

April 29, 2013

To: Interested Parties

Fr: Jeff Liszt / Zac McCrary

Re: Summary of Polling Results among NYC-area Fast Food Restaurant Employees

Over eighty percent of current or recent NYC fast-food employees report violations of wage and hour laws by their employers that affect their take-home pay. Nearly half of employees surveyed indicate they've experienced illegal deductions to their paycheck and 30 percent have been paid late or had their paycheck bounce. Delivery employees experience violations at an even higher rate than non-delivery employees, and African-American workers also report wage and hour violations at a higher rate. These practices are alarmingly widespread in NYC and have a direct economic impact on one of the most vulnerable segments of the workforce.

An overwhelming majority of fast-food employees have suffered wage or work hour abuses.

- More than 8-in-10 employees (84%) report personally experiencing at least one form of wage theft asked about in the survey.¹ Additionally, 66% report at least two abuses, 45% report at least three, and more than thirty percent of employees (31%) report being victims of at least four of these practices. Specifically,
 - 36% report being required to work while off the clock.
 - 32% of cashiers report being required to pay their employer if their register is short.
 - 30% of those who have worked 40+ hours in a week report they have not always received pay of time-and-a-half for overtime hours.

Almost half of employees report illegal deductions to their paycheck, and 30% have received their paycheck late or even had it bounce.

- Forty-six percent (46%) report being the victim of at least one illegal paycheck deductions, such as having to pay for meals they have not eaten or for company-required uniforms.
- And 3-in-10 employees (30%) report they've either received their paycheck late or had their paycheck bounce.

Delivery employees are even more likely than non-delivery employees to report workplace abuses.

- Every delivery employee surveyed who uses their car or bicycle to deliver food to customers reported suffering at least one form of wage and hour abuse, and more than three-quarters (77%) reported four such abuses.
- Additionally, virtually all (93%) delivery employees report they are not regularly reimbursed for cell phone charges for work-related calls made to restaurant customers.

- Have not received overtime pay for overtime hours
- Are not always allowed a break for shift of six more hours
- Have had meals they have not eaten deducted from their paycheck
- Have had the cost of a uniform deducted from their paycheck
- Have had cost of items missing/stolen from restaurants deducted from their paycheck
- Have had money when registers are short deducted from their paycheck
- Been required to perform job tasks before clocking in or after clocking out
- Received paycheck late or been asked to wait before cashing/depositing
- Had paycheck bounce
- Not been paid for all hours worked or all tasks performed
- Had to pay employer if register was short
- Does not reimburse drivers for gas used to deliver food
- Does not provide a helmet or safety equipment for bicycle delivery employees
- Does not regularly reimburse delivery employees for work-related cell-phone charges to customers
- Does not receive pay for the time it takes to seek medical treatment/file a police report due to being assaulted while delivering food
- Been required to pay employer for money or food stolen during an assault or robbery while delivering food