

LEAD BY EXAMPLE

Creating a Harassment-Free Hospitality Industry



2020 Report



STORIES = DATA = POWER

“So much of **my experience** in the service industry has been to *make myself smaller* and *appear available* and *open* to advances...basically just get **walked all over** in order to not make a fuss and **risk** my *job* or my *tips*.

If there were **service industry trainings** and **policies** in place, I would feel ***protected*** and I would feel ***powerful***.

Creating policies acknowledges that *these things happen, all the time*. To have my experiences **acknowledged** by a policy that the workplace **enforces** would make me feel **safer** and **validated**.

*I would feel more confident **standing up** for myself.*

---Service Worker, CRSH Survey, 2019

POWER = CULTURE + POLICY CHANGE



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Executive Summary

"Sexual harassment shouldn't be normalized just as something that will happen. It shouldn't be something you have to learn to deal with."

Unfortunately, sexual harassment represents an everyday threat to the health and safety of workers in the hospitality industry. To capture the *scope of the problem* in **Philadelphia** as well as workers' ideas about *potential avenues of change*, the **Coalition for Restaurant Safety & Health (CRSH)** conducted a **survey** with **workers** in Philadelphia's **hospitality** and **food service industries**. Between **June 2019** and **March 2020**, **CRSH** surveyed over **100** workers across the city about their experiences of sexual harassment within the past year. *This report is based on their stories. All direct quotations are made with the consent of the respondent.*



The **Coalition for Restaurant Safety & Health** is a group of hospitality & food service workers and allies organizing to create safer, **harassment-free work cultures**.

We create tools with **workers** and **employers** for *self-empowerment, practicing boundaries & consent, bystander intervention, and labor organizing*. We believe a workplace free of intersectional sexual harassment and dehumanizing treatment is needed to **ensure dignity, equality, consent, and solidarity** in *our society*.

Key Findings

- **Within the past year, Philly food service workers in our study experienced high rates of sexual harassment at work.**
 - **80%** of workers reported that someone at work had **shared sexual and inappropriate content** with them, such as stories, pictures, or jokes.
 - **80%** said someone at work had made **offensive personal remarks** about their appearance, body, or sexual activities.
 - **74%** said someone at work had tried to draw them into an **unwelcome discussion of sexual matters**.
 - **60%** said that someone at work used **gestures** of a **sexual nature** that offended them.
 - **60%** said that someone at work had continued to **ask them out**, even when they said “no.”
 - **62%** of all respondents have had **someone touch or try to touch them** in an unwelcome way
- **Sexual harassment hurts workers in the workplace and beyond.** Workers said their experiences made them **feel unsafe** and **illegitimate** in their jobs. These experiences affected their **well-being** both at and outside of work. For workers with **multiple marginalized identities** in terms of gender, race, and/or immigration status, **sexual harassment** is **interwoven** with other forms of harassment.
- **Mechanisms for addressing harassment are severely lacking.** **Thirty-one percent** of workers **never reported** their harassment, for reasons ranging from views that it’s “*just part of the job*” to *fear of retaliation* or *losing income*. Among those who did report, **54 percent** said their **employer didn’t do anything to ensure their safety** at work afterwards. **Seventy-seven percent** of workers reported **not receiving training or guidance** from their employer on how to deal with sexual harassment from guests.

Key Findings

- **Guests, coworkers, and management all play a role in reproducing -- or working to change -- a culture of harassment.** Workers reported **experiencing harassment** or **witnessing** behavior that enables harassment from all of these groups. They also **suggested numerous ways** that guests, coworkers, and management can help **prevent and address harassment**.
- **Workers need firm mechanisms in place to prevent sexual harassment.** Respondents want a **written sexual harassment policy** that **management enforces (91 percent of those surveyed)** and comprehensive training in the workplace (**82 percent**).

These findings support what others who have conducted similar surveys have found: workers in the food service industry experience particularly high rates of sexual harassment (1). They also demonstrate the **urgent need** for decisive **action** to **protect** Philadelphia workers. Given that **80,000 jobs** in Philadelphia are **food-related** (2), failing to stop sexual harassment can have broad implications for the hospitality industry with high costs to individuals as well as companies (3).

Key Findings

Based on this report and our previous work to prevent sexual harassment and promote respectful workplaces, **CRSH** makes the following recommendations:

- **Everyone** should ***listen to workers*** impacted by sexual harassment and ***follow their lead***.
- **Employers** should:
 1. Implement **regular anti-harassment trainings** that are tailored to restaurant workplaces.
 2. Collaborate with workers to **develop** and reliably **enforce** better workplace **anti-harassment policies**.
- **Patrons** should ***be selective*** and ***pressure businesses*** to commit to addressing sexual harassment.
- **Restaurant industry groups and business leaders** should ***publicly help lead the way*** to adoption of better industry practices.
- **PA** should:
 1. **Amend** the Pennsylvania Human Relations Act (PHRA).
 2. **Raise** the **minimum wage** and *raise/eliminate the sub-minimum wage rate*.
- **The City** should strongly enforce all workplace protections by:
 1. Conducting targeted investigations into businesses within the restaurant industry.
 2. Enforcing strong penalties available by law.
 3. Increasing staffing and funding for the City's Department of Labor and Philadelphia Human Relations Commission.
 4. Forming community-based partnerships to inform enforcement work, including the formation of a Worker Advisory Committee.

All of us—workers, managers and supervisors, industry leaders, unions, policymakers, and customers—must be **part of the solution to workplace harassment** and help create a **safer, consent-based society**.

What is the scope of

sexual harassment?

Almost every worker surveyed shared a story about a time when someone at work “crossed the line” sexually. Sexual harassment is all too common in the Philadelphia hospitality industry, ranging from inappropriate comments to nonconsensual touching.

WORKER STORIES

“As a **transgender man**, the owner of the first restaurant I worked in **continually outed me** at work. She would take it upon herself to show me off as her **token trans employee**, telling people she knew me as ‘she/her,’ and would do this to everyone from new hires to guests whom I had never met. Before transitioning, I worked at the same restaurant, and **while presenting as female**, my **male chef** would make comments about my body, and on multiple occasions would run his spoon up the crack of my butt during service. He also told me (post-transition) that he ‘**should have fucked me while I was still a girl.**’”

-----Line cook, White man, age 27

“I **cannot even recount how many times** a man has said **sexually inappropriate** things to me while I was working, about what they wanted to do to me **sexually**, and sometimes **forcefully** trying to get personal information about me.”

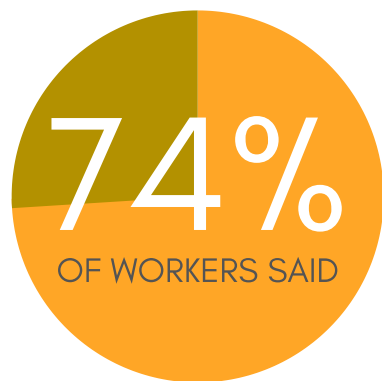
-----Bartender, Asian/Pacific
Islander woman, age 25

“Once there was a **coworker** who saw me with my **hands full in the walk-in refrigerator**. He said ‘I got you now’ and then he **grabbed me and started kissing on me**. I told him that I would scream if he didn’t get off of me. He let me go and **I ran away and cried. No witnesses.**”

-----Line cook, Black woman, age 43

“When I was 19 to 21, I worked in an atmosphere where several **much older male coworkers** would make **explicit sexual offers** to me as kind of a running joke. Last year, a customer tried to **follow me home**. Over the summer while I was bartending I had to ask a customer to leave because he was **angrily and repeatedly expressing his arousal** at literally just watching me do my job.”

-----Server, White woman, age 26



Someone made
unwelcome **attempts**
to draw them into a
discussion of sexual
matters (e.g., asking
about their **sex life**
or the harm-doer
telling the respondent
about their own).

WORKERS EXPERIENCED THIS BEHAVIOR FROM:

- **Guests 38%**
- **Coworkers 63%**
- **Managers 24%**

"I was fired for reporting sexual harassment. The harassment was verbal, intrusive questions about my sex life, and because he followed me home on the bus I no longer felt safe working with him."

-----Sous chef, White non-binary person, age 36

"When I worked at Starbucks, there was a customer [who] asked me if I had a boyfriend and I said I don't feel comfortable talking about that. He said 'oh that means you have one but you don't know if you like him yet,' and I said that's inappropriate and he just laughed. He once followed one of my co-workers home."

-----Manager, White non-binary person, age 23



Someone at work repeatedly told **sexual stories**, showed **offensive pictures**, or told **inappropriate jokes** (either via text or in-person)

"I work the door charging cover. It happens frequently that when a guy is coming in to pay for another guy he'll make a homophobic joke, like 'this is my boyfriend' or 'this is my b*tch.'"

-----Host, White non-binary person

WORKERS EXPERIENCED THIS BEHAVIOR FROM:

- **Guests 54%**
- **Coworkers 62%**
- **Managers 34%**

"Went up to two male guests. One started asking about [my] septum piercing. Felt uncomfortable that he was commenting on my appearance but continued to be friendly. He asked if my septum piercing hurt and then said 'I bet it didn't hurt as much as my prince Albert (penis) piercing.' I felt really shaken and put on the spot. We pool tips so my coworkers were depending on me and it felt like I had to make a choice about whether to risk my tips by standing up for myself."

-----Server, White woman, age 25

SEXUAL REMARKS



someone at work made **offensive personal remarks** about their *appearance, body, or sexual activities.*

WORKERS EXPERIENCED THIS BEHAVIOR FROM:

- **Guests 61%**
- **Coworkers 55%**
- **Managers 23%**

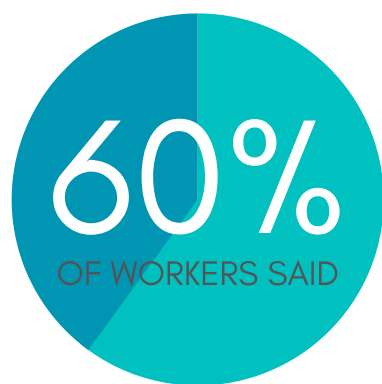
"He would pull me close to him and whisper things in my ear and tell me he wanted to fuck me and things like that but then laugh it off afterwards like it was a joke."

-----Assistant manager,
White non-binary
person, age 27

"There was a man who worked in our meat section ... He would whisper to other male co-workers really sexually explicit things [about] me ... At the time I was the only woman there and that's why I took the brunt of it. It made me embarrassed, and sometimes his wife would come in, and I'd feel inherently bad for her. At a work Christmas party I saw him do that to a lot of other women."

-----Barista, White woman, age 22

SEXUAL GESTURES



someone
gestured or used
body language
of a sexual
nature that
embarrassed or
offended them.

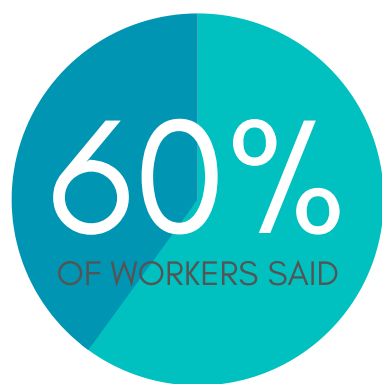
Examples of what participants have witnessed: Seeing coworkers imitating having sex with someone behind their back, leering, staring, making air-humping gestures, mimicking fellatio.

WORKERS EXPERIENCED THIS BEHAVIOR FROM:

- **Guests 42%**
- **Coworkers 39%**
- **Managers 14%**

"I've seen things that make you uncomfortable. For example: A chef grabs a piece of meat and begins to spank it while looking at a particular waitress. Another example: A cook made sick gestures at a waitress from behind." He also saw a male cook make gestures simulating masturbation to a female cook.

-----Cook, Latinx man, age 44



Someone continued to **ask** them for **dates**, drinks, dinner, etc. *even though they said "no."*

"One time a guest followed me. Was waiting for me outside of the cafe and followed about halfway home and tried to strike up a conversation. Before he had seen me in the cafe and tried to make eye contact. He was pretty persistent about asking me out. I had to lie and tell him I was married."

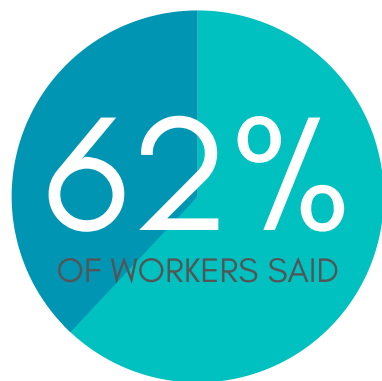
---Manager, Latinx woman, age 21

WORKERS EXPERIENCED THIS BEHAVIOR FROM:

- **Guests 43%**
- **Coworkers 29%**
- **Managers 9%**

"I was up at the host stand, and he did ask me for my number once. I did give it to him, just because I didn't know how to handle that in a workplace. He asked if we could hang out later, and I was like I'm busy. The persistence was there. Afterward he did text me quite a bit and called me without leaving an answer. When I brought it to my boss' attention, they brushed it off, saying, like ugh, those chefs, we don't know what to do with them, rather than reprimanding them."

-----Host, White woman, age 20



someone
touched or
tried to touch
them in an
unwelcome
way.

"People have gotten touchy with me in a not-super-aggressive, non-sexual way, but it was still uncomfortable."

-----Bartender, White man, age 31

WORKERS EXPERIENCED THIS BEHAVIOR FROM:

- **Guests 46%**
- **Coworkers 33%**
- **Managers 17%**

"Men will grab my hands and kiss them even when I try to pull away. Guests will catch me outside of the bar in the restaurant and hug me ... I carry a knife on my belt at work now and wear gloves when bartending to curb unwanted affection."

-----Bartender, Multiracial woman, age 34

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Someone **flashed** or **exposed** themselves to the respondent, mostly (*but not only*) guests.

"We have gender neutral bathrooms and sometimes men pee with the door open. I avoid the bathrooms during certain times to avoid straight men there."

-----Bartender, White woman, age 43

One respondent described an incident in which she served shots to a guest on St. Patrick's Day. Every time he did a shot, he exposed his penis to her.

"One day I was working, and a colleague with whom I had a hard time came up to me while I was cutting vegetables without saying anything. He looked into my eyes and said: 'Do you want to see a chocolate?' Then he made a gesture like he was going to take something out of the pocket of his pants. Instead he lifted it only as if to leave a hole so that I could see his [intimate] parts. It was uncomfortable. I told him off later."

-----Cook, Latinx man, age 44

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WITNESSING HARASSMENT

When harassment happens, there's a good chance that **someone sees** or **hears it**. Harassment affects not only the person being harassed but *potentially others in the workplace*.

~ 4 OUT OF 5 WORKERS



witnessed someone sexually
harass a coworker

"When she tried to stand up to him he laughed and told her she needed to get a sense of humor."

-----Manager, White
non-binary person,
age 23

"It's a common problem with other girls, other people. Someone saw that I was kind of flustered, and one of the server's said that's not the first time, he's made a lot of people uncomfortable, and that makes me wonder why hasn't anyone said anything to him, like hey that's not what we do here, that kind of thing."

-----Host, White woman, age 20



reported that someone saw or
heard them being harassed.

"Off the top of my head, I recall one incident wherein a customer followed a former coworker of mine on Instagram and repeatedly sent her suggestive messages. She was afraid to block him because he knew where she worked."

-----Server, White woman, age 26

"Men have definitely crossed boundaries (such as begging for dates, casually touching them non-sexually or sexually suggestive, or talking about sexual things without being asked) with women at the bar where I work."

-----Bartender, White man, age 31

"The same problem coworker would hug and feel up others. Watching this affected me more than experiencing it...There were a couple times where I would try and intervene in a light way, but I didn't know if intervening was appropriate."

-----Bartender, Asian/Pacific Islander woman, age 23

How does sexual harassment

impact workers?



Sexual harassment regularly places food service workers in unsafe situations.

One respondent said, “there were times when men would grab me or touch me from across the bar. This made me feel unsafe because you never know how men will respond when a woman says no to them. There are also times when I felt that some patrons were watching me leave the bar at night and asking where I live, etc. I have always lived very close to the bar (across the street for 1 year, down the block for another year) and I never felt comfortable knowing that some customers have seen me walk into my home and know where I live.”

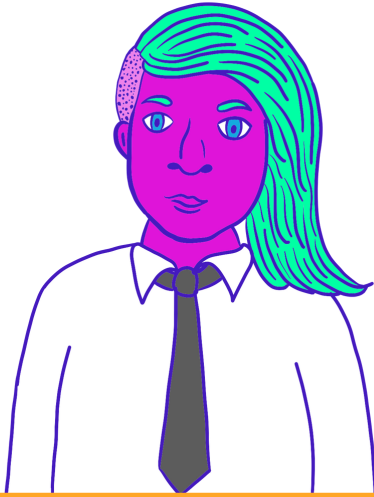
-----Bartender, Asian/Pacific Islander woman, age 25

Another shared, “I always treated the sexual jokes/discussions as just jokes even though they made me feel uncomfortable. Situations wherein someone touched me or tried to follow me from work definitely made me fear for my safety though.”

-----Server, White woman, age 26

How does sexual harassment

impact workers?



Sexual harassment makes Philly food service workers feel angry, uncomfortable, afraid, and dehumanized.

One wrote, "At times I feel threatened. At times I feel illegitimate in my line of work. I even feel guilty sometimes because I feel like I haven't done enough to dissuade this sort of behavior."

-----Server, White woman, age 26

Workers reported a range of other ways that sexual harassment affected them. Some said it affected their work performance or made them reluctant to work with certain coworkers. Others said their negative experiences with sexual harassment led them to quit their jobs.

How does sexual harassment

impact workers?



"I've left four jobs in the last three years."

-----Sous chef, White
non-binary person, age 36

Respondents also said sexual harassment adversely affected their mental health and personal relationships. Some who are survivors of sexual violence said that experiences at work had triggered or re-traumatized them.

"I felt constantly on display. I was very self-conscious and noticed the comments I would receive depending on how revealing my clothing was that day. I started to dress very bland and wearing baggier clothing to conceal myself from that sort of attention. This feeling has caused me a lot of anxiety. Though I do think this anxiety comes from pre-existing conditions (anxiety and PTSD), I know that this particular job at this location was [exacerbating] these conditions.

-----Barista, White woman, age 24

What are the barriers to addressing harassment?

When workers experience harassment, what options are available to them?

SOME WORKERS try to *handle the situation on their own* by interrupting the behavior. Others report it to management. But in most cases, workers **NEITHER report nor confront** the person who harassed them.

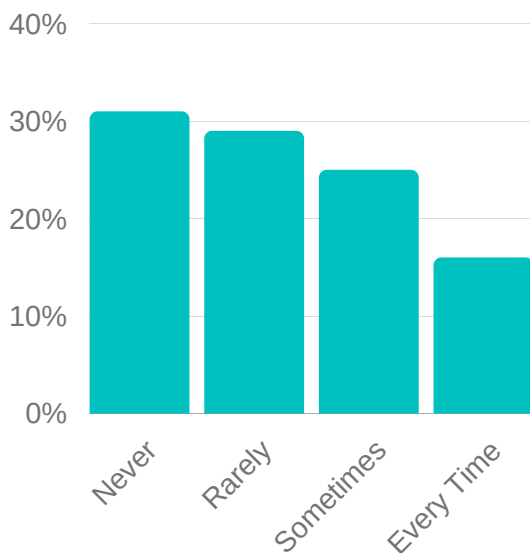
31% of workers say they never report harassment.

Why?

The most common responses included:

- 20% viewing sexual harassment as **normalized** or unfortunately “just part of the job”
- 18% thinking **no one would take action** to address the harassment
- 15% knew someone who had reported, and **nothing changed**

How often did you report?



Workers also noted that reporting could **jeopardize their earnings**. Some feared management would **retaliate** and **reduce** their working **hours** or assign them to **lower-paying shifts**.

BARRIERS

"You're either a disgruntled employee or a rat, and I can't have anything affect my wages because I am in bankruptcy and need all the hours I can to pay my bills."

-----Line cook, White woman, age 56

"In my case, the management was the one engaging in the sexual harassment, and I felt too intimidated to say anything back to them."

-----Line cook, White man, age 27

"There were many times I just didn't know how to speak up. And even managers participate in the 'lewd conversation' culture so when someone directly harasses you, you don't feel safe going to that person."

-----Server and shift leader, Asian/Pacific Islander woman, age 36

REPORTING

What happened after workers reported experiencing harassment?

54%

of respondents said their employer didn't do anything to ensure their safety at work after they reported an incident.

- The MOST COMMON type of action management took was issuing a VERBAL WARNING (16%).
- In a FEW INSTANCES, respondents stated that a GUEST who harassed them was REMOVED from the establishment or that a COWORKER who harassed them was FIRED.

Workers WERE NOT always BELIEVED after reporting, and their identity impacted the response of management. An African American woman who is employed as a server and bartender told us that because of that worker's RACE and GENDER, management DOUBTED the worker's initial disclosure. The burden of proof was put on the SURVIVOR/VICTIM, which is extremely hard to obtain in cases of sexual and gender violence.

What happened after workers reported experiencing harassment?

- MANAGERS often took steps to make customers more comfortable RATHER THAN **protecting their staff**. When an intoxicated male patron *touched* one female worker *without her consent*, she told him she would no longer serve him and **told her manager** about the situation. Then, “*my manager went outside with the customer for 2 minutes, and then proceeded to let him back in and give him a free beer. This made me so angry and **completely undermined my position and authority** over the bar and its patrons.*” (Bartender, Asian/Pacific Islander woman, age 25)
- Some WORKERS were TOLD it was their own fault they were **harassed**. Some even experienced **retaliation** such as being fired after reporting.
- WORKERS often DON'T KNOW whether **managers** took any action in **RESPONSE** to an incident. “*They were concerned, but I don't know what steps they took. **There was no follow-up.***” (Manager, Latinx woman, age 21)

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What do workers say will make workplaces safer?

Written Policy

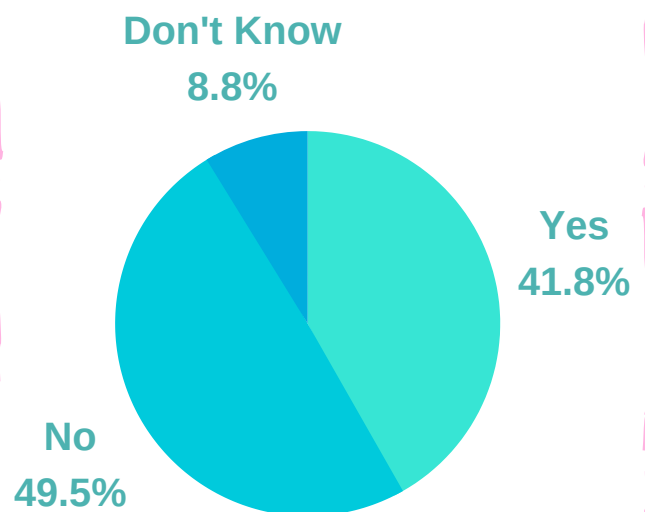
91%

of workers said they would **feel safer** if there was a **written policy** protecting them from sexual harassment at their workplace that was **consistently enforced**.

"I would feel more validated in expressing concerns about sexual harassment because it would feel less like a personal complaint and more like a professional procedure."

-----Server, White woman, age 26

Does your workplace have a policy in place?



"Anything that makes it a little more certain what would happen if something happened would be something I want and want for others. I have had some experiences as a bystander where I had to come up with what to do on my own."

*-----Shift leader and server,
White man, age 23*

"I would feel more comfortable on how to immediately address the situation."

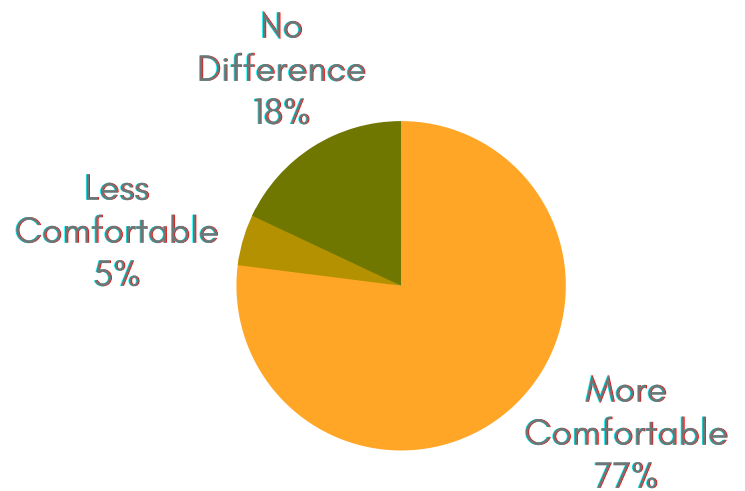
*-----Bartender, Multiracial
woman, age 34*

"Because there would be guidelines, something laid out that says, 'this is what we will do with it,' rather than having a gray area in those situations."

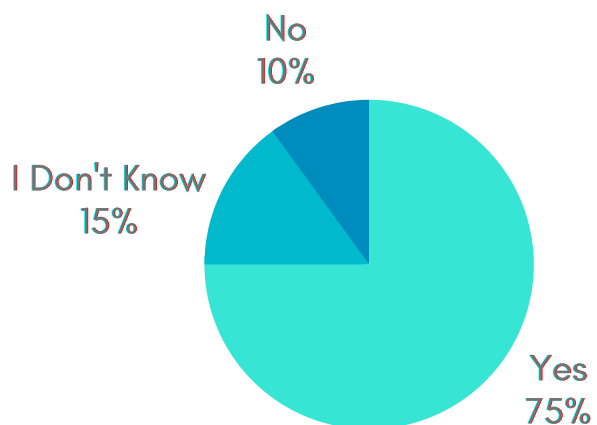
-----Manager, Latinx woman, age 21

What policies would make workers feel safer?

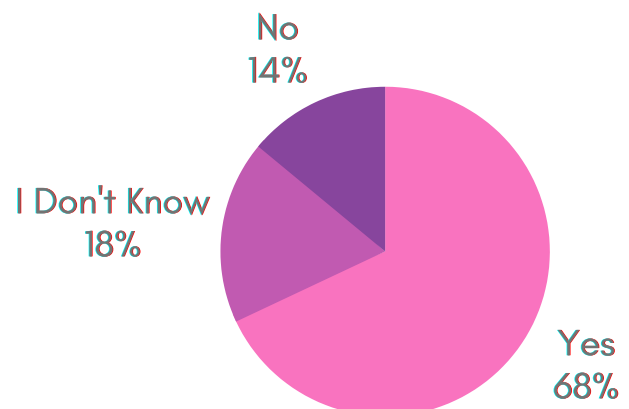
If you were sexually harassed by a guest and your employer was required by **policy to take action against guests** who sexually harass employees, would you feel more comfortable reporting?



If your employer had a store policy that **required management to ban guests** who sexually harassed employees, would you be more likely to report what happened to you?



Would you feel safer if your workplace had **signs or posters notifying guests** that inappropriate sexual behavior towards staff would result in their being banned from the premises?



What do workers say will make workplaces safer?

Training

77% of workers reported **NOT RECEIVING TRAINING** or guidance from their employer on how to deal with sexual harassment from guests.

INSTEAD management told workers to “suck it up and push through” or “be nice to them anyway.” One respondent who tried to make a report about a coworker being harassed was told by a manager: “This is not a church. Things will happen.”

This “**ADVICE**” **leaves workers** to deal with harassment **on their own**, even if they feel **UNSAFE** or **UNCOMFORTABLE** doing so.

~ **4 OUT OF 5** WORKERS



said they would **FEEL SAFER** if their workplace had **TRAINING** on how to recognize unwanted sexual behavior and how to respond to it.

“I would like to see a culture of valuing employees and giving people support and training to do better. It would be great if the training was provided by an outside group, people who are working to prevent sexual harassment in general.”

-----Server, White woman, age 25

Recommendations



Our survey confirms what other research has found: **sexual harassment** occurs regularly in the restaurant industry, yet workers face many **barriers** to **resolving** incidents of harassment and **preventing** further incidents. Workers in our survey specified barriers common in the industry, including **fear of retaliation** and **uncertainty** that their *claims would be taken seriously and dealt with appropriately*.

Recommendations aiming to overcome these barriers must take into account what makes food service workers particularly vulnerable to harassment. For one, **restaurant employees** in the **U.S.** work in one of the lowest paying industries, where many workers **rely on tips** to make more than a legal **subminimum wage**. The industry also provides very little access to basic workplace benefits like **paid sick leave** (4). Beyond *sexual harassment*, the restaurant industry is rife with other problems including other forms of **discrimination and harassment, wage theft, illegal denial of benefits, and other injustices**.

There are further racial and gender inequities in the industry that exacerbate the threat of sexual harassment. For example, the majority of people in management are men while **71% of restaurant servers are women**, and studies have found that *women, particularly Black, Brown, and Indigenous women*, are in the lower-paying jobs within the industry. (5). The restaurant industry also employs a significant number of **undocumented employees** who are particularly fearful of retaliation for complaints. Sexual harassment can compound and intersect with **racial** and **anti-immigrant** discrimination.

All together, these factors can leave workers feeling powerless to make a complaint about harassment. **Policy proposals** will not be effective unless they consider the role these **industry-specific dynamics** play in creating a work culture that normalizes and tolerates sexual harassment.

Recommendations



Recommendations at a Workplace Level:



1. Employers should implement regular anti-harassment trainings that are tailored to restaurant workplaces.

In Philadelphia, CRSH has expertise in offering **trainings** that *comprehensively and effectively* address sexual harassment in the restaurant workplace. The trainings are provided to all workplace staff, which provides a space where *experiences can be shared* with everyone. This helps *raise awareness* about what the staff's needs are to *feel safer* at work and identify workers' common **values**, **goals**, and desired **solutions**, which should be reflected in workplace policies.

The trainings include specific, **practical tips** on how to handle restaurant **customers** and intervene to help a **coworker** dealing with harassment. The trainings also provide important information about the *impact of* **trauma**, the **law**, and the **consequences** of sexual harassment.

Recommendations



Recommendations at a Workplace Level:

2. Employers, with worker input, should develop and reliably enforce better workplace anti-harassment policies.

CRSH RECOMMENDS THAT RESTAURANT WORKPLACES:



- Offer **MANDATORY REGULAR TRAININGS** on *prevention* and *bystander intervention*



- **EXPLICITLY PROHIBIT** all forms of **DISCRIMINATION** (e.g., race, gender, disability, age)



- **Provide specific examples** of unacceptable behavior in the workplace so employees know **how to IDENTIFY HARASSMENT**



- Make clear the **REPORTING PROCESS** and what **steps** a **workplace will take** after someone reports an incident

- **INVESTIGATE REPORTS** of harassment made by witnesses, not only the employee who experienced harassment

- **KEEP VICTIMS INFORMED** about the **status of investigations** and other steps taken after incidents are reported



- Put in place **STRONG ANTI-RETALIATION PROTECTIONS** to help workers feel safe coming forward
- Conduct **INTERNAL COMPLIANCE REVIEWS** and **share the results** with all employees

Recommendations



CRSH has expertise in developing strong workplace policies and can provide technical assistance to businesses. **CRSH's Legal Committee** reviews workplace policies and provides suggestions for strengthening policies. The committee is **worker-led** with the assistance of **Community Legal Services (CLS)** and **Justice at Work** attorneys specialized in **workers' rights**.

One **worker-generated idea** involves the creation of a workplace "advocate" position to *break down barriers* that keep workers from reporting incidents of harassment (6). These advocates **educate workers** about their **rights**, help workers **navigate** the workplace **reporting process**, and help promote the **consistent enforcement** of sexual harassment **prevention**. Advocates can also help their coworkers navigate the **legal complaint process**.

Further suggestions on how to achieve workplace level changes:



1. Patrons should be selective about the businesses they support financially.

The public can help by **patronizing restaurants** that have **implemented strong policies** and are working with staff to change **workplace cultures**. Restaurants should be encouraged to **publicize their efforts** in this regard, by completing **trainings** regularly with CRSH, creating a channel of **open communication** with workers and CRSH, and **implementing workplace policies** on harassment.



2. Restaurant industry groups and business leaders should publicly help lead the way to adoption of better industry practices.

Restaurant **industry groups** and **business leaders** should publicly **take the lead** in regularly offering trainings and implementing better policies. Research suggests that industry leaders' *visible involvement* in adopting new behaviors can *affect the behavior* of other competitors in a local area (7). When businesses who serve as *market leaders* establish **new policies** and **practices**, other businesses *tend to follow* (8). Public support and engagement with CRSH is a way for restaurant industry leaders to help make important changes in the industry.

Recommendations



3. Empower yourself as a worker or employer to stand up to sexual harassment. Use resources from our toolkit to start conversations in your workplace.

Empowerment starts with ourselves and extends to those in our **workplace community**. The **CRSH toolkit** was created by workers, trauma-informed care specialists, and legal experts. The journey of creating **harassment-free workplaces** includes learning how to support survivors/victims, understanding how to identify harassment and trauma, and becoming an active bystander. Within this work we learn how to become **assertive communicators** who can state our *boundaries* and speak up when they're violated. The key to empowerment is being **kind to ourselves** in this process of education. Learning boundaries and consent is a **lifelong process**. Take it one step at a time. ALWAYS do what *makes you feel safe* and build a *support system* at work to address harassment **together**.

Key Definitions to Know:

Body Autonomy:

The right to control our own bodies, boundaries, and personal space.

Consent:

Permission for something to happen or an agreement to do something.

Sexual Consent:

A mutual and honest agreement between partners to have a specific sexual experience.

Consent is not possible when a person is in a *position of authority* (employer, manager, owner, etc.)

Pay attention to verbal AND non-verbal cues!

IF YOU ARE BEING HARASSED:

What to say to address your safety needs:

1. **State harmful behavior**
 - "Your comments about my body are not welcomed. "
2. **Say how you feel with "I" statements (*optional**)**
 - "I don't feel safe when you talk about my body."
3. **Give a directive (*state your needs & boundaries*)**
 - "Please do not say that to me"
4. **Repeat #3 (*be a broken record*)**
 - "Please do not say that to me."
5. **End it (*when it's going nowhere*)**
 - Leave it. Give a warning that you are gonna ask for help if they don't listen.
6. **Report it**
 - Talk with someone else, a coworker, manager. or someone outside your workplace



What to do after an incident of harassment:

1. **Connect** with **CRSH** for support **(267) 571-6720**
2. **Report** incident within **300 days** to:
Philadelphia **C**ommission of **H**uman **R**elations **(215) 686-4670**

RESPOND TO HARASSMENT:

- **ALWAYS** do what makes YOU **feel safe**.
- If you think something is **harmful**, it's ok if others disagree.
- **LISTEN to your gut**. What boundaries were crossed?
- Practice **assertive communication** (state behavior, give directive, repeat).
- You don't have to say it in the **moment**, you can wait until you're ready.
- **Sexual & gender violence** are safety & health violations.
- Remember you're **strong** and **you're not alone**.

MIND YOUR TRIGGERS:

- Recognize your **trauma response** (flight, fight, freeze, fawn).
- **Increased** heart rate or trouble breathing?
- Are you **feeling** anxious? Frustrated, defensive?
- It's always ok to **excuse yourself** or **walk away**.
- No explanation is needed when practicing **self-care**.



RESPOND TO HARASSMENT:



- Take **NOTES** on what is happening, with dates, words, witnesses, locations and actions. Keep all **EVIDENCE**.
- **SHARE** what's happening with a trusted coworker. Maybe they've seen something too.
- Brainstorm ways to **ADDRESS** harmful behaviors together.
- **REQUEST** a copy of your workplace sexual harassment policy.

BARRIERS TO REPORTING:

- Though sexual harassment is illegal, guilt, shame, and fear **DISCOURAGE** survivors/victims from feeling safe enough to report.
- **RAPE CULTURE** can lead to victim-blaming and denial by law enforcers like employers, police, lawyers; **INTERSECTIONS** such as **RACISM, TRANSPHOBIA, MISOGYNY, etc.** compound these issues.



REPORT HARASSMENT:



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- **REPORT** all incidents to your **manager/employer**.
- Consider taking a coworker with you when you talk to a supervisor about the harassment, so you have a witness.
- Ask a **trusted ally** to support you through reporting process.
- Call **WOAR's hotline** for free counseling: **(215) 985-3333**.

RETALIATION IS ILLEGAL!

- If you are retaliated against for filing a complaint or making a statement as a witness, you have a **legal claim** against your employer. If you fear retaliation because of prior workplace issues, consult with CRSH to learn other ways to report.
- If your employer **doesn't** take your complaint seriously, or doesn't stop the harasser, you can make a **legal claim**.

THE LAW REQUIRES EMPLOYERS TO:

- Maintain **confidentiality** and **encourage** reporting.
- If a report is made, an **INVESTIGATION** must be completed in a timely manner.
- Provide **accommodations** for survivors/victims and hold harm-doer(s) **accountable**. **#LeadByExample**



REPORT HARASSMENT:



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ACCOMMODATIONS

- **For survivors of such behavior there must be ACCOMMODATIONS** such as working on different days or areas to avoid contact with the harasser, days off to recover from the harassment, etc.

AFTER YOU REPORT:

- An **ACTION must be taken** towards the person who caused the harm:
 - *Verbal or written warning*
 - *Demotion*
 - *Suspension*
 - *Termination of harm-doer's employment*
 - *Sued or criminally charged for harmful conduct*

RESTORATIVE APPROACHES

- **CENTER** survivors' voices and maintain space between the harm-doer and the harmed people.
- **EDUCATE** harm-doer on why their behaviors are harmful.
- Use direct communication and empathy to address the problem and work towards a solution.



HOW DO YOU SUPPORT SURVIVORS?



- Question their story, ask why
- Ask for specific details
- Tell them what they could've done differently
- Blame or shame the victim
- Say:
 - “I understand”
 - “I know how you feel”
- Enforce stigmas and myths that encourage silence



- Use empathetic listening
 - Be supportive/concerned
- Be non-judgemental
- Alleviate guilt
- Assist them in getting the help they want
- Say things that reflect back their emotions:
 - “It sounds like...”
 - “What I’m hearing you say...”
 - “It seems as if you feel...”
- Say: "I believe you and it's not your fault."

HOW DO YOU SUPPORT SURVIVORS?



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IN CASES OF SEXUAL ASSAULT:

- Research shows that the **FIRST RESPONSE** that a survivor receives when they **disclose** will affect the way they seek support and the way in which healing occurs.
- Encourage victims to receive **medical care** and complete a **rape kit** after the sexual assault.
- They may need treatment for **STDs** or **pregnancy testing** after the assault.
- Remind them that **collecting evidence** DOESN'T mean they must press charges against their assaulter.
- **Encourage**, but do not pressure victims to **report the attack** to police (or an available alternative). If the victim does not want to report the rape, respect that decision as theirs to make.
- Be aware of **INSTITUTIONAL RACISM** in all social systems that prevents Black, Brown, and Indigenous survivors from reporting.
- Survivors/victims can **benefit** from talking to a trained counselor or other therapeutic support.

WOAR HOTLINE:
215.985.3333

SPECIAL VICTIMS UNIT:
215.685.3251

CRSH HelpLINE:
267.888.3333

BE AN ACTIVE BYSTANDER!



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If you witness harassment:

If it is safe for you, in the moment:

- **Disrupt** what is happening.
 - **Distract? Delegate?** Show your **disagreement?**
Express your own emotions. Challenge and disagree with what is going on
- **Check in** with survivor if possible. **Support** them. **Center** their needs first.
- **Engage** others to get involved and help

It takes a community to disrupt sexual, physical, and emotional violence.

What to Say...

- "Can you explain what you mean by that comment?"
- "Ouch" / "No"
- "That's not ok" / "That's inappropriate"
- "You're being disrespectful"
- "Please respect my boundaries"
- "That's upsetting. Can we talk about this more later?"

WOAR HOTLINE:
215.985.3333

SPECIAL VICTIMS UNIT:
215.685.3251

CRSH HelpLINE:
267.888.3333

Recommendations



Recommendations for Legislative Changes and Strong Enforcement of Legal Workplace Protections for Workers:

Policymakers and **administrative agencies** can help close gaps in the restaurant industry's oversight of sexual harassment by (1) promoting legislative changes and (2) providing strong enforcement.

Legislative Changes:



PA should amend the Pennsylvania Human Relations Act (PHRA).

There are some concrete changes that can be made to the **Pennsylvania Human Relations Act (PHRA)**, the **state law** that provides legal protections against harassment, discrimination, and retaliation for trying to stand up for these rights:

- Mandate that employers provide **trainings on harassment and retaliation** (9)
- Mandate that employers **post notices** about **rights** and **examples** of acts of unlawful **harassment** and **retaliation** in the workplace (10)
- Mandate that employers adopt **written workplace policies** on preventing and resolving issues of sexual harassment and retaliation (11)
- Close coverage gaps in the **PHRA**, so that employees in restaurants with **less than four employees** are **covered** by the law (12).

Recommendations



PA should raise the minimum wage and raise/eliminate the sub-minimum wage rate.

Protections such as a **higher minimum wage** are necessary to help stabilize the service industry and provide workers with more **control** and **agency** in their jobs (13). Past studies have found a direct link between *guaranteeing a higher minimum wage and less sexual harassment on the job* (14). Studies have also found that **women workers** in tipped jobs in states with a **\$2.13 sub-minimum wage** reported the highest rates of sexual harassment (15). Pennsylvania has a sub-minimum wage rate of \$2.83, and *substantially raising this rate or eliminating* it is an **important change** to the systemic forces contributing to widespread sexual harassment in the restaurant industry (16).



Center workers' experiences of harassment in the movement for labor rights and legislative change.

The **pandemic** caused by COVID-19 has brought workers **together** in the *movement for labor rights*, specifically focusing on safety & health. CRSH urges legislators to see sexual harassment as a safety & health issue, equally important as enforcing social distancing protocols, increasing wages, and providing paid sick leave. The pandemic has helped to show the **connections** between these issues and the need for intersectional thinking and approaches. **A safe and healthy workplace includes one free of sexism, racism, homophobia, transphobia, xenophobia, ableism, and all other forms of marginalization.**

Workplace Enforcement:

The city of **Philadelphia** can also help fight the prevalence of sexual harassment in the restaurant industry by strongly enforcing the **Fair Practices Ordinance**, the *city legislation prohibiting harassment*, and other *labor protections* as well. Workers routinely experience violations of other legal protections, including wage theft, sick leave, and other laws (17). Strong enforcement looks like the following:

Recommendations

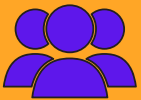


Conduct targeted investigations into businesses within the restaurant industry.

This strategy **utilizes the knowledge** that *violations are rampant* in this industry and that *directed investigations* have a **greater ripple effect** on other ***businesses' compliance*** than complaint-initiated investigations alone (18). This strategy may also help the city reach the **workplaces** where *violations are most likely to occur and be severe*, but where **workers** *face the most barriers to asserting their rights* and are least likely to file complaints (19). At the very least, enforcement agencies can **investigate** entire workplaces after receiving a **complaint** from one worker, and **commit to fast tracking complaints** where retaliation is alleged.



Enforce strong penalties available by law.



Increase staffing and funding for the City's Department of Labor and Philadelphia Human Relations Commission.



Administrative Agencies should form community-based partnerships to inform enforcement work, including the formation of a worker advisory committee

As mentioned above in the **recommendations** at the workplace level, **worker leaders** *have important expertise to contribute to addressing sexual harassment and retaliation in the workplace*. Beyond helping to educate workers about their rights and navigate outside legal complaint systems, **worker leaders** and **community groups** can provide government agencies critical input about *industry practices* and *worker realities* to inform government enforcement strategies (20). **Worker advisory committees** are an example of a formal means by which worker leaders and community groups can affect enforcement efforts. **Philadelphia** already has a precedent for this approach, with the recent commitment to create a **Domestic Workers Advisory Board**.

About This Report

To directly engage food service workers in Philadelphia, CRSH representatives initially **conducted surveys in person**, recruiting participants through *canvassing, outreach in classrooms, and referrals*. We chose this method for the **first wave** of data collection to establish face-to-face connections with workers who might want to become further involved in CRSH's efforts to end sexual harassment in the industry. Respondents who agreed to participate filled out the survey on *paper* or *electronically*, either in **English** or **Spanish**, in the presence of a CRSH representative who offered assistance as needed. Survey completion usually took **25** to **35** minutes. We subsequently **added an online survey**, available in both English and Spanish, to supplement in-person data and reach workers who might feel more comfortable sharing their experiences online. Workers usually completed the on-line survey in **5** to **15** minutes.

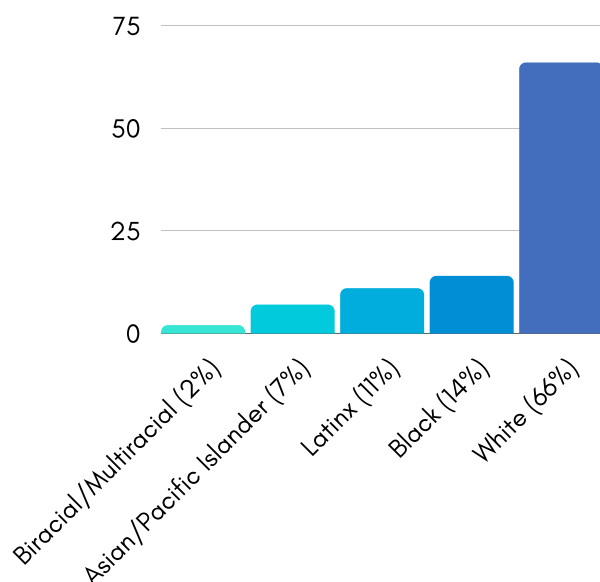
CRSH surveyed **104 individuals** working in the **food service industry**.



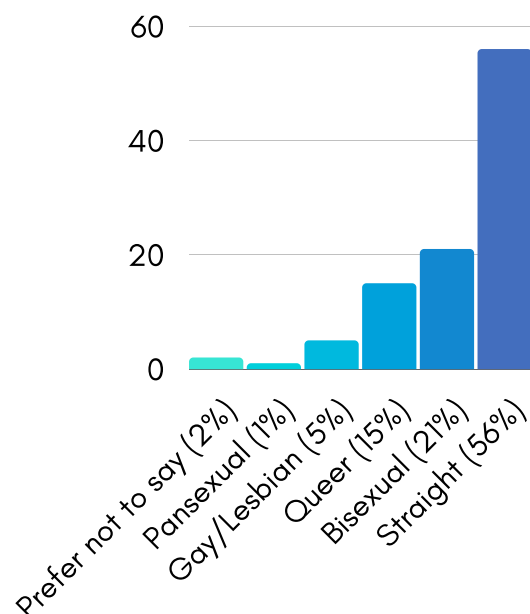
Additional Demographics of Individuals Surveyed:

Ages represented in the study range from 17 to 57, with an average age of 31

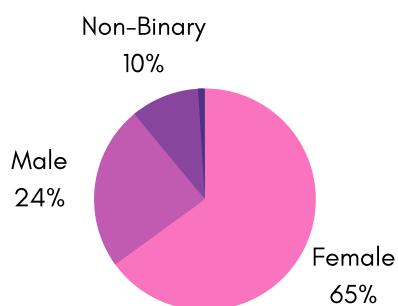
Racial Identity



Sexual Orientation

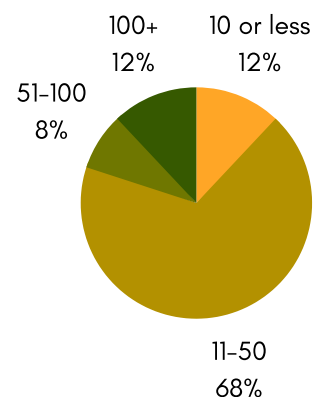


Gender Identity



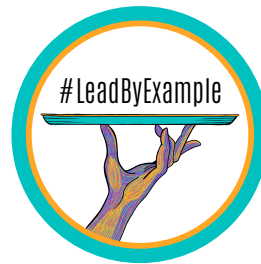
4%
transgender

of Employees



Some limitations affect the generalizability of our survey results. Respondents were located via **convenience sampling**. Our sample also **underrepresents** people of color and male respondents, which is due to several factors including: limitations of resources and funding to obtain a representative sample, *overrepresentation of white women* within our survey team, reluctance to take the survey by communities such as immigrant workers of color who feared retaliation, the additional stigma around reporting for people who present as men, and the general reality that sexual and gender violence disproportionately effects people who present as women, whether they identify as cis, trans, or non-binary. Given the intersectional nature of sexual harassment, our findings therefore **do not fully capture** how racial, gender, and other **inequalities** can shape the experience of harassment. We used two different survey modalities, **in-person** and **online**, which may have helped introduce other forms of *variation* into the sample. Our sample also **overrepresents** the experiences of *bisexual, queer, and non-binary* individuals relative to the *general population*, though this was not deliberate.

About



Our Mission:

The **Coalition for Restaurant Safety & Health (CRSH)** is a group of *hospitality & food service workers and allies* organizing to create safer, harassment-free work cultures. We create tools with **workers** and **employers** for *self-empowerment, practicing boundaries & consent, bystander intervention, and labor organizing*. We believe a workplace free of intersectional sexual harassment and dehumanizing treatment is needed to **ensure dignity, equality, consent, and solidarity** in our society.

Our Vision:

We envision a **worker-led** hospitality & food service industry where intersectional sexual harassment policies and practices are the **standard**, not the exception. We envision a Philadelphia where all of us--*workers, managers and supervisors, industry leaders, unions, policymakers, and customers*—are part of the **solution** to workplace harassment and help create a safer, consent-based society.

Our Work:

We provide **education** through intersectional sexual harassment prevention trainings, **legal guidance** on implementing anti-harassment policies, and **resources** on how workers can build solidarity and organize their workplaces.

Who We Are:

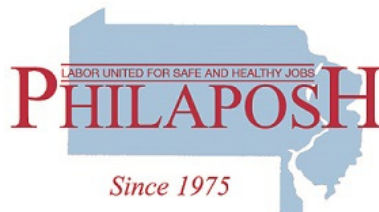
We are a **Philadelphia** coalition of *hospitality & food service workers, advocates, and industry leaders* who recognize the **problem** of workplace sexual harassment and marginalization through our lived experiences and the stories of fellow survivors/victims of harassment.

Our coalition was established more than **two years ago** based on the lack of consistent and sustainable solutions to sexual harassment in *Philadelphia restaurants*. The coalition is one of the **first of its kind in the country**. Critical to its success is the **leadership** of hospitality & food service workers, who design CRSH strategy, regularly participate in "train the trainer" programs, conduct outreach within their networks, and facilitate workplace trainings to other workers and managers.



CRSH Advisory Board

The CRSH Advisory Board provides input on advancing workers' rights based on their expertise in the hospitality and food service industries, harassment prevention, and labor organizing.



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10. See House Bill 392 and Senate Bill 498.
11. See House Bill 1027.
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PLEASE DONATE

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NOTES



Robyn Richardson
CRSH Worker Leader

WE LEAD TOGETHER

Thank you for taking the **time** to read the "*Lead By Example*" **CRSH Report**.

This is a **first step** in a lifelong **process** to create *safer work cultures* and *policies* in the **food service** and **hospitality** industries.

Workers' **stories** create **data** that gives us the **power** to understand the **problem**, build **community**, and develop **solutions together**.

Will ***you*** join us?

Will ***you*** lead by example?



PLEASE DONATE