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# United States Senate

WASHINGTON, DC 20510 - 3505

June 28, 2019

The Honorable Alex Acosta  
Secretary  
U.S. Department of Labor  
200 Constitution Ave. NW  
Washington, D.C. 20210

Dear Secretary Acosta:

We are writing to urge you to conduct a full investigation into the on-the-job violence experienced by McDonald's employees. Without decisive, comprehensive action by the Department of Labor, these workers will continue to face threats and violent attacks from consumers without the proper resources or protocols in place to protect them. All workers deserve to be safe in their workplaces, and it is imperative that the Occupational Safety and Health Administration (OSHA) fully investigate the complaint filed by McDonald's employees in Chicago on May 20, 2019.

According to a recent report published by the National Employment Law Project<sup>1</sup> (NELP), McDonald's employees have been subjected to more than 700 incidents of workplace violence in the last three years. NELP analyzed incidences that were covered in the news, and, because only a fraction get reported to the police and by the media, the total number of assaults against McDonald's workers is higher. These incidents included shootings, robberies, sexual assaults, battery, and other types of abuse. Guns were involved in 519 attacks, and 288 of the violent incidents occurred between 10pm and 4am. Two-hundred and eighty-one of the attacks resulted in at least one physical injury, and someone died in 86 of the incidents. This pattern of violence against McDonald's workers is persistent and terrifying, and immediate steps must be taken by McDonald's and OSHA to keep these employees safe.

The Occupational Safety and Health Act of 1970 (OSH Act) requires employers to provide their employees with working conditions that are free of known serious dangers. Clearly McDonald's is not meeting this requirement. The OSH Act also gives workers the right to file a complaint with OSHA and have their workplaces inspected. On May 20<sup>th</sup>, McDonald's employees in Chicago exercised that right. Unfortunately, OSHA did not treat the submission as a formal complaint. Instead, your Department chose to email the franchisee instead of conducting an on-site inspection. McDonald's can and must do more to protect its employees, but employers will not take seriously their obligations to provide a safe workplace if OSHA does not enforce workers' rights to a hazard-free work environment.

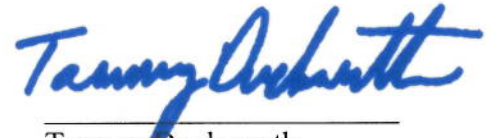
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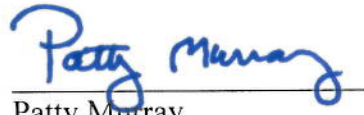
<sup>1</sup> Deborah Berkowitz, *Behind the Arches: How McDonald's Fails to Protect Workers From Workplace Violence*, National Employment Law Project (May 2019). <https://www.nelp.org/wp-content/uploads/Behind-the-Arches-McDonalds-Workplace-Violence.pdf>


OSHA is responsible for protecting the safety of workers in the workplace, and it is imperative your Department take this mission seriously. Failing to fully respond to employees' complaints of unsafe work environments will embolden employers to skirt the workplace safety requirements and endanger workers. We urge you to immediately conduct an on-site inspection in response to the employees' complaint and to consider all enforcement actions at OSHA's disposal to protect McDonald's employees in Chicago and around the country.

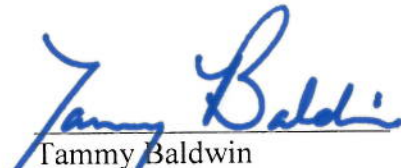
Sincerely,

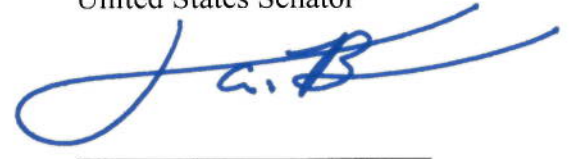
  
Sherrod Brown  
United States Senator

  
Tammy Duckworth  
United States Senator

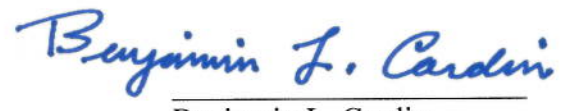
  
Patty Murray  
United States Senator

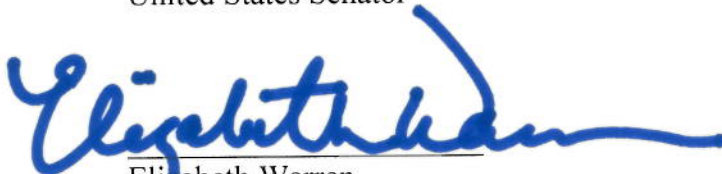
  
Bernard Sanders  
United States Senator


  
Tammy Baldwin  
United States Senator

  
Cory A. Booker  
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