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Testimony from Representative Ellie Sato presenting
**LD 1554, An Act to Require Sexual Harassment Prevention
Training for Restaurant Employees**
Before the Joint Standing Committee on Labor

Senator Tipping, Representative Roeder, and esteemed members of the Joint Standing Committee on Labor, my name is Ellie Sato, and I represent House District 109, which includes part of Gorham. I'm proud to be here to present **LD 1554, An Act to Require Sexual Harassment Prevention Training for Restaurant Employees**.

I grew up in a restaurant. When I was five years old, my parents founded Yosaku Restaurant in Portland. As the child of restaurant owners, I spent many hours hanging out, quietly, under the sushi bar at my dad's feet. As I got older, I would do my homework at the bar after school, while my mother was in her basement office bookkeeping and my father was behind the sushi bar, ensuring that service was running smoothly.

That's why it came as no surprise when I started working in food service myself. For many years, my work in catering was the way I paid for my rent, food, and other supplies while I pursued a dance career. During and after the COVID-19 pandemic, I worked in three restaurants in Portland and Lewiston as a full-time job. There were days where I would work a shift in the morning in Portland starting at 6 a.m., then drive to Lewiston to work a dinner shift until 10 p.m.

Across all of those jobs, I have been the subject of sexual harassment. At times the behavior manifested as comments, such as "it looks like you lost a few pounds, you look good" and "you should smile more". Other times, it was a coworker repeatedly physically picking me up off the ground, from behind, without consent. In other rare cases, it was a customer cornering me in order to ask for my personal number. In one specific instance, a customer pinched the back of arm and told me, "You are so hot, but you should lose this. Do you go to the gym?" When I reported this behavior to my employer, the response was to address the issue directly with the perpetrator in private, and that was it. The behavior would stop for two weeks, but would always start again.

The examples I have just enumerated are anecdotes that I have actually experienced, and only consist of a very small percentage of sexual harassment that I have endured. When I have talked with fellow restaurant workers, a common theme that arises is our experiences with witnessing

or personally dealing with sexual harassment. Data from the U.S. Equal Employment Opportunity Commission shows that between the years of 1995 and 2016, more than 70% of female restaurant employees had been sexually harassed, and half of those individuals reported experiencing sexual harassment on a weekly basis. In 2018, the Restaurant Opportunities Centers United conducted a study looking into the connection between sexual harassment and tipping. As part of that report, they collected numerous stories from restaurant workers that illustrate the experience of working in the restaurant industry and the prevalence of sexual harassment.

That's why I have brought this bill forward. The primary intent of this bill is to develop better accountability in the food service industry for sexual harassment. After hearing concerns about the original language, I worked with stakeholders to put together this preliminary committee amendment, and plan to continue working to build this policy. The overarching goal of the sponsor's amendment is to require restaurants and bars with liquor licenses to develop and establish a sexual harassment policy that meets the requirements set in statute, 26 M.R.S.A. § 807(3). To hold businesses accountable, starting on January 1, 2027, they would be required to provide their sexual harassment policy as part of their liquor license renewal to the Department of Labor. If they are unable to comply after 90 days, their license would not be renewed.

It cannot be understated how important it is for workers to feel safe in the workplace. From my own experience, working while facing sexual harassment has a detrimental impact on my ability to work, my mental health, and overall wellbeing. I consistently felt a baseline of fear and anxiety everyday, never knowing what I would have to deal with that day, but coming into work expecting some level of sexual harassment. This bill is just one step forward toward tackling the larger issue of sexual harassment in the workplace.

Before I take questions, I would like to inform the committee that I am in conversations with stakeholders, and will be working to better the language to address concerns. With that, thank you for your consideration, and I would be happy to answer any questions.