

Restaurant Workers and the NYC Mandatory Paid Sick Leave Policy

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IN COLLABORATION WITH:

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BARRY COMMONER CENTER FOR HEALTH AND THE ENVIRONMENT AT QUEENS COLLEGE

MAKE THE ROAD NEW YORK

RESTAURANT OPPORTUNITY CENTER OF NEW YORK

Background

Work environment: fast, demanding, and pressure-filled

Occupational hazards restaurant workers face:

- Most common – cuts, burns, falls
- Respiratory problems – asthma, lung cancer
- Musculoskeletal problems – muscle/joint pain and soreness
- Diminished psychological wellbeing – stress, alcohol issues

Demonstrates importance of offering paid time off to these workers

Consumer health



Jayaraman et al. (2011); Svendsen et al. (2003); Duke et al. (2013); Fisk & Neville (2011)

New York City Paid Sick Leave Law

Enacted April 1, 2014

Gives employees the right to use sick leave for the care and treatment of themselves or a family member

Applies to most employers with five or more employees

Covers employees who work 80 or more hours in NYC per year, regardless of immigration status



Retrieved from: <http://www1.nyc.gov/site/dca/about/paid-sick-leave-law.page>

Objective

Conduct a pilot evaluation of the NYC Paid Sick Leave Law among restaurant workers to determine if they are aware of the law and able to use it

Methods

Traditional way of reaching restaurant workers

Our approach:

- Target restaurant workers in their communities rather than in their workplace
- Convenience sample based on locations with likely high concentrations of low-wage workers
- Survey
 - Developed in collaboration with project partners
 - Administered in interview format in under 5 minutes

Give back product

Know Your Rights: NYC Paid Sick Leave Law

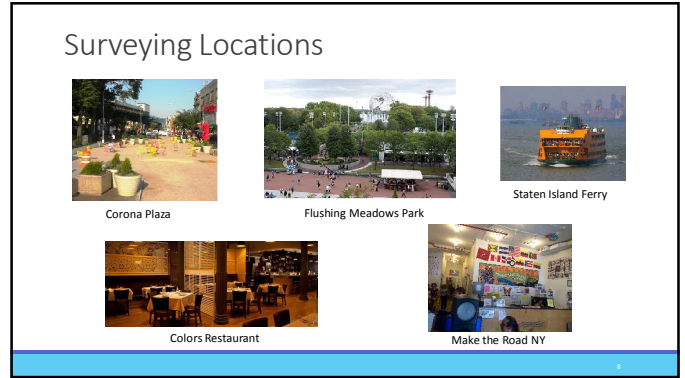
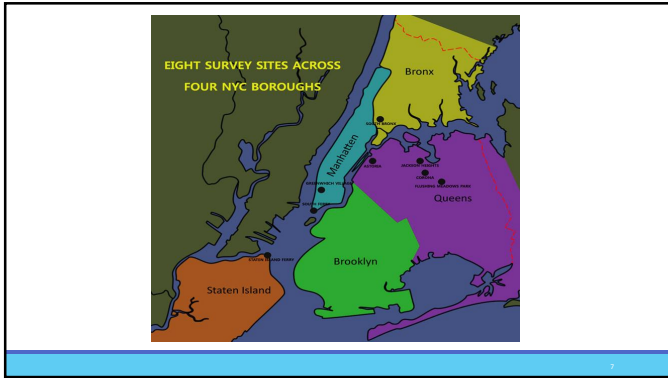
- By law, most employers with five or more employees have to provide paid sick leave so employees can care for themselves or a family member
- If you work 80 or more hours a year in New York City, you are likely covered under this law, regardless of your immigration status
- It is illegal for your employer to punish you for requesting or using sick leave



For more information, visit nyc.gov/PaidSickLeave or call 311

If you believe your employer has violated this law, call 311 to make an anonymous complaint

*87 cards distributed in total



Sample Characteristics, N = 100

Participation rate: 79%

Gender: 78% male, 21% female, 1% transgender

Age: M = 33 years, Range = 18-61

Race: 66% Latino, 12% African American, 6% White, 5% Asian, 11% other

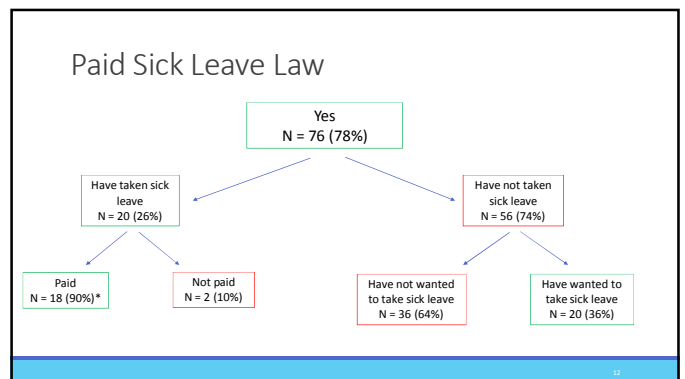
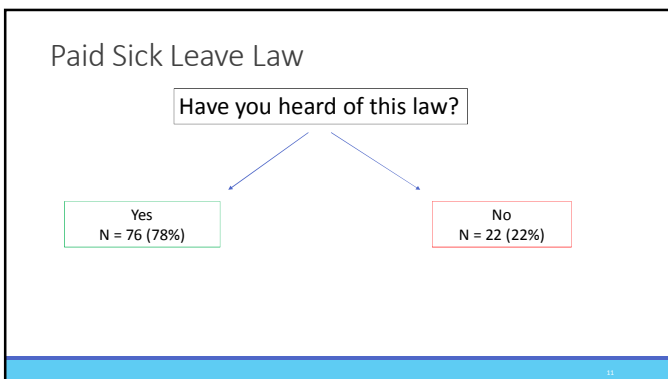
Worker/Restaurant Characteristics

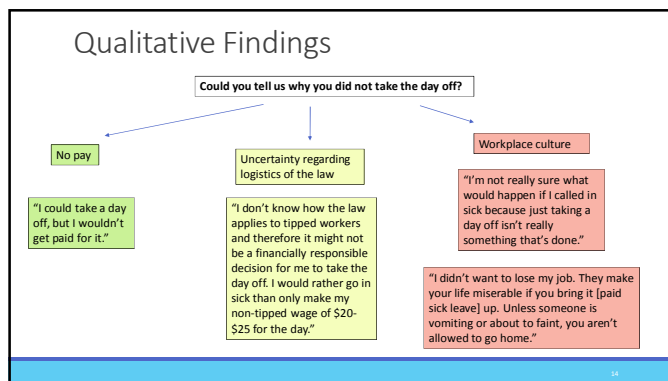
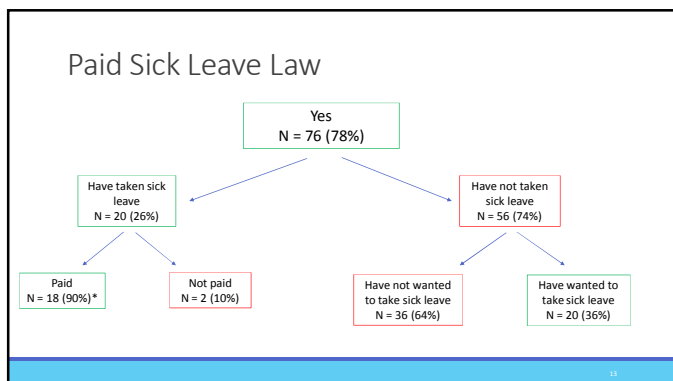
Employee classification

- Full time: 78%, Part time: 19%, On call: 3%

Job categorization

- Front of the house (server, runner, bartender, busboy, etc.): 50%
- Back of the house (cook, dishwasher, etc.): 49%





Conclusions

The majority of restaurant workers we surveyed have heard of the NYC paid sick leave law

Of those who have heard of the law, some:

- Expressed confidence in their ability to use it to access paid sick leave
- Still doubted that they could request/use paid sick leave without consequences

"I haven't needed a sick day but I could take one if I were to get sick. My employers are very reasonable."

"Paid sick leave is not something that's talked about in my restaurant. People are just grateful to have a job and are afraid to ask for paid sick leave because doing so could put their job in jeopardy."

Recommendations

- Find out how workers heard about the law
- Explore barriers to using paid sick leave in this population

Personal Reflection

Acknowledgements

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Association of Occupational and Environmental Clinics

Occupational Health Internship Program
 - Matt London

Restaurant workers who took the time to speak with us

Sample Characteristics, N = 100

Participation rate: 79% who identified as a restaurant worker
 Gender: 78% male, 21% female, 1% transgender
 Age: M = 33 years, Range = 18-61
 Race: 66% Latino, 12% African American, 6% White, 5% Asian, 11% other
 Country of birth: 35% USA, 65% other
 • Years in US (for non-US born): M = 14 years
 Primary language: 33% English, 58% Spanish, 9% other

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Worker/Restaurant Characteristics

Mean number of hours worked per week
 • Full time = 44, Part time = 27, On call = 38

Job categorization
 • Front of the house (server, runner, bartender, busboy, etc.): 50%
 • Back of the house (cook, dishwasher, etc.): 49%
 • Both: 1%

Restaurant size: 14% small, 35% medium, 51% large

Restaurant type: 46% chain, 54% non-chain

Restaurant borough: 66% Manhattan, 20% Queens, 8% Brooklyn, 2% Bronx, 2% Staten Island, 2% non NYC

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Paid Sick Leave Law

Have you heard of this law?



- BOH workers more likely to have heard of law than FOH workers (84% vs. 70%)
- Chain restaurant workers slightly more likely to have heard of law than non-chain workers (80% vs. 73%)
- Size of restaurant does not make a significant difference

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