

August 10, 2022

**Dear Governor Newsom, Senator Atkins, and Members of the California State Senate:**

As members of a broad coalition of organizations that promote economic security and equality for women, we stand in solidarity with more than half a million fast workers in California and leaders in the Fight for \$15 and a Union and strongly urge you to support passage of AB 257, the Fast Food Accountability and Standards (FAST) Recovery Act.

In the wake of a pandemic that has been [especially brutal to women of color and their families](#),<sup>1</sup> our policy makers in Washington, DC have yet to make the investments we need to support caregivers and help families thrive—[or to ensure that the economy is producing good, well-paying jobs](#) in the face of rising inflation.<sup>2</sup> But right now, California has the chance to lead the nation toward a stronger future—especially for working women—by taking innovative action to respect, protect, and pay fast-food workers.

Women, especially Black and brown women, have long worked in essential but undervalued jobs that leave them struggling to support themselves and their families. The fast-food industry in California embodies these inequities: [two-thirds of the workforce are women and most are Latinx](#) or other people of color,<sup>3</sup> who worked throughout the pandemic to keep their communities fed and local economies open—often putting themselves and their families at [great risk of exposure to COVID-19](#) to do so<sup>4</sup>—for pay that typically hovers around the minimum wage. In addition to poverty-level wages, abundant research shows that fast food workers routinely experience [inadequate and unpredictable hours](#),<sup>5</sup> [wage theft](#),<sup>6</sup> [sexual harassment](#)<sup>7</sup> and [violence](#)<sup>8</sup> in the workplace, and other serious threats to their [health](#)<sup>9</sup> and [safety](#).<sup>10</sup>

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<sup>1</sup> See generally, e.g., *Resilient But Not Recovered: After Two Years of the COVID-19 Crisis, Women Are Still Struggling*, NATIONAL WOMEN'S LAW CENTER (NWLC) (March 2022),

<https://nwlc.org/resource/resilient-but-not-recovered-after-two-years-of-the-covid-19-crisis-women-are-still-struggling>.  
<sup>2</sup> Brooke LePage, *Women's Jobs Are Being Added Back to the Economy—But Many Need Improving*, NWLC (May 2022), <https://nwlc.org/wp-content/uploads/2022/06/Leisure-and-Hospitality-2022-v2.pdf>.

<sup>3</sup> Ken Jacobs, *Fiscal Effects of the Fast Food Accountability and Standards Recovery Act, AB 257*, UC BERKELEY LABOR CTR. (May 21, 2021), <https://laborcenter.berkeley.edu/fiscal-effects-of-the-fast-food-accountability-and-standards-recovery-act-ab-257/>.

<sup>4</sup> See, e.g., Madeline Wells, *Line Cooks Are at the Highest Risk of Dying from COVID, Says UCSF Study*, SF GATE (Jan. 28, 2021),

<https://www.sfgate.com/food/article/Cooks-restaurant-workers-risk-death-COVID-UCSF-15905789.php>.

<sup>5</sup> See, e.g., David Madland, *Raising Standards for Fast-Food Workers in California*, CTR. FOR AM. PROGRESS (April 20, 2021), <https://www.americanprogress.org/article/raising-standards-fast-food-workers-california/>.

<sup>6</sup> *Skimmed & Scammed: Wage Theft from California's Fast-Food Workers*, FAST FOOD JUSTICE AHORA (May 2022), <https://fastfoodjusticeahora.com/wp-content/uploads/2022/05/May-2022-Skimmed-and-Scammed-Wage-Theft-in-CA-Fast-Food-.pdf>.

<sup>7</sup> See, e.g., *Key Findings from a Survey of Women Fast Food Workers*, Hart Research Associates (Oct. 2016), <https://hartresearch.com/wp-content/uploads/2016/10/Fast-Food-Worker-Survey-Memo-10-5-16.pdf> (finding two in five women working in fast food restaurants have been subjected to sexual harassment on the job).

<sup>8</sup> *Beaten, Stabbed, Silenced: Violence in California's Fast-Food Industry and Workers' Fight for a Voice*, FAST FOOD JUSTICE AHORA (Dec. 2021), [https://fastfoodjusticeahora.com/wp-content/uploads/2021/12/Violence\\_Fast-Food-FINAL-.pdf](https://fastfoodjusticeahora.com/wp-content/uploads/2021/12/Violence_Fast-Food-FINAL-.pdf).

<sup>9</sup> See, e.g., *New Study: Rapid COVID-19 Spread in CA Linked to Unsafe Working Conditions at Fast-food Restaurants*, PHYSICIANS FOR SOCIAL RESPONSIBILITY-LA (April 19, 2021), <https://www.psr-la.org/new-study-rapid-covid-19-spread-in-ca-linked-to-unsafe-working-conditions-at-fast-food-restaurants/>.

<sup>10</sup> See, e.g., Hart Research Associates, *Key Findings from a Survey on Fast Food Worker Safety*, NAT'L COUNCIL FOR OCCUPATIONAL SAFETY & HEALTH (March 2015), [https://www.coshnetwork.org/sites/default/files/FastFood\\_Workplace\\_Safety\\_Poll\\_Memo.pdf](https://www.coshnetwork.org/sites/default/files/FastFood_Workplace_Safety_Poll_Memo.pdf) (finding the vast majority of fast food workers have been injured on the job—most of them seriously and repeatedly).

Women's concentration in low-paid, low-quality jobs is a key factor driving persistent gender wage gaps in California and across the country. Women working full time, year round in California typically make only [88 percent of what their male counterparts make](#),<sup>11</sup> and this gap is far larger for many women of color. For example, [Black women](#) working full time, year round in California typically are paid only 60 cents for every dollar paid to their white, non-Hispanic male counterparts,<sup>12</sup> and [Latinas](#)—who are particularly overrepresented in fast food jobs in California—are paid just 42 cents.<sup>13</sup> And these [gaps grow wider](#) still if women's earnings are compared to men's without restriction to full-time wage earners,<sup>14</sup> since women are more likely than men to work in part-time jobs—[common in the fast food industry](#)<sup>15</sup>—that, relative to full-time jobs, typically [pay less per hour](#),<sup>16</sup> lack benefits, and are more likely to feature unstable and unpredictable work hours.

California has long been a leader in building more equitable workplaces for women, including the passage of historic legislation to combat workplace harassment and pay discrimination, provide paid family and medical leave, and secure a \$15 minimum wage. But California women cannot truly achieve equality when so many fast-food workers lack the voice on the job they need to rectify the hazardous and unfair practices that persist in their workplaces and to gain the pay, respect, and working conditions they deserve.

With AB 257, fast-food workers will win a seat at the table with decision makers and will gain the ability to shape industry-specific solutions to longstanding problems. For far too long, the franchise model of the fast food industry has enabled corporate employers to evade accountability for the conditions in the workplaces that produce their profits. AB 257 creates a new model—the Fast Food Sector Council—that gives workers and franchise operators a voice in setting labor standards and provides a mechanism to [improve compliance in an industry structured to avoid accountability](#).<sup>17</sup>

The Assembly took the first critical step on behalf of California's fast-food workers by passing AB 257 early in 2022, but it will not become law without your support. **We urge the California Senate to show your solidarity with the women and fast-food workers of California by passing the FAST Recovery Act before the end of August, and we urge Governor Newsom to sign the bill.**

Sincerely,

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A Better Balance

Asian Pacific American Labor Alliance, AFL-CIO

California Work & Family Coalition

Center for Law and Social Policy (CLASP)

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<sup>11</sup> *The Wage Gap, State by State*, NWLC (March 2021), <https://nwlc.org/resource/wage-gap-state-state/> (women overall).

<sup>12</sup> *Id.* (Black women).

<sup>13</sup> *Id.* (Latinas). See also Jacobs, *supra* note 3 (noting six out of ten fast-food workers in California are workers are Latinx; two-thirds are women).

<sup>14</sup> See Jasmine Tucker, *The Wage Gap Robs Women of Economic Security as the Harsh Impact of COVID-19 Continues*, NWLC (March 2022), <https://nwlc.org/wp-content/uploads/2022/03/Equal-Pay-Day-Factsheet-2022.pdf>.

<sup>15</sup> Madland, *supra* note 5 (noting most fast-food workers work between 16 and 34 hours a week, with a third working full time).

<sup>16</sup> Brooke LePage, *Part-Time Workers Are Facing Heightened Uncertainty During COVID—And Most Are Women*, NWLC (Feb. 2022), <https://nwlc.org/wp-content/uploads/2020/02/Part-time-workers-factsheet-v2-2.1.22.pdf>.

<sup>17</sup> Catherine L. Fisk & Amy W. Reavis, *Protecting Franchisees and Workers in Fast Food Work*, Am. Const. Society (Dec. 2021), <https://www.acslaw.org/wp-content/uploads/2021/12/Fisk-Reavis-IB-Final5662.pdf>.

Center for Worker Justice of Eastern Iowa  
Economic Policy Institute  
Equal Rights Advocates  
ERA Coalition  
Family Values@Work Action  
Futures Without Violence  
Gender Equality Law Center  
Institute for Women's Policy Research  
Jobs With Justice  
Justice for Migrant Women  
KWH Law Center for Social Justice and Change  
Legal Aid at Work  
Legal Momentum  
Main Street Alliance  
Methodist Federation for Social Action  
National Council for Occupational Safety and Health  
National Domestic Workers Alliance  
National Employment Lawyers Association  
National Immigration Law Center  
National Partnership for Women & Families  
National Women's Law Center  
NC NOW (North Carolina National Organization for Women)  
New Jersey Citizen Action  
One Fair Wage  
Purple Campaign  
ROC United  
UltraViolet  
Women's eNews  
Women's Law Project  
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