

Which Restaurant Chains Offer Paid Sick Leave?

A Consumer's Guide to the Largest 20 Chains

March 16, 2020

Handling of food by sick workers already causes hundreds of foodborne illness outbreaks each year.¹ While coronavirus is not foodborne, the current outbreak of COVID-19 in the United States has led public health officials to urge that sick workers stay home to avoid spreading the infection to others through person-to-person contact.²

More than three-quarters of food service workers in the U.S. lack paid sick leave, and over half report coming to work sick.^{3,4,5} This failure to provide sick leave is not just bad for workers; it also puts consumers at risk.

We've created this consumer's guide to show which of the top 20 restaurant chains currently offer paid leave to hourly workers—and which do not.

Sick Workers Can Spread COVID-19

Sick food workers can spread disease at any time, and often spread norovirus, the leading cause of foodborne outbreaks.⁶ But reasons to keep sick workers at home are heightened during a global pandemic. During the H1N1 pandemic of 2009, an estimated 7 million individuals were infected as a result of contagious coworkers not staying home from work when ill.⁷

Lack of paid sick leave could affect the decision to stay home, particularly for workers who earn low wages or fear losing their job. Research models based on the flu virus provide evidence that offering sick leave could reduce infections by helping more workers stay home when ill.^{8,9}

The coronavirus that causes COVID-19 does not survive for long on food.¹⁰ But it does spread easily between people in close proximity (within 6 feet) through droplets sprayed into the air when an infected person sneezes or coughs.¹¹ Food service workers often work in busy, crowded spaces, which creates multiple opportunities for the virus to spread to coworkers or restaurant guests.

The Centers for Disease Control and Prevention recommends that people exposed to someone with COVID-19 self-quarantine by staying at home for 14 days. But the testing kits used to diagnose the disease are in short supply, and the illness can manifest with common symptoms such as cough or mild fever. This means workers don't always know whether they have COVID-19 and should self-quarantine.

Most restaurants do not offer paid sick leave

There is no federal paid leave requirement in the United States, and only 12 states, the District of Columbia, and a few large cities require restaurants to provide paid leave.¹² So it is usually up to companies to decide whether paid leave is offered. The vast majority of restaurant workers at the largest chains report not receiving it.¹³

In recent years, some restaurants have announced new paid leave policies, and more have reported emergency measures since the start of the current COVID-19 outbreak.¹⁴ To investigate how restaurant chains are handling paid sick leave during the pandemic, CSPI surveyed the websites of the 20 largest restaurant chains by sales.¹⁵ We also requested policies from each restaurants' public relations department. (Only 6 chains responded by our deadline of March 13, 2020, and none provided information that was inconsistent with prior public statements.)

The results are dismal: Most leading chains lack sick leave policies. The ones that do provide paid time off tend to cover few employees and offer only a few days sick pay each year. Nearly all require employees to accrue leave slowly over time, earning just a few hours each pay period.

Sixty percent of the largest restaurant chains (12 out of 20) did not disclose any policy on paid leave. Their employees would likely be required to give up pay or work sick — unless they are covered by state or local laws, or work for a franchisee who offers additional benefits not required by the national restaurant brand.

Just three of the eight chains with policies, Starbucks,¹⁶ Chipotle,¹⁷ and Olive Garden,¹⁸ regularly offer paid time off to full- and part-time hourly employees at all locations nationwide. Chipotle describes its benefits as “best-in-class,” yet provides only 3 days paid leave annually, not enough time for a sick worker to recover from many illnesses, including COVID-19. Both Chipotle and Starbucks have also been accused of applying pressure tactics to keep sick employees from using paid time off, even when they are entitled to it.^{19,20} (Both companies state that they have policies to prevent such abuses.)

Four chains, McDonald's²¹ and the three brands owned by Yum! Brands (Taco Bell,²² Pizza Hut,²³ and KFC²⁴) have announced regular or emergency paid leave policies that cover only company-owned stores. Each of these brands is more than 90 percent franchised,^{25,26} meaning the policies leave out most locations.

The eight chain, Panera, has an emergency leave policy²⁷ that is vague and may likewise only cover company-owned stores, which would represent fewer than half of locations.²⁸

McDonald's, Taco Bell, Starbucks, and Olive Garden make new employees work for weeks or months to accrue paid time off before they can use it. And new hires at three of these chains, McDonald's, Taco Bell, and Olive Garden, must wait 90 days to a year to qualify for the benefit. (These restrictions are for regular leave policies, and presumably would not apply to emergency COVID-19 benefits).

No company we surveyed offers 14 days sick leave as a standard practice, the time needed to quarantine for COVID-19. But six restaurants, Starbucks,²⁹ McDonald's,³⁰ Taco Bell,³¹ Panera,²⁷ Pizza Hut,²³ and KFC,²⁴ have announced emergency leave policies for workers impacted by the outbreak.

Some of the emergency policies appear to only cover employees who have been asked to quarantine because they were diagnosed or are awaiting results from a COVID-19 test kit or were exposed to someone who tested positive. Workers with COVID-19 symptoms who lack access to the test kits, which continue to be rationed due to short supply,³² may or may not be eligible to receive paid leave under such policies.

Three of the brands with emergency COVID-19 policies, Panera, Pizza Hut, and KFC, have not disclosed any regular sick leave policy outside of the current pandemic.

What You Can Do

Fight with your fork. Avoid restaurants that don't guarantee sick leave. This encourages businesses to protect workers and you, and helps to prevent the spread of COVID-19 as well as other diseases like norovirus.

Use your vote. Support campaigns for state and local paid leave and tell your members of Congress to vote for emergency paid leave in response to the COVID-19 pandemic.

For more information, please contact the Center for Science in the Public Interest at policy@cspinet.org.









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Restaurant Chains without a Public Policy*



Restaurant Chains with a Public Policy

| Brand | What's There | What's Missing |
|---|---|--|
|  | Workers accrue one hour paid time off per 52 hours worked, or 5 days per year at a full-time schedule. COVID-19 policy provides 14 days paid leave for quarantine. | Covers only company-owned restaurants (<10% of U.S. locations). New workers ordinarily [†] start with no leave and must wait 1 year before accruing leave. COVID-19 policy may not cover all workers with symptoms. |
|  | Workers accrue one hour paid sick time per 30 hours worked, about 8 ½ days per year at a full-time schedule. COVID-19 policy provides up to 3 days for workers with symptoms, 14 days for quarantine, and up to 26 additional weeks to recover. | New workers ordinarily [†] start with no leave. |
|  | Workers accrue leave at one hour paid sick time for every 30 hours worked, capped at 3 days per year. COVID-19 policy provides 14 days paid leave for quarantine. | Covers only company-owned restaurants (7% of locations). New workers ordinarily [†] start with no sick leave, must wait 90 days before accruing leave, and are capped at 3 days per year. |
|  | COVID-19 policy provides unspecified paid time off for workers "sick or diagnosed" with COVID-19. | No regular policy outside the pandemic. COVID-19 policy is vague. |
|  | COVID-19 policy provides paid time off for quarantine. | Covers only company-owned restaurants (1% of locations). No regular sick leave policy outside the pandemic. COVID-19 policy may not cover all workers with symptoms. |
|  | Workers automatically receive three paid sick days annually. | Benefit is capped at 3 days. No COVID-19 policy. |
|  | COVID-19 policy provides 14 days paid time off for workers with symptoms or who are required to quarantine. | Covers only company-owned restaurants (1% of locations). No regular sick leave policy outside the pandemic. |
|  | Workers accrue one hour paid sick leave per 30 hours worked, about 8 ½ days per year at a full-time schedule. | New workers start with no leave and must wait 90 days before using the leave they accrue. No COVID-19 policy. |

* Individual franchise owners may offer additional benefits voluntarily or as required by state/local laws.

[†] New employees would still qualify for emergency COVID-19 benefits regardless of regular leave accrued.

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