

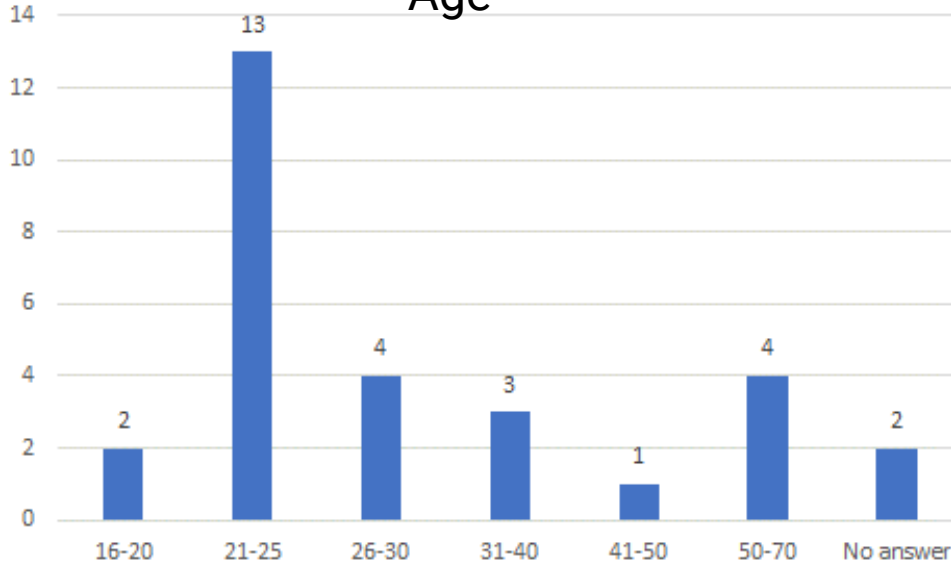
Demographic results



Respondents with children

- Have children - 11
- Currently pregnant - 2
- No children - 16

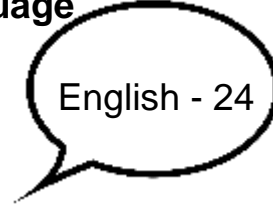
Age



Primary Language



Male
10



Female
19

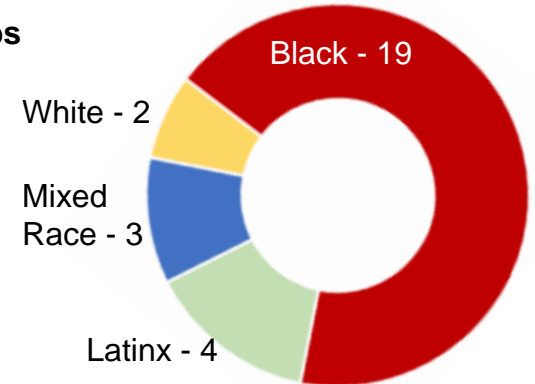
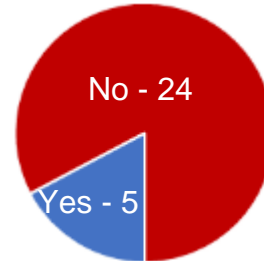


Employed by

- McDonald's - 19
- Other chain - 10

Race/Ethnicity

Working multiple jobs





Aware of schedule X days in advance

1-6 days	11
1 week	9
1 month	2
No answer	7

Current employment duration

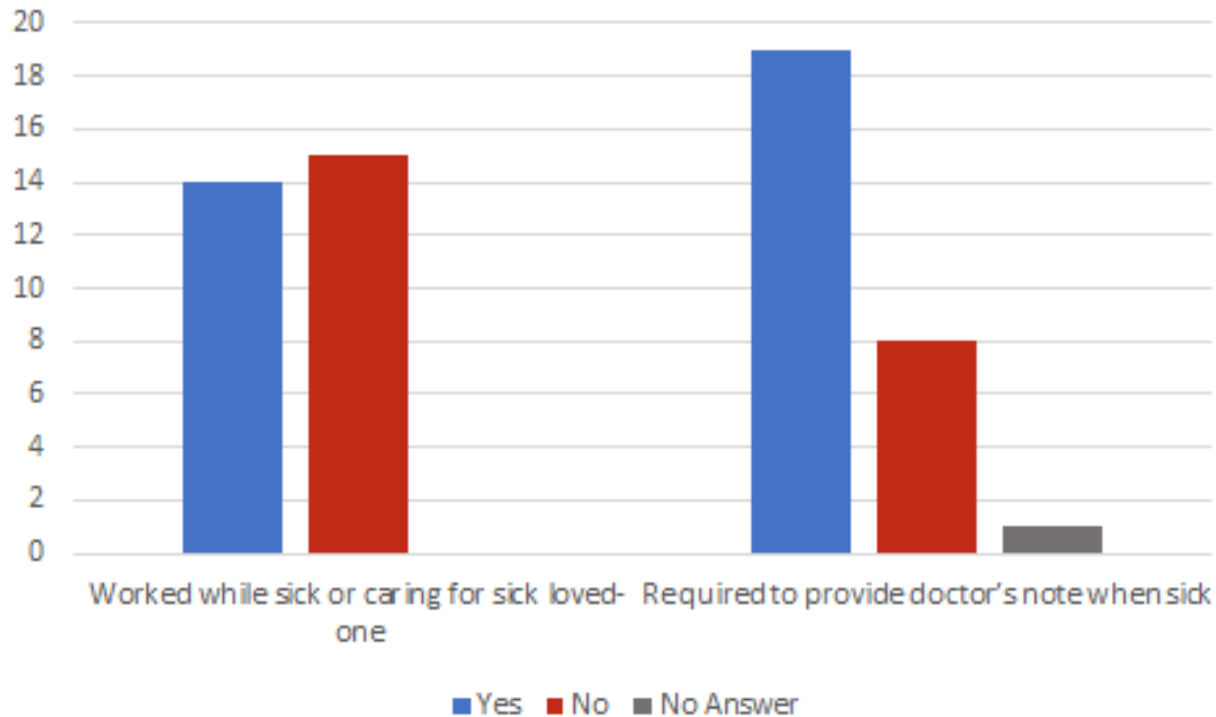
1-6 months	6
7-12 months	4
1-3 years	2
4-10 year	6
> 10 years	3
No answer	2

Average No. hours worked per week

1-10	3
11-20	2
21-30	11
31-40	7
41-50	5
Recently fired	1

	<u>Yes</u>	<u>No</u>	<u>No Answer</u>
Required to find shift coverage when using time off	14	14	1
Had issues receiving complete paycheck on time	11	18	0
Worked while sick or caring for sick loved-one	14	15	0
Required to provide doctor's note when sick	19	8	1
Experienced/witnessed workplace violence	13	11	5
- Proactive response to violence by management	5	6	2
- Experienced multiple incidences of violence	10	1	2
- Witnessed/experienced verbal assault	6	-	-
- Witnessed/experienced physical assault	7	-	-
- Witnessed customers with weapons	3	-	-
Experienced workplace harassment	14	13	2
Have coworkers who have experienced harassment	10	19	0
Trained on violence/harassment management	10	19	0

Employment and Illness



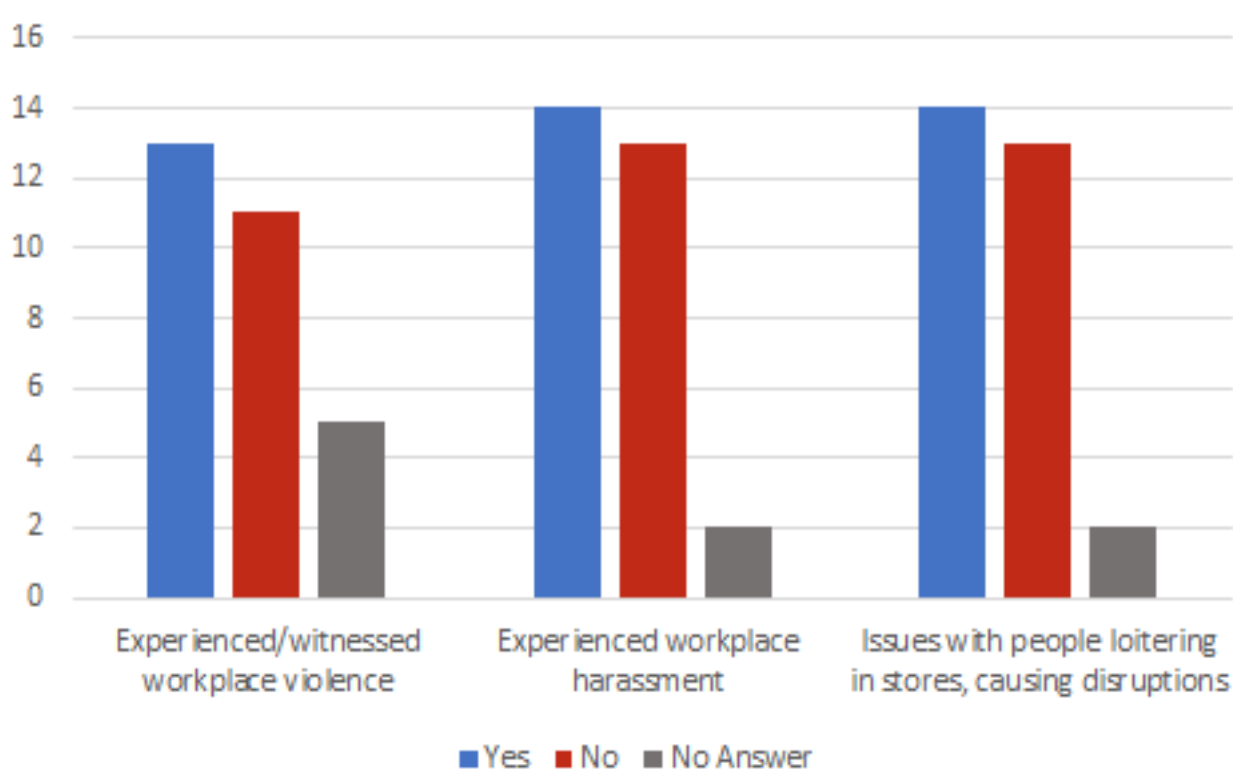
“My medications have not been taken since I have worked there,” employee with diabetes whose manager won’t provide longer breaks for insulin management.

“Whenever I am sick, I am still required to come in to work.”

“I can’t afford to call off.”

“I will be written up if I call off sick.”

Workplace Violence

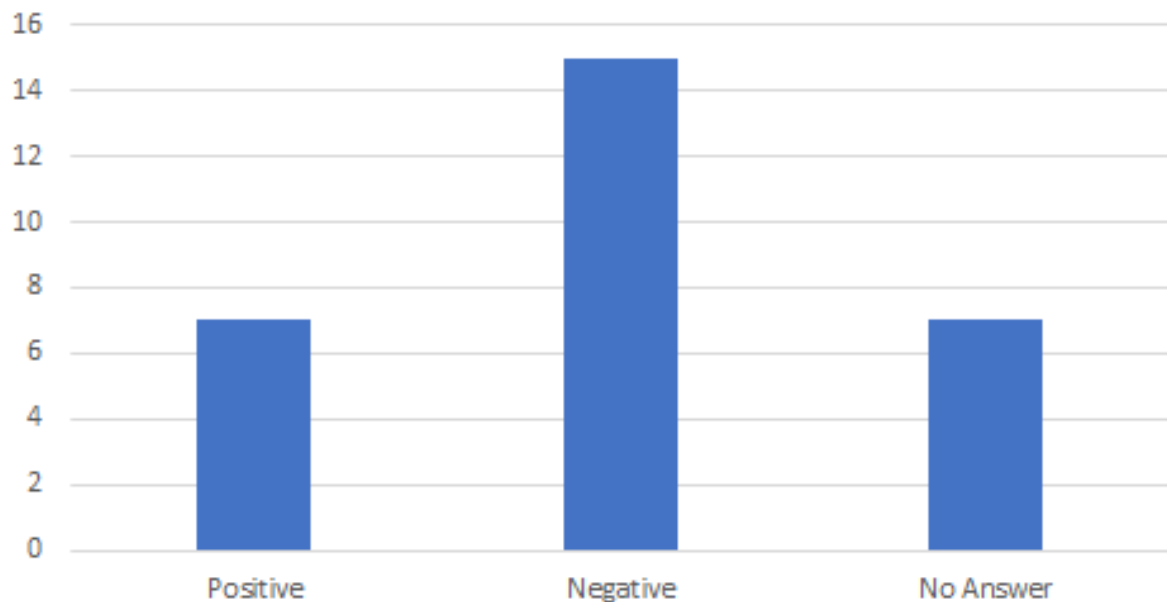


“The day I was born was going to be the day I died”
McDonald’s employee where shooting occurred on her birthday.

“McDonald’s needs to have security, we need it,”
McDonald’s employee where shooting occurred

“Two team members pulled knives out in the kitchen and assaulted each other.”

Impact of job on personal life



“Our managers use bad language and disrespect us.”

“There are drug needles and blood in the bathroom...it’s not safe for children or for anybody.”

“Unpredictable manager creates stress and hostile work environment. I am exhausted when I get home and have no time with my kids.”

“They make you not have a life due to their scheduling.”

“I am very stressed, underpaid, and ignored.”

Discussion

- Erratic scheduling means that working hours and income fluctuates, causing stress.
- Half of respondents have experienced violence/harassment.
- There is a desire for security.
- Workplace environment and tasks negatively impact workers' personal lives and health.

OSHA Limitations

- Doesn't recognize Fast Food as a hazardous industry
 - Partially exempts this industry from reporting
 - Only requires reporting of fatalities, hospitalization, losing an eye and amputations
-

Chicago OSHA Complaint May 20, 2019

28 complaints from 19 cities have been filed with OSHA

McDonald's response: "larger strategy orchestrated by activists targeting our brand and designed to generate media coverage."

"Approximately 31 incidents in the last six months (November 2018 to April 2019) reported to 911, including **three recent incidents in which workers and customers were threatened or assaulted with a firearm**".



Women's
Organizing
Committee,
Milwaukee
07/09/19

Successes

- Direct contact with workers at their worksite
 - Built rapport with organizers
 - Participated in an action at McDonald's headquarters
 - Provided Spanish translation
 - Created cards detailing paid sick time rights and resources for those who experienced forms of violence
-



Organizing
Committee
meeting about
paid sick time
with attorney,
6/25/19

Challenges

- Limited timeframe
 - Difficulty accessing workers for 1 on 1 conversations
 - Finding ways to fit our work into that of the organizers
 - Fast-paced work environment required adaptability and changing plans
-



FF15 action,
McDonald's
Headquarters
07/19/19

- Pressure OSHA to recognize fast food hazards and enforce the law
- Push employers to implement hazard prevention programming
- Create an app to streamline communication among and between staff and workers
- Provide more translation services for monolingual workers

Recommendations

Personal Reflections



Left: Inez and Esther in the field speaking with a worker
Right: Inez and Nikki (FF15 organizer) at an action



A Big Thank You To...

- Workers involved with Fight for Fifteen campaign
- Organizers and staff of FF15
- Marisa Salas, Field Director of FF15 Chicago
- NIOSH
- Marsha Love, UIC School of Public Health
- Sarah Jacobs, UCLA