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**Twilight Greenaway:** Welcome to the second season of JUST FOOD, a podcast brought to you by the Berkeley Food Institute at the University of California Berkeley. I'm Twilight Greenaway.

**Edmond Allmond:** I'm Edmond Allmond.

**Twilight Greenaway:** In each episode, we'll explore the complex web of people and places that provide us with our food. We'll be talking to those who grow it, prepare it, and work hard to repair the broken parts of our food system.

So, Edmond, we're going to talk about an issue that's come to the forefront with the start of the MeToo movement. It's really an issue that relates to my day-to-day life and probably yours, the fact that so many of us eat in restaurants. And it's the issue of the workers themselves and the people who are serving us the food and the abuse that often results from the culture created by tipping.

**E:** We're going to talk to Saru Jayaraman. She's the director of the Food Labor Research Center here at UC Berkeley and she's also the co-founder and co-director of the Restaurant Opportunity Center United, or as it's known ROC United. She's an author who has written books about this problem within the food system that employs the restaurant workers in this country.

**T:** And she's a great person to hear from because she's got insights into the problem and the solution, and she can tell us about how those who have embraced change have seen big improvements.

**E:** So, tell me, Saru, what was your inspiration to tackle this particular problem of sexual harassment in the restaurant industry?

Saru Jayaraman: Well, uh, in 2013 I wrote a book called *Behind the Kitchen Door*, and I went on book tour. And, honestly, everywhere I went, a woman would come up to me at the end of the talk and say, " You know, I've been sexually harassed more recently in my current job, but I didn't do anything about it because it was never as bad as it was when I was a young woman working in restaurants."

Half of American women go through this industry and experience what we experience in our industry and are impacted by that for the rest of their lives. So it's both the worst on the issue of sexual harassment, has the highest rates of sexual harassment, and sets the standard for the rest of the economy in terms of how women are treated, how men see women, and it all comes back to this fact that you've got a mostly female workforce with a ridiculously low wage having to basically feed their family on tips.



**E:** The idea of treating someone with dignity in their employment seems like a basic human rights issue. I mean, doesn't it seem like a no-brainer? How does this exist in this industry? How has it lasted this many years?

**S:** The reason you've got the largest and fastest growing industry in America proliferating the absolute bottom of the barrel, lowest paying jobs is the money, power and influence of a trade lobby called the National Restaurant Association. We call it the "Other NRA". It represents the Fortune 500 chains, the Applebee's, the IHOP's, the Olive Garden's. And it turns out in doing research for my last book, *Forked*, we found that they've been around not twenty years, not fifty years, but a hundred and fifty years since the emancipation of the slaves, because it turns out that tipping is a practice originated in Feudal Europe.

When it came to the states, there was massive populous resistance in the United States to the idea of tipping. They said it was dehumanizing and de-professionalizing, it was a vestige of the feudal system where a democracy we don't do that. But the restaurant industry demanded the right to hire newly free slaves at the time and not them pay anything and let them live on customer tips. And that idea that a mostly black female workforce at that time, even mostly female, could get a zero-dollar wage from their boss and live on tips was codified into the very first minimum wage law that was passed in 1938 as part of the New Deal. And we went from zero dollars as our first minimum wage for tipped workers in 1939 to a whopping \$2.13 an hour, which is the current federal minimum wage for tipped workers in 2018. A two dollar increase over 150 years for a workforce that is 70% female, has the highest rates of poverty and economic instability because they're living on tips, and the highest rates of sexual harassment because they're having to tolerate all kinds of inappropriate customer behavior.

Recently, I was on a radio show and a woman called in and she said, " You know I didn't even think about this as harassment until your show, but when I was young the kitchen staff would make flash to get the steak just so, and I would do it have to do it because I needed the tip. I needed the tip from the customer. I needed to please the customer and the kitchen staff. They were part of me pleasing the customer!"

Women aren't just told to tolerate harassment in our industry; they're told to go out and encourage it. Our research shows because women are living on tips, management tells them dress more sexy, show more cleavage, wear tighter clothing in order to make more money and tips. So, you've got young women, their first job being told, "Go out and get it. The more you can get, the better off you are. You know, you should be grateful that you can get it because you're a young woman still." You know, that kind of attitude, that kind of thinking makes a woman think, "Well if I'm going to get ahead of my career, the rest of my life, that means I have to encourage men to harass me!" And it's unacceptable that we teach our daughters that that's the way to get ahead.

**E:** So, you talk about high road restaurants. Describe that difference to me. How did that term come about?



**S:** Yeah, I'm so glad you asked because in listening to me, you might think, "Well no restaurant owner's going to support that." But in fact, 500 restaurant owners have come together with us to form RAISE, Restaurants Advancing Industry Standards and Employment. It's an association of employers taking what we call the "high road to profitability". They believe in better wages and better working conditions and they find that they pay their workers well and treat them well. And they're making profits, not in spite of paying their workers well, but because they're paying their workers well! They have far less turnover in an industry that has the highest rates of employee turnover of any industry in the United States. They have a much better morale, much better productivity, much better customer service. These employers are all over the country. They range from very high-profile folks all the way down to small mom and pop restaurants around the country that are doing the right thing, really showing that there is another way to do business. It's called the "high road to profitability".

**E:** I wanted to get to one that you mentioned. Erin Wade is co-owner and co-founder of Homeroom in Oakland. Now, she and her team are making a lot of changes to try to combat all the inequity of which we speak. And Erin recently invited us to come visit during the dinner hour over at Homeroom, and we also met Jenna Watanabe. Now, she's a long-time restaurant worker and she's working with you and others on these issues. And these two women really, really have a remarkable from-the-ground perspective on harassment, what it means to the workers, how to combat it on the ground level.

*[sounds of restaurant workers and atmosphere fades in and continues under voice overs]*

**Erin Wade:** My name is Erin Wade, and I'm the founder and CEO of Homeroom. It's a restaurant dedicated to the world's best food, which is macaroni and cheese. A few years ago, it came to my attention that one area that we were really failing in was protecting our staff from harassment from customers. So, women who were having issues, they would be reporting to male managers who wouldn't do anything about it, who just you know through their lens it didn't seem threatening.

*[sound of someone working in the kitchen]*

**Erin:** As a server, being a tipped worker, you are basically relying on the kindness of strangers, or as I like to say, the approval of strangers in order to make income.

**Jenna:** My name is Jenna Watanabe. I am a worker leader for Restaurant Opportunity Center United and I've also worked in restaurants for 15 years. I started working in restaurants when I was 16 years old and learned very quickly how much sexual harassment permeates the industry. It can range from being very subtle to being very extreme.

**Erin:** We needed to come up with a solution to the problem that did not involve men making judgement calls on the stories of women, or frankly on women making judgement calls on the stories of women. Since we're a mac and cheese restaurant, we call it MACS, the management alert color system, but basically what it boils down to is that we categorize different types of behavior.



So, a yellow is just getting a creepy vibe. An orange is a comment that could be construed as somewhat sexual or not, something like "I like your shirt." And a red is an overtly sexual comment, like "You look sexy in that shirt," or touching. You just report the color. You don't even have to talk about what happened so that the person who was harassed doesn't have to relive the harassment, doesn't have to worry about it being judged. In the case of the yellow, the server actually decides what they want to have happen, either a manager can take over the table or they can keep it. Sometimes they just want to alert the manager. In the case of an orange, the manager automatically takes over the table. In case of a red, the customer is asked to leave and asked to never return.

What's happened is that most people end up being derailed at the orange and yellow level. Like most people don't start with something as aggressive as touching someone. They sort of test the waters first, so having an authority figure step in, and when whoever they sort of had their eye one disappears really, really changes the power dynamic and shuts it down. Honestly, it's really simple. It's elegant. It's not hard to train. It's not hard to understand. You just have to care enough about fixing the problem.

*[sound of restaurant workers and atmosphere with music]*

**Jenna:** I think having a policy in place to prevent harassment and to ensure that everyone is honored and their boundaries are honored would be something that would give me a lot more confidence and faith and trust in my employer. You know, Erin is doing something so simple with her staff. I think that that's something that could appeal to a lot of owners and I would like to see more of that because I haven't seen that much.

Getting paid the minimum wage in California also helps to alleviate this, you know, vulnerability you feel sometimes with putting up with harassment from your tables. You know, when you're making \$2.13 an hour, there's a lot more that you have to put up with and that you feel like you should put up with because again, you're relying on this person to pay your bills. There's still over 40 states that pay \$2.13 an hour to servers. Some it's a little bit more, not by much, but there is movement happening, so we're hopeful for this year to add more states who actually pay the fair minimum wage.

I guess my big hope is that generations of women after me won't face that type of harassment and that will just be a thing of the past.

*[sound of restaurant workers and atmosphere fades out]*

**E:** So, we've got this movement in America, this food movement, where we're looking more at how things are grown, who's working in the fields, and restaurants are really a vitally important part of the movement. So that makes you a real important food movement leader. Have you thought about that?



**S:** Yeah, I mean we definitely have seen ourselves as very much an integral part of the food movement for a long time. We've been advocating for the last decade to say, "You cannot have a sustainable food system without sustainable wages and working conditions for people in the food system." And here's why. You know, right now, there are 20 million workers in the food system. It's actually collectively as the food system, collectively the largest private sector employer in the United States. One in five American workers works in food. And of those 20 million workers, a full 13 million, the vast majority, are in restaurants, the one sector. And the restaurant industry is, believe it or not, the lowest paying of the entire food system, so that every year the Department of Labor puts out a list of the ten lowest paying jobs, every year seven of the ten (seven of the lowest) are restaurant jobs. And the eighth lowest, just above restaurant workers, are farm workers. So, you've got eight of the ten lowest paying jobs in food! In America! And what does that mean? That means that one in three American workers works full time and lives in poverty. If you cared about food at all, about having food, about eating food, about enjoying food, you have to care about the livelihood of the people who cook, prepare, serve, and touch your food.

**E:** You've described some states that have made changes, and as a result of the changes, the environment's changing. The women working in those businesses are better off. There's integrity. So, what's wrong with the other states? I don't-I don't get this. Where's the resistance?

*[Saru laughing]*

**S:** The resistance comes from the National Restaurant Association, which has had a death grip on state legislators in these 43 states and in Congress. But, times are changing. #MeToo, Time's Up, thanks to all of that. Governor Cuomo in New York finally responded and announced that he would move to make New York the eighth state in the union to eliminate the lower wage for tipped workers. And following his move, we've got ballot measures moving in Washington DC and Michigan. That will be on the 2018 ballot, so people can actually vote on this in DC and Michigan this year, to get rid of this legacy of slavery.

**E:** Very good.

**S:** And we are working with the Berkeley Food Institute to put on a conference of state legislators in April to allow many more states to consider moving to one fair wage, so we are at a literal tipping point, thanks to #MeToo, thanks to Time's Up. We're all collectively saying, "Time's up" on this issue.

**E:** What would you tell the restaurant consumer to take with us on a daily basis, that we could use to help change this problem or solve this problem, change the situation more quickly?

**S:** Yeah, so we've created a diner's guide that tells you how restaurants fare on issues of wages, benefits, promotions. You can find it by going to our website, ROCunited.org, or to my latest book, [forkedthebook.com](http://forkedthebook.com), and find the diner's guide there. But I really want to make sure people understand, we didn't create the guide to tell you where to eat out and where not to eat out, because shopping differently or going to different restaurants is not going to solve our problems.



We have to speak up. So, wherever we eat out, the point of the guide is to go to the owner or manager and say, "Love the food, love the service, but I'd love to see you get an award in this guide. As a consumer, it's important for me to see my favorite restaurant do well on wages, promotions, benefits, sexual harassment." And even beyond speaking up to restaurant owners, we need every American consumer to speak up to their legislators and say, "Enough is enough. We need, as consumers, to think that our power is not just with our fork, it's with our voice and our vote."

**E:** Saru Jayaraman. Thank you so much for joining us.

**S:** Thank you.

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**E:** I'm Edmond Allmond.

**T:** I'm Twilight Greenaway and this has been another episode of the Berkeley Food Institute's JUST FOOD.

**E:** This podcast is a project of the Berkeley Food Institute and was created in partnership with the Berkeley Advanced Media Institute. Colby McDonald did the field reporting and Graelyn Brashear was the producer, with editing from Ben Manilla. The music you heard in this episode was by Blue Dot Sessions. You can see photos and listen to other episodes of JUST FOOD on our website, [food.berkeley.edu](http://food.berkeley.edu).

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