

Food Fight

HUMAN RIGHTS IN OUR FOOD SYSTEM

ASHLEY FINK

Abstract

In the United States, food workers are some of the most underpaid and underappreciated employees, despite the growing number of citizens dependent on this profession. From the fields to the food counters, discrimination and mistreatment continues to be an ongoing conflict with basic human rights. In order to have a truly sustainable food system, all members, from farm to plate, have to be allowed the means necessary to sustain themselves. By having a more equitable pay, society as a whole will benefit.

Introduction

Closing time. The time every restaurant worker eagerly awaits. It's when the only thing determining how soon you can go home, is how quickly you can work to complete all of your tasks. It had been an awful, busy night and we were shorthanded (as usual) with only two closers and almost nothing complete. I was desperately trying to make up for time lost by doing the minimum amount of cleaning, as fast as possible.

“Are you guys still open?” a middle-aged female customer asked from the counter, despite the lack of employees and all of the inactive equipment. “No, ma’am. We close at nine o’clock every night,” I replied politely. “Oh. Well, I promised my kids that I would get them some of this for dinner, so that’s going to be a problem. Can I speak to your manager?” Reluctantly, but still politely, I did as the customer asked and called for management.

The store’s policy states that once the equipment is turned off, we can no longer serve the food in order to ensure food safety. I continued to clean as the customer described her plight to management, expecting management to inform the customer of the store policy. “Go ahead and serve this customer,” I heard the assistant manager say to me. Shocked, and admittedly fueled by

rage from her lack of support, I simply replied, “No.” As the customer gasped with disgusted dramatic flair, the manager, taken aback, said, “Excuse me?!” I repeated my answer. In that moment I was terrified, but because I had store policy on my side, I continued to stand my ground. After all, shouldn’t I be valued, both as an individual and fellow employee? Is my time not valuable? Does the customer’s needs or the company’s desire to profit outweigh my own?

Problem Definition

Everyone has had a job that they’ve despised at one point in their life. Sometimes we can justify holding that position by the amount we see on our paycheck. But what if your contribution doesn’t correlate with the money that you make? In the food industry this is a reality that has been upheld and is considered legal. In every step of the process, it continues to mistreat and manipulate food workers in support of social inequity, racism, sexism, and capitalism.

Solution

Tips

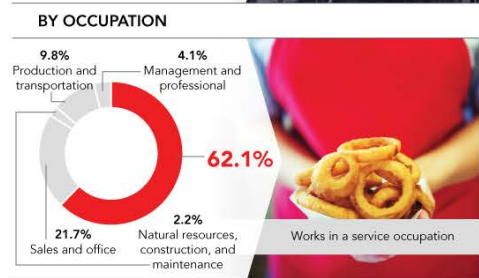
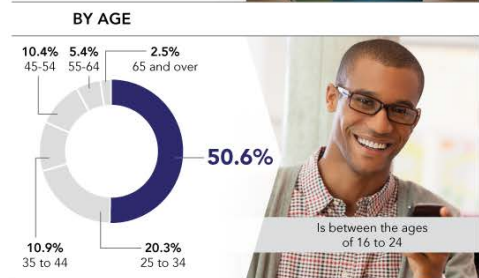
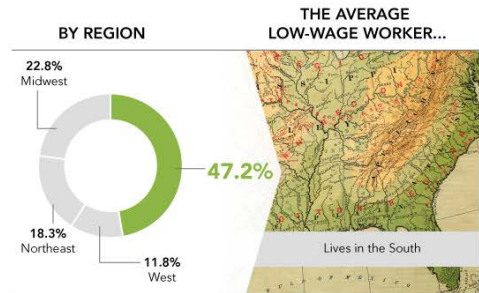
First, and on a much smaller scale, it would be

A HUFFINGTON POST GRAPHIC



Who Makes The Minimum Wage

As the debate over boosting low-wage workers’ pay rages in the halls of government and out in the streets nationwide, here’s a look at who relies on the minimum wage (or less) to get by.



Source: Bureau of Labor Statistics
Photos: Getty and Shutterstock

THE HUFFINGTON POST

beneficial to discontinue the way that serving staff are currently paid. Typically they receive \$2.13 an hour, along with tips paid by the customer. Oftentimes a server is “stuffed” on a check because situations beyond his or her control have rendered the service to be subpar. Ultimately, a server’s pay is determined by how good his or her service is *perceived* to be, according to the customer’s entire dining experience (e.g. ambience, food, wait time, drinks, etc.). Regardless of the server’s actions, he is the face of the service and is at the mercy of the diner.

In the event that a server does not make enough money to meet minimum wage, the company makes up the difference with a paycheck. This does not include any overtime. No matter how many hours you put in, as long as the total amount of tips and money received on your paycheck (if you receive one) equals minimum wage, it is considered entirely legal. Not to mention that the federal minimum wage is significantly lower than an actual living wage. The inconsistent income can wreak havoc on a server’s finances and her ability to provide for her own family. I mention this because, as revealed in Saru Jayaraman’s *Behind the Kitchen Door*, many people are either unaware or uncaring to the fact that “[r]estaurant workers are not just young people saving money for college or earning a few extra dollars while attending high school (a common misconception among American diners). They are workers of all ages and include many parents and single mothers” (5). Some of these people have their own bills to pay and mouths to feed.

Whether you believe it to be fair or not, that person’s wellbeing is determined by the tip you leave. Simply by eliminating this type of pay and allowing for a set hourly amount, a server can continuously provide for his or her family. Tips would still be welcome, but a server’s financial survival would not be dependent upon it.

Minimum Wage

Although altering payment to serving staff would insure that workers would meet the minimum, it does not mean that their salary is adequate for survival. This reality has spurred the food strikes currently in the news. It is pertinent that we re-evaluate our labor laws and reclaim social equity for these workers by raising the minimum wage equal to or more than the living wage. Even higher officials believe a minimum wage hike is necessary. In Victor Luckerson's Time article, he highlights that "President Obama mentioned the struggles of fast food workers while calling for an increase to the minimum wage [as other] Democrats are currently pushing legislation that would increase the federal minimum wage to \$10.10" (*The One-Day Strike*). Should this legislation be passed, the pay raise will ensure adequate pay to members of the food industry. As stated by the National Employment Law Project's website, "The federal minimum wage has lost more than 30% of its value and would be more than \$10.55 per hour today if it had kept pace with the cost of living over the past forty years." In order for an individual to be able to thrive in this economy, a raise in the minimum wage is necessary. Many in the food industry live paycheck-to-paycheck. According to Eric Schlosser's Foreword in *Behind the Kitchen Door*, "[t]he typical restaurant worker makes about \$15,000 a year, [which is] roughly one-third the annual income of the average American worker." When did we decide that the people that grow, prepare, serve, and clean up the food that supports our own ability to survive weren't worthy of being able to do the same for their own families? This noble act of hospitality is on the rise, especially considering "the frequency with which Americans eat out, and the way we choose to mark so many of our major life events---birthdays, anniversaries, marriage proposals---in restaurants[.] Restaurants are where American culture happens" (Jayaraman, 12). Clearly we, as Americans, see the value of going out to eat, or else we wouldn't spend our most precious moments doing so. We even spend a good portion of our most mundane days purchasing from

the faster equivalents when we're in a hurry. Even though some of these jobs require little skill, these people are still human beings and deserve to be treated and paid as such. Confirming the value of these workers with paychecks that reflect their input and the current cost of living will have a positive effect on society and the economy.

Worker Benefits

Other benefits that are essential to an individual's wellbeing are also absent in the food industry. Acts that have long been abolished or extinguished in other industries still run deep in the food business. Schlosser points out that "[t]he abuses endured by American farmworkers, meatpacking workers, and restaurant employees violate even the most water-downed, corporate-flavored definition of 'sustainability.' Our food system now treats millions of workers like disposable commodities, paying them poverty wages, denying them medical benefits and sick pay, and tolerating racism and sexism on the job." Due to low wages, workers are forced to spend a significant amount of time away from their families in order to make enough money to survive. Most aren't afforded sick days, hindering recovery from illness because they are forced to work while ill, which violates food safety guidelines and endangers the customer. Without sick pay or personal hours, it is necessary to keep working to keep up with finances. Most places also do not offer medical benefits, which also can slow recovery or result in worsening of the condition. Jayaraman tells the sad story of a colleague in her fight for food worker rights named Floriberto Hernandez, who passed away from sudden onset adult diabetes. If he had had medical coverage, he may have received the preventative care that would have saved his life. By requiring food companies to provide affordable health insurance and other benefits to their

employees, people like Floriberto will have access to proper medical treatment and preventative care that can lower healthcare costs and stunt the spread of illness.

Discrimination

Have you ever gone to a restaurant and requested a white, male waiter? Most of us haven't, but this does still happen, and should you request this, restaurants are more than willing to accommodate your request. Although this situation is blatantly both racist and sexist, not all cases are so obvious. Next time you are in a restaurant, look around. What positions do the different races and ethnicities hold? Most of the people you see will most likely be fairer-skinned and visually-pleasing. If you see any people of Hispanic descent, they will more than likely be part of the staff that is normally hidden in the kitchen, such as the bussers and dishwashers. Oran Hesterman explains this occurrence in *Fair Food: Growing a Healthy and Sustainable System for All*, saying, "Since formal credentials are not a requirement for the majority of restaurant jobs, the industry provides employment opportunities for new immigrants, whose skills and prior experience outside of the United States may not be recognized by domestic employers," (65). Regardless of the profession a person held in his homeland, when immigrating to the States, foreigners are at the mercy of employees. Should they try to argue for their rights, they risk being reported to Immigration for deportation or losing their job.

Discrimination is not confined to those of a vulnerable immigration status. Other minorities affected include African Americans, Native Americans, women, and the undereducated. The acts used to keep these groups at a disadvantage go as far back as the fields. Denied land and water access, the number of minority farmers has drastically declined. Hesterman also notes that,

[r]ural poverty...affects African American communities and leads to a host of other challenges, such as inadequate health care, nutrition, and housing. Hand in hand with this grinding poverty comes lack of access to quality education, which often has prevented rural black children from gaining even basic literacy skills...and [with] few or no computer skills [they] face significant obstacles in accessing government assistance programs that require computerized application and higher-level skills. (70-71)

These people that have owned their farms for generations are being driven out of the industry by discriminatory practices that either take their land away from them or make it unprofitable enough to stay in that line of work. Even those that do abandon this way of life are at a disadvantage, lacking the necessary requirements to be employed in a profession with adequate pay. If the odds are stacked against you from the beginning, it becomes difficult or impossible to succeed. Similarly, Native Americans have not only had their land taken from them, but also their way of life. They “historically have been denied access to their food culture and traditions [...] As a result, their communities have rates of diet-related illness, such as diabetes, that are astronomically high. [W]ith the introduction of processed foods [...] the loss of the traditional food system has had such a devastating effect on the people, particularly on the children” (73). As with any person’s culture, the Native Americans’ way of life is sacred to them, and yet this has been stripped away from them in the interest of capitalism. And even worse, in adapting to their current living situation, the new highly-processed diet is taking a significant blow to their health. So not only are they denied their land, culture, and sufficient wages, they are also being killed by the situation they have been put in, in the interest of big business. The mistreatment of our fellow man should not be ignored nor tolerated any longer.

Benefits

There is evidence that higher income does help boost the economy. NELP's overview of facts from the recent Minimum Wage Act of 2013 supports this claim, stating, "[c]onsumer spending accounts for 70 percent of U.S. economic activity but remains tepid because consumers just don't have the money to spend." If people are confident that they have a more consistent and sufficient paycheck, they are more likely to spend more of it. Those that live paycheck-to-paycheck tend to be more vigilant with their expenses as a necessary means to survive. If they have more money to ensure adequate and healthy living conditions, this translates to a boost in the economy from the higher minimum wage.

Summary

Many worry about the negative effects that may occur from a minimum wage hike. Some believe that doing so will kill small businesses that are unable to pay employees the federal minimum. If we gradually increase the minimum, instead of a sudden sharp increase, the economy would be allowed to adjust to these changes. NELP points out how "the minimum wage chiefly affects large chains, not small businesses [because] two-thirds of low-wage employees work for large companies [and] most big low-wage employers --- including retail and fast food chains like Wal*Mart and McDonalds --- are enjoying strong profits and can readily afford a higher minimum wage" (3). Think about it: when people earn more money, they tend to spend more. Smaller businesses tend to sell items at a higher price in order to stay open. If I have more money in my pocket, I'm more likely to spend it on higher-priced items closer to home than I am to squander it away on cheaply made items from mass retailers, such as Wal*Mart.

Speaking of Wal*Mart, do you remember the story at the beginning? My place of employment at the time of that incident was (and still is) Wal*Mart. Despite policy and my attempts to abide by it (admittedly in my own interest), my efforts went unrewarded that night. After arguing with the manager, I was forced to give the customer what they wanted in exchange for an untrained associate to help with the untouched pile of dishes. I stayed late that night because waiting on that customer put us even further behind in our daily duties, and because we do serve food, it is unsafe to leave the bulk of my duties undone.

Even though Wal*Mart's number one rule is "respect for the individual," I knew that night, that that rule did not apply to me, as a worker. Each day that I continue to work there, my dignity is chipped away a bit more. Some ask me why I don't get another job. Wal*Mart is willing to work with me just enough to keep me there, at the high cost of my money and ego. They pay more than anyone else would for my skills so that I have no other viable options. They work with my school schedule because they know no place with higher pay will. They pay me low enough that I'm forced to give my paycheck right back to them because of their "always low prices." My male boss allows my male co-workers to skate by on less work and less skills simply because I'm a hardworking woman with a family and nowhere else to go until I've completed my degree. One of my male coworkers literally cannot read an analog clock. Instead of firing him, my manager spent the company money on a small digital clock for him, so he would be able to tell time. Each day that I work, I come home exhausted and achy, just counting down the days until my college education *might* pay off and I'm able to work in an industry that will value my commitment and work ethic more. A promise of financial stability alongside better insurance, health, and life. And these struggles are not solely mine nor uncommon. Dearius Merritt, one of the food workers of the strike echoes, "As bad as the economy is today, jobs are scarce. These

companies make too much money to hand us the crumbs that have been scattered across the floor” (Luckerson, *The One Day Strike*). With the billions these companies make, it is unethical and should also be deemed unacceptable that they are unwilling to pay their employees a living wage. I was always taught that hard work would always pay off in the end. I have to believe that this is true. I refuse to let the American Dream just be a dream, because we all deserve the opportunity to achieve a secure American Reality.

Call to Action

Equality, as defined by Merriam-Webster’s dictionary means “an ideal of uniformity in treatment or status by those in a position to affect either.” By this definition, we, as the consumers, are in the position that determines a person’s treatment or status. Make the point to tell the food industry what you require: Buy fair trade. Eat at restaurants such as Colors (founded by Jayaraman), that have a diverse and happy staff and also provide all of its members the education and opportunity to move into higher paid positions. Tip well at restaurants and vote for politicians that take a stand for “the little guy” in the voting booths. When we see the media coverage of these fast food strikes, we should realize that this food fight is also ours. Spend your dollars and cast your votes accordingly.

Bibliography

“Equality.” Def. Concise Encyclopedia. *Merriam Webster Online*. Merriam Webster, n.d. Web. 9 December 2013. <<http://www.merriam-webster.com/dictionary/equality>>.

Hesterman, Oran B. *Fair Food: Growing a Healthy, Sustainable Food System For All*. New York: PublicAffairs, 2011. Print.

Jayaraman, Saru. *Behind the Kitchen Door*. New York: Cornell University Press, 2013. Google Scholar Search. Web. 30 November 2013.

Luckerson, Victor. “The One Day Strike: The New Labor Weapon of Last Resort.” *Time.com*. Time, Inc., 7 December 2013. Web. 7 December 2013. <<http://nation.time.com/2013/12/07/the-one-day-strike-the-new-labor-weapon-of-last-resort/>>.

National Employment Law Project. “The Fair Minimum Wage Act of 2013: Restoring the Lost Value of the Minimum Wage Would Boost the Economy and the Incomes of 30 Million Workers in the U.S.” *Nelp.org*. National Employment Law Project, 2013. Web. 9 December 2013. <<http://www.nelp.org/page/-/rtmw/NELP-FMWA-2013-Fact-Sheet-030413.pdf?nocdn=1>>.

Who Makes the Minimum Wage. Digital image. *Google Images*. Huffington Post. Web. 9

December 2013. < http://big.assets.huffingtonpost.com/2013_09_MinimumWage.png>.