

# ESSENTIAL *Food Retail* WORKERS

BRIEFING BOOK



**BUSINESS UNUSUAL**  
ADDRESSING ESSENTIAL WORKERS' NEEDS  
DURING & AFTER THE COVID-19 PANDEMIC

a Collaboration Between  
the Johns Hopkins Berman Institute of Bioethics &  
the University of Colorado Boulder MENV

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# ESSENTIAL *Food Retail* WORKERS

## EXECUTIVE SUMMARY

Pandemic and state-of-crisis or not, one thing remains constant: people need to eat. As such, those within the food retail industry, including and most notably grocery store workers, have been deemed “essential workers.” While the demand for food may be non-negotiable, the degree of risk that essential food systems workers face every day they go into work is subject to modification. Yet despite the array of safety measures that *could and should have been* implemented--and some that were applied in various food retail establishments throughout the country--as of late May 2020, *at least 100 grocery store workers nationwide have died from complications related to the coronavirus, and at least 5,500 others have tested positive for COVID-19.*<sup>1</sup>

Not only do food retail workers face risks associated with exposure to the virus, but they also face risk of economic harm should they be unable to come to work for a reason related to the pandemic. They also face the risk of retaliation for speaking up about a lack of safety measures. Additionally, food retail workers have increased mental health needs during this pandemic.<sup>2</sup> These risks and needs warrant the implementation of a series of measures that can address and diminish these essential workers’ vulnerabilities while also supporting the enhanced protection of the food supply.

Throughout this briefing book, numerous interventions--including steps that can be taken by employers and options for public policy actions--are suggested. If implemented broadly, these steps will better protect both food retail workers and the accessibility of food for customers.

The briefing book related to food retail workers provides the following information:

### ***Work & Risks in the Food Retail Sector***

Workers in the food retail sector face risks that primarily stem from the need to meet consumers’ demands related to food access, as well as a lack of in-store protections for workers. In addition to the risk of contracting the coronavirus, workers also face the risk of financial harm should they contract the virus, or should they choose not to come to work due to having symptoms of the virus, caring for a sick loved one or at-home child, or because they fear contracting the virus.

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<sup>1</sup> Dunca, N., Abelson, J., Bhattaral, A., and Kornfield, M. (2020) ‘On the front lines of the pandemic, grocery store workers are in the dark about risks’, *The Washington Post*, 24 May [online]. Available at: <https://www.washingtonpost.com/investigations/2020/05/24/grocery-workers-coronavirus-risks/?arc404=true>

<sup>2</sup> Suicide Prevention Resource Center (2020) *For grocery workers, the need for mental health care may outlast the coronavirus pandemic* [online]. Available at: <https://www.sprc.org/news/grocery-workers-need-mental-health-care-may-outlast-coronavirus-pandemic>

## **COVID-Related Risks Regarding Food Retail Workers & Mitigation Measures**

Grocery stores and other food retail establishments have, in some cases, failed to provide, implement, or enforce adequate or complete safety measures to account for COVID-19. These failures, in conjunction with the lack of financial safety net that is a reality for many of these workers, has put these workers at an increased risk of both COVID-19 infection and psychological harm, as well as economic injury.

## **Routine Risks Specific to Food Retail Workers**

The risks workers face stretch from on-the-job aspects to beyond-the-job ones. In many respects, whether at work or not, these workers encounter a lack of a safety net that has become even more apparent with the arrival of COVID-19.

## **Adequacy & Resilience of the Food Retail Workforce**

Ensuring that there are enough healthy, safe workers to meet consumers' food demands is critical. If too many workers become ill, this could severely disrupt consumers' abilities to access food. Businesses should take action to ensure that food retail workers, especially those who are most experienced in order to maximize efficiency, are able to continue working and earning.

## **Practical Impacts of Food Retail Worker Vulnerability**

Many parts of the food system in the United States have been disrupted as a result of the coronavirus. If retail food workers are not protected, the results could be long delays, consumer frustrations, a lack of quick access to food, and--perhaps most severe--a greater degree of spread of the virus amongst workers and consumers.

## **Broader Reasons to Address the Risks to Essential Food Retail Workers**

Beyond the pragmatic and health reasons for addressing the risks these workers face, there is also the need to treat these workers with a high priority placed on safety, security, well-being, social integration, and dignity.

## **Key Facts about Food Retail Workers**

What we know about these workers, with important data about what they bring to the workplace.

## **Ways to Protect Food Retail Workers and the Food Supply**

Throughout this briefing book numerous interventions- including steps that can be taken by employers and options for public policy action--are suggested. If implemented broadly, these steps will better protect both food retail workers and the accessibility of food for consumers.

### **ESSENTIAL FOOD RETAIL WORKERS BRIEFING BOOK**

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<https://bioethics.jhu.edu/essential>

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## Essential Food Retail Workers

*Leilani Jordan, a 27-year-old grocery store worker in Maryland with cerebral palsy, was aware that it was risky to work during the pandemic. But she continued to do so anyway. She made her reasons clear to her mother--Leilani wanted to help people. But soon after making this altruistic declaration, Leilani clocked out at Giant Food for the last time. Shortly after displaying symptoms, she was hospitalized, placed in an isolation room, and put on a ventilator. Tragically, Leilani's body was overwhelmed by COVID-19. She lost her battle with the disease on March 26, 2020. After her daughter's death, Leilani's mother picked up her final wages from the grocery store she had worked for the past six years. The paycheck was for \$20.64.*



### OVERVIEW

As they interact with customers, suppliers, and other employees, essential food retail workers simultaneously enable shoppers to fill their pantries and experience one of the few normal activities that remain in a time of rigorous social distancing. Many food retail workers labor on the “frontlines” of the pandemic--meaning that they work in spaces open to the general public and they have ongoing contact with the general population. This category of workers includes employees in grocery stores, farmers’ markets, gas stations and convenience stores, pharmacies, liquor stores, pet stores, marijuana dispensaries, and restaurants (some of which are offering take-out/delivery). These workers fill an array of roles, including cashier, delivery manager, food stocker, food preparation/delivery person, support staff, butcher, manager, assistant manager, and custodian.

Certain kinds of retail work is deemed essential because of the importance of the items sold. Pandemic or not, the need to eat does not cease. Social distancing demands that most meals be prepared and consumed at home. Similarly, pharmacies have remained open to provide prescription medications, over-the-counter drugs, and first aid and personal hygiene supplies. And in many places liquor stores, marijuana dispensaries, and some other retail outlets have remained open during the pandemic--largely to prevent the strain on the healthcare system that can occur when alcohol and marijuana products are inaccessible. Some are now serving customers *at an increased rate*.<sup>3</sup>

Because food retail workers enable us to eat, a depletion of this workforce would have deeply felt effects. If the number or capacity of food retail workers falls to a level at which work cannot be reliably, efficiently, or competently performed, we can expect to experience major disruptions at grocery stores--even longer lines, more sparsely stocked shelves, and an even riskier and more anxiety-producing shopping experience. Unaddressed, a depletion of the food retail workforce will impair and interrupt many consumers’ ability to reliably access food.

COVID-19 has rapidly changed the nature, pace, and challenges of working in grocery stores and other food retail outlets. Because Americans, on average, spend 50.2 percent of their total food spending on food away from home,<sup>4</sup>

<sup>3</sup> Chaudhuri, S. (2020) ‘Coronavirus closed the bars. America stocked the liquor cabinet’, *The Wall Street Journal*, 10 April [online]. Available at: <https://www.wsj.com/articles/coronavirus-closed-the-bars-america-stocked-the-liquor-cabinet-11586511001>

<sup>4</sup> Saksena, M., Okrent, A., Anekwe, T., et al. (2018) ‘America’s eating habits: food away from home’, *United States Department of Agriculture (USDA)* [online]. Available at: <https://www.ers.usda.gov/webdocs/publications/90228/eib-196.pdf>

the shuttering or cessation of dine-in service at restaurants has led to skyrocketing demand for groceries. On April 1, 2020, restaurant sales from restaurants were about 50 percent lower from the same time last year.<sup>5</sup> The National Restaurant Association further reports that the Restaurant Performance Index (RPI) fell to a record low level in March.<sup>6</sup> Meanwhile, [grocery store sales were up 99 percent in the middle of March 2020, and 25 percent higher on April 1, 2020 compared with the same time last year.](#)<sup>7</sup> Online store sales for Amazon jumped by 24 percent in the first quarter of 2020. Amazon has also expanded e-grocery delivery capacity by more than 60 percent, as well as its number of Whole Foods stores offering grocery pick-up.<sup>8</sup>

While many food service workers were laid off or sent home, food *retail* workers remained on the job and were faced with tougher versions of familiar tasks:

- Assisting customers in finding products, a once benign and even rewarding part of the job, became a tricky exercise in maintaining safe distance while providing a good customer experience.
- Restocking became arduous and nerve-wracking--it was impossible to know whether one of the hundreds of hands that touched the suddenly barren shelves left viral particles behind.
- Cashiers spent entire shifts serving unrelenting lines of (often panicky) shoppers, coming face-to-face with hundreds or thousands of people in a single shift.

Under these perilous conditions, food retail workers who did not absolutely need their jobs, who had pre-existing vulnerabilities that made such work unacceptably risky, or who fell ill, left the workforce. In their wake, remaining employees have been called upon to perform *additional* tasks or put in extra hours.

In addition to material changes in the workplace, workers' lives may be complicated by broader societal shifts. For example, they may be unable to use public transit to get to and from work, complicating commutes and placing additional costs and burdens on these essential workers. These conditions create a high risk of infection for food retail workers. Moreover, many are at risk of more severe complications from the virus: [just over 20 percent grocery store workers are 55 years of age or older](#)<sup>9</sup>--a high-risk category for complications or death from the coronavirus.

Ensuring that all workers have access to personal protective equipment (PPE) and that social distancing requirements are maintained are key to COVID-19 infection mitigation. Workers are also at risk of burnout, stress and related complications, fear or retaliation--support within the workplace, including access to telemedicine, counseling services, sufficient breaks, and paid time off if needed can also help to mitigate non-occupational risks.

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<sup>5</sup> Johansson, R. (2020) 'Will COVID-19 threaten availability and affordability of our food?', U.S. Department of Agriculture, 16 April [online]. Available at: <https://www.usda.gov/media/blog/2020/04/16/will-covid-19-threaten-availability-and-affordability-our-food>

<sup>6</sup> National Restaurant Association (2020) 'Restaurant Performance Index fell to a record low in March', Restaurant Performance Index [online]. Available at: <https://restaurant.org/research/economy/RPI>

<sup>7</sup> Johansson, R. (2020) 'Will COVID-19 threaten availability and affordability of our food?', U.S. Department of Agriculture, 16 April [online]. Available at: <https://www.usda.gov/media/blog/2020/04/16/will-covid-19-threaten-availability-and-affordability-our-food>

<sup>8</sup> Redman, R. (2020) 'Amazon's physical store sales rebound in Q1 amid pandemic', Supermarket News, 1 May [online]. Available at: <https://www.supermarketnews.com/retail-financial/amazon-s-physical-store-sales-rebound-q1-amid-pandemic>

<sup>9</sup> U.S. Bureau of Labor Statistics (2019) 'Employed persons by detailed industry and age', *Labor force statistics from the current population survey* [online]. Available at: <https://www.bls.gov/cps/cpsaat18b.htm>

## ON THE JOB RISKS TO HEALTH AND WELL-BEING

### COVID-19 RELATED WORKPLACE CHALLENGES

Food retail workers do not have the luxury of working remotely. The nature of their work requires them to come into contact with members of the public, experience a heightened risk of exposure to ill persons, and work in close proximity with others. While social distancing measures, the use of PPE, the use of masks for both employees and customers, and employee training on best practices for disease mitigation have been recommended, not all mitigation measures have been implemented universally in food retail establishments. In fact, in some cases, workers have even been penalized for using their own masks or other PPE.<sup>10</sup> *Specific sources of risk and corresponding mitigation measures are detailed in the table below.*

RISK	MITIGATION MEASURES
Crowding; Failure to limit the number of people in a store at once.	Maximum occupancy restrictions must be low enough to readily enable social distancing based on the physical square footage and layout of the establishment. In areas of significant outbreak, it may be necessary for food retail establishments to prevent customers from entering the store. In such cases, order fulfilment or low-contact personal shopping services should be implemented.
Exposure to viral particles via contaminated surfaces and materials, (e.g., credit cards, products and containers touched by ill persons, bathroom handles, countertops)	Facilities must be shut down for an adequate amount of time and properly sanitized in between hours open to the public. (This is especially true if anyone present in the building has a presumptive or confirmed case of COVID-19.)
Inadequate training of employees on best practices to mitigate transmission of the disease	Employees should be trained on mitigation measures in a language they can understand. They must be encouraged to report conditions that impair their ability to implement best practices and provided with avenues for anonymous reporting of safety protocol breaches by others.
Unavailability/insufficiency of PPE for employees (e.g., gloves, hand sanitizer, and masks)	Masks, gloves, goggles, and sanitizer should be made available to employees. Plexiglass shields should be installed in grocery stores and other retail establishments to provide a physical barrier between customers and employees during the checkout process.
Negligent or reckless behavior by customers and other visitors to retail establishments	Customers and visitors retail establishments should wear masks positioned over mouth and nose, wash or sanitize their hands, maintain 6 ft. of distancing, properly dispose of any single use items (e.g., tissues, masks, and gloves), refrain from shopping when unwell, and limit their number of shopping trips.
Lack of sufficient meal and rest break time	It is critical that workers also have time to step away from their duties to engage in proper handwashing - something that's been cited as one of the most critical mitigation techniques. Breaks also allow workers to eat and hydrate regularly. Breaks enable clearer thinking, discourage burnout, and allow workers a small psychological reprieve. Social distancing requirements should be enforced while workers are on break. Employers should refrain from offering rewards or inducements that inadvertently cause workers to congregate (e.g., free meals served to groups or provided family-style).
Pressure to continue working when unwell or after known exposure to COVID-19	Employers must provide food retail workers have access to adequate paid sick leave. In the absence of paid leave, the prospect of lost pay or the potential of retaliation from their employer for taking time off disincentivize public health protective conduct. To avoid the creation of perverse incentives, employers must not condition any premium pay or bonuses for working during the pandemic on perfect or consistent attendance.

<sup>10</sup> Santo, M. (2020) 'Target and Walmart aren't protecting staff amid pandemic, workers say', *The Guardian*, 22 March [online]. Available at: <https://www.theguardian.com/business/2020/mar/22/target-walmart-coronavirus-workers-not-protected#maincontent>

Beyond the risks of contracting COVID-19 or transmitting it to vulnerable others, food retail workers now face increased physical and mental stress as the demands of and risks associated with their jobs mount.<sup>11</sup> These stressors result from working longer hours to restock shelves and to allow seniors to enter the store early, the need to meticulously perform enhanced cleaning/protective policies, and personal fears about becoming infected. Some report additional stress brought on by fearful and anxious customers who often take emotions out on retail staff, or become angry and even violent, putting employees at risk of both physical and psychological trauma.<sup>12</sup> Elevated levels of physical and mental stress can tax a worker's immune system, raising their risk of infection and prompting a more severe course of illness.

#### Food retail workers need:

- **BENEFITS** including health insurance, workers' compensation insurance, access to telemedicine, and counseling support: Food retail worker eligibility for particular benefit programs that safeguard health and wellbeing varies based on the individual policies of grocery stores, the number of hours the employee works, and the job and position of the employee within the company. Retailers, psychologists, and the United Food and Commercial Workers International Union (UFCW) anticipate a greater need for mental health services during and after the pandemic. Such services should be provided by employers or as public benefits. As a model, both Walgreens and Walmart have encouraged employees to use employer provided teletherapy benefits. At Walmart, telehealth benefits are free for full- and part-time employees, and the standard \$4 co-pay has been waived during the pandemic.<sup>13</sup>
- **FREEDOM FROM RETALIATION:** A fearful workplace culture and intimations of retaliation discourage workers from raising concerns about safety measures, co-worker compliance, or a need for time off. Some workers hesitate to talk to managers, human resources, worker advocates, or reporters, fearing that they will face retribution for bringing their experiences to light or exposing difficult truths.<sup>14</sup> OSHA states that "food industry workers must never be silenced by the threat of losing their jobs when their safety or the safety of the public is at stake."<sup>15</sup> To both protect workers and prevent a workplace from becoming a COVID hotspot or experiencing some other cascade of failures, whistleblower protections must be honored and freedom from retaliation assured. When public health hangs in the balance, it is ever more important that workers enjoy genuine freedom from the threat or the reality of retaliation.

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<sup>11</sup> Logan, J. (2020) 'Grocery and pharmacy employees are 'essential workers' and must be protected', *The Hill*, 21 March [online]. Available at: <https://thehill.com/blogs/congress-blog/labor/488760-grocery-and-pharmacy-employees-are-essential-workers-and-must-be>

<sup>12</sup> Jones, S. (2020) 'The coronavirus is killing food workers, and some customers aren't helping them stay safe', *NY MAG*, 15 April [online]. Available at: <https://nymag.com/intelligencer/2020/04/with-coronavirus-food-workers-face-threats-from-all-sides.html>

<sup>13</sup> Repko, M. (2020) 'For grocery workers, the need for mental health care may outlast the pandemic', *CNBC News*, 16 April [online]. Available at: <https://www.cbc.com/2020/04/16/grocery-store-workers-need-for-mental-health-care-may-outlast-pandemic.html>

<sup>14</sup> Khazan, O. (2020) 'Grocery stores are the coronavirus tipping point', *The Atlantic*, 24 March [online]. Available at: <https://www.theatlantic.com/health/archive/2020/03/can-you-get-coronavirus-grocery-store/608659/>

<sup>15</sup> Beach, C. (2016) 'OSHA finalizes protections for food safety whistleblowers', *Food Safety News*, 20 April [online]. Available at: <https://www.foodsafetynews.com/2016/04/osha-finalizes-protection-for-food-safety-whistleblowers/>

## WORK-LIFE NEXUS: EXPECTATIONS, TERMS & BENEFITS OF EMPLOYMENT

Some food retail workers have benefits that can help to mitigate disease transmission and ensure that workers receive economic support should they need it. But many do not. Full-time workers who have been working for a requisite amount of time may have earned benefits, such as paid sick leave. However, employees at grocery store chains nationwide have spoken up about the lack of such benefits during this time and have staged strikes and “sick outs” in a demand to be acknowledged and taken care of.<sup>16</sup> [While Families First Coronavirus Response Act \(FFCRA\) provides support to employers to provide employees with paid leave during the pandemic, businesses with 500 or more employees--the majority of grocery store chains--are exempted from the legislation.](#)<sup>17</sup>

In some parts of the country, legislation has been passed in response to this. For example, in California, Governor Gavin Newsom signed an executive order in mid-April requiring that companies in the food sector with 500 or more employees provide supplemental paid sick leave for *full-time workers* (but *not* part-time workers) who contract the virus or are exposed to the virus and need to quarantine themselves.<sup>18</sup> Full-time work in a single food retail job is less common than are part-time positions. Indeed, “full-time jobs for retail and fast food workers are almost unheard of, unless you’re a manager.”<sup>19</sup> During the coronavirus pandemic, some part-time workers who want more hours have been frustrated by companies’ decision to hire new workers to meet demands.<sup>20</sup>

Similarly, access to health insurance varies, especially for those employees who are not full-time or are not unionized. Unionized workers are far more likely to have access to benefits,<sup>21</sup> but unions are not prevalent in the essential retail sector. While most food service workers in grocery stores have the right to unionize, the majority of America’s most popular grocery chains are non-union.<sup>22</sup> Employers should compensate workers for any coronavirus-related medical expenses that are not covered by employees’ health insurance.<sup>23</sup>

Food retail workers have been working longer hours in response to the high demand for food, the need to frequently restock shelves and enhanced cleaning policies, and in order to accommodate for elderly persons, who are able to enter many stores an hour earlier than customers below the age of 60.<sup>24</sup> Some workers have been offered premium pay. For example, some major chains such as Whole Foods, Kroger, and Albertsons have offered employees a \$2/hour bump in wages, an agreement that was negotiated by the United Food and Commercial Workers

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<sup>16</sup> Gurley, L.K. (2020) ‘Whole Foods employees are staging a nationwide ‘sick out’’, *Vice*, 30 March [online]. Available at:

[https://www.vice.com/en\\_us/article/5dmeka/whole-foods-employees-are-staging-a-nationwide-sick-out](https://www.vice.com/en_us/article/5dmeka/whole-foods-employees-are-staging-a-nationwide-sick-out)

<sup>17</sup> U.S. Department of Labor (DOL) (2020) ‘U.S. Department of Labor adds to guidance for workers and employers explaining paid sick leave and expanded family and medical leave benefits under the Families First Coronavirus Response Act’, *News Release*, 28 March [online]. Available at:

<https://www.dol.gov/newsroom/releases/whd/whd20200328>

<sup>18</sup> Luna, T. (2020) ‘California food workers will get extra paid sick leave amid coronavirus’, *Los Angeles Times*, 16 April [online]. Available at:

<https://www.latimes.com/california/story/2020-04-16/california-food-workers-extra-paid-sick-leave-coronavirus-crisis>

<sup>19</sup> Jiang, I. (2019) ‘Full-time retail jobs have all but disappeared over the last decade, and workers have to get ‘2, 3, sometimes even 4 part-time jobs just to get by,’ expert says’, *Business Insider*, 31 December [online]. Available at: <https://www.businessinsider.com/retail-work-changed-worse-last-decade-expert-2019-12>

<sup>20</sup> Meyersohn, N. (2020) ‘Stores are hiring like crazy. But they have part-time workers who want more hours’, *CNN Business*, 3 April [online]. Available at: <https://www.cnn.com/2020/04/03/business/companies-hiring-walmart-amazon-cvs-kroger/index.html>

<sup>21</sup> Splitter, J. (2020) ‘Protecting grocery store workers and shoppers from COVID-19’, *Forbes*, 23 March [online]. Available at:

<https://www.forbes.com/sites/jennysplitter/2020/03/23/protecting-grocery-store-workers-and-shoppers-from-covid-19/#a249d602dce5>

<sup>22</sup> Labor Union Report (2019) *The majority of America’s favorite grocery chains are (mostly) non-union* [online]. Available at:

<https://laborunionreport.com/2019/04/23/eight-of-the-top-10-favorite-grocery-chain-are-non-union/>

<sup>23</sup> Kinder, M. (2020) ‘Grocery workers are keeping Americans alive during the COVID-19 pandemic. Here’s what they need.’ *Brookings*, 25 March [online]. Available at:

<https://www.brookings.edu/blog/the-avenue/2020/03/25/grocery-workers-are-keeping-americans-alive-during-the-covid-19-pandemic-heres-what-they-need/>

<sup>24</sup> Logan, J. (2020) ‘Grocery and pharmacy employees are ‘essential workers’ and must be protected’, *The Hill*, 21 March [online]. Available at:

<https://thehill.com/blogs/congress-blog/labor/488760-grocery-and-pharmacy-employees-are-essential-workers-and-must-be>



International Union.<sup>25</sup> But this increase is seen by many as superficial and insufficient to compensate for the magnitude of increased risk assumed by these workers. Some workers have even called the \$2/hour raise “insulting.”

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## BEYOND THE JOB RISKS TO HEALTH AND WELL-BEING

### Risks of exposure to COVID-19 to workers, families, or community from non-workplace factors

The risks of exposure to COVID-19 to workers and their families or communities may be amplified by factors such as housing and living arrangements, transportation, childcare arrangements, the practicality and degree of social distancing within their communities, as well as the degree to which they can access and afford essential goods and information.

- **Transportation risks.** Many food system retail workers commute to and from their jobs via public transportation, putting them at greater risk of exposure by virtue of being in a public place. Those who wish to avoid this additional source of risk are incurring higher costs to commute via taxis, ride-shares, and (where possible) personal vehicles.
- **Housing/living conditions.** Some food system retail workers may live with others who are also working in high-risk essential jobs, such as other food system workers.<sup>27</sup> Being in close contact with these persons may put all parties in a household at an amplified risk of exposure.
- **Risks from childcare arrangements.** Food retail workers may struggle to find safe, affordable, available child or dependent care, especially during the COVID crisis and its widespread closure of schools and daycares and the particularly vicious spread of the disease in congregate care facilities for adults. Working parents may be tasked with paying out-of-pocket for childcare that they otherwise would not have spent money on because the child would normally be at school. Additionally, the interaction with the childcare provider may increase the child’s/family’s risk of exposure to COVID-19.
- **Lack of access to information due to language barriers.** Workers in grocery stores, restaurants, and other food retail jobs may not speak English. The lack of informational materials about COVID-19 in their spoken and written language may put them at an increased risk of contracting the disease or not having information about how to access certain benefits and services, such as disease testing, unemployment benefits, etc.

### Risks associated with financial insecurity

Workers who are unable to go to work, or who should not go to work because they are ill, have been exposed to the coronavirus, or need to care for a loved one at home, may fear economic harm from lost or reduced wages. The average amount of cash that an American has on hand is \$8,863, but only \$2,729 for single people ages 34 and

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<sup>25</sup> Carless, W. and Michels, P. (2020) ‘Dozens of grocery store workers have died. Here’s what workers say their employers did wrong’, *Reveal News*, 15 April [online]. Available at: <https://www.revealnews.org/article/dozens-of-grocery-store-workers-have-died-heres-what-workers-say-their-employers-did-wrong/>

<sup>26</sup> Los Angeles Times (2020) ‘The \$2 is ‘insulting’: retail workers fight for more pay amid coronavirus crisis’, *Los Angeles Times*, 3 April [online]. Available at: <https://www.latimes.com/business/story/2020-04-03/retail-workers-coronavirus-pay-strikes>

<sup>27</sup> Stewart, E. (2020) ‘Essential workers are taking care of America. Are we taking care of them?’, *Vox*, 23 April [online]. Available at: <https://www.vox.com/covid-19-coronavirus-explainers/2020/4/23/21228971/essential-workers-stories-coronavirus-hazard-pay-stimulus-covid-19>

younger—one of the primary worker age groups found in food retail jobs.<sup>28</sup> Low-wage food retail workers are believed to have lower than average savings. In either case, it is hardly enough to pay for one’s rent/mortgage, child care, food expenses, and other costs of living in the event that there is no source of income for the family. Further, unemployment benefits in all states are determined, in part, by the amount of wages the applicant has earned prior to application. Most states offer unemployment benefits that replace a portion of an employee’s income, with models varying on a state-by-state basis. Lower-wage workers are likely to receive much less in unemployment benefits than are higher-wage workers.

Workers may also be facing increased expenses in the form of full-time child care costs, costs to care for a sick person at home or an elderly loved one, or even costs related to private transportation to and from work.

Low-wage workers have less disposable income to meet their basic nutritional needs, putting them at increased risk of food insecurity. For decades, anti-hunger organizations have championed an increase in the minimum wage to address this.<sup>29</sup>

## ADEQUACY & RESILIENCE OF THE FOOD RETAIL WORKFORCE

While millions of people have lost jobs and countless companies have scaled back on operations during the pandemic, there has been a spike in demand for certain workers. Food retailers struggling to keep up with higher-than-usual consumer demands<sup>30</sup> while their workforce dwindles due to illness, fear, or care-giving responsibility have begun major recruitment campaigns to increase the size of the food retail workforce. Walmart, for example, announced that it is hoping to hire an additional 150,000 employees throughout the end of May,<sup>31</sup> and the grocery delivery service Instacart stated in late March that it planned to sign on 300,000 new ‘gig’ workers to more-than-double its workforce; Amazon, Papa John’s Pizza, and Blue Apron have made similar declarations about increasing their workforces.<sup>32</sup> If grocery stores and food retail establishments are understaffed, there is a risk of large delays, consumer frustrations, and an effect on consumers’ abilities to reliably access food. Additionally, it may take additional staff capacity to implement effective risk-mitigating measures in the workplace, such as order fulfillment, curbside delivery, intensive sanitation, and monitoring of distancing and other best practices. Thus, at a time when the need for food retail workers is highest, it is especially important to safeguard this workforce and make sure that those with experience are able to continue working and earning.



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<sup>28</sup> Martin, E. (2019) ‘This chart shows how much money Americans have in savings at every age’, *CNBC*, 12 March [online]. Available at: <https://www.cnn.com/2019/03/11/how-much-money-americans-have-in-their-savings-accounts-at-every-age.html>

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<sup>30</sup> Corkery, M. (2020) ‘There is plenty of food in the country’, *The New York Times*, 15 March [online]. Available at: <https://www.nytimes.com/2020/03/15/business/coronavirus-food-shortages.html>

<sup>31</sup> Gelles, D. and Corkery, M. (2020) ‘Help wanted: Grocery stores, pizza chains and Amazon are hiring’, *The New York Times*, 22 March [online]. Available at: <https://www.nytimes.com/2020/03/22/business/coronavirus-hiring-jobs.html>

<sup>32</sup> Selyukh, A. (2020) ‘From grocery stores to pizza delivery, some companies are on a hiring spree’, *NPR*, 24 March [online]. Available at: <https://www.npr.org/2020/03/24/820624379/from-grocery-stores-to-pizza-delivery-some-companies-are-on-a-hiring-spre>

## WORKER SUPPORTS IN CONTEXT: REASONS TO ADDRESS RISKS TO FOOD RETAIL WORKERS

For practical reasons--namely, so that grocery stores and food retail establishments can remain open and functional, and so that food will continue to be accessible to consumers--ensuring that the risks to food retail workers are addressed, and ensuring that this group of workers' needs are met, is essential. In addition to the practical reasons, though, it is critical to remember that those within this group of workers are not merely employees to be exploited for the purpose of underpinning food distribution, but rather *people* with unique lives, families, and financial, physical, and psychological needs. Addressing the risks to these workers is morally good and correct, whether you adopt a utilitarian perspective--that taking good of the needs of these people will ultimately be beneficial for the needs of the whole--or a categorically imperative one: that we should always treat another as someone who has dignity and intrinsic worth.

The United Food and Commercial Workers' International Union has been working with state and federal leaders, local unions, and large employers to develop coronavirus policies and worker protections. Many of these protections have been discussed above, and have indeed been implemented in certain workforces. They include pay raises for grocery store workers, increased benefits for workers, and emergency protections, such as hazard pay. Other groups with an interest in the issue include United for Respect, AFL-CIO, and One Fair Wage.

The implementation of key mitigation efforts may have trade-offs. For example:

- If workers are furloughed to increase social distancing in the workplace, some workers will be protected (those who continue working), while others may face social harms.
- If stores reduce operating hours to engage in proper cleaning and sanitation, there may be a greater concentration of customers during the limited open hours, creating a greater risk of contamination and disease spread.
- If more workers are hired in order to reduce the amount of hours that employees have to work in order to meet demands--which could be essential for protecting employees' mental health--more people will come in contact with surfaces, materials, etc., potentially increasing the risk of viral spread.

Trade-offs should be carefully considered in light of important values and managed by policymakers and business owners and personnel managers in making COVID-responsive decisions. Additionally, when the trade-offs result in harms or elevated risks to certain workers, it is important to consider the possibility of making reasonable accommodations or providing additional compensation to diminish or offset negative repercussions.

### ESSENTIAL FOOD RETAIL WORKERS BRIEFING BOOK

*Mikela Blanton - Lead Author*  
*Nicole Civita, JD, LL.M - Senior Author*

## BUSINESS UNUSUAL

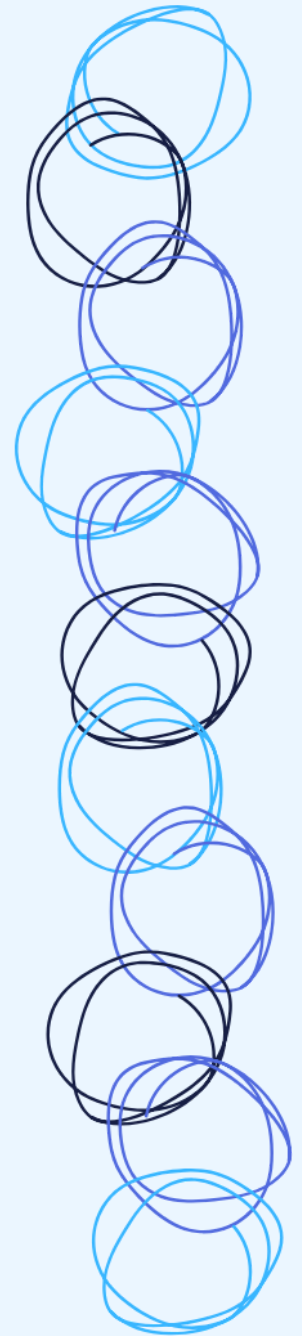
ADDRESSING ESSENTIAL WORKERS' NEEDS  
DURING & AFTER THE COVID-19 PANDEMIC

<https://bioethics.jhu.edu/essential>

a Collaboration Between  
the Johns Hopkins Berman Institute of Bioethics &  
the University of Colorado Boulder MENV

# Key Facts About Food Retail Workers

1. Data from the Bureau of Labor Statistics (2019) shows that the total number of grocery store workers employed was 2,670,000. Of those, 47.5 percent were women, 76.1 percent were white, 12.6 were black or African American, 6.2 percent were Asian, and 20.5 percent were Hispanic or Latinx.<sup>33</sup> This means that **nearly 40 percent of grocery workers identified as a minority race.**
2. The median age of grocery store workers is 36.5.<sup>34</sup> Approximately **20 percent of grocery store workers are age 55 and older.** Additionally, approximately 20 percent of workers are in the 25–34 years of age category, a category that encompasses the average ages in the United States to have a child for the first time.<sup>35</sup> Workers in this age group may be parents of young children.
3. While there is sparse data in terms of actual percentages, there is evidence that large grocery store chains, such as Albertsons, often integrate people with disabilities into the workforce.<sup>36</sup> According to the Centers for Disease Control and Prevention (CDC), people with disabilities are not *inherently* at a greater risk of complication from COVID-19, but **some people with disabilities may be at a higher risk of infection or severe illness as a result of underlying medical conditions.**<sup>37</sup>
4. **A large percentage of grocery store workers and other food retail workers, including food service workers, are classified as low-wage.** Some employees make no more than the federal minimum wage of \$7.25/hr. Wages are slightly higher depending upon the company. For example, in 2017, Target announced that it would raise its minimum wage to \$11/hour, with a goal of \$20/hr. by 2020. The same year (2017), the average wage for a Walmart sales associate was \$9.41/hr. Costco's average wage for its sales associates was slightly higher: \$12.92/hr.<sup>38</sup>



<sup>33</sup> U.S. Bureau of Labor Statistics (2019) 'Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity', *Labor force statistics from the current population survey* [online]. Available at: <https://www.bls.gov/cps/cpsaat18.htm>

<sup>34</sup> U.S. Bureau of Labor Statistics (2019) 'Employed persons by detailed industry and age', *Labor force statistics from the current population survey* [online]. Available at: <https://www.bls.gov/cps/cpsaat18b.htm>

<sup>35</sup> Bui, Q. and Miller, C.C. (2018) 'The age that women have babies: how a gap divides America', *The New York Times*, 4 August [online]. Available at: <https://www.nytimes.com/interactive/2018/08/04/upshot/up-birth-age-gap.html>

<sup>36</sup> Burkes, C. (2019). 'Hiring those with disabilities isn't charity, it's good business', *Business Report*, 15 April [online]. Available at: <https://www.businessreport.com/business/hiring-those-with-disabilities-isnt-charity-its-good-business>

<sup>37</sup> Centers for Disease Control and Prevention (CDC) (2020) 'People with disabilities', *Coronavirus disease 2019 (COVID-19)* [online]. Available at: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-disabilities.html>

<sup>38</sup> Ward, M. (2017). 'Target just gave employees a raise - here's what 19 other major retailers pay', *CNBC*, 25 September [online]. Available at: <https://www.cNBC.com/2017/09/25/what-the-20-largest-retailers-in-america-pay-their-employees.html>



# Ways to Protect Food Retail Workers

Retail workers within the food system need and deserve safer work environments and greater security. As orders to shelter at home relax and a range of activities in the public sphere ramp back up in many places, the risks to retail workers only increase, owing to the fact that each customer they encounter is now encountering many more people. As re-opening proceeds, worker-protective measures are ever-more urgent. To protect food retail workers *and* the food supply at this critical time:

**Appropriately assess risks.** An appropriate response to risks requires an adequate and accurate assessment of risk. Some workers may be at a much greater risk of severe response if they contract the coronavirus, including those workers who are over 65 years of age or have certain underlying medical conditions. Additionally, the risk of the virus spreading is greater in some parts of the country, and also increases when social distancing measures are not in place.

**Adequately respond to risks.** Once risks have been identified, food retail employers should implement policies and safety measures that adequately respond to those risks. Risk mitigation measures include:

- **Cap maximum occupancy limits and ban unruly customers.** Maximum occupancy limits should be capped to ensure that there is adequate space within a food retail establishment to allow for six feet of distancing between customers and workers at all times. If space is severely limited within a retail establishment or if there is a reported case of the virus within the establishment, then customer entrance may need to be barred entirely to protect both workers and consumers. Additionally, a survey conducted by the UFCW found that when asked what grocery stores should do to improve customer safety and treatment of workers, nearly 50 percent of survey respondents supported stores banning unruly customers, and just over 40 percent supported stores hiring more security.<sup>39</sup>
- **Implement policies related to worker training, facility sanitation, and PPE.** All food retail establishments should ensure that all employees have access to personal protective equipment, such as hand sanitizer, masks, and gloves, *and are trained* on how to use these items correctly. Additionally, employees should undergo training on how to mitigate virus spread, including maintaining social distancing on break times. Finally, facilities should be closed for an appropriate amount of time to allow for full cleaning and sanitation of the facility on a regular basis.
- **Provide adequate benefits for workers.** If workers do not receive sufficient benefits, including paid sick leave, they may be dissuaded from staying home if sick or suffering from any symptoms of the virus. Additionally, workers should also be provided adequate breaks and meal times, which support worker mental health and wellbeing and encourage workers to take time to properly wash hands, which may otherwise be forgone if workers feel pressured for time.
- **Designate food retail workers as first responders.** UFCW is working with local unions to ensure that grocery store workers are classified as “first responders” so that they have immediate access to testing, as well as any other additional protections that are needed to safely do their jobs.<sup>40</sup>
- **Support a federal compensation fund for essential workers.** Multiple proposals have recently been put forth by members of the U.S. Congress related to the establishment of an essential workers’ compensation fund,<sup>41</sup> with funds available to those essential workers who become ill or to the family members of those who die as a result of COVID-19-related complications. A fund of this nature would provide support to essential workers and their families when the ultimate sacrifice is made.

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<sup>39</sup> UFCW (2020) *National #ShopSmart campaign to keep grocery store workers safe from coronavirus & protect nation’s food supply announced today* [online]. Available at: <http://www.ufcw.org/2020/04/13/shopsmart/>

<sup>40</sup> UFCW. (2020) *What the UFCW is doing to help workers’*, *Press Releases* [online]. Available at: <http://www.ufcw.org/coronavirus/>

<sup>41</sup> Kennedy III, J. (2020) *Kennedy unveils essential worker compensation fund: proposal would cover economic losses and provide death benefits to surviving families’*, *Joe Kennedy III: Congressman for the 4th District of Massachusetts*, 21 May [online]. Available at: <https://kennedy.house.gov/newsroom/press-releases/kennedy-unveils-essential-worker-compensation-fund>