

# San Francisco Chronicle

## Survey Shows Sick Workers Often Handle Food, Putting Consumers at Risk of Foodborne Illness, Louisiana Attorney says

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Louisiana food safety advocate [Richard J. Arsenault](#) says he is alarmed by a recently issued report that indicates that a high number of restaurant workers handle food while suffering from an illness.

In what it calls the largest national survey sample of restaurant workers ever conducted, Restaurant Opportunities Center (ROC) surveyed more than 4,000 workers in New York, Chicago, Detroit, [New Orleans](#), [Los Angeles](#), Washington, Miami and Maine.

More than 63 percent of the restaurant workers surveyed said they had cooked and served food while sick, which means they possibly passed on a foodborne illness to their customers, Arsenault says.

"This appears to be a fundamental problem within the restaurant industry, and it has dangerous implications for the dining public," says Arsenault, a partner in the law firm of Neblett, Beard & Arsenault of Alexandria, Louisiana, and the co-chair of the American Association for Justice's [Foodborne Illness Litigation Group](#).

Arsenault, a veteran of complex civil litigation, has more than 25 years of experience in filing class-action and individual lawsuits across the [United States](#) on behalf of victims of waterborne and foodborne illnesses.

"Food poisoning outbreaks are all too often traced back to a sick restaurant worker handling food and passing on harmful bacteria, including bacteria that can cause serious gastrointestinal illnesses," says Arsenault, whose law firm offers an informative website, [My Food Advocate](#), which provides detailed information about foodborne illnesses and the pathogens and the foods associated with them.

According to the [Centers for Disease Control and Prevention](#), nearly 76 million foodborne illness cases occur in the United States every year, including those involving foods contaminated with pathogens such as [E. coli 0157:H7](#), Salmonella, Hepatitis A, Shigella, Norovirus, Campylobacter and Listeria.

Arsenault said that possible solutions to the problem could include offering restaurant workers paid sick days and better work conditions than what is portrayed in the ROC report.

For example, 87.7 percent of the workers surveyed by ROC said they did not receive paid sick days. Because the median wage of restaurant workers nationwide is \$8.59 per hour, most workers without paid sick days can't afford to take the day off from work to recover, the report states.

The survey also showed that workers who experienced a high level of employment law violations in their workplace were more likely to have worked under conditions with negative consumer health impacts.

For instance, 59.6 percent of workers who had experienced overtime violations and 63 percent of workers who had worked "off the clock" without pay reported that they had done something as a result of time pressure that might have harmed the health and safety of the customer.

"The restaurant industry needs to address conditions that increase the possibility of workers engaging in unsafe practices that, in turn, expose diners to foodborne illnesses," Arsenault says.

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