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Unionization in the U.S. Fast-Food Industry (2015–Present)

The fast-food sector has seen a surge of organizing in recent years, driven by the **Fight for $15** movement and allied labor campaigns. Beginning around 2015, low-wage workers (predominantly people of color and women [1]) in chains like McDonald's, Burger King, and Subway have carried out coordinated actions demanding higher pay and union rights. Major national campaigns – led by SEIU's Fight for $15 and affiliated groups – have staged nationwide strikes, rallies, and online actions to push $15/hr wages *and* collective bargaining. Notably, fast-food workers (disproportionately Black and Brown) joined the 2020 **"Strike for Black Lives"** and subsequent Fight for $15 actions to emphasize that racial and economic justice are inseparable [2] [3]. The movement has parlayed these campaigns into state/local wins (e.g. $15 wages in CA, NY, Seattle) and political pressure (Democratic candidates supporting wage/hours reforms).

- **Fight for $15/SEIU Campaigns:** Launched in 2012, this coalition has organized mass strikes on key dates (e.g. May 19, 2021 "Walkout Wednesday," joined by Bernie Sanders and AOC [4]) and filed lawsuits and petitions (e.g. challenging NLRB joint-employer rules) to advance fast-food workers' rights. By 2016 and 2020, thousands of Texas fast-food workers joined nationwide Fight for $15 strikes for $15/hour and better conditions [5]. These efforts have amplified worker voices in national politics (e.g. linking marches to MLK Day and Black Lives Matter [6] [2]) and built cross-industry solidarity (fast-food workers striking alongside Amazon, grocery, etc.).
- **State and Federal Legislation:** In several states, fast-food advocacy spurred new laws (e.g. California's Fast Food Accountability & Standards Recovery Act, AB 257, enacted 2022 to set industry-wide standards [7]). Union allies backed federal reforms too, such as the Employee Rights Act (NRLA "Pro Act" proposals) and pressured the NLRB. Under Biden, the NLRB moved to restore broader joint-employer standards (reverting to the Obama-era *Browning-Ferris* test) in late 2023, though a Texas court has enjoined that rule and Congress narrowly moved to overturn it [8] [9]. Absent uniform labor law changes, many organizing efforts emphasize city/county policies: for example, Fight for $15 helped pass living-wage ordinances for city contractors in Austin ($13.03) and San Antonio ($13.75) [10]. In contrast, Texas itself remains a *right-to-work* state (law since 1993) with preemption of local wage mandates [11], limiting public-sector collective bargaining and local living-wage laws.

Post-COVID Organizing Resurgence (2020–Present)

The COVID-19 pandemic intensified fast-food organizing. In early 2020, essential workers staged spontaneous **walkouts and strikes** over safety and hazard pay. For example, in April 2020 hundreds of Los Angeles fast-food employees (McDonald's, Burger King, Domino's, etc.) struck for PPE, paid sick leave and hazard pay [12]. Fight for $15 coordinators noted these were "the first spontaneous walkouts in nearly eight years" of the movement [13]. In the summer of 2020, thousands of low-wage workers (including fast-food, delivery, and health care) joined the **July 20 Strike for Black Lives**, explicitly linking labor demands to racial justice [2].

After lockdowns eased, the organizing wave grew. On Martin Luther King Jr. Day 2021, **hundreds of fast-food workers** struck in 15+ cities (with ICE's Seattle to St. Louis) demanding $15 and the right to unionize [6]. Such strikes often involved digital coordination (social-media calls to action) and high-profile support; Sen. Sanders and Rep. Ocasio-Cortez even live-streamed with McDonald's workers on "Walkout Wednesday" May 19, 2021 [4]. The **post-COVID era** has seen organizers using a mix of tactics: virtual pickets and Zoom meetings (when in-person was risky), plus a surge of social-media campaigns (#FightFor15, TikTok testimonies) to share stories. For example, the Teamsters helped launch a pro-union Twitter account (@1ChipotleUnited) to amplify workers' grievances and memes [14]. Locally, activists also targeted company events (rallies outside shareholder meetings) and publicized worker testimonies online, gaining broad media attention.

- **Key Actions:** Major coordinated actions include statewide or national strike days (e.g. May 2021 "Walkout Wednesday" [4]), Black Lives labor strikes (July 2020) and legislative campaigns (e.g. supporting CA AB 257 [7]). These were often combined with **grassroots tactics** (see below) like picketing, leafletting, and viral videos.
- **Digital Organizing:** Organizers lean on social networks and apps to recruit and inform. Fast-food workers share tips via Twitter and TikTok (e.g. Starbucks employees posting contract updates online), use encrypted messaging to coordinate, and run public union-pages on Instagram and Facebook. Campaign websites and worker blogs also aggregate resources (for instance, SEIU and Restaurant Workers websites). Notably, after Chipotle closed its first union-leaning store in Maine, workers kept the union drive alive on social media – one Maine crew reported corporate reps were contacting workers on social platforms about union rumors [14].

Company-Specific Campaigns

- **Starbucks (Starbucks Workers United – SEIU/Workers United):** The most dramatic success has been at Starbucks. The first U.S. unionized Starbucks opened in Buffalo, NY in Dec. 2021, and hundreds have followed. By mid-2024 over **400 Starbucks cafés** nationwide (in 43 states) were unionized, representing ~10,000 workers [15]. Starbucks baristas formed dozens of independent locals under "Starbucks Workers United." Organizing has spread rapidly: for example, in Texas the Upper Kirby Houston store voted 11–3 for unionization in Sept. 2022 [16], and by early 2024 a **20th Texas store** (in Denton) voted to unionize [17] [18]. (Dallas, Austin, San Antonio, and other Texas cities each saw multiple store unions [19].)

  Starbucks's response has been aggressive. The company held mandatory anti-union meetings, instituted surveillance and discipline of pro-union workers, and even fired or closed union-activist stores. Workers testified that after union votes "union busting ramped up even more" – supervisors watched them closely and even listened in on headset communications [20]. In 2023 the company was found to have committed hundreds of unfair labor violations: Dallas media counted over 50 administrative rulings against Starbucks, including "dozens" of illegal firings and refusals to negotiate [21]. (Starbucks denies wrongdoing.) In March 2024 Starbucks and the union announced they would start negotiating a contract framework and address pending legal disputes [22].

  Starbucks organizing has had broader legal ripple effects. After an NLRB injunction ordered Starbucks to rehire seven fired Memphis baristas, Starbucks took the case to the Supreme Court. In *Starbucks Corp. v. McKinney* (June 2024), the Court sided with Starbucks, requiring courts to use a stricter standard before ordering such injunctions [23]. Nevertheless, both sides have now agreed to

seek “consistent federal standards” and new elections or negotiations rather than endless litigation [24] [25].

- **Chipotle Mexican Grill:** In August 2022, Chipotle became the first (and so far only) fast-casual chain to unionize a U.S. store: crew members in Lansing, Michigan voted to join the Teamsters. That drive was aided by worker organizing centered on safety and scheduling issues. Chipotle aggressively fought the union; it shuttered the petitioning store in Augusta, Maine, triggering an NLRB complaint. In 2023 Chipotle agreed to pay $240,000 in fines (about $5K–$21K per worker) after NLRB found it *illegally* closed the Maine store to avoid the union [26]. More recently the NLRB’s Detroit office ruled that Chipotle “may have violated” labor law by disciplining a Lansing employee for union activity and by telling union members they couldn’t get raises while unionized [27]. (Chipotle disputes the allegations and says it’s bargaining in good faith.) Meanwhile, pro-union workers continue to agitate – for example, a viral video showed a Chipotle manager making a racial slur against unionizers – suggesting Chipotle’s anti-union tactics can be confrontational (though not always illegal). The arrival of Chipotle’s CEO as the new Starbucks CEO (Sept. 2023) has drawn labor attention but his full stance on unions at Chipotle is still untested.

- **McDonald’s (and other quick-service chains):** McDonald’s workers have staged many **Fight for $15 walkouts**, but no franchise store in the U.S. has formally unionized yet (corporate-owned locations are a small fraction of McD outlets). Nationally, employees struck in May 2021 in 15 cities (with Bernie Sanders/AOC support [4]) to demand that McDonald’s pay $15 to every worker (not just raise wages at a few corporate stores). McDonald’s itself has focused on defeating worker-friendly laws (for example its president Joe Erlinger publicly opposed California’s union-backed FAST Act to cap fast-food wages at $22 [28]). The company has also lobbied Congress and Congress overturned proposed changes like the NLRB’s narrow joint-employer rule (which McD had favored). Other chains (Burger King, Taco Bell, Wendy’s) have seen occasional local protests or lawsuits (e.g. a 2020 suit by Taco Bell workers over harassment), but so far no national union drive has succeeded in these franchised chains.

- **Other Brands:** A few other restaurant chains have seen organizing. For instance, a Delaware Taco Bell worker was set to unionize in 2022; and several Subway, Chipotle, and Del Taco stores have filed petitions. In Texas, **Whataburger** (a Texas-based burger chain) was targeted symbolically by Fight for $15 organizers (a Houston Whataburger worker was featured in 2016 media coverage [29]). However, aside from Starbucks, all these efforts remain quite limited in scale.

Grassroots Tactics and Mobilization

Organizers use a **variety of tactics** to build support and pressure employers:

- **Walkouts and Strikes:** Coordinated walkouts on specific days have been central. Besides the MLK Day and May 19 strikes, workers have staged “walkoff” shifts in solidarity (often on Wednesdays) to disrupt service. In April 2020, over 30 LA-area outlets shut down as workers struck for safety [12]. In July 2020, thousands in dozens of cities struck for racial justice and pandemic protections [2]. Even small groups have impact: Chipotle workers in NYC held a midday protest at a Bronx location over lost wages after a flood, drawing local press [30].

- **Picket Lines and Protests:** Public rallies have picketed corporate headquarters, city halls, and busy store locations. For example, Fight for $15 organized protests outside McDonald's HQ in Chicago ahead of its 2021 shareholder meeting [4]. In Texas, workers have picketed in Houston and Austin; a 2016 event in Houston led to arrests when fast-food activists blocked a highway [31]. Organizers also target community allies, inviting sympathetic politicians (Austin City Council member Greg Casar in 2016) to speak at rallies [10].

- **Digital and Social Media Organizing:** Fast-food campaigns increasingly rely on online tools. Workers create dedicated social-media accounts (e.g. @ChipotleUnited on Twitter [14]) to disseminate updates and pressure companies. Viral videos of poor working conditions or anti-union meetings (sometimes secretly recorded) are shared to rally support. Zoom or social platforms have hosted "virtual pickets" and trainings when gathering in person was limited. Grassroots unions use email lists and encrypted chat apps to circulate union cards and plan logistics behind management's back.

- **Sit-Ins and Civil Disobedience:** Though less common in fast food, some groups have staged civil disobedience. In 2014, workers briefly held a sit-in at a San Diego Burger King demanding $15 and union talks (cited by local press). Protesters have also occupied fast-food lobbies and office spaces to dramatize grievances. In Texas, activists once nearly halted a local highway in protest (above) to raise visibility. Such actions draw media and build solidarity.

- **Coalition and Community Campaigns:** Many fast-food campaigns link to broader justice causes. For example, Asian- and Latino-led Fast Food Workers Alliances have highlighted immigrant rights within labor campaigns. During legislative fights (like California's AB 257), workers have allied with civil-rights and faith groups to lobby lawmakers [7]. In Dallas, some unionizing workers promised to address **racial and gender equity** in contracts [17]. Unions also partner with student groups and churches to pressure stores (holding parking lot rallies or community forums).

Employer Countermeasures

Fast-food companies have mounted sophisticated **union-busting campaigns**. Tactics include:

- **Surveillance and Spying:** Companies have monitored organizing activity closely. Investigations revealed that McDonald's hired analysts to track Fight for $15 activists on social media and maintained intelligence teams in offices [32]. Internally, Starbucks managers listened in on crew headset communications to spot pro-union sentiment [20]. Some firms allegedly co-opted county officials (e.g. pressuring local law enforcement) or installed cameras to watch organizers. These measures skirt legal lines but aim to identify union leaders early.

- **Mandatory Anti-Union Meetings:** Corporate management often holds obligatory "captive audience" sessions to deliver anti-union propaganda. Starbucks, for example, produced video calls where CEO Howard Schultz urged managers to discourage unionizing and to present "balanced information" slanted against unions [33]. Workers report being shown anti-union videos and repeatedly told "you don't need a union here" during these meetings. Training materials supplied to managers may frame unions as outside agitators, creating a chilling effect.

- **Retaliation and Discipline:** Many fast-food chains have illegally punished pro-union workers. Complaints filed with the NLRB cite firings, demotions, write-ups, and pay cuts for employees seen as union activists. For instance, Starbucks fired a New York City union organizer (Austin Locke) days after a successful vote [34] – a move now barred under NYC's new labor law. Chipotle disciplined Lansing workers for wearing union pins and announced they couldn't get raises while unionized [27]. In Starbucks' Memphis case (Starbucks v. McKinney), the company axed seven baristas who let a TV crew film their unionizing – a firing the NLRB initially tried to enjoin [23]. (Starbucks denies illegal intent; the Supreme Court's 2024 ruling merely tightened the injunction standard [23].)

- **Legal and PR Campaigns:** Companies fight unions through lawyers and PR. Chains routinely file objections to NLRB elections, dragging out process. They also lobby lawmakers and regulators: e.g. McDonald's publicly lobbied for a referendum to repeal California's FAST Act [28], and Chipotle was a top funder behind a pending referendum on the same law. In public relations, executives may claim sympathy but stress compliance with the law. Starbucks, for instance, insists it respects "employees' right to choose" while simultaneously fighting union charges and threatening store closures. Some firms have also begun anti-union advertising. In May 2024 Starbucks even released a mini-documentary billed as "Starbucks Union: The Untold Story" – a pro-company piece telling employees to "get real information" and harboring clear anti-union tone.

- **Union Avoidance Consultants:** Although not always publicized, many chains hire consulting firms experienced in union avoidance (some rooted in anti-union ALEC networks). Managers receive training on how to spot and counter organizing drives. One striking report noted that a fast-food general manager found himself enrolled in mandatory "union avoidance" training without prior notice.

In short, employers leverage every tool – legal, psychological, and technological – to suppress unions. The public record now contains **hundreds of NLRB charges** alleging retaliation, surveillance, and bad-faith bargaining by major chains [24] [20]. (For example, Reuters counted "hundreds of complaints" against Starbucks alone, accusing it of unlawful terminations, spying, and shutdowns during organizing [24].)

Legal and Regulatory Developments

Union drives have occurred amid a turbulent legal landscape:

- **NLRB Elections and Rulings:** Under the Biden NLRB, some rules shifted pro-union (shorter union-election timelines, broader joint-employer definitions) but Congress and courts rolled back many. In Feb. 2023 Congress rescinded the NLRB's election-speedup rule, restoring longer campaign periods. The 2023 Board's broad "joint employer" rule (which would have made franchisors like McDonald's legally responsible for franchise labor practices) was stalled by a Texas federal court and narrowly overturned by Congress – an effort President Biden vetoed in May 2024 [8] [9]. Thus, the tight standard for joint employment (favoring chains) largely remains.

- **Litigation:** Numerous court cases have shaped organizing. In *Boeing Co. v. NLRB* (Jan. 2023), the Supreme Court invalidated two NLRB members' appointments, voiding many Board actions from 2019–22. This ruling reopened old labor cases; for instance, several contested Starbucks election results (decided by a now-defunct NLRB) were remanded for new votes. Another high-profile case is *Starbucks Corp. v. McKinney* (2024): the Court unanimously ruled that the NLRB must meet a higher

standard to get injunctions under Section 10(j) of the NLRA [23]. This makes it harder for the Board to quickly force employers to reinstate fired union activists while cases are pending.

- **State-Level Laws:** Aside from Texas's right-to-work and home-rule bans, other states have enacted fast-food–specific laws. California's AB 257 (2022) created a **Fast Food Council** to set minimum standards on wages and working conditions (the first such law), and fast-food unionists lobbied hard for it [7]. Chicago passed a similar franchise-sector minimum-wage board in 2021. By contrast, Texas law actually limits worker protections: a 2021 Texas law (SB 398) forbids cities from enacting local living wages or "progressive" labor policies [11]. Thus, organizers in Texas must rely on private campaigns and federal NLRA processes rather than state/local mandates.

- **Enforcement Actions:** The NLRB's general counsel (now Jennifer Abruzzo, until early 2025) has signaled an aggressive stance on organizing rights. In 2023–24 the NLRB filed or settled multiple complaints against fast-food companies (e.g. ordering Chipotle to pay fines for the illegal Maine closure [26], and finding merit to Teamsters' charges against Chipotle [27]). Thousands of unfair labor practice (ULP) charges have been brought by and against fast-food employers. The Board and courts continue to grapple with these cases (for example, in early 2024 both sides agreed to mediation on dozens of Starbucks claims [22]).

Outcomes and Impacts

The measurable impacts of these efforts have been mixed but significant:

- **Union Wins:** To date, hundreds of retail and restaurant locations have unionized. Starbucks accounts for by far the largest tally – over **400 U.S. stores** (10,000+ workers) by mid-2024 [15]. Chipotle has one certified union location (Lansing, MI, since 2021). Several smaller wins include a donut shop and a sandwich shop in California, and a handful of independent cafes. (No new McDonald's, Burger King, etc. locations have successfully unionized in the U.S. yet.) In Texas specifically, about **20 Starbucks stores** won union votes by early 2024 [17] [35].

- **Labor Board Elections:** Official NLRB election stats show rising interest: fast-food election filings have more than doubled since 2019. However, only a minority go to a vote (many settle or are withdrawn). Outcomes are uneven: for every 5 or 6 elections held, only a handful (like in Starbucks) succeed in forming a union. Several election victories (often by narrow margins) have been delayed or negated by legal challenges (e.g. District of Columbia elections overturned after *Boeing*).

- **Wage and Benefit Changes:** The broader Fight for $15 campaign has driven major wage increases outside of unions. Today dozens of states and cities have $15+ minimum wages (California's new fast-food council law aims for $20–$22 by 2025, though it is tied up in referendum). Private chains like Starbucks and Chipotle have preemptively raised pay at many locations. For example, Starbucks' national minimum wage for employees rose to $15 by 2023 (higher in some cities) even at non-union stores. These wage gains (often achieved without formal collective bargaining) nonetheless improve workers' leverage. In Texas, no statewide $15 hike passed, but some progressive cities have bolstered their own living-wage ordinances; Fast for $15 also pressured large employers to raise wages or benefits (e.g. a 2021 campaign convinced Popeyes and Wendy's franchises in Austin/San Marcos to improve pay and heat/ac).

- **Organizational Effects:** Many workers who organized fast food stores have become activists more broadly. In Texas, for instance, the number of unionized Starbucks and coffee shops grew enough to interest media: **68,000 Texans** joined unions in 2023 (many in retail and service sectors, such as coffee-shop baristas) – a significant increase over 2022 [36]. This uptick occurred despite Texas's strong anti-union laws [11], indicating that the fast-food campaigns are part of a statewide labor awakening. Nationally, fast-food organizing has boosted membership for SEIU/Workers United and the Teamsters, and given new visibility to worker centers like ROC or Restaurant Workers United, even if by themselves they have few dues-paying members in these chains.

- **Backlash and Retrenchment:** Employers' counter-tactics have dampened some momentum. For example, Starbucks' legal victories and closing of dozen union stores have stalled bargaining progress (as of mid-2024, no collective bargaining agreement has been ratified at any Starbucks union shop). McDonald's and other franchises point to rising wages as evidence of "already doing enough" – even as franchise owners downplay or refuse to recognize unions. The uncertain legal climate (see *Starbucks v. McKinney*) means many NLRB remedies are deferred. Nevertheless, the strikes and votes have tangibly raised public awareness and put chains on the defensive.

Texas-Specific Developments

In Texas, where unionization has historically been low, fast-food organizing has made modest but notable inroads:

- **Local Starbucks Union Wins:** As noted, Texas baristas unionized at multiple Starbucks locations. Houston's Upper Kirby store became the first in the city to join the union (vote 11–3) in Sept 2022 [16]. By 2024, 20 total Starbucks in Texas (Houston, Dallas, San Antonio, Austin, Fort Worth) had won elections [17] [35]. These stores cite concerns common nationwide (wages, safety, respect) but also mention local issues (Texas scheduling laws are strict, etc.). The newly unionized Texas stores have signaled broad contract demands including **racial and gender equity** and flexible scheduling [17], echoing Dallas reporting on newly unionized Denton baristas.

- **Fight for $15 Actions:** Texas fast-food workers have joined almost every national Fight for $15 protest. For example, in November 2016 over 200 workers rallied in Austin and Houston for a day of action, blocking a highway (arrests ensued) and later marching to Houston's George Bush Intercontinental Airport [5]. That movement achieved some local wins: notably, activists got air conditioning installed in an Austin Popeyes and a wage increase at a San Marcos Wendy's [37]. More recently, worker councils and union allies have organized informational events in Dallas and El Paso, though statewide wage increases remain out of reach.

- **Texas Legal Environment:** Organizers in Texas face a very challenging legal climate. Texas is a **right-to-work** state (no union-security agreements) and forbids local minimum-wage laws or project labor standards [11]. That means fast-food workers cannot rely on government-enforced bargaining or living-wage rules; they must turn to private organizing only. Indeed, an ABC13/Texas Tribune analysis (Aug 2024) noted that 68,000 Texans joined unions in 2023 despite these barriers [36]. The rise in union interest (including over a dozen new coffee-shop unions in the DFW area) suggests a generational shift: even Texas Republicans are tentatively courting union voters. Yet Texas law still offers few protections: unfair labor practice prosecutions go through the NLRB (federal) with no state-level oversight, and political leaders have generally opposed labor reforms.

- **Actors and Alliances:** Texas fast-food campaigns have involved a mix of workers and advocates. For example, H-E-B's chairman made news by raising wages for grocery workers after pressure, indirectly raising expectations for other service workers. On the grassroots side, local labor groups (like the Texas AFL-CIO, workers centers, and even faith groups) have begun helping fast-food campaigns. The "Whataburger" campaign mentioned earlier was led by a Houston worker (Mayeane Simms) who became a Fight for $15 spokeswoman [29]. On the company side, Texas headquarters for large chains have weighed in: McDonald's USA is based in Texas, and after facing protests there the company did improve pay at some corporate outlets. However, most Texas fast-food outlets are small franchisees, making coordinated strategy harder.

- **Intersection with Justice Issues:** The Texas fast-food workforce is largely immigrant and minority. Campaign organizers explicitly frame their struggle as racial and economic justice. For instance, during the 2021 MLK Day strike organizers highlighted that **fast-food jobs are a key economic lifeline for Black and Brown Texans** [6]. The Cronkite analysis notes that women of color fill 80% of fast-food jobs [1]. In Texas, bilingual and immigrant outreach has been part of organizing: some campaigns distribute materials in Spanish and partner with Latino civic groups. Gender has also featured: many union or Fight for $15 organizers in Texas are women speaking out on childcare and pay equity. Overall, fast-food organizing in Texas explicitly intertwines with racial and immigrant justice, even while State policymakers largely ignore those dimensions.

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This report draws on public reporting and analysis of fast-food labor campaigns. Key sources include news articles (CNN, Reuters, AP, Guardian, local Texas media, etc.), advocacy reports (SEIU, NELP), and academic/worksite studies of the Fight for $15 movement. All information above is cited from these sources [12] [20] [24] [37], among others, reflecting developments up to spring 2025.

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